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

1. TO: Chief Procurement Officer
2. FROM: HWY

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:
Employee Leasing (Temps) are to be used as clerical support for the "Multi-Skilled Worker" pilot program which began October 16, 2006 and end October 15, 2007. The success of the program will be determined by the successful/timely response/completion of complaints. The temporary hires will respond, record, assign, distribute, follow through, and record the completed actions, time and date to complaints, as well as other duties assigned. The section will become the districts central point (hub) of all complaints, work orders, and work activity for the district. These temporary hires are necessary to ensure the timely completion of the complaint, the capturing of the data to determine if the procedures of the program must be adjusted and/or the programs success. At the end of the year, if the program is determined to be successful, the program will become permanent and expand throughout the entire Oahu District.

4. Name of Vendor: Staffing Partners Address: 1441 Kapiolani Blvd. Ste. 1907 HONOLULU, HI 96814	5. Price: \$60,000.00
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6. Term of Contract: From: date of appr To: 12/31/07	7. Prior Exemption Ref. No.
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8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
The division (HWY-C) has just started working on a formal contract which may take approximately 6 months to complete, it will take approx. 3 more months to advertise, award, sign contracts before we can bring on the necessary temporary hires. The division is also looking into creating limited term positions which will take several years as the positions for this section was not budgeted. See attached budget execution policy.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
We have E-mailed an SPO Form 10A to all of the vendors listed under "Employee Leasing" in the 2007 Hawaiian Telephone Book.

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

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

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	
Pratt Kinimaka	Eng. Program Manager	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
U Kuong Ung	Eng. (Civil) VI	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Robert Shin	Eng. (Civil) VI	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
George Abcede	Eng. (Civil) VI	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Clyde Morita	Eng. (Civil)V	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Colleen E. Miyano	Bus. Ser. Supv. III	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to:
 Department: Transpotation/Highways
 Contact Name: Colleen E. Miyano
 Phone Number: 831-6796
 Fax Number: 831-6725

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.*


 Department Head

12-5-06
 Date

Reserved for SPO Use Only

15. Date Notice Posted 12/13/06

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:

This approval is for the solicitation process only, HRS section 103D-310 (c) and HAR section 3-122-112 shall apply.

16.



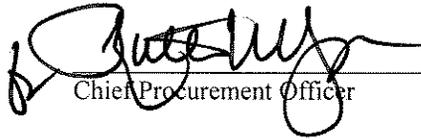
APPROVED



DISAPPROVED



NO ACTION REQUIRED


Chief Procurement Officer

12/20/06

Date

- Granting of temporary assignment to existing employees.
 - Establishment and filling of positions pursuant to Section 76-16(b)(5), (7), (9), and (16), HRS.
 - Filling of civil service positions identified for Reduction-in-Force placements, and/or for placements of disabled employees.
 - Filling and/or extensions of *blanket* authorizations previously approved by me. Documentation should be provided to B&F and/or Department of Human Resources Development (DHRD), upon request.
- b.3 All vacancies permitted to be filled must be funded within currently approved departmental allocations.
- b.4 Proposed actions to establish or extend positions that are exempt from civil service pursuant to Section 76-16(b) (2), (12), and (15), HRS, unless previously delegated to the departments, shall require the prior review and approval of DHRD before submission to me, through B&F, for approval to fill or extend exempt positions beyond their not-to-exceed (NTE) dates.
- b.5 DHRD has provided the departments with delegated authority to review and approve civil service exemption for positions established under Section 76-16(b) (3), (10), and (17), HRS. My approval is not required to extend these exempt positions beyond their NTE dates.
- b.6 Positions not Authorized by the Legislature. Section 167 of Act 178, SLH 2005, as amended by Act 160, SLH 2006, prohibits the expenditure of funds, including federal funds, to fill any position not authorized by the Legislature. Exception is provided for:
- Positions at UH and HHSC.
 - Civil service positions entirely funded with federal monies.
 - Positions established pursuant to Section 76-16(b), subsections (3), (13), (21), and (23), HRS, or where an agency has explicit statutory authorization to establish positions to accomplish necessary functions.
- Departments are required to submit a report, with specific details, to the Legislature within five days of each use of this exception.
- b.7 Procedures for Approval. All position requests requiring my approval for filling shall be submitted in the attached formats (Forms B-1 and B-2).
- c. Position Variances. Program positions should be of the same position classification series described in BJ details of the approved budget. Any variance from such