



'11 AUG 11 P3:23

STATE PROCUREMENT OFFICE
NOTICE OF AMENDMENT TO EXEMPTION FROM CHAPTER
103D, HRS, CONTRACT

STATE PROCUREMENT OFFICE
STATE OF HAWAII

- 1. TO: Chief Procurement Officer
2. FROM: Department of the Attorney General, Education Division
3. Name of Contractor: Robbins & Associates, a law corp.
4. P.E. Reference No. 09-038-C

5. Description of goods, services, or construction:
See attached

6. Scope of work for the contract is revised as follows:
The scope of work under the contract has not been revised.
Original Contract Price: \$300,000 Amended Contract Price: \$500,000

7. Reason: This / These amendment(s) are necessary because:
See attached

8. Direct questions to: Holly T. Shikada Phone: 586-1266

Agency shall ensure adherence to applicable administrative and statutory requirements.

9. Pursuant to § 103D-102, HRS, and § 3-120-5, HAR, I certify that the information provided above is, to the best of my knowledge, true and correct

[Handwritten Signature]

AUG -5 2011

Department Head Date

Reserved for SPO Use Only

10. Date Posted: 08/16/2011

11. Submit written objections to this notice of intent to amend a procurement exemption contract within seven calendar days or as otherwise allowed from the above posted date to: Chief Procurement Officer, State Procurement Office, P.O. Box 119, Honolulu, Hawaii 96810-0119

Chief Procurement Officer's Comments:

12. [] APPROVED [] DISAPPROVED

Chief Procurement Officer

Date

13. P.E. No.

09-038-CLX
a1

NOTICE OF AMENDMENT TO EXEMPTION FROM CHAPTER
103d, HRS, CONTRACT

Attachment

5. Description of goods, services, or construction: Contractor, more particularly, Kenneth S. Robbins, the principal attorney, shall serve as special deputy attorney general to represent and defend, in conjunction with the law firm of Watanabe Ing LLP, the State of Hawaii, Department of Education (DOE) in the case of Mark H., et al. v. Hamamoto, et al., Civil No. 00-00282LEK/RLP (the "Case"). The Contractor shall prepare, coordinate and supervise the defense of the State Defendants; appear at all meetings, briefings, and hearings held in conjunction with the Case; to the greatest extent possible, utilize deputy attorneys general and legal assistants of the Department of the Attorney General to assist; provide reports on the progress of the litigation to the Attorney General, as requested; and provide any and all other legal or related services requested to complete all proceedings in the Case in USDC.

7. Reason: This / These amendment(s) are necessary because: The State's potential exposure in this Case is in the millions of dollars per child. The DOE was initially prevailed twice on summary judgment. Both times the cases were overturned on appeal. The Case is currently set for trial in October 2011. Costs will be incurred in preparing witnesses, again, as the Case had previously been close to trial. Moreover, the State has mainland experts in the Case who will have to be brought to Oahu to testify at trial. The parties are currently in settlement negotiations; however, with an October trial date looming, the Contractor must continue to prepare for trial in the event the Case does not settle. The next Settlement Conference in this case is set for the end of August. To wait until the end of August to begin trial preparation would be detrimental to the State Defendants.