

'06 DEC 15 P2:16

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

1. TO: Chief Procurement Officer
2. FROM: Lillian B. Koller, Department of Human Services

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:
Rene Berthiaume (hereafter, the "Contractor") will provide consulting services for the Department of Human Services (hereafter, DHS) to support the development and maintenance of safe houses for adolescents. The Contractor shall complete the following tasks.

1. Assisting in identifying potential sites for investigation;
2. Assisting in investigating and assessing all aspects of site feasibility (physical structure, required renovations, local permitting processes, comparative analyses of costs and timelines, etc.);
3. Assisting in completing procedures required to establish and maintain safe houses;
4. Executive briefings on the status the status of investigations; and
5. Periodic written recommendations and reports.

4. Name of Vendor: - Address: P.O. Box 1115, Haleiwa, HI 96712	5. Price: \$24,150
6. Term of Contract: From: 1/1/07 To: 12/31/07	7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
See Attached

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
The vendor was selected based on his unique experience as a consequence of assisting on what was originally conceived as a smaller scope of services..

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
Exempted procurement for these services is specified in HRS 103D-102 (b) (4) (L) and HAR 3-120-4, Exhibit A, Chapter 3-1. Any and all requests for exepmtions are researched and identified by staff familiar with program and procurement requirements and reviewed and approved by the Department Director.

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
Lillian B. Koller, Esq.	Director, Human Services	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to:	Department: Department of Human Services Contact Name: Scott Ray Phone Number: 721-6225 Fax Number: 586-4890
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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.*



DEC 14 2006

Department Head

Date

Reserved for SPO Use Only

15. Date Notice Posted 12/18/06

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

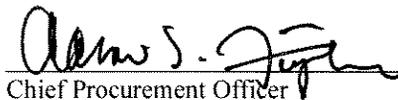
Chief Procurement Officer's comments:

The initial small purchase was conducted over 12-months ago (approximately October 2005), therefore the agency may use small purchase procedures to procure the requested services and submission of this exemption request is not necessary and returned with no action taken.

However, if this had been done within a 12-month period and exceeded, the current small purchase threshold, it would be considered a violation. Please insure that your staff understands the rules and procedures governing small purchases and procurement violations.

16.

APPROVED DISAPPROVED NO ACTION REQUIRED



12/22/06
Date

The Department originally collected competitive bids for these services to support executive administration directives to develop a safe house. Upon the establishment of the first safe house, executive administration directed the development of three more safe houses.

The consultant who had been selected on the basis of competitive bids had already engaged in investigating additional potential sites and facilities, and was familiar with the processes and needs of the project as well as the properties targeted at that time, details of needed renovations, required planning and zoning and other related issues. Consequently, the remainder of the previous contract (\$14,690) was dedicated to investigating additional sites and supporting the continuation of the original safe house.

As a result of these circumstances, no new contractor could master the deluge of existing information (written and unwritten) collected by the current consultant to the same level of familiarity and understanding of the pertinent facts relating the the search, identification and development efforts to date which must continue. The intimate involvement of this contractor to date uniquely qualifies him to assist in the completion of the remaining efforts required to complete the development of three more safe houses.