

STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

04 MAY 10 A8:24

TO: Chief Procurement Officer

STATE PROCUREMENT OFFICE
 STATE OF HAWAII

FROM: Health/Office of Planning, Policy and Program Development
 (Department/Division/Agency)

Pursuant to § 103D-102(b)(5), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

Description of goods, services, or construction:

The Federal Office of Rural Health Policy (ORHP) supplemented the Hawaii Rural Access to Emergency Devices (RAED) award for additional activities in the five Pacific Trust Territories of Palau, Federated States of Micronesia (FSM), Commonwealth of the Northern Mariana Islands (CNMI), American Samoa and Guam with the Chief of the Emergency Medical Services System, Hawaii State Department of Health for the purpose of purchasing, placing and training persons in the use of automatic external defibrillators (AEDs).

Name of Vendor: Critical Illness and Trauma Foundation 300 N. Wilson Avenue, Suite 502E Bozeman, Montana 59713	Cost: \$111,025.00	Term of Contract: From: Notice of Proceed To: June 30,2004
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Explanation describing how procurement by competitive means is either not practicable or not advantageous to the state:

In light of the vast distances between the Pacific Basin territories, a variety of Pacific Basin territorial representatives and the need for specific knowledge of AED's, the availability of qualified and experienced providers to accomplish the needs of this very unique program is extremely limited.

A survey of agencies here and in the field did not result in a potential provider who could fulfill the scope of these activities.

The time it takes to plan, procure, contract and get the project operational will take too long to meet the extreme time constraint. Under pressure from the life of the grant, the project, which includes determining appropriate locations, purchasing equipment and providing training, needs to be completed by June 2004.

Failure to be able to proceed with the grant requirements may affect future funding opportunities. According to ORHP officials, not complying with the grant proposal may have negative effects on future grant requests by the department.

Details of the process or procedure to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

When considering any type of project for the territories, it is critical to note that there is extensive variability between a territory and stateside grant programs. A strong working knowledge of the territories and the differences between them is essential to a successful process.

An extensive attempt was made to determine appropriate potential providers. Agencies, including the Red Cross, the Heart Association and other agencies that were thought to be able to work on the project were contacted and apprised of the situation. Agencies were also asked if they knew of others who might be able to take on the project. In light of the unique geographic challenges and the lack of knowledge of the territorial organizations involved, our attempts to locate an agency to fulfill the needs were met with negative results.

In a discussion with federal program officials at ORHP, we inquired if they were aware of a provider who may be able to take on this project in the very limited time allowed. As a result of some checking, although they were not able to "recommend" an agency, they were able to determine who is working in the Pacific territories and would probably be able to accomplish the task. This agency was the Critical Illness and Trauma Foundation (CITF).

According to ORHP officials, the CITF has been a valuable resource to the EMS community and the ORHP in working with the territories on AED projects, and is uniquely qualified for contracts in working with the territories. CITF has a strong knowledge of the AED program. They understand both the complexities of the RAED grant program as they lead the program for the State of Montana and they have previously worked in the territories. Furthermore, they are in an advantageous position to be immediately able and available to purchase AEDs for the territories and interface with the Pacific Emergency Health Initiative (PEHI), who have personnel on-site to conduct training.

Contact was made with CITF, and they indicated that they are now working the Pacific Basin and would be able to work on this.

A description of the agency's internal controls and approval requirements for the exempted procurement:

The Emergency Medical Services System Chief reviews and approves the exemption request. The request is then approved by the Director of Health before submission to the Administrator of the State Procurement Office for authorization.

A list of agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Donna Maiava, Chief, Emergency Medical Services System
Clay Chun, EMS Program Specialist
Terry Joyce, EMS Public Health Administrative Office
Lloyd Asato, Planner, Hawaii State Office of Rural Health

Direct questions to: Donna Maiava	Phone Number: (808) 733-9210
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This exemption should be considered for list of exemptions attached to Chapter 3-120, HAR: Yes _____ No

I certify that the information provided above is to the best of my knowledge, true and correct.

Donna Maiava 5/6/04
 For Department/Agency Head Date

Chief Procurement Officer's Comments:
 This request is denied for the following reasons: 1) Insufficient justification provided to exempt this procurement from Chapter 103D, HRS; and 2) Service seems to be competitive, agency shall prepare a solicitation for these services. *May 6/3/04*

Please ensure adherence to applicable administrative requirements.

____ Approved Denied *Adam P. Fyfe* 6/2/04
 Chief Procurement Officer Date

cc: Administrator
State Procurement Office

**STATE OF HAWAII
NOTICE OF EXEMPTION FROM CHAPTER 103D, HRS**

The Chief Procurement Officer is in the process of reviewing the request from the Department of Health for exemption from Chapter 103D, HRS, for the following goods, services, or construction:

The Federal Office of Rural Health Policy (ORHP) supplemented the Hawaii Rural Access to Emergency Devices (RAED) award for additional activities in the five Pacific Trust Territories of Palua, Federated States of Micronesia (FSM), Commonwealth of the Northern Mariana Islands (CNMI), American Samoa and Guam with the Chief of the Emergency Medical Services System, Hawaii State Department of Health for the purpose of purchasing, placing and training persons in the use of automatic external defibrillators (AEDs).

Vendor: Critical Illness and Trauma Foundation
Address: 300 N. Wilson Avenue, Suite 502E
 Bozeman, Montana 59713

Term of Contract:	From:	To:	Cost:
	Notice to proceed	June 30, 2004	\$111,025.00

Direct any inquiries to:	
Department: Health	Phone Number: (808) 733-9210
Contact Name/Title: Donna Maiava, Chief	Fax Number: (808) 733-8332
Address: Emergency Medical Services System	



Date Posted: MAY 13, 2004

A copy of this notice of exemption from Chapter 103D, HRS, shall be posted by the Chief Procurement Officer and the purchasing agency in an area accessible to the public, at least seven (7) calendar days prior to any approval action.

Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven (7) calendar days from the date posted to:

Chief Procurement Officer
 Office/Agency _____
 Address _____