

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

ADMINISTRATION
PROCUREMENT OFFICE

To: Chief Procurement Officer

From: Department of Health/FHSD/CSHNB/Early Intervention Section
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):	
	To provide family-centered, community-based, comprehensive, multi-disciplinary services to infants and toddlers under the age of three (3), with developmental delays, and their families. Services shall include family training, counseling, and home visits; special instruction; speech language pathology and audiology services, and sign language and cued language services; occupational therapy; physical therapy; psychological services; service coordination services; medical services only for diagnostic or evaluation purposes; early identification, screening, and assessment services; health services necessary to enable the child to benefit from other early intervention services; social work services; vision services; and assistive technology devices and services.
2. Provider Name and Address:	Molokai Ohana Health Care, Inc., dba Molokai Community Health Center 28 Kamo'i Street, Suite 600 Kaunakakai, Hawaii 96748
3. Total Contract Funds:	\$173,000
Contract Funds per Year (if applicable):	
4. Reference number of Previous Request for this Service (if applicable):	
5. Term of Contract:	Start: 11/01/07 End: 6/30/08
6. Describe how procurement by competitive means is either not practicable or not advantageous to the State:	See Attachment 1
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:	There was only a single response to RFP HTH 530-06-1. When it was withdrawn, the EIS asked the current provider for recommendations on who, in the community, they felt were capable, knowledgeable, and could meet the EIS's needs. Molokai Ohana Health Care was recommended, and since no providers from Oahu, the rest of the state, or from outside the state responded to the initial RFP, the EIS felt it was fair, practical, and prudent to go along with the recommendation.

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8. Describe the state agency's internal controls and approval requirements for the exempted procurement: EIS will require MOHC to follow the same requirements asked of all other applicants to the RFP which includes, but is not limited to, budget justifications, personnel qualifications, fiscal controls, various required reporting, service delivery methods, and performance outcome measures.	
9. List the state agency personnel, by position title, who will be involved in the approval process and administration of the contract: Chiyome Leinaala Fukino, M.D., Director of Health; Patricia Heu, M.D., Chief, CSHNB; Sue Brown, Public Health Supervisor; Paul Takishita, PHAO; Owen Tamanaha, PHAO.	
10. Direct questions to (name & position):	Owen Tamanaha, PHAO
Phone number:	594-0025
e-mail address:	owen.tamanaha@doh.hawaii.gov

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



Department Head Signature

OCT 11 2007

Date

Chiyome Fukino, M.D.

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

10/24/07

Date

Please ensure adherence to applicable administrative requirements.

1. Describe how procurement by competitive means is either not practicable or not advantageous to the State:

RFP HTH 530-06-1 was issued on August 29, 2006, anticipating a start date of July 1, 2007. The current provider, Molokai General Hospital (MGH), initially submitted a proposal, but subsequently withdrew it as they felt it was in their best interest to concentrate their efforts in other areas. Pursuant to section 3-143-609 (d) (4)HAR, and based upon the recommendation of MGH, the Early Intervention Section (EIS) selected Molokai Ohana Health Care (MOHC) to provide the services. Notices of award were issued in January 2007, but a protest was filed and halted the procurement process. Contract modifications to extend the current contracts for three (3) months through September 30, 2007 were issued as it was not anticipated that the protest would exceed three (3) months. Complications prompted EIS to issue a second mod to extend the current contracts through December 31, 2007. We are requesting an exemption to enter into an Exempt Contract with MOHC to begin November 1, 2007 through June 30, 2008 for the following reasons:

- a. The services to be provided are federally mandated services and pursuant to Part C regulations must be made available;
- b. Although it is possible to provide services for the island of Molokai utilizing providers on Oahu, it is cost prohibitive (air fare, travel time, scheduling, etc.);
- c. The current RFP, for various reasons, was cancelled and there is insufficient time to re-issue the RFP's and to re-procure services without there being a lapse in service provision;
- d. To allow EIS time to re-issue the RFP's and re-procure services for the State.
- e. Expedite MOHC contract in consideration of MGH's graciousness in agreeing to the extension through December 31, 2007 although it was never their intention to extend beyond September 30, 2007.