

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

09 DEC -9 A8:58

STATE PROCUREMENT OFFICE
STATE OF HAWAII

To: Chief Procurement Officer

From: DHS/BESSD/ETPO
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 Department of Human Services seeks to provide statewide legal services for Temporary Assistance for Needy Families (TANF) recipients that are victims of domestic violence and are seeking to resolve issues related to domestic violence while receiving supportive services and case management from a First-to-Work Program (FTW) and a domestic violence advocate. Services provided address legal issues including but not limited to: temporary custody, visitation, and support; temporary restraining orders; divorce including child custody and child support; housing issues including landlord eviction defense or negotiation, public housing evictions, grievance, habitability of unit, repairs, rent and security deposit issues, illegal lockouts or utility shut off; consumer law including debt collection, bankruptcy or consumer credit matters, utility hookup or shut off, repossession, unfair or deceptive consumer practices; and employment issues including domestic violence accommodation by employers, unlawful termination from employment due to domestic violence issues and unemployment compensations for employees who quit their job as a result of domestic violence. The purpose of this program is to provide the legal support for TANF recipients to resolve issues related to domestic violence pursuant to Public Law 104-193, "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," reauthorized by the Deficit Reduction Act of 2005, and the Hawaii Work Verification Plan, which mandates that TANF recipients meet prescribed work performance requirements and progress towards self-sufficiency.	
2. Provider Name and Address:	Legal Aid Society of Hawaii 924 Bethel Street Honolulu, HI 96813
3. Total Contract Funds: Contract Funds per Year (if applicable):	\$0
4. Reference number of Previous Request for this Service (if applicable):	
5. Term of Contract:	Start: 1/1/2010 End: 2/28/10

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6.	<p>Describe how procurement by competitive means is either not practicable or not advantageous to the State: The Department currently has a contract with Legal Aid Society of Hawaii (LASH) that ended effective June 30, 2009 with no further extensions. However, the Department extended the contract until December 31, 2009, pursuant to HAR §3-149-301, because it is currently in the process of re-procuring the services.</p> <p>The RFI was posted in April 2009. The Department intended to post the RFP (HMS 903-09-08-S) on August 18, 2009 to award the contract on September 28, 2009 and to begin contract services effective January 1, 2010. The RFP was not posted as scheduled because there were issues regarding the scope of services prior to finalizing the RFP. These issues have since been resolved and the RFP has been approved for posting.</p> <p>The RFP will be posted in December 2009. The effective date of the contracts awarded through this RFP (HMS 903-09-08-S) is tentatively scheduled to begin March 1, 2010.</p> <p>The request is for a no cost extension to the current contract through February 28, 2010.</p>						
7.	<p>Describe the reason for the selection of the provider including a description of how the procedure ensured the maximum fair and open competition practicable: LASH is the current service provider for domestic violence legal services statewide. LASH has the infrastructure and the program knowledge necessary to continue providing uninterrupted services to clients.</p> <p>LASH was selected and awarded the contract to provide the services which was procured competitively through RFP HMS 903-05-04-S.</p>						
8.	<p>Describe the state agency's internal controls and approval requirements for the exempted procurement: The contract will be monitored by the Benefit, Employment and Support Services Division (BESSD), Employment and Training Program Office (ETPO). LASH will continue to provide BESSD/ETPO monthly expenditure and performance reports and statistics on clients serviced.</p> <p>LASH will continue providing services according to the existing contract, DHS-06-BESSD-3029.</p>						
9.	<p>List the state agency personnel, by position title, who will be involved in the approval process and administration of the contract: Scott Nakasone, Acting ETPO Administrator Ginet Hayes, Program Specialist</p>						
10.	<table style="width: 100%;"><tr><td style="width: 45%;">Direct questions to (name & position):</td><td>Ginet Hayes, Program Specialist</td></tr><tr><td>Phone number:</td><td>586-7088</td></tr><tr><td>e-mail address:</td><td>ghayes@dhs.hawaii.gov</td></tr></table>	Direct questions to (name & position):	Ginet Hayes, Program Specialist	Phone number:	586-7088	e-mail address:	ghayes@dhs.hawaii.gov
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I certify that the information provided above is to the best of my knowledge true and correct.



Department Head Signature

DEC 07 2009

Date

Lillian B. Koller

Typed Name

PB 11/25/09

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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.

Chief Procurement Officer's Comments:

APPROVED DISAPPROVED NO ACTION



Chief Procurement Officer Signature

12/30/09

Date

Please ensure adherence to applicable administrative requirements.