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GOVERNOR OF HAWAII

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LORETTA J. FUDDY, A.C.S.W., M.P.H.  
DIRECTOR OF HEALTH

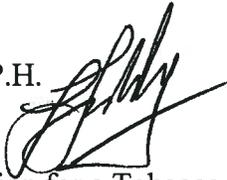
STATE PROCUREMENT OFFICE  
STATE OF HAWAII

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. BOX 3378  
HONOLULU, HI 96801-3378

In reply, please refer to:  
File:

April 3, 2013

To: Aaron S. Fujioka, Administrator  
State Procurement Office

From: Loretta J. Fuddy, A.C.S.W., M.P.H.  
Director of Health 

Subject: ASO Log Number 10-34, Coalition for a Tobacco Free Hawaii

This communique is on behalf of the Department of Health's Tobacco Prevention and Education Program (TPEP) to request approval to extend the Notice of and Request for Exemption from Chapter 103D, HRS. The contract was scheduled to end on March 28, 2013.

The extension is requested as the TPEP was awaiting the final required audit report on the Coalition for a Tobacco Free Hawaii and did not receive that until March 27, 2013. The TPEP was also awaiting the official Notice of Award for the Collaborative Chronic Disease, Healthy Promotion and Surveillance Program Cooperative Agreement from the Centers for Disease Control and Prevention to proceed with Year 05. This was received on April 1, 2013. In October 2012, TPEP underwent major staffing changes in the Program Manager position, and also has not had a Public Health Administrative Officer for the last year. These issues though not insurmountable, however, have resulted in unfortunate delays in the contract procurement process.

We appreciate your understanding and cooperation on this request to extend the 103D contract as Mod 7. If you have any questions or need additional information, please contact Lila Johnson at 586-4662 or [lila.johnson@doh.hawaii.gov](mailto:lila.johnson@doh.hawaii.gov).

Thank you.

APPROVED     DISAPPROVED

\_\_\_\_\_  
Administrator

\_\_\_\_\_  
Date

*Promoting Lifelong Health & Wellness*

*2014*

*PED9-115Da7*



STATE PROCUREMENT OFFICE  
**NOTICE OF REQUEST TO AMEND AN EXEMPTION**  
**FROM HRS CHAPTER 103D CONTRACT**

13 APR 10 A7:59

STATE PROCUREMENT OFFICE  
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Health/TSP/CDMCB/Tobacco Prevention & Education Program  
*Name of Requesting Department*

Pursuant to HRS §103D-102(b)(4) and HAR section 3-120-5(d), the Department requests to amend an exempt contract as follows:

1. SPO-007, Exemption Reference (PE) Number: 09-115-D

2. Vendor/Contractor/Service Provider Name: The Coalition for a Tobacco Free Hawaii

3. Describe the goods, services, or construction:  
See attachment A.

4. Explain in detail what is being amended:  
Extension of time and increase of funding.

5. Amended contract price for this request: \$ \$250,000 Total = \$1,466,675

6. Explain in detail why the amendment(s) are necessary:  
See Attachment B.

7. Identify the primary responsible staff person(s) conducting and managing this procurement. Appropriate delegated procurement authority and completion of mandatory training required.)

\*Point of contact (Place asterisk after name of person to contact for additional information.)

Name	Division/Agency	Phone Number	Email address
Lola Irvin <i>LI</i>	TSP	586-4488	lola.irvin@doh.hawaii.gov
Lila Johnson <i>LJ</i>	TPEP	586-4662	lila.johnson@doh.hawaii.gov

**All requirements/approvals and internal controls for this expenditure is the responsibility of the department. I certify that the information provided is to the best of my knowledge, true and correct.**

*[Signature]*

Department Head Signature

*4/10/13*

Date

**For Chief Procurement Officer Use Only**

Date Notice Posted: 4-10-13

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

state.procurement.office@hawaii.gov

Chief Procurement Officer (CPO) Comments:

Pursuant to HAR §3-120-5, request for exemption and amendment are required to be requested prior to the procurement. PE 09-115Da6 (Amendment 6) was approved for the period 03/30/12 to 03/29/13 and SPO received this request to amend the continued services after the expiration date. Request is disapproved and department is required to submit form SPO-016, *Report of Procurement Violation: Findings and Corrective Actions and/or Request for After-the-Fact Payment Approval*, for any goods or services received after 03/29/13, if any.

For future goods or services, department may submit form SPO-007, *Notice of Request for Exemption from HRS Chapter 103D*, which would be effective at the earliest, from the date of submittal for a period of 1 year.

If there are any questions, please contact Donn Tsuruda-Kashiwabara at 586-0565 or donna.tsuruda-kashiwabara@hawaii.gov.

Approved  Disapproved  No Action Required

*Donna Tsuruda-Kashiwabara*  
Chief Procurement Officer

*4/10/2013*  
Date

## **Attachment A**

### **3. Description of goods, services or construction:**

The Department of Health requests the extension of its exemption with the said Vendor (the Coalition for a Tobacco Free Hawaii [Coalition]) to run from March 29, 2013 to March 28, 2014 in order that the Coalition may continue to provide administrative and management services for the implementation of a community-based tobacco control intervention model recommended by CDC Best Practices. All of the elements in the existing request for the exemption are still in effect. In addition, three years of the agreement have been audited by the Tobacco Prevention and Education Program, and the invoices were found to be in order and the Coalition's spending was in adherence to the approved budget.

The agreement has and will continue to:

- 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 reduce 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 Coalition is 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. The DOH will provide up to \$250,000; the Vendor will also contribute up to \$75,000 (3.33 to 1 ratio) 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 process for hiring local coordinators, funding community initiative projects, and managing support travel for statewide meetings.

## **Attachment B**

### **6. Reason: This/These amendment(s) are necessary because:**

The Department of Health's Tobacco Prevention and Education Program expects to receive a grant from the Centers for Disease Control and Prevention to run from March 29, 2013 through March 28, 2014. The extension of the contract with the Coalition is contingent upon the receipt of these funds.

The Department of Health requests the extension of its exemption with the Coalition to run from March 29, 2013 to March 28, 2014 in order to maintain the collaborative effort put in place by the original exemption (09-115-D).

All of the elements in the original request for the exemption are still in effect. The intent of the original agreement was that the Department of Health (through its Tobacco Prevention and

Education Program) and the Coalition would combine their efforts and work together to reduce the use of tobacco in Hawaii. Both entities would contribute financially and pool their resources toward that end and in doing so, avoid the wasteful duplication of effort.

The first three years of the agreement have been audited but the Tobacco Prevention and Education Program and the invoices were found to be in order. Also, the Coalition's spending was, again, commensurate with the spending by the DOH. The agreement was that the Coalition would spend at a rate of 30% of the spending of the Department of Health.

The Coalition has met its financial obligation in each of the first three (3) years of the contract. They will again financially contribute to the effort at a rate of 30% of the Department of Health's contribution. When this collaborative effort was contemplated, none of the other prospective partners were willing to make a financial contribution to this effort. It was because of the Coalition's commitment to add significant financial resources to the effort of the Department of Health during each year of the agreement that the exemption was sought initially. The Coalition, as noted, will honor its commitment in the period covered by this amendment.