

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

15DEC'08 AM 10:54 SPO-A

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 types of training services that are purchased are credit and non-credit training courses offered by public, private-nonprofit, or private-for-profit training providers. The cost of these services will be funded under the Workforce Investment Act (WIA) program and other federally funded programs which are administered and operated by DLIR, Workforce Development Division (WDD), on the Counties of Hawaii, Maui, Oahu, and Kauai.	
	Training courses are provided to eligible program participants lacking the necessary skills to effectively compete for employment.	
2.	Provider Name and Address:	Various
3.	Total Contract Funds: Contract Funds per Year (if applicable):	\$1,500,000 amt. is estimated
4.	Reference number of Previous Request for this Service (if applicable):	04-41
5.	Term of Contract:	Start: upon approval 12/15/08 <i>cyh</i> End: 6/30/11

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6. Describe how procurement by competitive means is either not practicable or not advantageous to the State: Pursuant to the Workforce Investment Act (P.L. 105-220), the Counties, in collaboration with their Local Workforce Investment Boards (LWIBs) are responsible for soliciting and reviewing applications from training providers. In addition, the Counties are responsible for recommending approval of training providers to the DLIR, which is the State agency responsible for administering WIA and the agency responsible for placing training providers on a statewide list of training providers.

Because the needs of each participant cannot be predetermined, limiting the types of training courses and training providers on the statewide list is not practical or advantageous. The training must be tailored to fit the needs of each participant, each of whom may have a different set of characteristics and circumstances that must be considered and accommodated to the extent possible. The design of specific training courses will be based on the individual's employment barriers, interests, and skills identified by the participant in concert with the case manager. The participant is responsible for selecting the training provider.

The selected training provider will depend on many diverse variables to accommodate the need of each participant. Variables may include, but are not limited to, location in terms of proximity to home or bus stops, days and hours, duration of the training, and placement level.

Service providers are various public, private non-profit, and private-for-profit providers to be selected by the City and County of Honolulu, Hawaii County, Maui County, and Kauai County in collaboration with each county's LWIB, a private/public sector required to be established under the federal WIA. There will be a few exceptions, when other service providers may be selected if courses are not available at the time required to meet individual needs. However, not more than 10% of total costs are expected to be for these exceptions.

There are 10 training providers that were used to provide training to WIA participants. Over 5 categories of courses from 5 locations were offered from the period July 1, 2007 to June 30, 2008.

Because DLIR is not responsible for designing the solicitation, DLIR cannot prescribe that the Counties select only those providers that offer the lowest prices. Conducting a competitive procurement contradicts the intent of WIA which encourages the establishment of a wide selection of training providers and training courses.

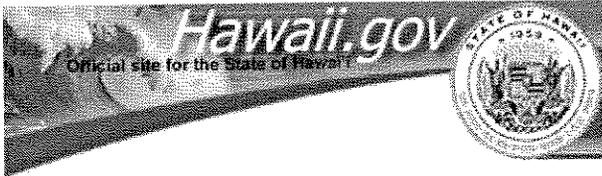
A competitive procurement may unfortunately result in fewer training providers and limit the types of courses available to meet the needs of each participant.

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:

All counties announced their solicitation in either the local newspaper and/or a statewide newspaper. In addition, counties followed their own procurement requirements. The solicitation period for each County varied. Some Counties opted to give training provider the minimum number of days, as required by their own procurement rules. Other Counties opted to leave their solicitation open with no end date to give more flexibility in securing appropriate training providers to offer their training courses to WIA participants.

8. Describe the state agency's internal controls and approval requirements for the exempted procurement: The training provider and training course must be on the statewide list in order for a participant to attend any training course offered by a training provider.

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



Requests for CPO Approvals for Health and Human Services Detail

Type: Exempt
Number: 09-17
Department: Labor & Industrial Relations
Division: Workforce Development
Branch:
Provider(s): various
Total Contract Amount: \$1,500,000
Amount Per Year: \$0
Start Date: 12/26/2008
End Date: 06/30/2011
Service: Training courses offered by public, private-nonprofit, or private-for-profit training providers for eligible program participants lacking the necessary skills to effectively compete for employment.

CPO Comments:
Other Comments:

Date Posted 12/18/2008
Status: Pending
Status Date: 12/18/2008

See the Request

(Click on the name to view in a new window. Right click the name and click on "Save Target As" to download to your computer)

[PEH No. 09-17](#) *(Uploaded: 12/18/08)*