

NOTICE OF REQUEST FOR EXEMPTION FROM HRS 103D
COUNTY OF KAUAI

The Director of Finance has received a Request For Exemption from Chapter 103D, HRS, in accordance with Hawaii Administrative Rule 3-120-5. A preliminary review has been conducted and approved for posting of this Notice.

Accordingly, by posting of this Notice, constructive notice is provided to permit interested parties an opportunity to review a copy of the Request For Exemption from Chapter 103D, HRS, attached and posted herewith, and to submit written objections within seven (7) days from the date this Notice was posted. Objections shall be submitted by email to:

COKPurchasing@kauai.gov

Questions may be directed to the Division of Purchasing at phone: (808) 241-4288.

A summary of the Request For Exemption from Chapter 103D, HRS, follows:

Proposed Vendor's Name and Address:

Kukui Grove Center Investment
191 North Wacker Suite 2500
Chicago, IL 60606

Proposed Procurement Item:

Kauai Made Craft Fair Space Rental
(See Attached)

BY: Kristi Mahi
Division of Purchasing

Date Notice Posted: February 2, 2023

SPACE BELOW IS RESERVED FOR RESPONSE TO REQUESTING AGENCY

TO: Economic Development /

Exemption # _____ is assigned. This Notice was posted for seven (7) days. No objections were received. Please proceed with (1) processing of a requisition for a purchase order, or (2) contract preparation with the County Attorney's Office.

Objection(s) were received. Please contact the Division of Purchasing.

Division of Purchasing

Date

DIVISION OF PURCHASING
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

TO: DIVISION OF PURCHASING

FROM: Economic Development /
(Dept or Agency) (Div)

2/2/2023
Date

Pursuant to Chapter 3-120-5, HAR, the Department requests a procurement exemption to purchase the following:

I. DESCRIPTION OF PROPOSED PROCUREMENT:

Space Rental for (5) Kauai Made Craft Fairs in 2023

II. NAME/ADDRESS OF VENDOR:

Kukui Grove Center Investment; 191 North Wacker Suite 2500; Chicago, IL 60606

III. ESTIMATED COST: \$9,162.30
Anticipating a Contract or PO.

IV. ESTIMATED TERM OF CONTRACT OR DELIVERY TIME:

NTP to one year

V. Explanation describing how procurement by competitive means is either not practical or not advantageous to the County:

The Kukui Grove location is the only location able to provide enough covered area square footage for a minimum of 40-75 Kauai Made vendors at one time.

Besides the space needed, this location has agreement from their willing store front leasees to allow this type of event. All other possible venues are either too small or do not have enough covered area nor provide the onsite assistance and security for such a large event.

They are also willing to provide:

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- free tables and chairs, free map of vendor locations as mutually agreed.

-free entertainment and sound system on the event days.

-free promotions of the events through Kukui Grove marketing channels.

-in addition, this large of a venue allows us to provide a socially distanced event by spreading vendors throughout the property.

VI. PROCUREMENT METHOD.

Justification for vendor selection:

The Kukui Grove location is the only vendor able to provide enough covered area square footage for a minimum of 40-75 Kauai Made vendors at one time.

Besides the space needed, this location has agreement from their willing store front leasees to allow this type of event. All other possible venues are either too small or do not have enough covered area nor provide the onsite assistance and security for such a large event.

Details of the **procurement method** to be followed in selecting the vendor to ensure maximum fair and open competition:

VII. If a recommendation of award is to be made by an evaluation committee, to include contract negotiation, who will conduct and manage the process:

(1) Name, Title, and relevant experience or qualifications:

(2) Name, Title, and relevant experience or qualifications:

(3) Name, Title, and relevant experience or qualifications:

VIII. The vendor was/will be notified prior to soliciting or negotiating a price, that the applicable County General Terms and Conditions, or General Provisions for Construction Contracts, is applicable to this purchase: Yes No .

Direct question to: Kent Hirokawa Ph: 808-241-4954

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TO THE BEST OF MY KNOWLEDGE, TRUE AND CORRECT.

Nalani Brun
Nalani Brun
(Department/Agency Head Signature)

Date

SPACE BELOW RESERVED FOR FINANCE DIRECTOR OR DESIGNEE:

APPROVED DENIED

If approved, the following conditions apply:

- The furnishing and delivery of the items and/or services specified herein shall comply with this Request for Exemption in its entirety and with the General Terms and Conditions for Goods and Services, dated July 2016, which by reference is incorporated herein as though it were physically an integral part of this notice.
- The names of the persons recommended in Sections VII shall not be disclosed until after award of a contract.
- Seven (7) day internet posting by **Purchasing Division** required.
- Prior CPO approval is required for any contract amendment(s) that would change the scope of work of the original contract. (amendments are also subject to 7 day Internet posting by **Purchasing Division**)
- A copy of the approved request must accompany any solicitation and contract document submitted to the Purchasing Division for processing.
- Final approval of the negotiated contract by the Director of Finance is required.
- Tax clearance compliance is required as a pre-requisite to contract and for final payment (HRS 103-53)
- The contractor shall be informed of the requirements of **HRS 11-355 relating to the prohibition of campaign contributions by State and County Contractors during the term of the contract (Contact State Campaign Spending Commission: 808 586-0285; www.hawaii.gov/campaign).**

Ernest Barreira

Ernest Barreira (Feb 2, 2023 12:08 HST)

DIRECTOR OF FINANCE or Designee

Date

DIRECTOR OF FINANCE'S COMMENTS: