

STATE OF HAWAII
**NOTICE OF AND REQUEST FOR
 RESTRICTIVE PURCHASE OF SERVICE**
 PURSUANT TO §103F-403, HRS

07 JUL -6 AM 11:48

ADMINISTRATION
 PROCUREMENT OFFICE

To: Chief Procurement Officer

From: Department of Health/Developmental Disabilities Division
Department/Division/Branch or Office

Pursuant to §103F-403, HRS, and Chapter 3-144, HAR, the department head has made a determination that an adequate basis for a restrictive purchase of services exists and requests approval to make a restrictive purchase for the following:

1.	Title and description of health and human service(s): Developmental Disabilities Apartment Complexes Subsidy.	
	<p>In 2005, Act 168 amended Chapter 321-15.9 Hawaii Revised Statutes (H.R.S.) to allow the Department of Health (DOH) "to enter into contracts for additional payments to providers of developmental disabilities domiciliary homes." The 2007 Legislature has appropriated a total of \$1.8 million funding to the Developmental Disabilities Division (DDD) for developmental disabilities/mental retardation (DD/MR) residential subsidies (e.g. apartment complex and Developmental Disabilities Domiciliary Homes).</p> <p>There are currently 48 individuals with DD/MR living in four developmental disabilities apartment complexes operated by one agency. The agency is at risk for terminating services if additional funding is not provided.</p>	
2.	Provider Name and Address:	The Arc in Hawaii 3989 Diamond Head Road Honolulu, HI 96816
3.	Total Contract Funds: Contract Funds per Year (if applicable):	\$250,000.00 (estimate) To be determined by DOH/DDD analysis of provider's cost for service
4.	RH No. of Previous Request for this Service (if applicable)	PEH 06-23 and RH 07-01
5.	Term of Contract:	Start: 7/1/07 End: 6/30/10
	<p>If the contract term is longer than 1 year, provide justification for the extended term: The 2007 Legislature has appropriated a total of \$1.8 million funding to the Developmental Disabilities Division (DDD) for developmental disabilities/mental retardation (DD/MR) residential subsidies (e.g. apartment complex and Developmental Disabilities Domiciliary Homes). The Arc in Hawaii is the only agency in the state that provides apartment complexes exclusively for persons with developmental disabilities.</p>	

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6. Describe the circumstances justifying a restrictive purchase: The Arc in Hawaii is the only agency in the state that provides apartment complexes exclusively for persons with developmental disabilities. The apartments are financed by loans from the Department of Housing and Urban Development which restricts tenants to persons with developmental disabilities. This service has been ongoing for years and provides housing for which individuals pay 30 percent of their income in neighborhoods that are accessible to transportation, have community supports and are in areas where people with disabilities feel safe. Since most people with developmental disabilities only have Social Security Income of \$579, rent cannot exceed \$170/month for an apartment. The Arc in Hawaii continues to have a net loss in the operations of the apartments each year. Act 168, Session Laws of Hawaii (SLH) 2005 amended Chapter 321-15.9, H.R.S., to authorize the DOH to enter into contracts for additional payments to "operators of developmental disabilities apartment complexes for residential services on terms determined by the department of health" with the intent "to ensure that developmental disabilities residential service providers are adequately reimbursed for the residential services they provide." This request seeks to provide financial assistance for the Arc in Hawaii to continue to provide apartments for individuals with developmental disabilities who would otherwise be subject to risk of homelessness.
7. Describe the efforts and results in determining that this is the sole provider who can render services. Include approximate dates: Per Act 168, SLH 2005 the additional payment for developmental disabilities apartment complexes is available to any apartment complex that meets the definition in Chapter 321-15.9, H.R.S., which requires every unit in the complex to be dedicated for persons with developmental disabilities except for the resident manager's unit. At this time, only the four apartment complexes provided by the Arc in Hawaii meet this definition.
8. List state agency personnel, by position title, who will be involved in the approval process and administration of the contract: Kevin Dierks, Acting Chief, Case Management and Information Services Branch (CMISB) Trudy Murakami, Public Health Administrative Officer, DDD Margery Sheehan, Contracts and Resource Development Section Supervisor, CMISB Roy Kawano, Fiscal Supervisor, CMISB
9. Direct questions to (name & position): Kevin Dierks, Acting Chief, CMISB Phone number: 733-9172 e-mail address: kevin.dierks@doh.hawaii.gov

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

 Department Head Signature	JUL - 2 2007 Date
Chiyome Leinaala Fukino, M.D. Director of Health _____ Typed Name	

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NOTICE

Pursuant to §103F-403, Hawaii Revised Statutes and Chapter 3-144, Hawaii Administrative Rules, the aforementioned purchasing agency has submitted a request to the chief procurement officer for a restrictive purchase of service for health and human services, and if approved, intends to purchase the service without issuing a request for proposals.

Any person may file a written protest under the procedures established under Chapter 3-148, Hawaii Administrative Rules, located on the web at www.spo.hawaii.gov, click *Statutes and Rules* and *Procurement of Health and Human Services*. Protests shall be hand delivered or postmarked by United States Postal Service within seven (7) days after the date this notice is first published on the internet. If hand delivered it must be submitted by 4:30 PM, Hawaii Standard Time, within seven days after day this notice is first published. Protests must be submitted to the following procurement officer **and** head of the purchasing agency:

Procurement Officer for this Procurement

Trudy Murakami
Developmental Disabilities Division
Dept. of Health
1250 Punchbowl St., Rm. 463
Honolulu, Hawaii 96813

Head of Purchasing Agency

Chiyome Fukino, MD
Director
Department of Health
1250 Punchbowl St.
Honolulu, Hawaii 96813

Protest forms and instructions are on the web at: www.spo.hawaii.gov, click *Health and Human Services, Chapter 103F...* and *Forms for Private Providers*. Questions should be directed to the contact person noted in item 9 of the request.

Published: JUL 6 2007

FOR CHIEF PROCUREMENT OFFICER USE ONLY

Chief Procurement Officer's Comments:

APPROVED DISAPPROVED NO ACTION



Chief Procurement Officer Signature

7/16/07

Date

Please ensure adherence to applicable administrative requirements.

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Pursuant to §103F-403, Hawaii Revised Statutes and Chapter 3-144, Hawaii Administrative Rules, the Department of Health, Developmental Disabilities Division, has submitted a request to the chief procurement officer for a restrictive purchase of service for health and human services, and if approved, intends to purchase the service without issuing a request for proposals. (To see the request, go back to the [State and County Procurement Notices](#) page and click on "More Info.")

Any person may file a written protest under the procedures established under Chapter 3-148, Hawaii Administrative Rules, located on the web at <http://www.spo.hawaii.gov/>, click "Statutes and Rules," then "Procurement of Health and Human Services." Protests shall be hand delivered or postmarked by United States Postal Service within seven days after the date this notice is first published on the Internet. If hand delivered, it must be submitted by 4:30 p.m., Hawaii Standard Time, within seven days from the date this notice is first published. Protests must be submitted to the procurement officer and head of the purchasing agency as specified in the request. Protest forms and instructions are on the web at <http://www.spo.hawaii.gov/>, click on "Health and Human Services, Chapter 103F...", then "Forms for Private Providers." Questions should be directed to the contact person noted in item 9 of the request.