

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

TO: Chief Procurement Officer

FROM: Second Circuit/Special Services Branch
Name of Requesting Division/Program

Pursuant to HRS § 103F -101 (a)(4) and HAR Chapter 3-141, The Judiciary requests a procurement exemption for the following:

<p>1. Title and description of health and human service(s): Maui Drug Court Services, Adult Substance Abuse Treatment In-Custody Services, Provide a continuum of evidence based offender oriented substance abuse treatment services to adult male and female offenders with drug and/or alcohol related problems while incarcerated at the Maui Community Correctional Center (MCCC). Clients participating in the MDC's In-Custody program are set to be admitted into the MDC's In-Community program upon their release.</p>	
<p>2. Provider Name and Address: Hawaii Recovery dba Behavioral Health Hawaii 1325 S. Kihei Rd, Ste. 215 Kihei, HI 96753</p>	<p>3. Amount of Request: \$196,477.00 for fiscal year 2019 \$16,373.12 for one(1) month and \$16,373.08 for eleven (11) months</p>
<p>4. Term of Contract From: 07/01/2018 To: 06/30/2019 Twelve (12) months</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable):</p>
<p>6. Explain in detail why it is not practicable or not advantageous for the Program/Division to procure by competitive means: The Judiciary had a contract with Aloha House, Inc., (AHI) contract no. J16069 for substance abuse treatment services for the Maui Drug Court's In-Custody program which was negotiated in response to our Request for Proposal (RFP) J15068 for Health and Human Services dated October 6, 2014, Application No. 215. The agreement included provisions for In-Custody services in response to the RFP Specification 2.18. Unfortunately, AHI terminated their contract. Behavioral Health Hawaii is currently the only agency on Maui that is qualified and capable of providing services to this population. Therefore it does not seem practical or advantageous to procure for this service by competitive means as there were no other proposals submitted for RFP J15068. As such, we are requesting an Exemption from HRS Chapter 103F to continue to secure treatment as soon as possible to provide adequate service to clients participating in the program.</p>	
<p>7. Describe the reason for the selection of the provider including a description of how the procedure, as much as practicable, ensured maximum fair and open competition: The provider either meets the minimum qualifications as required by RFP J15068 or has been providing substance abuse treatment services, and is willing to contract to provide services for the Second Circuit until such time as an RFP is issued later this year. Behavioral Health Hawaii is currently the only agency on Maui that is qualified and capable of providing services to this population.</p>	

8. Describe the Judiciary's internal controls and approval requirements for the exempted procurement:

The exemption request is forwarded by the Program Specialist to the Deputy Chief Court Administrator and/or the Chief Court Administrator. The request is then forwarded to the Financial Services Division for review and posting. Upon execution, the provider will work closely with the MDC Administrator and the Program Specialist assigned to the contract. Provider obligations include the scope of services, compensation, working agreement terms, reporting and invoicing requirements will be reviewed and assistance in this area will be provided by the program specialist and/or the MDC Administrator. 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.

9. Identify the primary responsible staff person(s) conducting and managing this procurement. (Appropriate delegated procurement authority and completion of mandatory training required).

*Point of contact (Place asterisk after name of person to contact for additional information).

Name	Division/Program	Phone Number	email address
Kawika Ortiz *	Client Services/SSB	244-2792	david.k.ortiz@courts.hawaii.gov
Kim Cuadro	Client Services/SSB	244-2779	kim.s.cuadro@courts.hawaii.gov
Sandy Kozaki	Second Circuit/CCA	244-2929	sandy.s.kozaki@courts.hawaii.gov

All requirements/approvals and internal controls for this expenditure is the responsibility of the Division/Program. I certify that the information provided above is, to the best of my knowledge, true and correct.

_____/s/Sandy S. Kozaki_____
Department/Division/Program Head Signature

_____05/31/2018_____
Date

NOTICE

Date Notice Posted: _____

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 9 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: **Chief Procurement Officer - The Judiciary; Financial Services Department; Contracts & Purchasing Office; 1111 Alakea Street, 6th Floor; Honolulu, Hawaii 96813-2807.**

For Chief Procurement Officer Use Only

Chief Procurement Officer (CPO) Comments:

Approved

Disapproved

No Action Required

Chief Procurement Officer Signature

Date