

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

05 JUL 11 10:04 AM '07

To: Chief Procurement Officer

From: Department of Health/Developmental Disabilities Division

*Department/Division/Agency*

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:

Title and description of health and human service(s):  
 Developmental Disabilities Apartment Complexes Subsidy. There are currently 48 individuals with Developmental Disabilities (DD) and/or Mental Retardation (MR) living in four (4) developmental disabilities apartment complexes operated by one agency. The agency has indicated they are at risk for terminating services if additional funding is not provided. Act 168, SLH 2005 amended HRS 321-15.9 to enable the Department of Health to enter into contracts for additional payment to operators of developmental disabilities apartment complexes and provide additional funding to ensure their availability for individuals with DD/MR. The 2006 Legislature has appropriated funding for FY 2007.

Provider Name: Arc in Hawaii	Total Contract Funds: \$230,387.00	Term of Contract:  From:                      To: July 1, 2006              June 30, 2007
Provider Address:  3989 Diamond Head Road Honolulu, HI 96816	Contract Funds per Year (as applicable). \$230,387.00	

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

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% 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 continues to have a net loss in the operations of the apartments each year. Act 168, SLH 2005 amended HRS 321-15.9 to authorize the Department of Health 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.

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Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:

Per Act 168, SLH 2005 the additional payment for developmental disabilities apartment complexes is available to any apartment complex that meets the definition in HRS 321-15.9 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 (4) apartment complexes provided by the Arc in Hawaii meet this definition.

A description of the state agency's internal controls and approval requirements for the exempted procurement: DDD has programmatic, administrative and fiscal staff to provide oversight of the exempted procurement.

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

Case Management and Information Services Branch (CMISB) Chief  
Developmental Disabilities Division PHAO  
CMISB Contracts and Resource Development Section Supervisor  
CMISB Fiscal Supervisor

Direct questions to (name & position):  
Sharon Tanaka, Acting Chief, CMISB

Phone number:  
733-9175

e-mail address:  
sharon.tanaka@doh.hawaii.gov

This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes  No

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

*Chiyome Leinaala Fukino*  
Department Head Signature

Date

JUL 07 2006

for  
Chiyome Leinaala Fukino, M.D.

Director of Health

Typed Name

Position Title

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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](http://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**

Sharon Tanaka  
Acting Administrator  
Case Managemnt & Information Services Br.  
Dept. of health  
3627 Kilauea Ave., Rm. 109  
Honolulu, HI 96816

**Head of Purchasing Agency**

Chiyome Fukino, MD  
Director of Health  
PO Box 3378  
Honolulu, HI 96801-3378  
1250 Punchbowl St.  
Honolulu, HI 96813

Protest forms and instructions are on the web at: [www.spo.hawaii.gov](http://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 8 of the request.

Published: JUL 25 2006

FOR CHIEF PROCUREMENT OFFICER USE ONLY

Chief Procurement Officer's Comments:

Approved  Denied

  
Chief Procurement Officer Signature

8/1/06  
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 Health, Adult Mental Health 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 [www.spo.hawaii.gov](http://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 p.m., Hawaii Standard Time, within seven (7) 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 [www.spo.hawaii.gov](http://www.spo.hawaii.gov), click on *Health and Human Services, Chapter 103F...* and *Forms for Private Providers*. Questions should be directed to the contact person noted in item 8 of the request.