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

1. TO: Chief Procurement Officer  
2. FROM: DOH/CHD/CDM/CB/Tobacco Prevention & Education Program

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:

On-screen advertisement for Tobacco and teens/youth smoking messages in Hollywood theatres:

- > Kress Cinemas (4 screens)
- > Makalapua Stadium Cinema (10 screens)
- > Maui Mall Megaplex Cinemas (12 screens)
- > Prince Kuhio Theaters (9 screens)

4. Name of Vendor: National Cinemedia LLC

Address: PO Box 17491  
Denver, CO 80217

5. Price:

\$13,317.00

6. Term of Contract:

From: ~~10/01/2008~~ <sup>9/25/08</sup> *Jto* To: 08/13/2009

7. Prior Exemption Ref. No.

07-114-C

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State: Vendor is the sole representative for Signature Theatres in Hawaii. The vendor was not selected by the requestor, but is contracted by the theater to manage on-screen advertisement and Hollywood Theatres *Jto*

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

There are no other vendors for this service. Please see attachment.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:

Please see attachment

**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
Chiyoume Leinaala Fukino	Director, DOH	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Barbara Yamashita	Chief, CHD	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Danette Wong Tomiyasu	Chief, CDMCB	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Julian Lipsher	Coordinator, TPEP	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Tina Vidinha	Office Assistant III, TPEP	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Sheldon Higa	Account Clerk II, TPEP	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration

13. Direct inquiries to:	Department: Health/CHD/CDMCB/TPEP Contact Name: Julian Lipsher Phone Number: 586-4662 Fax Number: 586-8252
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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 *for* *Lucy Jackson* DOH, Director Date SEP 24 2008

Reserved for SPO Use Only	
	15. Date Notice Posted <u>9/25/08</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" style="margin-top: 20px;">                     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

*Adam S. Fajon* 10/21/08  
 Chief Procurement Officer Date

ATTACHMENT

REQUEST FOR AN EXEMPTION FROM CHAPTER 103D, HRS

Details of the process to be followed in selecting the vendor to ensure maximum, fair and open competition as practicable:

There are no other vendors for this service at the selected sites.

Program Coordinator identifies the target consumer and marketing modality (theatre on-screen advertisement).

Program Coordinator investigates the various sites' effectiveness in reaching the largest numbers of the target consumer.

Program Coordinator selects site(s) and works with the vendor (sole representative for a site) who contracts for on-screen advertisements.

Contract is negotiated with vendor.

Description of the agency's internal controls and approval requirements for the exempted procurement:

Program Coordinator

Selects sites and negotiates fees.

Fiscal Office

Monitors billings for proper expenditures.