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

STATE PROCUREMENT OFFICE
STATE OF HAWAII

- 1. TO: Chief Procurement Officer
- 2. FROM: Transportation/Highways/Motor Vehicle Safety Office

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:

<p>3. Description of goods, services or construction: This exemption is requested to purchase related human services to operate the federal highway traffic safety grants program. The program is 100 percent federally funded by the US Department of Transportation (US DOT) through the National Highway Traffic Safety Administration (NHTSA) to conduct enforcement and education programs that change traffic safety behavior.</p>	
<p>4. Name of Vendor: Various Providers/Vendors Address:</p>	<p>5. Price: \$5,000,000.00</p>
<p>6. Term of Contract: From: 1/1/13 To: 12/31/13</p>	<p>7. Prior Exemption Ref. No. 11-076-K</p>
<p>8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State: Due to the specific nature of the federally funded highway traffic safety program, procurement by competitive means is neither practicable nor advantageous to the State. The DOT/MVSO seeks community involvement and innovative projects dealing specifically with highway traffic safety. The USDOT/NHTSA, the funding source, specifies the areas of concentration such as child passenger safety, speed reduction, pedestrian safety and impaired driving. The goal is to find new ideas and innovative solutions to reduce traffic safety fatalities and injuries on Hawaii's roadways. The grant amounts are as low as \$500 that makes it impractical to solicit bids. Many of the grants are awarded to State and County agencies, where the expertise resides, (i.e. police checkpoints, sobriety, speed, seat belt, etc.), can only be awarded to the four county police departments. <u>Failure to meet national goals may result in the loss of federal funds.</u></p>	
<p>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 Proposals notice is posted on the State's Procurement website. Public meeting notices are also posted in each major newspaper on the islands of Oahu, Kauai, Maui and Hawaii. The meeting is to inform the public about the available funds and to teach them how to apply for the funding. There is a minimum of one month between the public meetings and the deadline to submit proposals for funding. All proposals that meet the highway safety grant qualifications are then forwarded to the State Highway Safety Council and the County Safety Councils for review and input. The ranking order is then forwarded to the Director of Transportation for review. The DOT Director's approved list is then forwarded to the National Highway Traffic Safety Administration for final review and approval.</p>	

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

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
 Each project is required to submit quarterly reports to the Motor Vehicle Safety Office staff for review. The Motor Vehicle Safety Office staff also monitors each project by visiting the project site and reviewing documents. Fiscal reimbursement requests are required to be turned in with copies of all invoices and relevant paperwork. The DOT's Fiscal staff also reviews the reimbursement requests before payments are made to the vendors.

All paperwork is also reviewed by the National Highway Traffic Safety Administration (NHTSA), which provides 100 percent funding for these grants. NHTSA's staff also audits the DOT's Motor Vehicle Safety Office each year.

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 Okimoto	Director of Transportation	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Scott Haneberg	Administrator, MVSO	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Lee Nagano	Highway Safety Manager	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Lianne Yamamoto	Highway Safety Specialist	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Karen Kahikina	Highway Safety Specialist	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Kari Benes	State Highway Safety Council	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to: Department: Transportation
 Contact Name: Lee Nagano
 Phone Number: 587-6301
 Fax Number: 587-6303

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.*


AUG 08 2012

 Department Head Date

Reserved for SPO Use Only

15. Date Notice Posted 8/10/12

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:

Over 90% of the contracts are government to government which are exempt from the Procurement Code, pursuant to HRS section 103D-102(b)(2)(g). This request is disapproved and the department shall follow the appropriate method of procurement in awarding the non-governmental contracts. HRS section 103D-310(c) and HAR section 3-122-112, shall apply (i.e. vendor is required to be compliant on the Hawaii Compliance Express) and awards are to be posted on the Awards Reporting System. If there are any questions, please contact Kevin Takaesu at 586-0568, or kevin.s.takaesu@hawaii.gov.

16.

APPROVED DISAPPROVED NO ACTION REQUIRED


Chief Procurement Officer Date 9/12/2012