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

1. TO: Chief Procurement Officer
2. FROM: Health/ CDD/ TB Control Branch

Department/Division/Agency

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

3. Description of goods, services or construction:

Tuberculosis Drugs

4. Name of Vendor: See Attached listing

Address:

5. Price:

\$440,000

6. Term of Contract: From: Date of CPO APPROVAL To: 12/31/2010

7. Prior Exemption Ref. No.
09-057-B

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State: On November 4, 1992 the Veterans Health Care Act was signed into law as P.L. 102-585. A new section in the Act creates a program wherein drug manufacturers must provide statutory discounts for covered outpatient drugs to agencies receiving grant funds related to treatment of tuberculosis through a state or local government. The State of Hawaii's Tuberculosis Program is a participant. Tuberculosis drugs under this Act are discounted with prices that cannot be matched by non-participating drug manufacturers. The results are cost effective to the TB program's operations.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

Vendor(s) to be selected from drug manufacturers providing statutory discounts.

Program to follow State's procurement code delineated under section 3-120-4. Procurement exempt from Chapter 103D HRS. Exclusion from Veteran Health Care Act would compel program to meet small purchase requirements for amounts less than threshold levels and be subject to competitive bidding for amounts equal to or greater than threshold.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:

Medications are distributed based on program's Physicians' written order, based on their examination and review of patient diagnostic tests and/or x-ray. Any other medication required for patient treatment and not on attached listing would be purchased via state procurement policies and procedures.

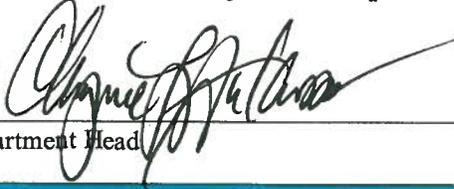
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:		
Name	Position	Involvement in Process
Glenn M. Wassermen, M.D.	Acting Br Chief, DOH, CDD, TB	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Trudy Murakami,	PHAO, DOH, CDD, TB Control Br	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Elizabeth MacNeill, M.D.	Physician I, CDD, TB Control Br	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Eugene Pon, M.D.	Physician I, CDD, TB Control Br	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Lynn Donovan	Pharmacist, CDD, TB Control Br	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to:	Department: Health Contact Name: Trudy Murakami, PHAO Phone Number: 832-5737 Fax Number: 832-5846
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Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*



FEB 10 2010

Department Head

Date

Reserved for SPO Use Only	
	15. Date Notice Posted <u>2/10/2010</u>
The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to: <p align="center"> Chief Procurement Officer State Procurement Office P.O. Box 119 Honolulu, Hawaii 96810-0119 </p>	
Chief Procurement Officer's comments: <p align="center"> This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply. Department is reminded that procurements \$2,500 or more are required to be posted on the Procurement Reporting System. </p>	

16.

APPROVED
 DISAPPROVED
 NO ACTION REQUIRED


3/1/2010
 Chief Procurement Officer Date

LANAKILA HEALTH CENTER
TUBERCULOSIS CONTROL BRANCH
1700 Lanakila Avenue, Ground Floor
Honolulu, Hawaii 96817

ATTACHMENT 1: VENDORS FOR V.H.C.A. OF 1992

WYETH LABORATORIES
31 MOREHALL ROAD
FRAZER, PA 19335

Pyrazinamide Tablets 500mg 500'
Trecator-SC 250mg 100'

AVENTIS PHARMACEUTICALS
HOECHST MARION ROUSSEL
300 SUMERSET CORP. BOULEVARD
BRIDGEWATER, NJ 08807
ATTN: CUSTOMER SERVICE

Rifamate Capsules 60'
Rifadin Capsules 300mg 60'
Rifadin Capsules 150mg 30'

JACOBUS PHARMACEUTICAL CO., INC.
37 CLEVELAND LANE
P.O. BOX 5290
PRINCETON, NJ 08540

Paser Granules (p-Aminosalicylate)
4gm/pkt 30 pkt/ctn

VERSAPHARM INCORPORATED
200 NORTH COBB PARKWAY, SUITE 210
P.O. BOX 7509
MARIETTA, GA 30065-1509

Ethambutol Tablets 400mg
Ethambutol Tablets 100mg
Isoniazid Tablets 300mg
Isoniazid Tablets 100mg
Isoniazid Syrup 50mg/ml
Pyridoxine Tablets 50mg, 25mg, 100mg
Pyrazinamide Tablets 500mg
Rifampin Tablets 300mg, 150mg
Isonarif Capsules

AMERISOURCEBERGEN DRUG CORPORATION
HONOLULU DIVISION
238 SAND ISLAND ACCESS ROAD
HONOLULU, HI 96819

Various above listed