

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

To: Chief Procurement Officer

From: Second Circuit/Client Services Division/Maui Drug Court Branch
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):	Psychological Services for Maui Drug Court clients including evaluations, therapy, and consultative services. Services to be provided by a licensed psychologist and/or post doctoral intern under the supervision of the licensed psychologist. Services are to identify and address mental health issues/needs that may present barriers to the client's recovery and treatment progress. Therapeutic intervention includes individual, couples, and/or family counseling. Due to budgetary constraints, the Maui Drug Court has been unable to purchase these services for its clients in the past. Through the recent award of the Edward Byrne Memorial Justice Assistance Grant (J13161), the program will be able to utilize these funds to pay for such critical intervention services.
2.	Provider Name and Address:	Aloha House, Inc. P.O. Box 791749 Paia, HI 96779
3.	Total Contract Funds:	estimated \$69,560
	Contract Funds per Year (if applicable):	\$0
4.	Reference number of Previous Request for this Service (if applicable):	N/A
5.	Term of Contract:	Start: Upon Contract Execution End: 1/31/14
6.	Describe how procurement by competitive means is either not practicable or not advantageous to the State:	The Maui Drug Court already has an existing agreement (Contract No. J12117) with the provider which was negotiated in response to our Purchase of Services Request No. J11030 for Health and Human Services dated October 27, 2010, Application No. 217. This agreement includes provisions for psychological services in response to the RFP Specification 2.16. In view of this, it would not be feasible or practicable to conduct another solicitation. As amending the State funded Contract No. J12117 to accommodate newly-obtained Federal funding could complicate the administering of the existing agreement, e.g. monitoring/evaluating, payment process, and the term of the agreement pursuant to the grant, we are requesting an Exemption from the Provisions of 103F.
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:	As mentioned, the Maui Drug Court has an existing agreement with the provider which resulted from solicitation through the Judiciary's RFP No. J11030 with fair and open competition. Service specifications for the drug court services included the provision of psychological services which were then incorporated in the scope of services under the present agreement, Contract J12117. In addition, the provider has had a contract for In-Community Treatment for Maui Drug Court clients since 2003 and has delivered services satisfactorily in accordance to contract terms.

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

8. Describe the state agency's internal controls and approval requirements for the exempted procurement: Upon contract execution, an orientation will be conducted with the provider by the Maui Drug Court Administrator, and the program specialist assigned to the contract. Provider obligations including scope of services, compensation, working agreement terms, reporting and invoicing requirements will be reviewed. Contract terms shall be monitored on an annual basis to evaluate service delivery and compliance to all terms of the agreement. Any reports of contract non-compliance will be investigated and addressed by the program specialist. In addition, any subsequent contract extensions will be subject to the Judiciary's internal approval process.	
9. List the state agency personnel, by position title, who will be involved in the approval process and administration of the contract: Sandy Kozaki, Chief Court Administrator Gail Nakamae, Deputy Chief Court Administrator Terri Gearon, Fiscal Officer Sheriann Daniels, Maui Drug Court Administrator Judy Kawano, Program Specialist	
10. Direct questions to (name & position): Phone number: e-mail address:	Gail Nakamae 808 244-2930 Gail.K.Nakamae@courts.hawaii.gov

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


Department Head Signature

Date

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

Date