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

- 1. TO: Chief Procurement Officer
- 2. FROM: 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: Performance of research and consultation with existing and potential expanded or new community-based assisted living facilities - see attached scope	
4. Name of Vendor: Rene Berthiaume Address: P.O. Box 1115 Haleiwa, HI 96712	5. Price: \$47,000
6. Term of Contract: From: 2/15/07 To: 3/14/08	7. Prior Exemption Ref. No.
8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State: Procurement by competitive means is neither practicable nor advantageous to the State because this is a high specialized and unique service that only a highly limited nimer of agencies are interested in performing. Vendors must have very specialized knowledge relating to assisted living facilities. Many of those who are qualified are archetectual firms or builders who are primarily engaged in much larger and more lucretive projects. Enquiries were sent sent to more than five companies, and only two companies responded at all, and only one responded with a proposal within the small purchase limits.	
9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable: Request for bid forms were distributed to seven potential vendors on SPO standard forms SPO-10a. As stated above, only two responded and only one of those two responded within the small purchase limits. Potential vendors were identified by asking for possible contractors from personnel in pertenent Department of Health (e.g. Office of Health Care Assurance) and Department of Human Services Divisions (Adult Community Care Branch of the Social Services Division) that license assisted living facilities as well as the Hawaii Health Service Corporation that operates state hospital and nursing homes.	
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. 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	Director of Human Services	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Randy Fonseca	Administrator FRPS/SSO/SSD/DHS	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Patty Johnson	Administrator, ACC/SSD/DHS	<input 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

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

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.*

[Handwritten Signature]

Department Head

Date

Reserved for SPO Use Only	
15. Date Notice Posted <u>1/29/07</u>	
<p>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:</p> <p align="center">Chief Procurement Officer State Procurement Office P.O. Box 119 Honolulu, Hawaii 96810-0119</p>	
<p>Chief Procurement Officer's comments:</p> <p align="center">There is no justification to support why procurement by competitive means is either not practicable or not advantageous to the State.</p>	

16. APPROVED DISAPPROVED NO ACTION REQUIRED


 Chief Procurement Officer 2/5/07
 Date

Scope of Services

The Contractor shall assist the Department of Human Services (DHS) by performing a pilot project to work with several Community Care Foster Family Homes (CCFFHs). The Contractor shall complete the following tasks:

- (1) Develop a business-friendly checklist for the public that briefly summarizes the building, zoning, occupancy, fire and other regulatory codes that apply to developing a CCFFH;
- (2) Evaluate a selection of current home and community-based facilities for their amenability to retrofitting either current or proposed standards, including evacuation procedures for non-ambulatory residents;
- (3) Assess the needed services and provide an estimate of work that would need to be done;
- (4) Assist the owner of the facility in understanding the permitting process and technical requirements; and
- (5) Prepare the information in a format that will assist the DHS and the Department of Health (DOH) in preparing their legislation on loans/grants for the 2008 Legislative Session.