

09 MAY 19 P2:43



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

- 1. TO: Chief Procurement Officer
- 2. FROM: DOH/FHSD/CSHNB/NEWBORN METABOLIC SCREENING 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:  
 Guaranteed overnight express mail service is needed to transport newborn dried blood specimens daily from 12 birthing facilities statewide in Hawaii to the Oregon State Public Health Laboratory (OSPHL) in Hillsboro, Oregon. OSPHL is Hawaii's contracted newborn screening testing laboratory. Newborn metabolic screening is mandated by HRS 321-291. Each year, the Newborn Metabolic Screening Program (NBMS) ensures transport of approximately 3,500 envelopes at a cost of approximately \$22.00 per envelope. These envelopes contain over 19,000 dried blood specimens from almost every baby born in this state. These dried blood specimens and the accompanying patient information are time sensitive and confidential. It is important that these specimens not be delayed, misplaced, or lost. Timely screening tests performed on the blood specimens are essential to ensure early medical detection and treatment of thirty-two disorders that can cause mental and growth retardation, severe illness, and even death, if not treated early in the newborn period. Some of these disorders can be lethal within the first week of life. Getting the newborn screening results as soon as possible can mean life or death for an infant.

4. Name of Vendor: Federal Express Corporation Address: 129 Pohakulana Place Honolulu, HI 96819	5. Price: \$22/env \$77,000 est.
6. Term of Contract: From: 7/01/2009 To: 6/30/2010	7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:  
 Procurement by competitive means will cause severe disruption in getting the newborn screening specimens delivered overnight to the contracted newborn screening testing laboratory in Oregon. The current contract with FedEx ends on 6/30/09. If this contract is allowed to end without a transport system in place, there will be no systematic way of assuring that the specimens will get to the testing laboratory on a timely basis. It will result in batching of specimens; missed or delayed testing; longer transit times; delayed detection; and delayed treatment of the affected infants. Infants born in Hawai'i are tested for thirty-two disorders that can cause mental and growth retardation, severe illness, and even death, if not treated early in the newborn period. There may be litigious consequences as newborn metabolic screening is mandated by state law.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:  
 NBMS will contact all the available courier companies in the State who could pick up newborn screening specimens daily from 12 birthing facilities statewide and transport these specimens overnight and deliver them to Hawaii's newborn screening testing laboratory in Hillsboro, Oregon within 24 hours. We will gather data on whether these companies can guarantee overnight delivery; whether they have their own fleet of airplanes and vans or are consolidators that use commercial airlines and commercial ground couriers; if they have a tracking system with airbill numbers to account for each envelope of specimens; the cost of services; and previous experience of transporting time sensitive and confidential biological specimens.

**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 Children with Special Health Needs Branch will issue a contract with the chosen courier services which includes the required terms and conditions for state contracts. The policies and procedures for executing state contracts will be followed as usual by the Branch Public Health Administrative Officer and Branch Chief.

The Newborn Metabolic Screening Program (NBMSPP) will administer the FedEx contract. NBMSPP staff member reviews the FedEx airbills to make sure that there was overnight delivery of the newborn screening specimens to the testing laboratory and that the cost per envelope is at or under the contracted price. If the terms of the agreement are not met, a refund will be sought. Children with Special Health Needs Fiscal staff will also be monitoring the contract before the invoice is processed for payment.

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
Sharon Abe	Chief, Administrative Services	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Naomi Chinen	Contract Specialist, ASO	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Aaron Fujioka	Chief Procurement Officer	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Paul Takishita	CSHNB PHAO	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Christine Matsumoto	Newborn Screening Program Coord	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration

13. Direct inquiries to: Department: Health  
 Contact Name: Christine Matsumoto, RN, MPH  
 Phone Number: 733-9069  
 Fax Number: 733-9071

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.*



**MAY 18 2009**

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

**Reserved for SPO Use Only**

15. Date Notice Posted 5/20/09

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:

Approval is based on the DOH representation that guaranteed overnight delivery is critical in the detection of physical and mental health disorders in newborns. 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

Alvin S. Fyfe 6/2/09  
Chief Procurement Officer Date

## AIR COURIER SERVICES

DATE	COMPANY	TELEPHONE #	CONTACT PERSON	COMMENTS
4/28/09	FEDEX	448-9961x8463	ANDREA KEEHN	NATIONAL COMPANY WHICH HAS ITS OWN AIRLINE FLEET AND TRANSPORTATION DELIVERY SYSTEM IN HAWAII AND ON THE MAINLAND. <b>OVERNIGHT SERVICES TO THE MAINLAND FROM ALL ISLANDS STATEWIDE GUARANTEED.</b> HAS TRACKING SYSTEM WITH AIRBILL NUMBERS. SYSTEM IN PLACE TO PICK UP NEWBORN SCREENING SPECIMENS FROM EVERY BIRTHING FACILITY ON OAHU AND NEIGHBOR ISLANDS DAILY AND DELIVERED TO THE NEWBORN SCREENING TESTING LAB THE NEXT MORNING. GOOD TRACK RECORD OF OVERNIGHT DELIVERY OF NEWBORN SCREENING SPECIMENS TO THE TESTING LABORATORY FOR THE PAST 12 YEARS.
4/28/09	UNITED PARCEL SERVICES (UPS)	1-800-742-5877	LUCITA	<b>NO OVERNIGHT SERVICES TO THE MAINLAND FROM THE NEIGHBOR ISLANDS - ONLY 2<sup>ND</sup> DAY MAIL.</b> OVERNIGHT SERVICE AVAILABLE ONLY FOR OAHU TO THE MAINLAND BUT PACKAGE MUST BE PICKED UP BY 7:30 A.M. AND CALL MUST BE MADE FOR PICK UP THE NIGHT BEFORE. HAS ITS OWN AIRLINE FLEET AND VANS.
4/28/09	U.S. POSTAL SERVICE	423-3921	RENEE	<b>EXPRESS MAIL; OVERNIGHT DELIVERY TO THE MAINLAND CAN <u>NOT</u> BE GUARANTEED.</b>
4/28/09	AERO COURIER	839-1908	KATIE	LOCALLY BASED COMPANY WHICH USES COMMERCIAL AIRLINES AND

			<p>INDEPENDENT COMMERCIAL GROUND COURIERS. <b>OVERNIGHT DELIVERY TO THE MAINLAND CAN NOT BE GUARANTEED BECAUSE OF USE OF OTHER COMMERCIAL SERVICES.</b> DOES NOT HAVE ITS OWN AIRLINE FLEET AND ITS OWN GROUND TRANSPORTATION SYSTEM ON THE MAINLAND.</p>
4/28/09	<p>COURIER CORPORATION OF HAWAII (CCH)</p>	<p>532-2600 EXT 212</p>	<p>MARK BROWER</p> <p>LOCALLY BASED COMPANY WHICH USES MULTIPLE COMMERCIAL AIRLINES. <b>OVERNIGHT DELIVERY TO THE MAINLAND CAN NOT BE GUARANTEED BECAUSE OF USE OF OTHER COMMERCIAL AIRLINES AND INDEPENDENT COMMERCIAL GROUND COURIERS ON THE MAINLAND.</b> DOES NOT HAVE ITS OWN AIRLINE FLEET AND ITS OWN GROUND TRANSPORTATION SYSTEM ON THE MAINLAND.</p>
4/28/09	DHL	833-2505	<p>PEGGY</p> <p>DHL NO LONGER DOES DOMESTIC EXPRESS. <b>NO OVERNIGHT SERVICES TO THE MAINLAND AVAILABLE.</b></p>
4/28/09	PRIORITY ONE COURIER SERVICES	840-1011	<p>MEL</p> <p><b>NO OVERNIGHT SERVICES TO THE MAINLAND AVAILABLE.</b></p>
4/29/09	ISLAND WIDE COURIER	550-4843	<p>CAROL</p> <p><b>DOES NOT SHIP OUT OF STATE</b></p>
4/29/09	PACIFIC COURIER	832-1830 832-1832	<p>RODNEY MIKE</p> <p><b>OVERNIGHT DELIVERY TO THE MAINLAND CAN NOT BE GUARANTEED BECAUSE OF THE USE OF OTHER COMMERCIAL AIRLINES AND INDEPENDENT COMMERCIAL GROUND COURIERS ON THE MAINLAND.</b> DOES NOT HAVE ITS OWN AIRLINE FLEET AND ITS OWN GROUND TRANSPORTATION SYSTEM ON THE MAINLAND.</p>
4/29/09	ALOHA DELIVERY SERVICES	847-7322	<p>PHONE DISCONNECTED. NO NEW PHONE LISTING PER DIRECTORY ASSISTANCE.</p>



hawaii.gov

**State Procurement Office**  
 Department of Accounting and General Services

**Exemption from  
Chapter 103D, HRS**

Home	PE No.	Posted Date	Status	Status Date	Description	Amount	Provider Name	Document
State Procurement Office	09-114-B	05/20/09	Pending	05/20/09	Guaranteed overnight express mail service to transport newborn blood specimen from Hawaii to the Oregon State Public Health Laboratory.	\$ 77000	Federal Express Corp	<a href="#">View</a>
DAGS Home	09-115-D	05/19/09	Pending	05/19/09	Administrative and management services for the implementation of a community-based tobacco control intervention model.	\$ 250000	The Coalition for a Tobacco Free Hawaii	<a href="#">View</a>
	09-113-D	05/19/09	Pending	05/19/09	Final inspection and final report of individual wastewater system on residential lot #5 in Anahola, Kauai, TMK 4 4 9 08 042.	\$ 3500	Kodani & Associates Inc	<a href="#">View</a>
	09-112-B	05/18/09	Pending	05/18/09	Use of YouTube to post health promotion videos on the internet and list the Department of Health and Healthy Hawaii Initiatives web addresses where the videos will be posted.	\$ 0	YouTube LLC	<a href="#">View</a>
	09-111-D	05/18/09	Pending	05/18/09	Enhanced audit data warehouse tool, additional electronic data sources for data warehouse, additional reports to support audit, data entry support.	\$ 2000000	CGI Technologies and Solutions Inc	<a href="#">View</a>
	09-110-B	05/12/09	Pending	05/12/09	Sponsorship of Youth Xchange video contest coordinated by Olelo Public Television.	\$ 2617	Olelo Community Television	<a href="#">View</a>
	09-109-D	05/04/09	Pending	05/04/09	Out-of-state air and hotel accommodations and intra-state hotel accommodations.	\$ 1500000	various	<a href="#">View</a>
	09-108-D	05/01/09	Pending	05/01/09	Three Caterpillar genset modules and paralleling switchgear.	\$ 140000	Hawthorne Pacific Corp.	<a href="#">View</a>
	09-107-B	05/01/09	Pending	05/01/09	Fencing monitoring system for the Hawaii State Hospital	\$ 595995	SimplexGrinnell LP Alarm and Detection Div	<a href="#">View</a>
	08-096-CB	04/29/09	Pending	04/29/09	Amend 2 -Property management and maintenance services at Wilikina Apartments	\$ 594541	Realty Laua LLC	<a href="#">View</a>
	09-106-	04/28/09	Pending	04/28/09	Helicopter Medical	\$ 800000	Evergreen Helicopters	<a href="#">View</a>