



**STATE PROCUREMENT OFFICE
NOTICE OF AND REQUEST FOR EXEMPTION
FROM CHAPTER 103D, HRS**

1. TO: Chief Procurement Officer

2. FROM: Attorney General

Department/Division/Agency

Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction: Court Reporting Services	
4. Name of Vendor: various Address:	5. Price: \$
6. Term of Contract: From: Approval To: 6/30/09	7. Prior Exemption Ref. No. 07-082-C
8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State: Section 606-13.6, Hawaii Revised Statutes, appears to bar "contracting" with court reporters. To the extent that the procurement requirements are derived from contracting statutes, this provision is arguably applicable. This would preclude any contract to "line up" court reporters in anticipation of litigation, and the Attorney General could not retain any court reporters on an on-call basis.	
9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable: We can obtain price lists from court reporters and utilize the least expensive vendor when it is practicable to do so, depending upon the particular services needed and the applicable time constraints.	
10. A description of the agency's internal controls and approval requirements for the exempted procurement: The division supervisor, working with the clerical supervisors, reviews and approves invoices for payment.	

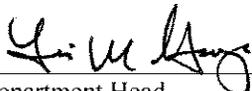
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:		
Name	Position	Involvement in Process
		<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
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		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to:	Department: Attorney General Contact Name: David Moore Phone Number: 586-1223 Fax Number: 585-1080
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Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*


 Department Head

6/20/08
 Date

Reserved for SPO Use Only	
15. Date Notice Posted <u>6/25/08</u>	
The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to: <p align="center"> Chief Procurement Officer State Procurement Office P.O. Box 119 Honolulu, Hawaii 96810-0119 </p>	
Chief Procurement Officer's comments: <p align="center"> This approval is based on the AG's Office representation that HRS section 606-13.6 has not been revised and continues to preclude their office from entering into a contract to "line up" court reporter services. </p> <p align="center"> This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply. </p>	

16. APPROVED DISAPPROVED NO ACTION REQUIRED


 Chief Procurement Officer Date 7/2/08