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STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

TO: Chief Procurement Officer

FROM: HHSC/HMC/Operating Room
(Department/Division/Agency)

Pursuant to § 103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

Description of goods, services, or construction: See Attached
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Name of Vendor: Address:	Stryker Orthopaedic 3407 East La Palma Avenue Anaheim, CA 92806	Cost: NTE \$250,000.00
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Term of Contract:	From: June 1, 2005	To: May 31, 2006	Prior Exemption Ref. No. (if applicable) Procurement ex
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Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State: See Attached

Details of the process or procedure to be followed in selecting the vendor to ensure maximum fair and open competition as practicable: There are other orthopedic vendors but they do not provide the same equipment/instruments specific to the surgeon's knowledge of repairing bones and joints, no other vendor considered at this time.

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REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

A description of the agency's internal controls and approval requirements for the exempted procurement.

[Faint, illegible text]

A list of agency personnel, by position title, who will be involved in the approval process and administration of the contract

Dr. Peter Matsuura, Orthopedic Surgeon
 Christine Takahashi, Surgical Services Supervisor
 Malia Lewis, Nurse Manager of the Operating Room

[Faint, illegible text]

Direct questions to:	Phone Number:
Malia Lewis	808-974-704±

This exemption should be considered for list of exemptions attached to Chapter 3-120, HAR: Yes No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS, TO THE BEST OF MY KNOWLEDGE, TRUE AND CORRECT.

[Handwritten Signature]

Department Head or Designee
 BMC CEO

Date

Title (If other than Department Head)

Chief Procurement Officer's Comments:

[Empty box for comments]

Please ensure adherence to applicable administrative requirements.

APPROVED DISAPPROVED

[Handwritten Signature] 07/29/07

Date

cc: Administrator, State Procurement Office

**Attachment to State of Hawaii REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS.
From HHSC/HMC/Operating Room for Stryker Orthopedics**

Description of goods, services or construction:

Vendor services for orthopedic equipment/instruments for specific orthopedic procedures in the operating room (OR). Equipment/instruments include surgical implants, instruments and other medical products specific for the operating room. A number of equipment/sets are not kept at Hilo Medical Center (HMC) but flown in on an on-call basis for the surgeon. Most of items not billed until surgery is completed.

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

Dr. Peter Matsuura is the only orthopedic surgeon who is able to perform total joint procedures at HMC. He is specifically trained in the use of the vendor's equipment/instruments. No other vendor able to provide equipment/instruments specific to Dr. Matsuura's surgical technique and training. It is not advantageous and reasonable for the State to require a surgeon to change his method or practice and use of equipment/instruments. He has been using this vendor for a number of years at HMC with good results for his patients. Vendors/instruments equipment is not interchangeable with other companies.

Adhering to HRS Chapter 103D would have dire consequences for the patients at HMC because the Surgeon would not be able to perform certain orthopedic procedures without the equipment/instruments from this vendor. It is not practical to make a surgeon change his technique or practice. Changing vendors would require re-training of the surgeon at the cost to the state and also the re-training of the OR staff to a new vendors equipment.