STATE OF HAWAII

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

STATE PROCUREMENT OFFICE
STATE OF HAWAII

To: Chief Procurement Officer

From: Department of Health/Developmental Disabilities Division
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):

Developmental Disabilities Apartment Complexes Subsidy.

In 2005, Act 168 amended Chapter 321-15.9 Hawaii Revised Statutes (H.R.S.) to allow the Department of Health (DOH) "to enter into contracts for additional payments to providers of developmental disabilities domiciliary homes." The Legislature has appropriated a total of $1.8 million annually to the Developmental Disabilities Division (DDD) for developmental disabilities/mental retardation (DD/MR) residential subsidies (e.g. apartment complex and Developmental Disabilities Domiciliary Homes).

There are currently 48 individuals with DD/MR living in four developmental disabilities apartment complexes operated by one agency.

2. Provider Name and Address:	The Arc in Hawaii 3989 Diamond Head Road Honolulu, HI 96816
3. Total Contract Funds:	$250,000.00 (estimate)
Contract Funds per Year (if applicable):	To be determined by DOH/DDD analysis of provider's cost for service
4. RH No. of Previous Request for this Service (if applicable)	RH 11-04

5. Term of Contract: Start: 7/1/11 End: 6/30/12

If the contract term is longer than 1 year, provide justification for the extended term:

The Legislature has appropriated a total of $1.8 million annually to the Developmental Disabilities Division (DDD) for developmental disabilities/mental retardation (DD/MR) residential subsidies (e.g. apartment complex and Developmental Disabilities Domiciliary Homes). The Arc in Hawaii is the only agency in the state that provides apartment complexes exclusively for persons with developmental disabilities.

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6. Describe the circumstances justifying a restrictive purchase:

The Arc in Hawaii is the only agency in the state that provides apartment complexes exclusively for persons with developmental disabilities. The apartments are financed by loans from the Department of Housing and Urban Development which restricts tenants to persons with developmental disabilities. This service has been ongoing for years and provides housing for which individuals pay 30 percent of their income in neighborhoods that are accessible to transportation, have community supports and are in areas where people with disabilities feel safe. Since most people with developmental disabilities only have Social Security Income of $579, rent cannot exceed $170/month for an apartment. The Arc in Hawaii continues to have a net loss in the operations of the apartments each year. Act 168, Session Laws of Hawaii (SLH) 2005 amended Chapter 321-15.9, H.R.S., to authorize the DOH to enter into contracts for additional payments to "operators of developmental disabilities apartment complexes for residential services on terms determined by the department of health" with the intent "to ensure that developmental disabilities residential service providers are adequately reimbursed for the residential services they provide." This request seeks to provide financial assistance for the Arc in Hawaii to continue to provide apartments for individuals with developmental disabilities who would otherwise be subject to risk of homelessness.

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

Per Act 168, SLH 2005 the additional payment for developmental disabilities apartment complexes is available to any apartment complex that meets the definition in Chapter 321-15.9, H.R.S., which requires every unit in the complex to be dedicated for persons with developmental disabilities except for the resident manager's unit. At this time, only the four apartment complexes provided by the Arc in Hawaii meet this definition.

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

Kimberly Arakaki, Chief, Case Management and Information Services Branch (CMISB)
Christie Ferreira, Public Health Administrative Officer, DDD
Jean Luka, Contracts and Resource Development Section Supervisor, CMISB

9. Direct questions to (name & position): Kimberly Arakaki, Chief, CMISB

Phone number: 733-9172

e-mail address: kimberly.arakaki@doh.hawaii.gov

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

Department Head Signature — *Date* 4/8/11

Loretta J. Fuddy
Director of Health
Typed Name

SPO-H 500 (Rev. 9/06)

RH No. 11-16

STATE OF HAWAII

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RESTRICTIVE PURCHASE OF SERVICE
PURSUANT TO §103F-403, HRS

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
Christie Ferreira
Developmental Disabilities Division
Department of Health
1250 Punchbowl Street, Room 463
Honolulu, Hawaii 96813

Head of Purchasing Agency
Loretta J. Fuddy
Director
Department of Health
1250 Punchbowl Street
Honolulu, Hawaii 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.

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FOR CHIEF PROCUREMENT OFFICER USE ONLY

Chief Procurement Officer's Comments:

This award is required to be posted on the Awards Reporting System.

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, *Statewide Procurement Training*, as appropriate. As stated in Procurement Delegation No. 2010-01, Amendment 1, ". . . procurement requests submitted to the SPO from departmental personnel without written delegated procurement authority and the appropriate mandatory procurement training will be returned."

☒ **APPROVED** ☐ **DISAPPROVED** ☐ **NO ACTION**

Chief Procurement Officer Signature — *Date* 5/4/2011

Please ensure adherence to applicable administrative requirements.

NOTICE OF REQUEST
FOR RESTRICTIVE PURCHASE OF SERVICE
PURSUANT TO HRS §103F-403

Pursuant to §103F-403, Hawaii Revised Statutes and Chapter 3-144, Hawaii Administrative Rules, the Department of Health, Developmental Disabilities 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.