

STATE OF HAWAII
NOTICE OF AND REQUEST FOR EXEMPTION '07 OCT 16 11:12
FROM CHAPTER 103F, HRS

ADMINISTRATION
 OFFICE

To: Chief Procurement Officer

From: Department of Health/FHSD/CSHNB/Early Intervention Section
Department/Division/Branch or Office

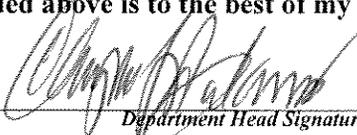
Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

| | | |
|----|---|--------------------------------|
| 1. | Title and description of health and human service(s): | |
| | To provide family-centered, community-based, comprehensive, multi-disciplinary services to infants and toddlers under the age of three (3), with developmental delays, and their families. Services shall include family training, counseling, and home visits; special instruction; speech language pathology and audiology services, and sign language and cued language services; occupational therapy; physical therapy; psychological services; service coordination services; medical services only for diagnostic or evaluation purposes; early identification, screening, and assessment services; health services necessary to enable the child to benefit from other early intervention services; social work services; vision services; and assistive technology devices and services. | |
| 2. | Provider Name and Address: | Multiple; see Attachment 2. |
| 3. | Total Contract Funds: Contract Funds per Year (if applicable): | Multiple; see Attachment 2. |
| 4. | Reference number of Previous Request for this Service (if applicable): | |
| 5. | Term of Contract: | Start: 1/01/08 End: 6/30/08 |
| 6. | Describe how procurement by competitive means is either not practicable or not advantageous to the State: See Attachment 1. | |
| 7. | Describe the reason for the selection of the provider including a description of how the procedure ensured the maximum fair and open competition practicable: The current providers all have contracts via competitive procurement under Chapter 103 F. This request for exemption is to continue services with these same providers to give EIS time to procure via competitive means under Chapter 103 F. | |

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| | |
|---|------------------------------|
| 8. Describe the state agency's internal controls and approval requirements for the exempted procurement: The controls and requirements governing the current and existing contracts shall prevail. | |
| 9. List the state agency personnel, by position title, who will be involved in the approval process and administration of the contract: Chiyome Leinaala Fukino, M.D., Director of Health; Patricia Heu, M.D., Chief, CSHNB; Sue Brown, Public Health Supervisor; Paul Takishita, PHAO; Owen Tamanaha, PHAO. | |
| 10. Direct questions to (name & position): | Owen Tamanaha, PHAO |
| Phone number: | 594-0025 |
| e-mail address: | owen.tamanaha@doh.hawaii.gov |

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



Department Head Signature

OCT 11 2007

Date

Chiyome Fukino, M.D.

Typed Name

NOTICE

The chief procurement officer is considering this request for exemption and, if there is good cause, the state intends to exempt the purchase as described in the request. Any inquiries regarding the purchase shall be directed to the contact person noted in item 10 of the request. Any concerns regarding the exemption shall be in writing and received by the chief procurement officer within seven days of the date the notice was first posted. Concerns shall be mailed to: Aaron Fujioka, Chief Procurement Officer, State Procurement Office, 1151 Punchbowl St., #230A, Honolulu, HI 96813.

FOR CHIEF PROCUREMENT OFFICER USE ONLY

Chief Procurement Officer's Comments:

APPROVED DISAPPROVED NO ACTION



Chief Procurement Officer Signature

10/24/07

Date

Please ensure adherence to applicable administrative requirements.

6. Describe how procurement by competitive means is either not practicable or not advantageous to the State:

A notice was posted on the Procurement Notice System (PNS) on August 8, 2006 notifying prospective providers of a Request For Information (RFI) to be held August 15, 2006 at the Early Intervention Section (EIS) Conference Room from 9:00 a.m. – 12:00 p.m. This was done in anticipation of issuing a Request For Proposal (RFP) to address a statewide need for early intervention services and a separate RFP to address Oahu's need for services for children with complex medical needs.

Subsequent to the RFI meeting, drafts were sent to those prospective providers who attended the RFI, and the RFPs were officially issued August 29, 2006, anticipating a start date of July 1, 2007. Proposals were received and evaluated, and notices of award issued in January 2007. A protest was filed against HTH 530-06-1 and per procurement regulations, all processes regarding that specific RFP were halted. Pursuant to Hawaii Administrative Rules (HAR) for Chapter 103F, §3-149-301 (c), modifications to extend the current contracts through September 30, 2007 were issued. The time necessary to resolve the protest exceeded preliminary expectations and it became apparent that EIS would not have sufficient time (3 months) to execute the contracts with a start date of October 1, 2007. Additional modifications to extend the current contracts through December 31, 2007 were issued.

Negotiations resumed for HTH 530-06-1 and continued for HTH 530-06-2; all were completed August 2007 with the exception of one provider (still negotiating). Contracts were drafted for those providers who had completed negotiations, but prior to submittal, it was determined that the notice for the RFP was not posted on the PNS. As such, the EIS has cancelled both RFP's and will be re-procuring.

Since these are federally mandated services, which pursuant to IDEA Part C regulations must be made available, and as there are no other provisions in HAR to extend the current contracts beyond six (6) months, we are requesting an exemption to enter into Exempt Contracts with the current providers to ensure continuity of services to begin January 1, 2008 through June 30, 2008 as there is insufficient time to re-issue the RFP's and to re-procure services without there being a lapse in service provision.

| Provider Name and Address | | Total Contract Funds |
|---|---|----------------------|
| Easter Seals Hawaii (Hilo) | 49 Kaiulani Street Hilo, HI 96720 | \$422,000.00 |
| Easter Seals Hawaii (Kapolei) | 94-144 Farrington Hwy., #115 Waipahu, HI 96797 | \$617,000.00 |
| Easter Seals Hawaii (Kauai) | 3115 Akahi Street Lihue, HI 96766 | \$407,000.00 |
| Easter Seals Hawaii (Sultan) | 710 Green Street Honolulu, HI 96813 | \$900,000.00 |
| Easter Seals Hawaii (Waipahu) | 94-144 Farrington Hwy., #115 Waipahu, HI 96797 | \$572,000.00 |
| Easter Seals Hawaii (Kailua) | 315 Hahani Street, Unit A-1 Kailua, HI 96734 | \$412,000.00 |
| Kapiolani Medical Center for Women and Children (EISP), | 99-080 Kauhale Street, #D-9 Aiea, HI 96701 | \$334,000.00 |
| Kapiolani Medical Center for Women and Children (Central) | 99-080 Kauhale Street, #D-9 Aiea, HI 96701 | \$501,000.00 |
| United Cerebral Palsy | 414 Kuwili Street, #105 Honolulu, HI 96817 | \$305,000.00 |
| Waianae Coast Early Childhood Services | P.O. Box 2873 Waianae, HI 96792 | \$256,000.00 |
| The Salvation Army | 845 22 nd Avenue Honolulu, HI 96816 | \$90,000.00 |
| Imua Family Services (Maui) | 95 Mahalani Street, #19A Wailuku, HI 96793 | \$938,000.00 |
| Imua Family Services (Lanai) | 95 Mahalani Street, #19A, Wailuku, HI 96793 | \$66,000.00 |
| Molokai General Hospital | P.O. Box 2099 Kaunakakai, HI 96748 | \$40,000.00 |
| Family Support Services of West Hawaii | 64-1032 Mamalahoa Hwy. #204, Kamuela, HI 96743 | \$217,000.00 |