STATE PROCUREMENT OFFICE

NOTICE OF REQUEST FOR EXEMPTION FROM HRS CHAPTER 103D

TO: Chief Procurement Officer

FROM: Office of Hawaiian Affairs, Board of Trustees
Name of Requesting Department

Pursuant to HRS § 103D-102(b)(4) and HAR chapter 3-120, the Department requests a procurement exemption for the following:

1. Describe the goods and/or services:

Legal counsel to provide legal consultation, advice, and representation to OHA to include, but not limited to, insurance coverage, reservation of rights, defense obligations and related insurance coverage litigation, administrative proceedings, and/or alternative dispute resolution processes.

2. Vendor/Contractor/Service Provide	TBD	3. Amount of Request: $ 30,000.00
4. Term of Contrac From:	TBD To:	5. Prior SPO-007, Procurement Exemption (PE):

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:

It is not practicable or advantageous for OHA to procure these legal services through competitive means due to the immediate and ongoing nature of insurance coverage matters. OHA requires legal counsel that can provide immediate advice and representation in response to time-sensitive litigation deadlines, insurance carrier issues, and other urgent legal matters. Delays associated with a competitive procurement process could prejudice OHA's litigation position, jeopardize OHA's position with regards to insurance coverage, or impair the agency's ability to respond to litigation related insurance issues. The required services also demand specialized expertise in insurance coverage, claims handling, and litigation strategy. Accordingly, procuring these services through competitive means is neither practicable nor advantageous. The agency's need for immediate, specialized legal representation, combined with the necessity of maintaining continuity in ongoing legal and insurance matters, makes a noncompetitive procurement the most effective and cost-efficient means of protecting OHA's legal and financial interests.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:

The selection of counsel will be based on the attorney's demonstrated qualifications, experience, expertise, and ability to provide timely and effective legal representation in complex insurance coverage matters. OHA will identify and evaluate attorneys or law firms with substantial experience representing public entities or similarly situated clients in insurance coverage disputes and claims management.

The evaluation process will include consideration of the attorney's knowledge of Hawai'i insurance law and civil litigation; experience interpreting commercial liability, directors and officers liability, employment practices liability (EPL), and other applicable insurance policies; familiarity with insurance carrier claims handling and reservation of rights issues; ability to coordinate effectively with insurance carriers and insurance-retained counsel; reputation for professional competence; responsiveness to urgent legal matters; staffing capacity; and proposed billing rates and overall cost-effectiveness. References, prior work experience, conflicts of interest, and the attorney's availability to immediately undertake representation will also be evaluated.

Following this evaluation, OHA will select the attorney or law firm that is determined to possess the qualifications, expertise, availability, and cost structure that best serve the agency's legal interests while ensuring the timely and effective handling of ongoing insurance coverage and employment-related matters.

8. Identify the primary responsible staff person(s) conducting and managing this procurement. (Appropriate delegated procurement authority and completion of mandatory training required).
*Point of contact (Place asterisk after name of person to contact for additional information).

Name	Division/Agency	Phone Number	e-mail address
Kaiali'i Kahele	OHA, Board of Trustees	808-807-2710	kaik@oha.org

All requirements/approvals and internal controls for this expenditure is the responsibility of the department. I certify that the information provided above is, to the best of my knowledge, true and correct.

Department Head Signature

10/23/2026
Date

For Chief Procurement Officer Use Only

Date Notice Posted: _____

Inquiries about this request shall be directed to the contact named in No. 8. Submit written objection to this notice to issue an exempt contract within seven calendar days or as otherwise allowed from date notice posted to:

state.procurement.office@hawaii.gov

Chief Procurement Officer (CPO) Comments:

☐ Approved ☐ Disapproved ☐ No Action Required

Chief Procurement Officer Signature *Date*