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STATE PROCUREMENT OFFICE
STATE OF HAWAII

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

- 1. TO: Chief Procurement Officer
- 2. FROM: Public Safety / Corrections / Food Service Unit

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: Frozen Foods items which were bid under IFB No. PSD 09-CPSF-06D, but not awarded due to no bids received. | |
| 4. Name of Vendor: Various Address: | 5. Price: Estimated \$ 158,458 |
| 6. Term of Contract: From: 09/01/09 To: 10/31/09 2/28/10 <i>dk</i> | 7. Prior Exemption Ref. No. PE No 10-008-D |
| 8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State: Procurement by competitive means is not practicable due to the passage of Act 175, SLH 2009, which requires revised Interim rules on the Hawaii Product preference to be approved and the revision of the Hawaii Products List. | |
| 9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable: CPS-Food Service Unit shall utilize HePS to ensure fair and open competition until new interim rules and a Hawaii Products List or procedures to implement Act 175, SLH 2009 are established by the SPO. | |

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 CPS-Food Service clerks input the HePS solicitation which is then approved by the CPS-FS manager.
 Awards shall be made to the lowest price offered.

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 | |
|-----------------|--------------------------|--|--|
| Frank Lopez | CPS-Administrator | <input checked="" type="checkbox"/> Approval | <input type="checkbox"/> Administration |
| Nathalie Kodama | CPS-Food Service Manager | <input checked="" 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 |
| | | <input type="checkbox"/> Approval | <input type="checkbox"/> Administration |

13. Direct inquiries to: Department: Public Safety
 Contact Name: Marc S. Yamamoto *may 8/11/09*
 Phone Number: (808) 587-1215
 Fax Number: (808) 587-1244

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 A. Frank

8/12/09

Department Head Clayton A. Frank, Director

Date

Reserved for SPO Use Only

15. Date Notice Posted 8/12/09

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 NO ACTION REQUIRED

Charles J. Fyfe 3/1/2010
Chief Procurement Officer Date



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

STATE PROCUREMENT OFFICE
STATE OF HAWAII

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1. TO: Chief Procurement Officer
2. FROM: Public Safety

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:
Frozen Food items that were not awarded as a result of IFB No. 09-CPSF-06D, for the period July 1 through August 31, 2009.

4. Name of Vendor: Various
Address:

5. Price:
\$158,458

6. Term of Contract: From: 07/01/09 To: 08/31/09

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:
The time required for a formal competitive bid, its evaluation and award, would not be in the best interest of the State. The items listed are an essential part of the menu of the facilities, to revise menu plans at this point in time would not be efficient.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
Purchases for the required goods listed on the attached sheet shall utilize HePS as needed.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
The food service unit clerk(s) draft the solicitation and requirements for the facility and forwards to the food service unit manager for approval of the HePS solicitation. Upon award the CPS-FS clerk issues a PO that is reviewed by the FS unit manager and approved by the CPS administrator.

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 |
| Frank Lopez | CPS-Administrator | <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration |
| Nathalie Kodama | CPS-FS unit manager | <input checked="" 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 |
| | | <input type="checkbox"/> Approval <input type="checkbox"/> Administration |

13. Direct inquiries to: Department: Public Safety
 Contact Name: Marc Yamamoto *msy 7/9/09*
 Phone Number: 808-587-1215
 Fax Number: 808-587-1244

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 A. Frank *7/9/09*

 Department Head Clayton A. Frank, Director Date

(Reserved for SPO Use Only)

15. Date Notice Posted 7/13/09

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:

16. APPROVED DISAPPROVED NO ACTION REQUIRED

 Chief Procurement Officer Date

IFR NO.: PSD 08-CPS-F-06-D
 FROZEN FOODS (JUL-AUG, 2009)

ALL QUANTITIES ARE JUL-AUG 2009 IFR NO.: PSD 08-CPS-F-06-D
 (UNIT PRICES IN PARENTHESES ARE
 FROM PREVIOUS SOLICITATION)

ALL QUANTITIES ARE JUL-AUG 2009
 (UNIT PRICES IN PARENTHESES ARE
 FROM PREVIOUS SOLICITATION)

| Item No. | Description | OAHU | | | KCF | | | HCCC | | | MOCC | | | KCCC | | |
|--------------------|--|-----------------------|----------------------|-----------|--------------|----------------------|-----------|---------------|----------------------|-----------|---------------|----------------------|-----------|---------------|----------------------|---------------|
| | | Total OAHU Quantities | Unit Price Per Pound | TOTAL | KCF Quantity | Unit Price Per Pound | TOTAL | HCCC Quantity | Unit Price Per Pound | TOTAL | MOCC Quantity | Unit Price Per Pound | TOTAL | KCCC Quantity | Unit Price Per Pound | TOTAL |
| 5 | Non-meat Patties, 3.4-3.5 oz./pattie, 10-50 pcs./cs. | 4670 | \$ 3.66 | \$ 1,464 | | | | | | | | | | | | |
| 6 | Boston Butl, boneless, individually wrapped, not more than 1/4" fat cover, 5-8 lbs./pc, 40-60 lbs./cs. | 14640 | \$ 1.15 | \$ 16,836 | 14640 | \$ 1.30 | \$ 18,032 | 14640 | \$ 1.23 | \$ 18,032 | 14640 | \$ 1.16 | \$ 16,836 | 14640 | \$ 1.40 | \$ 20,496 |
| 9 | Puffball, breaded fillers, oven ready, 3-4 oz./pc, 10-25 lbs./cs. | 3000 | (\$ 1.60) | \$ 4,800 | 3000 | \$ 3.52 | \$ 11,460 | 3000 | \$ 3.77 | \$ 11,310 | 3000 | (\$ 2.55) | \$ 7,650 | 3000 | \$ 2.52 | \$ 7,560 |
| 11 | Chicken Patties, breaded, round, not more than 6 grams of fat/pc, 3 oz./pc. | 3750 | (\$ 1.65) | \$ 6,930 | | | | | | | | | | | | |
| 15 | Turkey Ham, Tavern-style, whole, 5-12 lbs./pc. | | | | | | | | | | | | | | | |
| GRAND TOTAL | | OAHU | \$30,637.50 | | KCF | \$30,492.00 | | HCCC | \$30,049.20 | | MOCC | \$30,323.50 | | KCCC | \$28,956.00 | |
| | | | | | | | | | | | | | | | GRAND TOTAL | \$ 159,468.20 |