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

1. TO: Chief Procurement Officer
2. FROM: DOH/CHD/CDMCB/Tobacco Prevention & Education Program
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:
The Quitline is funded in part by the Hawaii Community Foundation which manages the Hawaii Tobacco Trust Fund. The responsibilities of the contract with Free & Clear are to provide and manage quitline telephone and referral services. In the current contract with Free & Clear, insured Quitline callers are warm transferred to their respective insurers to receive cessation services while uninsured receive a 4-call and free NRT intervention program. The Department of Health proposes to enhance the services provided to insured callers by providing expanded Quitline services with special emphasis on providing extended 1-call interventions to at risk, diverse and disparate populations. This contract would build upon the existing contract with Free & Clear to provide cessation services to 2% of Hawaii's uninsured smokers to serve an additional 606 insured smokers that would otherwise be ineligible for cessation services through the Quitline. The contractor would be responsible for receiving the calls, maintaining the adequate amount of staffing to cover the additional calls. Furthermore, the Hawaii Health Initiatives will handle the costs associated with the advertising of the enhanced services and will arrange with Free & Clear to also provide 2 weeks of free NRT's to callers that receive the enhanced Quitline services.

Table with 2 columns: Vendor information (Name, Address) and Price/Contract terms (Price, Term of Contract, Prior Exemption Ref. No.).

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
The Hawaii Community Foundation is putting forth a substantial amount of money towards the running and maintenance of the Hawaii Tobacco Quitline. Through an annual CDC grant since 2006, funding has been used as an enhancement to the already running Hawaii Tobacco Quitline. It would be more cost expensive for the Tobacco Prevention & Education Program if a Request for Proposal were to be released. Given that providing cessation services is already a component of the Hawaii Community Foundation contract with Free & Clear, it would not be practical or efficient if the enhancement services were completed through a separate or different vendor.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
The Hawaii Community Foundation released a Request for Proposal (RFP) to find a qualified organization to perform the services requested. Free & Clear was the organization selected for this project. In addition, Free & Clear is working with many states throughout the country to perform the services requested and is the only organization in Hawaii currently performing the services requested.

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

10. A description of the agency's internal controls and approval requirements for the exempted procurement:  
 The procurement of this expenditure will still follow the general guidelines for contracting with vendors under 103D. A "Scope of Services", "Compensation and Payment", and "Special Conditions" will be created in addition to the general conditions provided for all 103D contracts.

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	
Chiyome Leinaala Fukino	Director of Health	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Health Resources Admin.	HRA	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Barbara Yamashita	Chief, CHD <i>[Signature]</i>	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Danette Wong Tomiyasu	Chief, CDMCB <i>[Signature]</i>	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Julian Lipsher	Coordinator, TPEP <i>[Signature]</i>	<input checked="" type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Sharon Abe	Chief, ASO	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to: Department: DOH/CHD/CDMCB/TPEP  
 Contact Name: Julian Lispher  
 Phone Number: 586-4662  
 Fax Number: 586-8252

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.*

*[Signature]*

APR 7 2009

Department Head Chiyome Leinaala Fukino, M.D.  
 Director of Health

Date

Reserved for SPO Use Only

15. Date Notice Posted 4/17/09

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:

16.

APPROVED

DISAPPROVED

Adrian S. Fyfe 6/23/09  
Chief Procurement Officer Date