



**Department of Water, County of Kaua'i
NOTICE OF REQUEST FOR EXEMPTION
FROM CHAPTER 103D, HRS**

Date Posted: 11/29/2018

Pursuant to Chapter 3-120-5, HAR, the Department of Water hereby issues the following procurement exemption:

I. DESCRIPTION OF PROPOSED PROCUREMENT:

Engaging the services of a lobbyist, legislative consultant, law firm with legislative lobbying expertise, or professional firm with the commensurate experience to provide analysis or strategic input on legislative matters which may have potential financial impacts on the County of Kaua'i, Department of Water, Board of Water Supply, and/or activities and programs.

II. NAME/ADDRESS OF VENDOR:

SPJ Consulting, LLC, a Hawai'i Limited Liability Company / P.O. Box 17885 Honolulu, Hawai'i, 96817

III. ESTIMATED COST: \$30,000.00

Anticipating a Contract or PO.

IV. ESTIMATED TERM OF CONTRACT OR DELIVERY TIME:

January 1, 2019 to June 30, 2019

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

Procurement by competitive means is not practical or advantageous to the County of Kaua'i, Department of Water (DOW) because a competitive means of procurement does not take into consideration some important factors. Specifically, it does not fully consider the extent to which the contractor can successfully represent the DOW and Board of Water Supply (BWS) on a wide range of issues to protect and maintain laws that may be introduced at the State legislature, and that may be of interest and/or have an impact to the DOW. The vendor must have an understanding of State and County issues and be able to communicate well with Legislators, the DOW and BWS. The vendor must also be able to draft bills, amendments, testimonies, represent and/or attend legislative hearings, and schedule meetings and discussions with key legislators and/or government/private officials. Accordingly, competitive means cannot guarantee the first rank offeror would have such experience and skill to represent the DOW and BWS, and therefore procurement by competitive means would be disadvantageous to the DOW and BWS.



VI. PROCUREMENT METHOD.

Justification for vendor selection:

SPJ Consulting, LLC has the ability, experience, capacity, and performance history to represent the DOW and BWS at Legislature on issues relating to laws affecting the DOW and fundings for DOW projects.

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: N/A
- (2) Name, Title, and relevant experience or qualifications: N/A
- (3) Name, Title, and relevant experience or qualifications: N/A

Point of Contact: Bryan Wienand, Manager and Chief Engineer
 Phone: (808) 245-5403
 Email: bwienand@kauaiwater.org

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

(Department/Agency Head Signature)

11/29/18

Date

SPACE BELOW RESERVED FOR CHIEF PROCUREMENT OFFICER OR DESIGNEE:

APPROVED DENIED

Inquiries about this request shall be directed to the contact named above. Written objections to this notice to issue an exempt procurement contract shall be submitted within seven (7) calendar days, or as otherwise allowed from the date the notice is posted.



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 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)
- A copy of the approved request must accompany any solicitation and contract document submitted to the Chief Procurement Officer for processing.
- Final approval of the negotiated contract by the Chief Procurement Officer 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).**

A handwritten signature in blue ink, appearing to read "Bryan Wind".

CHIEF PROCUREMENT OFFICER

11/29/18

Date

CHIEF PROCUREMENT OFFICER'S COMMENTS:

This approval is for exemption of the solicitation process only. All other requirements of HRS 103D shall apply unless otherwise waived or exempted.