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

- 1. TO: Chief Procurement Officer
- 2. FROM: DOH/CHD/CDMCB/Tobacco Prevention and Education Program

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:
 The Department of Health requests to renew its agreement with the said Vendor to provide administrative and management services for the implementation of a community-based tobacco control intervention model recommended by CDC Best Practices. The agreement will:

- strengthen the capacity of local communities to build their tobacco control coalitions that facilitate collaboration among organizations for the prevention and control of tobacco use;
- facilitate the implementation of evidence-based interventions through community coalitions to relieve the health and economic burden of tobacco use, especially among populations experiencing health disparities and inequities;
- facilitate an integrated approach for organizational assets to be directed toward strengthening community resources in tobacco control.

The Vendor must be a non-profit entity having a professional staff, a board of directors, and qualifying under section 501(c)(3) of the Internal Revenue Code of 1986, as amended. DOH will provide up to \$250,000. The Vendor will also contribute up to \$75,000 toward mutually identified outcomes. The aggregate funds will support the six community coalitions on each of the islands by which the Vendor will initiate a competitive RFP process for hiring local coordinators, funding community initiative projects, and managing support travel for statewide meetings.

4. Name of Vendor: The Coalition for a Tobacco Free Hawai'i Address: 1500 South Beretania Street, Suite 309 Honolulu HI	5. Price: \$250,000.00
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6. Term of Contract: From: 03/30/10 To: 03/29/11	7. Prior Exemption Ref. No. 09-115-D
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8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

 See Attachment A

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

 See Attachment B

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

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
 The selected Vendor will adhere to a memorandum of understanding outlining roles and responsibilities, controls for monitoring compliance with expenditure guidelines and authorized personnel for approvals. Progress will be monitored through the use of regularly scheduled meetings with the Vendor; and to document this progress through submittal of interim activity and expenditure reports.

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
Chiyome Leinaala Fukino <i>CL</i>	Director, DOH	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Lola H Irvin <i>LHI</i>	Program Manager, TSP	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
James Cullen <i>JC</i>	PHAO, CDMCB	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Danette Wong Tomiyasu	Chief, CDMCB <i>DWT</i>	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Julian Lipsher	Program Manager, TPEP <i>JL</i>	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to: Department: Health
 Contact Name: Julian Lipsher
 Phone Number: 586-4662
 Fax Number: 586-8252

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.*



MAR 24 2010

Department Head Chiyome Leinaala Fukino, Director

Date

Reserved for SPO Use Only

15. Date Notice Posted 3/25/10

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:

Chief Procurement Officer
 State Procurement Office
 P.O. Box 119
 Honolulu, Hawaii 96810-0119

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

Chief Procurement Officer's comments:

Approval is granted based on the statement that DOH has determined that a partnership with the Coalition would best fulfill the goals of the project and that procurement by competitive means for services required would not be advantageous as no other provider would be able to financially contribute to augment this effort.

16.



APPROVED



DISAPPROVED



NO ACTION REQUIRED

Adams. J. [Signature] 5/17/2010
Chief Procurement Officer Date

3. Description of goods, services, or construction

The Department of Health requests to renew its agreement with the said Vendor, the Coalition for a Tobacco Free Hawaii (Coalition) to partner with the DOH to provide administrative and management services for the implementation of a community-based tobacco control intervention model (project) as recommended by CDC Best Practices.

The goals of the CDC Best Practices and the project are:

- to strengthen the capacity of local communities to build their tobacco control coalitions to facilitate collaboration among organizations for the prevention and control of tobacco use.
- to facilitate the implementation of evidence-based interventions through community coalitions to relieve the health and economic burden of tobacco use; especially among populations experiencing health disparities and inequities.
- to facilitate an integrated approach for organizational assets to be directed toward strengthening community resources in tobacco control.

The Coalition was chosen because it is a non-profit entity having a strong and extensive association with tobacco control, with a professional staff, a board of directors, and qualifies under section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

The DOH will provide up to \$250,000 of federal funds from its CDC Collaborative Chronic Disease, Healthy Promotion and Surveillance Program Grant, and the Coalition will also contribute at least \$75,000 toward mutually identified outcomes. The Vendor will be the contractor for all of the project coordination.

The aggregate funds will support six community coalitions on each of the islands by which the Vendor will initiate a competitive process for hiring local coordinators, funding community initiative projects, and managing travel for statewide meetings.

8. Explanation describing how procurement by competitive means is either not practicable or advantageous to the State:

Procurement by competitive means is not advantageous to the State for two reasons. The first is the expertise of the Coalition and the second is that only the Coalition has agreed to augment the funds supplied by the DOH with funds of their own.

The Coalition is the only independent organization in the State whose sole mission is to reduce tobacco use. The Coalition has ten years of demonstrated experience in creating community-based tobacco control networks and has qualified staff in place. It already adheres to the CDC Best Practices and also to the State's 5-year Strategic Plan.

There are, in our estimation, only three other groups, the American Cancer Society, the American Lung Association of Hawaii and the American Heart Association, which might be considered as a partner in this project. The Coalition is clearly the best option. While each of these groups is concerned with the harmful effects of tobacco use, their focus on tobacco is only a part of what they do. Their activities are contingent upon their organization's primary mission and the annual priorities established by their national offices. But the Coalition, as noted above, is focused 100% on tobacco. Also, each of the other associations has been contacted and none of them is interested in participating in this project.

In addition to the reasons noted above, the Coalition will contribute at least \$75,000 to augment the money from the State via the CDC. The Coalition will then partner with the Department of Health in the coordination of the use of the combined fund. Thus this procurement will increase the fund for the control of tobacco in Hawai'i and improve the efficiency of its use. By working in concert, the total fund can be directed without the duplication of efforts.

The Vendor will primarily assist the DOH Tobacco Prevention and Education Program by being the aggregator of funds from federal agencies, Non-governmental organizations, and private foundations. As a managing partner, the Vendor's role will include, but not be limited to:

- Assuming administrative and legal responsibilities for the receipt and disbursement of funds received from agencies and organizations, adhering to expenditure guidelines established by the Department of Health, and maintaining all financial records according to generally accepted accounting principles.
- Appointing a staff member to be the liaison with the Department of Health in coordinating the community coalitions.
- Initiating a competitive process for the hiring of local community coalition coordinators
- Assisting in the oversight of the completion of annual community assessments by each coalition for the development of annual action plans which address the objectives of the Tobacco Use Prevention and Control 5-year Strategic Plan for the State.
- Assisting in the implementation of the community initiative project proposal process consistent with the tobacco control priority goals and the integration of tobacco control with chronic disease
- Participating in planning and handling travel logistics for statewide meetings
- Assisting in creating an assessment process to monitor and evaluate achievement of community coalition goals and objectives
- Assisting in the annual evaluation of the local community coalition coordinators
- Maintaining ongoing communication to monitor progress
- Submitting interim activity and expenditure reports to DOH

ATTACHMENT C

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

The request for this exemption is being submitted for the following reasons: First, the Coalition is the only organization whose entire focus is on tobacco. Three other associations work in the area of tobacco control but tobacco represents only a portion of their focus. Second, each of these associations has been contacted and only the Coalition is willing to participate. Third, the Coalition will contribute funds to the project and partner with the Department of Health in the spending of the total fund. Thus, this exemption will increase the amount of the total fund and increase the efficiency of its use.