

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

STATE PROCUREMENT OFFICE
STATE OF HAWAII

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):	Domestic Violence Shelter and Support Services provides a safe, temporary shelter as well as supportive services that will afford victims the opportunity to break the "cycle of violence" in their lives. Services activities include: 24-hour hotline, emergency shelter, individual services for adults and children, group sessions, socialization activities, outreach, follow-up, and transportation as resources permit. This service is offered statewide.
2. Provider Name and Address:	Windward Spouse Abuse PO Box 1955 Kailua, HI 96734
3. Total Contract Funds:	\$176,000
Contract Funds per Year (if applicable):	\$0
4. Reference number of Previous Request for this Service (if applicable):	RH No. 08-10
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 restrictive contract will expire on 6/30/09. It 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) that took place 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 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 an extension for this health and human services contract because, subsequent to the last CFSR in 2004, we found it necessary to make a large number of contract amendments to existing contracts. This was required to implement new service components to meet federally mandated 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 this service was procured by a restrictive method and approved for the following reasons when the restrictive request was made. First, DHS records indicated no history of any division of DHS working with any similar organization with the facilities or resources required to conduct these specific service activities in the Kailua area. Second, all contracts for these services within DHS are administered by the social services division. Third, DHS also consulted with various providers in the area (educational/service, support programs for battered women, hospitals, etc.) that make referrals for these shelter services, and they verified that there was no other program in Kailua uniquely positioned with the infrastructure, experience and the required preexisting connections in the community to immediately provide these services.

During this exemption period we will be using the same provider that was initially selected via a restrictive request. There is no alternative providers or changes in the existing contract.

When the results of the Child and Family Services Review are available, Child Welfare Services will make any modifications to the Request for Proposal. Depending on the findings of the review, necessary changes will be made to achieve compliance with Federal requirements and our Program Improvement Plan. This will allow us to 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 this contract. This Domestic Violence Shelter and Support Service provider is required to submit quarterly activity, expenditure reports, and other documents as needed for the POS unit to 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
Jacob Heffernan, POS Supervisor
Randy Fonseca, Federal Revenue and Program Support Administrator

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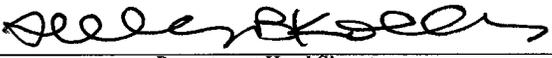
Amy Tsark, SSD Administrator
Lillian B. Koller, Director, Department of Human Services

10. Direct questions to (name & position): Suzanne Hull
Program Specialist
DHS/SSD

Phone number: 586-5669

e-mail address: shull@dhs.hawaii.gov

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



Department Head Signature

09/09/09

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

9/25/09

Date

Please ensure adherence to applicable administrative requirements.