



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

TO: Chief Procurement Officer

FROM: Office of Hawaiian Affairs, Board of Trustees & Advocacy Department
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:
OHA seeks professional services to produce up to six comprehensive Ka Pa'akai analyses for military-leased public trust lands across Hawai'i with leases expiring between 2028 and 2031. These analyses will evaluate Native Hawaiian traditional and customary rights in accordance with constitutional obligations and the three-part framework established in Ka Pa'akai O Ka 'Aina v. Land Use Commission (2000). The work will identify these rights, assess potential impacts, and recommend measures to protect them. Final deliverables must meet legal standards sufficient to support policy advocacy, lease negotiations, legislative efforts, and potential litigation.

2. Vendor/Contractor/Service Provider:	To be determined - seeking multiple bids.	3. Amount of Request:	\$ 60,000.00 USD		
4. Term of Contract	From:	To be determined	To:	To be determined	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 services through a fully competitive process due to the highly specialized expertise, cultural competency, and established community relationships required to produce legally defensible Ka Pa'akai analyses within compressed timelines. While OHA strongly encourages and desires multiple bids to ensure value and quality, the pool of qualified providers capable of meeting judicial standards and engaging appropriately with affected communities is inherently limited. Additionally, the work is time-sensitive and must align with concurrent OHA efforts, including ongoing stakeholder discussions regarding expiring military leases and active advocacy related to the FY2027 National Defense Authorization Act. As such, a more targeted procurement approach better ensures timely, credible, and legally sufficient deliverables.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:
OHA will make outreach to vendors approved, by state procurement processes, for services of similar nature to solicit bids/proposals for Ka Pa'akai analysis. A selection committee of OHA staff will objectively evaluate the bids/proposals before making a vendor selection.

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

Friday, March 20, 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