

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

To: Chief Procurement Officer

10MAR'09 AM 11:00 SPO-H

From: Department of Human Services/Social Services Division/Support Services
 Office

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 purpose of the Independent Living Program is to ensure that children who are likely to remain in out of home care will achieve independent, age appropriate, and developmentally appropriate living skills. Services are statewide and include, but not limited to the following: Higher education support services, assessment of current life skills and identified needs, foster parent outreach and training support, mentoring services, assessment and exploration of vocational and employment choices, transitional supervised living arrangements for youth transitioning to adulthood, and rental support.	
2.	Provider Name and Address:	<p>The Salvation Army- West and East Hawaii c/o Family Intervention Services PO Box 5085 Hilo, HI 96720</p> <p>Child Family Services- Kauai 91-1841 Fort Weaver Rd. Ewa Beach, HI 96706</p> <p>Hale Kipa, Inc.- Oahu 615 Piikoi Street, Ste 203 Honolulu, HI 96814-3139</p> <p>Maui Youth and Family Services- Maui, Molokai, Lanai 200 Ike Drive Makawao, HI 96768</p>
3.	Total Contract Funds:	\$821,332
	Contract Funds per Year (if applicable):	
4.	Reference number of Previous Request for this Service (if applicable):	
5.	Term of Contract:	Start: 7/01/2009 End: 6/30/10

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

6. Describe how procurement by competitive means is either not practicable or not advantageous to the State:
These contracts will expire on 6/30/09. The contracts (see Attachment 1) will be procured by competitive means, but it is not practical or advantageous to the State to procure these contracts to begin in July 2009. We are requesting an extension of the present contracts to no later than June 2010 to ensure that we incorporate the findings of the Child and Family Services Review (CFSR) scheduled for June 1-5, 2009 and the CWS Program Improvement Plan (PIP). Our requested timeline is based on the following:
1. June 2009 - CFSR held
 2. August 2009 - Final CFSR Report due from Federal Administration for Children and Families (ACF)
 3. September 2009 - Hawaii Program Improvement Plan submitted to ACF
 4. October 2009 - January 2010 RFP's developed to incorporate review findings and requirements into POS contracts.
 5. January 2010 Procurement notice sent, RFI's held
 6. July 2010 Service begins.

We are requesting the extension for these health and human service contracts because, subsequent to the last CFSR in 2004 we found it necessary to make a large number of contract amendments to existing contracts to implement new service components to meet federal required corrective actions as quickly as possible. The short two-year timeframe for completion of our PIP did not allow for an extended procurement timeframe, or we would have jeopardized successful completion of required corrective actions, which, if not completed successfully would have resulted in penalties of over \$2,000,000 or more.

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:
The providers for the programs were initially selected through a competitive selection process with RFP # HMS 301-40. During this interim period we will be using the same providers that were initially selected as a result of the selective process, conducted in accordance with procurement requirements. There will be no alternate providers or changes in the contracts we presently have in place.

When the results of the Child and Family Services Review are available, Child Welfare Services will make any modifications to the Requests for Proposals that are deemed necessary to achieve compliance with Federal requirements and our Program Improvement Plan, depending on the findings of the review, and procure the amended services through the competitive selection process.

8. Describe the state agency's internal controls and approval requirements for the exempted procurement:
The Department of Human Services, Purchase of Service Unit (POS) has direct responsibility over the contract. The Independent Living Program provider agencies on each island are required to submit quarterly activity and expenditure reports to the POS unit for review.

9. List the state agency personnel, by position title, who will be involved in the approval process and administration of the contract:
Suzanne Hull, Program Specialist
Rex Shilo, Program Specialist
Laura Giddings, Program Specialist
Jacob Heffernan, POS Supervisor
Randy Fonseca, Federal Revenue and Program Support Administrator
Marquis Miyauchi, Support Service Office Administrator
Lillian B. Koller, Director, Department of Human Services

STATE OF HAWAII
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10. Direct questions to (name & position):	Jacob K. Heffernan Purchase of Services Supervisor DHS/SSD
Phone number:	586-5664
e-mail address:	jheffernan@dhs.hawaii.gov

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



Department Head Signature

03/05/09
Date

Lillian B. Koller

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

4/8/09
Date

Please ensure adherence to applicable administrative requirements.

Attachment 1

Exemption Request for Independent Living Services

Contract Number	Provider	Estimated Amount from July 2009 to June 2010
1874	The Salvation Army- W HI	\$94,000
1881	The Salvation Army- E HI	\$94,000
1843	Child and Family Services- Kauai	\$49,000
1885	Hale Kipa- Oahu	\$500,332
1827	Maui Youth and Family Services- Maui, Molokai, and Lanai	\$84,000
HMS 301-40 Independent Living Services	TOTAL	\$821,332