

**DEPARTMENT OF EDUCATION - OFFICE OF FISCAL SERVICES
REQUEST and NOTICE OF EXEMPTION FROM PROCUREMENT**

PART I - REQUEST FOR EXEMPTION FROM PROCUREMENT

1. TO: DOE Chief Procurement Officer (send completed original form to OFS Procurement and Contracts Branch)

FROM: OSIP-AAB-Assessment Section
(Name of School or Program)

The school/program named above requests a procurement exemption as follows below.

2. This exemption is requested pursuant to:
 §103D-102(b)(4), HRS and Chapter 3-120, HAR or
 §103F-101(a)(4), HRS and Chapter 3-141, HAR

3. Island/District: Statewide or
 Oahu Hawaii Kauai Maui

4. Description of the proposed purchase (attach additional sheets if necessary):
 Indicate one category: good service construction Health/Human service professional service
 Brief description: Labsonic LS5750-M headsets with TRRS adapters will be used for the World-Class Instructional Design and Assessment (WIDA) Access 2.0 Online Operational tests during the SY 2016-2017.

5. Vendor Information
 Name: ACP Direct
 Address: P.O. Box 703168/Dallas TX 75370

6. Term of Contract
 From: upon execution
 To: June 30, 2017

7. Total Cost:
 Not to exceed
 \$150,000

8. Explanation describing how procurement by competitive means is either **not practicable or not advantageous** to the State (attach additional sheets if necessary):

It is not practicable or advantageous to attempt to purchase the Labsonic LS5750 competitively as ACP Direct is the only vendor offering the necessary quantities with shipment directly to schools which allows the HIDOE to implement headset use efficiently. The Labsonic LS5750 headset meets all of the World-Class Instructional Design and Assessment (WIDA) specifications and meets all expectations for durability, comfort, adaptability and user-friendliness. In order to reliably capture student speech and provide consistency in sound for listening test questions, a standardized headset is required during administration in order to maintain technical quality of the assessments. The Labsonic LS5750 headset has several features that, when combined, set it apart from other headsets. In particular, the optional adaptor allows for compatibility with PCs, Macs, tablets and other mobile devices; the noise cancelling circuitry of the microphone reduces external sounds when the student is speaking; the adjustable headband fits students of all sizes and the around-the-ear earpads provide comfort and minimize external noise. Maintaining the cleanliness of the headsets is a priority for school level staff and the earpads clean easily with alcohol wipes after each use.

Lastly, based upon our research the Assessment Section and ELL state staff agree that the Labsonic LS5750 performs to the level of expectation necessary in order to be used for the administration of the WIDA ACCESS assessment. School level staff have agreed and have also stated that the Labsonic LS5750 is the only headset that meets their needs. Therefore, it is not practicable nor advantageous to the HIDOE to competitively solicit for a variety of different headsets when the Labsonic LS5750 meets the standards of WIDA as well as the HIDOE's expectations for durability, comfort, adaptability, and user-friendliness.

9. Details of the process or procedure to be followed in selecting the vendor to **ensure maximum fair and open competition** as practicable (attach additional sheets if necessary):

WIDA defined the requirements for the headset, to be used for the English Language Learners 2.0 curriculum and testing, and recommended this make/model of headset.

The Assessment Section contacted various suppliers of headsets, including the ACP. Some of these suppliers, including the ACP, provided sample headsets allowing the HIDOE to test their functionality. These samples were tested for both WIDA and Program requirements (see item #8) and only the Labsonic LS5750 met all expectations for durability, comfort, adaptability and user-friendliness.

