

STATE OF HAWAII
 NOTICE OF AND REQUEST FOR
RESTRICTIVE PURCHASE OF SERVICE
 PURSUANT TO §103F-403, HRS

11 MAR 30 A8:35

STATE PROCUREMENT OFFICE
 STATE OF HAWAII

To: Chief Procurement Officer

From: Department of Human Services/Benefit, Employment, & Support Services
 Division/Oahu Branch/Child Care Program Office

Department/Division/Branch or Office

Pursuant to §103F-403, HRS, and Chapter 3-144, HAR, the department head has made a determination that an adequate basis for a restrictive purchase of services exists and requests approval to make a restrictive purchase for the following:

1.	Title and description of health and human service(s):	
	Contract Number DHS-08-BESSD-5046 Infant and Toddler Program for Teen Parents at Farrington High School is a full day child care services in a licensed child care facility for infants and toddlers (from the age of 6 weeks to 3 years) of teen parents attending Farrington High School to enable the teen parents to continue their high school education so they can be promoted and/or graduate from Farrington High School. The infant and toddler center is operated by Kalihi Union Church and currently located off-campus at 2214 North King Street, Honolulu, Hawaii 96819. The total capacity of the child care program for the school year is 12 children of teen parents enrolled in and attending Farrington High School located at 1564 North King Street, Honolulu, Hawaii 96819.	
2.	Provider Name and Address:	Kalihi Union Church 2214 North King Street Honolulu, Hawaii 96819
3.	Total Contract Funds:	\$111,000
	Contract Funds per Year (if applicable):	\$111,000
4.	RH No. of Previous Request for this Service (if applicable)	
5.	Term of Contract:	Start: 7/1/2011 End: 6/30/2012
	If the contract term is longer than 1 year, provide justification for the extended term:	

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6. Describe the circumstances justifying a restrictive purchase:

In accordance with Act 69, SLH 2010, "103F Proposals and awards, No contract proposals shall be accepted from any applicant who lacks any license necessary to conduct the business being sought by the request for proposals." The child care license that was issued to operate The Infant & Toddler Care (IT) for Teen Parents at Farrington High School was issued to the provider, Kalihi Union Church who was awarded the current contract. A license is never issued prior to the awarding of the contract. Therefore, Act 69 interferes with the competitive procurement process. Until Act 69 is repealed or revised, the current provider is the only one who will be licensed by the proposal submittal deadline. A restrictive purchase is required at this time.

7. Describe the efforts and results in determining that this is the sole provider who can render services. Include approximate dates:

Kalihi Union Church is the only provider that can render services as they are licensed to operate an Infant & Toddler Child Care Center for a maximum of 12 children at any time, for ages 6 weeks to under 36 months, at an off-campus site near Farrington High School which services only Farrington High School students. In order for Kalihi Union Church to perform this service, they must be licensed in accordance with HRS Chapter §346-161 which states that no person shall operate, maintain, or conduct a group child care home or center unless licensed to do so by the department of human services. Since Act 69 requires applicants to obtain a license prior to submitting a contract proposal, only Kalihi Union Church would be able to apply and perform this service as they are the only provider that is licensed to operate at this site. Kalihi Union Church has been licensed under Contract #DHS-08-BESSD-5046 since July 1, 2007. The last Supplemental Agreement No. 3 will end on June 30, 2011.

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

Patricia McManaman, Director of Human Services & Head of Purchasing Agency
Luanne Murakami, Acting BESSD Administrator and Procurement Officer

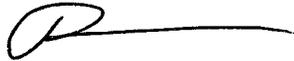
9. Direct questions to (name & position): Kathy Ochikubo, Program Specialist

Phone number: 586-7058

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

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

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Department Head Signature

MAR 23 2011

Date

Patricia McManaman

Typed Name



NOTICE

Pursuant to §103F-403, Hawaii Revised Statutes and Chapter 3-144, Hawaii Administrative Rules, the aforementioned purchasing agency has submitted a request to the chief procurement officer for a restrictive purchase of service for health and human services, and if approved, intends to purchase the service without issuing a request for proposals.

Any person may file a written protest under the procedures established under Chapter 3-148, Hawaii Administrative Rules, located on the web at www.spo.hawaii.gov, click *Statutes and Rules* and *Procurement of Health and Human Services*. Protests shall be hand delivered or postmarked by United States Postal Service within seven (7) days after the date this notice is first published on the internet. If hand delivered it must be submitted by 4:30 PM, Hawaii Standard Time, within seven days after day this notice is first published. Protests must be submitted to the following procurement officer **and** head of the purchasing agency:

Procurement Officer for this Procurement
Luanne Murakami
820 Mililani Street, Suite 606
Honolulu, HI 96813

Head of Purchasing Agency
Patricia McManaman
1390 Miller Street, Room 209
Honolulu, HI 96813

Protest forms and instructions are on the web at: www.spo.hawaii.gov, click *Health and Human Services, Chapter 103F...* and *Forms for Private Providers*. Questions should be directed to the contact person noted in item 9 of the request.

Published: MAR 30 2011

FOR CHIEF PROCUREMENT OFFICER USE ONLY

Chief Procurement Officer's Comments:

Ms. Luanne Murakami and Ms. Kathy Ochikubo are identified as participants in this procurement. Both have written delegation of procurement authority. Ms. Ochikubo has completed the required training, however Mr. Murakami has not. As a reminder, individual(s) participating in procurement activities are required to be in compliance with Procurement Delegation No. 2010-01 and Amendment 1, and Procurement Circular No. 2010-05, as appropriate.

This approval is conditioned upon the department by June 2011, shall commence with rule/policy amendments regarding provider licensing to accommodate the issuance of child care licenses to prospective providers responding to solicitations for direct child care services. Additional extensions to this approved exemption will not be approved. This award is required to be posted on the Awards Reporting System.

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APPROVED DISAPPROVED NO ACTION


Chief Procurement Officer Signature

5/3/2011
Date

Please ensure adherence to applicable administrative requirements.

NOTICE OF REQUEST
FOR RESTRICTIVE PURCHASE OF SERVICE
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Pursuant to §103F-403, Hawaii Revised Statutes and Chapter 3-144, Hawaii Administrative Rules, the Department of the Human Services, Benefit, Employment, & Support Services Division, has submitted a request to the chief procurement officer for a restrictive purchase of service for health and human services, and if approved, intends to purchase the service without issuing a request for proposals. (To see the request, go back to the [State and County Procurement Notices](#) page and click on “More Info.”)

Any person may file a written protest under the procedures established under Chapter 3-148, Hawaii Administrative Rules, located on the web at <http://hawaii.gov/spo>, click “Statutes and Rules,” then “Chapter 103F, Procurement of Health and Human Services.” Protests shall be hand delivered or postmarked by United States Postal Service within seven days after the date this notice is first published on the Internet. If hand delivered, it must be submitted by 4:30 p.m., Hawaii Standard Time, within seven days from the date this notice is first published. Protests must be submitted to the procurement officer and head of the purchasing agency as specified in the request. Protest forms and instructions are on the web at <http://hawaii.gov/spo>, click on “Health and Human Services, Chapter 103F...,” then “Forms and Instructions for Private Providers/Applicants.” Questions should be directed to the contact person noted in item 9 of the request.