STATE OF HAWAII

NOTICE OF AND REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

'07 NOV -9 A8:27

ADMINISTRATION ... MENT OFFICE

To: Chief Procurement Officer

From: Department of Labor and Industrial Relations/Workforce Development Division
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):

The US Departments of Defense and Labor awarded the State Department of Labor and Industrial Relations (DLIR) $2,450,000 to implement the Career Advancement Account Demonstration (CAA) Project for a three-year period. The purpose of the CAA is to increase the educational levels of eligible spouses of military enlisted personnel with ranks of E-1 to E-5 or officers with ranks of O-1 to O-3, thereby improving the military spouse's employment opportunities in high-wage occupations and industries.

The CAA grant prescribes that the types of training services purchased must be in high-growth and high-demand industries from the eligible training provider list established under the Workforce Investment Act (WIA) or from post-secondary educational institutions accredited by the US Department of Education.

2. Provider Name and Address: Multiple Providers certified by US DOE

3. Total Contract Funds: ($1,800,000)

Contract Funds per Year (if applicable): $600,000

4. Reference number of Previous Request for this Service (if applicable):

5. Term of Contract: Start: 11/20/07 ~~Upon approval~~

End: 12/31/10

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

Because the CAAs are premised on customer choice, the needs of each CAA participant cannot be predetermined. The training must be tailored to fit the needs of each participant, each of whom may have different sets of characteristics and circumstances that must be considered and accommodated to the extent possible. The selected training provider will depend on many diverse variables to accommodate the need of each participant.

The grant does not allow providers to be restricted beyond those accredited by US DOE or who are on the eligible training provider list. US DOE accredited training providers may be located out-of-state and provide on-line training.

Therefore, conducting a competitive procurement in Hawaii would not be practicable or advantageous to the State.

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 CAA participant will be awarded a maximum of $3,000 per year, that will be used to pay for tuition, books, uniforms and/or equipment required for the training, education/training fees, and credentialing or licensing fees for employment following training. The $3,000 may be renewable for one additional year pending the CAA participant's satisfactory progress during the first year.

The CAA participant has the flexibility of attending training from any eligible training provider in concert with the case manager. The training plan will be reviewed to determine that 1) the cost of the training is appropriate; and 2) the participant is able to successfully attain a degree, license or industry-recognized certification within 12 to 18 months.

DLIR intends to conduct an informational orientation to apprise training providers of the CAA project. This process will help to ensure that training providers are aware of the purpose of the CAA project.

8. Describe the state agency's internal controls and approval requirements for the exempted procurement:

The training provider must be on the statewide eligible training provider list or accredited by the US DOE in order for CAA funds to be expended for a participant to attend training.

The WDD case manager will request the training in writing by initiating a requisiiton that requires the approvals by the supervisor, local office manager, branch manager and WDD Administrator. All requests for training must be approved before the CAA participant will be allowed to attend the first day of the training course.

9. List the state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Ms. Elaine Young, Administrator, WDD
Ms. Norma McDonald, Oahu Branch Manager
Mr. Alvin Tsukayama, Waipahu Local Office Manager

10. Direct questions to (name & position): Maricar Pilotin-Freitas

Phone number: 586-8817

e-mail address: mpilotin@dlir.state.hi.us

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

Darwin L.D. Ching — 11/6/07

Department Head Signature — *Date*

Darwin L.D. Ching, Director
Dept. of Labor and Industrial Relations

Typed Name

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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 *Date* 11/20/07

Please ensure adherence to applicable administrative requirements.