<p>10. A description of the school/program internal controls and approval requirements for the exempted procurement (attach additional sheets if necessary): The Assessment Section is requesting an exemption to the competitive solicitation process only. All other aspects of the procurement code will be followed. The normal internal process for payments using the HIDOE financial management systems shall apply. Assessment Section staff would verify with the delivery service provider that the headsets were delivered to the designated schools. The staff would also verify with the schools that the headsets are in working order. After the Assessment Section staff is assured of the delivery and equipment performance of the headsets, the Assessment Section Administrator will review the invoices from the vendor and authorize payment of them. Any reports or other information can be transmitted to HIDOE's Superintendent, HIDOE's Internal Audit division, and/or to the Hawaii State Board of Education.</p>																							
<p>11. List of school/program personnel who will be involved in the approval process and administration of the contract (attach additional sheets if necessary):</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Name</th> <th style="text-align: left; border-bottom: 1px solid black;">Title</th> <th style="text-align: left; border-bottom: 1px solid black;">Involvement in process</th> </tr> </thead> <tbody> <tr> <td>Brian Reiter</td> <td>Test Develop/Admin Specialist III</td> <td><input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration</td> </tr> <tr> <td>Karen Tohinaka</td> <td>Test Development Specialist II</td> <td><input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration</td> </tr> <tr> <td>Bruce Hirotsu</td> <td>Test Development Specialist II</td> <td><input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration</td> </tr> <tr> <td></td> <td></td> <td><input type="checkbox"/> Approval <input type="checkbox"/> Administration</td> </tr> <tr> <td></td> <td></td> <td><input type="checkbox"/> Approval <input type="checkbox"/> Administration</td> </tr> <tr> <td></td> <td></td> <td><input type="checkbox"/> Approval <input type="checkbox"/> Administration</td> </tr> </tbody> </table>			Name	Title	Involvement in process	Brian Reiter	Test Develop/Admin Specialist III	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration	Karen Tohinaka	Test Development Specialist II	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration	Bruce Hirotsu	Test Development Specialist II	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration			<input type="checkbox"/> Approval <input type="checkbox"/> Administration			<input type="checkbox"/> Approval <input type="checkbox"/> Administration			<input type="checkbox"/> Approval <input type="checkbox"/> Administration
Name	Title	Involvement in process																					
Brian Reiter	Test Develop/Admin Specialist III	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration																					
Karen Tohinaka	Test Development Specialist II	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration																					
Bruce Hirotsu	Test Development Specialist II	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration																					
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration																					
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration																					
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration																					
<p>12. This exemption should be recommended to the Procurement Policy Board to be considered for the list of exemptions attached to Chapter 3-120 or 3-141, HAR: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>																							
<p>13. I hereby certify that the information provided above is, to the best of my knowledge, true and correct; and that all applicable statutory, administrative, policy and procedures have or shall be complied with.</p> <p style="text-align: center;"> Test Develop/Admin Specialist III October 31, 2016 </p> <p style="text-align: center;"> Administrator's Signature & Title Date </p>																							
<p>PART II - NOTICE OF EXEMPTION FROM PROCUREMENT</p>																							
<p>The school/program named below intends to exempt the goods, services, or construction (as described in the request above) from procurement for good cause. The Chief Procurement Officer is in the process of reviewing this request.</p>																							
<p>Inquiries and questions about this request may be directed to:</p> <p>Name/Title: Brian Reiter School/Program: OSIP-AAB-Assessment Section Address: 641 18th Avenue Room V102 Honolulu, HI 96816 Telephone No.: 808-733-4100 email address: brian_reiter@notes.k12.hi.us</p>	<p>Written objections to this Notice of Exemption must be received within seven (7) calendar days from the date this notice was posted, and shall be directed to:</p> <p>Chief Procurement Officer, Department of Education Procurement & Contracts Branch, OFS 94-275 Mokuola Street Room 200 Waipahu, Hawaii 96797 Telephone Number: 808-675-0130 email address: DOEprocure@notes.k12.hi.us</p>																						
<p>Reserved for Procurement Office Use</p>																							
<p>14. Chief Procurement Officer's Comments:</p>																							
<p>15. <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved <input type="checkbox"/> No Action</p> <p style="text-align: center;"> Kathryn S. Matayoshi, Superintendent & CPO Date _____ </p> <p>c: Administrator, State Procurement Office</p>																							