

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 to:

COKPurchasing@kauai.gov

Questions may be directed to the Division of Purchasing at phone: (808) 241-4288, or Email: COKPurchasing@kauai.gov.

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

Proposed Vendor's Name and Address:
TBD

Proposed Procurement Item:

Selection of a project(s) that meet HOME Investment Partnership Program Community Housing Development Organization (HOME-CHDO) funding requirements through Notice of Funding Availablilty process that has been approved by HUD.
(See Attached)

BY: Cienna Barretto
Division of Purchasing

Date Notice Posted: November 12, 2025

SPACE BELOW IS RESERVED FOR RESPONSE TO REQUESTING AGENCY

TO: Housing / _____

☒ 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: Housing / Development
(Dept or Agency) (Div)

11/10/2025
Date

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

I. DESCRIPTION OF PROPOSED PROCUREMENT:

Selection of a projects that meet HOME Investement Partnerships Program Community Housing Development Organization (HOME-CHDO) funding requirements.

II. NAME/ADDRESS OF VENDOR:

Not selected yet.

III. ESTIMATED COST: \$452,155.84
Anticipating a ☒ Contract or ☐ PO.

IV. ESTIMATED TERM OF CONTRACT OR DELIVERY TIME:

2 years

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

As described below, procurement will be via competitive Notice of Funding Availability (NOFA) process that has been approved by HUD.

VI. PROCUREMENT METHOD.

☒ Justification for vendor selection:

The Housing Agency will be going through a Notice of Funding Availability (NOFA) process that has been approved by HUD. A Public Notice will be published in The Garden Island and on the Housing website announcing the availability of applications for the PY25 HOME-CHDO funds. Only certified HOME-CHDO organizatons or non-profit organizations in the process of becoming a certified HOME-CHDO will be allowed to apply. Applicants will have 30 days to submit an application to the Housing Agency. A review committee will review and score applications to determine which project(s) will be eligible for funding.

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

The Housing Agency will be following a NOFA process that has been approved by HUD. This includes issuing a public notice of funding availability, reviewing and scoring applications received, and awarding eligible project(s)

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:

Steve Franco, Housing Development Coordinator, Kauai County Housing Agency
Qualifications include coordinating and managing project development for the Housing Agency.

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

Kerri Barros, CDBG Coordinator, Kauai County Housing Agency. Qualifications include administration and management of COK CDBG Grant and reviewing of various grant proposals.

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

Anna Kanoho, Federal Programs Specialist, Kauai County Housing Agency
Qualifications including assisting with the administration of various federal programs and reviewing of various grant proposals for the Housing Agency.

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: Steve Franco

Ph: 241-4419

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



(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 (Nov 12, 2025 09:09:08 HST)

DIRECTOR OF FINANCE or Designee

Date

DIRECTOR OF FINANCE'S COMMENTS:

DIVISION OF PURCHASING
REQUEST TO USE MULTI-TERM CONTRACT

11/12/2025

Date

TO: **Division of Purchasing**, ATTN: Ernie Barreira

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

HRS §103D-315 (b) Prior to the utilization of a multi-term contract, it shall be determined in writing: (1) That estimated requirements cover the period of the contract and are reasonably firm and continuing; (2) That such a contract will serve the best interests of the governmental body by encouraging effective competition or otherwise promoting economies in procurement; and (3) That sufficient funds to pay for the initial term of the contract are available and the funds necessary for the remaining terms of the contract are likely to be available from sources which are identified in writing.

HAR 3-122-149 (b): A multi-term contract extends over more than one fiscal period but funds are available for only the initial fiscal period, and the contractual obligation of both parties in each fiscal period succeeding the first is **subject to the appropriation and availability of funds**.

Request is made for approval to procure the following by use of a multi-term contract pursuant to, and in compliance with the provisions of HRS §103D-315 and HAR 3-122-149:

- I. Name, description, and estimated cost of Procurement:
Selection of project that meet HOME Investment Partnerships Program Community Housing Development Organization (HOME-CHDO) funding requirements.
- II. Sufficient funds are available for the initial term of the contract, and the funds necessary for the remaining terms are likely to be available from the following sources:
PY25 HOME-CHDO funds have been awarded to the
- III. Proposed term for use of a multi-term contract:
2 years
- IV. Justification, pursuant to HRS §§ 103D-315(b)(1) and (2), for the use of a multi-term contract:
The use of the multi-term contract will allow appropriations each fiscal year which will best serve the County.

The undersigned certifies that the information contained herein is true and correct to the best of his knowledge and is submitted as a result of reasonable and diligent research and investigation.



(Department/Division/Agency)

date

SPACE BELOW RESERVED FOR FINANCE DIRECTOR'S COMMENTS:

APPROVED ☒ DENIED ☐

Ernest Barreira

[Ernest Barreira \(Nov 12, 2025 09:09:08 HST\)](#)

DIRECTOR OF FINANCE or designee

Date

COMMENTS: