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RUSH  
PSD 2009-1286

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

- 1. TO: Chief Procurement Officer
- 2. FROM: Department of Public Safety/Health Care Division

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:  
 This exemption request is necessary for the payment to the respective hospitals for the meals provided for the Adult Correctional Officers (ACO) assigned to provide custody security for inmates admitted to the hospitals. Generally one ACO is assigned per inmate, per 8 hr. watch, on a 24 hour, 7 day a week basis. This request would cover the payment of these ACO meals from the attached lists of Hospitals. As the Department is not able to anticipate which facilities' inmate would require hospitalization at which hospital, this request would serve to cover all payments of this nature. The amount on a monthly basis is an estimation based on previous utilization.

4. Name of Vendor: See attached Address:	5. Price: \$3,000 / mo
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6. Term of Contract: From: <i>upm CPO</i> <i>4/1/08 Approval</i> To: 4/1/13	7. Prior Exemption Ref. No. 0
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8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:  
 Pursuant to the UPW Bargaining Union 10 contract, ACOs on an 8 hour shift, are afforded a 30 min. paid meal, which is provided by the Department. As there are no other meal alternatives for the ACO on "hospital" duty, the meal is provided by and served to the ACO at their duty station by the hospital. Alternatives to this sole source request would be to have the facility deliver meals to the ACOs. This would only work during regular business hours, but result in a demand on the already limited ACO staff availability. The other alternative would be to relieve the hospital duty ACO for his meal period, again resulting in a demand on the already limited ACO staff availability.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:  
 The Departmental P & P s indicate that at all times, the ACOs must be at their station unless relieved of his duty post. Having them "off" for their meal period or to get their meal would increase the escape risk and also put the safety of the hospital staff at risk. Thus having the meals provided by the hospital eliminates the need for additional security staff at this post or to function as a meal relief person.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:  
 Situations in which the Department would need to utilize this exemption would correspond to situations in which inmates have been admitted to the respective hospital. This matter would fall under the authority of the Health Care Division, who is responsible to verify and track the hospital admission. Prior to making payment on these meals, the corresponding hospital admission dates are matched against hospital inpatient records and charges.

**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	
Maria Patanapaiboon	Account Clerk	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Tracey Labanon	Secretary IV	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Deb Stampfle	Clinic Branch Administrator	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Dr. Marc Rosen	Medical Director	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Wes Mun	Health Care Administrator	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to:	Department: Public Safety, Health Care Div Contact Name: Wes Mun Phone Number: 587-1250 Fax Number: 587-3378	<i>Marc Yamamoto may 6/16/09</i> <i>587-1215 587-1244</i>
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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.*

*Clayton James*

*6/16/09*

Department Head

Date

**Reserved for SPO Use Only**

15. Date Notice Posted 6/23/09

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

Chief Procurement Officer's comments:

This approval is based on the PSD's representation that meals are to be provided to the ACOs under union contract terms and it is not feasible to have the ACO leave the hospital to purchase their meals.

16.  APPROVED     DISAPPROVED     NO ACTION REQUIRED

*Adam S. Fyfe*    *7/10/09*  
 Chief Procurement Officer    Date

Kapiolani Medical Center at Pali Momi  
98-1079 Moanalua Rd.  
Aiea, HI 96701

Sodexo Inc. and Affiliates (Queens Medical Center)  
1301 Punchbowl St.  
Honolulu, HI 96813-2413

Castle Medical Center  
Nutritional Services  
640 Ulukahiki St.  
Kailua, HI 96734

HI Medical Center West  
P.O. Box 29759  
Honolulu, HI 96820-0860

Wilcox Memorial Hospital  
Attn: General Accounting  
55 Merchant St. 24<sup>th</sup> floor  
Honolulu, HI 96813

Rehab Hospital of the Pacific  
225 N. Kuakini  
Honolulu, HI 96813