RQS-HPD-1500088

DEPARTMENT OF BUDGET AND FISCAL SERVICES
NOTICE & REQUEST FOR SOLE SOURCE

TO: Chief Procurement Officer

FROM: William R. Axt, Major, Honolulu Police Department, Finance Division

Department/Division/Agency

Pursuant to HRS §103D-306 and HAR Chapter 3-122, Subchapter 9, the Department requests sole source approval to purchase the following:

1. Description of goods, services, or construction to be procured:

The contractor shall provide legal advice and counsel to the State of Hawaii, The Research Corporation of the University of Hawaii (RCUH) and the High Intensity Drug Trafficking Area (HIDTA, an association of law enforcement agencies in Hawaii at the federal, state and county levels), regarding employment, disciplinary, termination, discrimination and retaliation issues, and to provide legal advice, counsel, and recommendations regarding responses to claims asserted by employees and/or former employees.

2. Vendor/Contractor/Service Provider Name:	3. Amount of Request:
Marr, Jones and Wang, LLLP	$ 14,002.47 Federal Funds
4. Term of Contract: (Shall not exceed 12 months), if applicable From: 7-14-14 To: 6-30-2015	5. Prior Sole Source Ref No.

6. The good, service, or construction has the following unique features, characteristics, or capabilities:

The selected law firm was chosen by the HIDTA Executive Board specifically for their experience in labor law. In addition, Ms. Wang of Marr Jones and Wand, LLLP, has already invested time and resources (three months) on the case, at the Board's request.

7. How the unique features, characteristics, or capabilities of the goods, service or construction are essential for the agency?

Ms. Wang was originally selected through a competitive process IAW rules followed by the Attorney General's office to hire outside counsel. The HIDTA Board and AG's Office was required to use this process because the fiduciary was RCUH prior to 7-1-2014.

The HIDTA Board has spent hours providing background material and information to Ms. Wang and talking to her about HIDTA and the circumstances regarding the former director's termination (plus the termination of several other individuals). She in turn, has spent many hours reviewing the material, talking to individuals (potential witnesses) and talking to the former HIDTA director's attorney regarding the former director's claims. She has also met with the U.S. Attorney on several occasions and with the entire HIDTA board. At this point, she has expended many hours working on this potential law suit.

Due to Ms. Wang's experience, resources and involvement in this case, Marr, Jones and Wang, LLLP is in the best interest of the City to continue her service.

REQUEST FOR SOLE SOURCE (Cont.)

Submit in Duplicate

8. Describe the efforts and results in determining that this is the only vendor/contractor/service provider who can provide the goods, services, or construction.

The vendor selected through IAW rules and processes, was previously working under similar terms for the state, RCUH and HIDTA from 3-19-2014 through 06-30-2014 on the same legal matter as this contract.

9. Alternate source. Describe the other possible sources for the goods, services, or construction that were investigated but did not meet the agency needs.

There are other labor law attorneys, however, none that are experienced and knowledgeable about this case. It would not be in the best interest of the City to re-select another firm due to the investment of time and resources (three months) Marr, Jones and Wang, LLLP has conducted. Re-selection would impact delays and costs.

10. **Person that will be responsible for managing this procurement:** Department/Division: Finance Division, Honolulu Police Department Contact Name/Title: Major William Axt	Phone Number: 723-3219 E-mail Address: waxt@honolulu.gov

Department shall ensure adherence to applicable administrative and statutory requirements, including HAR Chapter 3-122, Subchapter 15, Cost or Pricing Data if required.

I certify that to the best of my knowledge, that the information provided above is true, correct, that there is no conflict of interest related to this procurement, and that the goods, services, or construction are available through only one source.

Department Head _____ Date 8-13-14

Reserved for BFS Use Only

Date Notice Posted: _____

Submit written objections to this notice to issue a sole source contract within seven calendar days or as otherwise allowed from the above posted date to:

Chief Procurement Officer
Department of Budget and Fiscal Services
530 South King Street, Room 115
Honolulu, Hawaii 96813
bfspurchasing@honolulu.gov

Chief Procurement Officer's comments:

☐ **APPROVED** ☐ **DISAPPROVED** ☐ **NO ACTION REQUIRED**

Chief Procurement Officer Date