

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

10MAR'09 AM 10:58 SPO-A

To: Chief Procurement Officer

From: Department of Human Services/Social Services Division/Support Services
 Office
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 purpose of Ohana Conferencing is to provide families the opportunity to devise and implement an individualized plan and agreement through the use of a family group decision model called Ohana Conferences. Service activities include: convene and facilitate conferences, assist in developing the family agreement plan with DHS worker input, recruit and train facilitators, train community and CWS staff on the Ohana Conferencing model, facilitate some adoption or legal guardianship proceedings for children, and Ohana Conference informational services to the community and Family court as needed.	
2. Provider Name and Address:	Effective Planning and Innovative Communication (EPIC, Inc.) 1130 N Nimitz Hwy Ste C-210 Honolulu, HI 96817
3. Total Contract Funds:	\$4,648,534
Contract Funds per Year (if applicable):	\$0
4. Reference number of Previous Request for this Service (if applicable):	
5. Term of Contract:	Start: 7/01/2009 End: 6/30/10

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6. Describe how procurement by competitive means is either not practicable or not advantageous to the State:
This contract will expire on 6/30/09 and will be procured by competitive means, but it is not practical or advantageous to the State to procure this contract to begin in July 2009. We are requesting an extension of the present contract to no later than June 2010 to ensure that we incorporate the findings of the Child and Family Services Review (CFSR) scheduled for June 1-5, 2009 and the CWS Program Improvement Plan (PIP). Our requested timeline is based on the following:
1. June 2009 - CFSR held
 2. August 2009 - Final CFSR Report due from Federal Administration for Children and Families (ACF)
 3. September 2009 - Hawaii Program Improvement Plan submitted to ACF
 4. October 2009 - January 2010 RFP's developed to incorporate review findings and requirements into POS contracts.
 5. January 2010 Procurement notice sent, RFI's held
 6. July 2010 Service begins.

We are requesting the extension for this health and human service contract because, subsequent to the last CFSR in 2004 we found it necessary to make a large number of contract amendments to existing contracts to implement new service components to meet federal required corrective actions as quickly as possible. The short two-year timeframe for completion of our PIP did not allow for an extended procurement timeframe, or we would have jeopardized successful completion of required corrective actions, which, if not completed successfully would have resulted in penalties of over \$2,000,000 or more.

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 provider for the service was initially selected through a competitive selection process with RFP # HMS 301-18. During this interim period we will be using the same provider that was initially selected as a result of the selective process, conducted in accordance with procurement requirements. There will be no alternate providers or changes in the contracts we presently have in place.

When the results of the Child and Family Services Review are available, Child Welfare Services will make any modifications to the Requests for Proposals that are deemed necessary to achieve compliance with Federal requirements and our Program Improvement Plan, depending on the findings of the review, and procure the amended services through the competitive selection process.

8. Describe the state agency's internal controls and approval requirements for the exempted procurement:
The Department of Human Services, Purchase of Service Unit (POS) has direct responsibility over the contract. EPIC is required to submit quarterly activity and expenditure reports to the POS unit for review.

9. List the state agency personnel, by position title, who will be involved in the approval process and administration of the contract:
Suzanne Hull, Program Specialist
Rex Shilo, Program Specialist
Laura Giddings, Program Specialist
Jacob Heffernan, POS Supervisor
Randy Fonseca, Federal Revenue and Program Support Administrator
Marquis Miyauchi, Support Service Office Administrator
Lillian B. Koller, Director, Department of Human Services

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10. Direct questions to (name & position):	Jacob K. Heffernan Purchase of Services Supervisor DHS/SSD
Phone number:	586-5664
e-mail address:	jheffernan@dhs.hawaii.gov

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



Department Head Signature

03/05/09
Date

Lillian B. Koller

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

4/8/09
Date

Please ensure adherence to applicable administrative requirements.