

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

ADMINISTRATION
 STATE PROCUREMENT OFFICE
 STATE OF HAWAII

To: Chief Procurement Officer

From: Dept. of Labor & Industrial Relations/Office of Community Services
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 Commodity Supplemental Food Program (CSFP) works to improve the health of low-income elderly people at least 60 years of age by supplementing their diets with nutritious food from the United States Department of Agriculture (USDA). | |
| 2. | Provider Name and Address: | Hawaii Foodbank, Inc. (HFB) 2611 Kilihaui Street Honolulu, Hawaii 96819 |
| 3. | Total Contract Funds: Contract Funds per Year (if applicable): | \$132,803 |
| 4. | Reference number of Previous Request for this Service (if applicable): | PEH No. 15-16 |
| 5. | Term of Contract: | Start: 10/1/15 10/16/15 <i>efb</i> End: 9/30/16 |
| 6. | Describe how procurement by competitive means is either not practicable or not advantageous to the State: OCS is requesting an exemption from procurement for this program because HFB is named as the provider partner in the approved CSFP State Plan. Hawaii first received approval to participate in the CSFP program in March, 2015. At that time, HFB was named as the State's CSFP partner in the State Plan that was approved by the USDA, Food and Nutrition Service (FNS). As specified in 7 CFR Part 247.6, the State Plan is a permanent document once approved. Amendments to this document require USDA, FNS approval. Thus, OCS must work with HFB unless the CSFP State Plan is changed, which is a timely process that would result in a lapse in services to a population in need. A change in the State Plan at this point would jeopardize the funds for Federal Fiscal Year 2016. Being that the funding has been available for less than one calendar year, it is in the program's best interest to continue to work with HFB and conclude at least one pilot program year. This will enable OCS to discern what qualifications are necessary for potential future providers, which will ultimately benefit the State. | |
| 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 HFB was named as the sole service provider in the pilot year of the program because it is the main food distribution point on Oahu, home to the majority of Hawaii's population, including more than 11,300 seniors living in poverty. HFB partnered with OCS to complete all required training, including mainland travel, when the CSFP program was started. HFB is on target to meet its performance goals for the start-up period for this program and has become an invaluable partner to OCS. | |

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For other providers to participate in the CSFP program, it would require start-up training and USDA FNS approval of a modification to the CSFP State Plan.

OCS is exploring whether Hawaii can be allocated additional resources under this program. If so, an exemption at this time would allow us to complete the procurement process for Federal Fiscal Year 2017 (October 1, 2016 - September 30, 2017) without a loss of funding for Federal Fiscal Year 2016.

8. Describe the state agency's internal controls and approval requirements for the exempted procurement:
CSFP is regulated by federal guidelines and the existing State Plan.

9. List the state agency personnel, by position title, who will be involved in the approval process and administration of the contract:
Joy Kobayashi, Procurement Officer

10. Direct questions to (name & position): Joy K. Kobayashi, Procurement Officer
Phone number: 808-586-8696
e-mail address: joy.k.kobayashi@hawaii.gov

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



Department Head Signature

OCT 15 2015

Date

Linda Chu Takayama

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: Sarah Allen, Chief Procurement Officer, State Procurement Office, 1151 Punchbowl St., #230A, Honolulu, HI 96813.

Chief Procurement Officer's Comments:

See Page 3.

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1/ See insert below.

APPROVED DISAPPROVED NO ACTION



Chief Procurement Officer Signature

10/29/15

Date

Please ensure adherence to applicable administrative requirements.

1/ Insert: This exemption is approved with the understanding that the Department will, if the pilot proves successful, competitively procure the services. This approval is for the procurement process only. Service provider is required to be compliant with applicable laws and provide proof of compliance, if applicable. This award is required to be posted on the Awards Reporting System.

If there are any questions, please contact Corinne Higa at 587-4704 or corinne.y.higa@hawaii.gov.