



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

1. TO: Chief Procurement Officer

2. FROM: DHS / HPHA / CPO

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:
Organizational & leadership development training for executive level management. Specialized training will include on-site assessment and executive training and follow up.

4. Name of Vendor: Kalei Inn, Ph.D. and Associates

Address: 2563 Malama Place
Honolulu, Hawaii 96822

5. Price:

Est. \$19,000

6. Term of Contract: From: 12/1/08 To: 11/30/09

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:
Kalei Inn, Ph.D. and Associates customize each leadership development training to achieve specific objectives and to produce measurable results. The intent of the training is to assist executive level management to implement a culture of continuous learning which is accomplished first through an on-site assessment to observe team performance and analyze leadership styles. This on-site assessment includes one-to-one interviews with line management and will be used to develop the training curriculum necessary to improve communication effectiveness and increase skills. It would not be practicable or advantageous for the HPHA to conduct a competitive solicitation process as the on-site assessment is a critical element of the training.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
While training is exempt under Chapter 103-D, HRS, the on-site assessment of management staff is subject to competitive purchase rules. The HPHA believes the on-site assessment is integral to the success of the training to follow and is therefore seeking an exemption for the assessment.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
The HPHA's Board of Directors adopted its updated Statement of Procurement Policy. The Policy requires that all exempted procurements require the approval of the Procurement Officer and the Executive Director. Additionally, no other administrative requirements are waived, including the submission of certifications of compliance and insurance coverage. The HPHA also conducts reviews necessary to determine that the services will meet the agency's needs and that costs are reasonable.

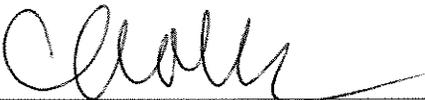
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

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
Chad K. Taniguchi	Executive Director	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Rick T. Sogawa	Acting Procurement Officer	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to:	Department: Contract and Procurement Ofc Contact Name: Rick Sogawa Phone Number: 832-6038 Fax Number: 832-6039
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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

NOV 07 2008

 Date

Reserved for SPO Use Only	
	15. Date Notice Posted <u>11/10/08</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>HRS Chapter 103D, provides various procurement processes that are designed to insure open competition, that all potential providers are afforded the equal opportunity to compete for the required services, and the State pays a fair price for the goods, services or construction. The requirement for an on-site assessment for the development of the training cannot be the basis for an exemption.</p> <p>Because the subject expenditure is less than \$50,000, the small purchase requirements of Procurement Circular 2006-07, Amendment 1, to make an award for the required services should be utilized and the requirement for an on-site assessment for the development of the training may be included in the solicitation requirements.</p>	

16. APPROVED DISAPPROVED NO ACTION REQUIRED



 Chief Procurement Officer Date 11/17/08