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**STATE OF HAWAII**  
**NOTICE OF EXEMPTION FROM CHAPTER 103D, HRS**

The Chief Procurement Officer is in the process of reviewing the request from the Department of HHSC \_\_\_\_\_ for exemption from Chapter 103D, HRS, for the following goods, services, or construction:  
Bradycardia, Trachyarrhythmia & Cardiac Resynchronization Therapy Products.

**Vendor:** SEE ATTACHED  
**Address:**

**Term of Contract:** From: 12/01/05 To: 11/30/06 | **Cost:** \$1,000,000.00  
| Estimated annual expense

<b>Direct any inquiries to:</b> Department: HHSC - Hilo Medical Center, OR Contact Name/Title: Chris Takahashi, RN Address: 1190 Waiuanue Avenue Hilo, HI 96720	Phone Number: 933-3109  Fax Number: 974-4752
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Date Posted: 12/16/05

A copy of this notice of exemption from Chapter 103D, HRS, shall be posted by the Chief Procurement Officer and the purchasing agency in an area accessible to the public, at least seven (7) calendar days prior to any approval action.

Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven (7) calendar days from the date posted to:

Chief Procurement Officer  
Office/Agency \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

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

TO: Head of Purchasing Agency

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:

Bradycardia, Tachyarrhythmia and Cardiac Resynchronization Therapy products

Name of Vendor: "SEE ATTACHMENT"  
Address:

Cost: Estimated Annual Cost  
from Three (3) Vendors  
\$1,000,000.00

Term of Contract: From: 12/01/05 To: 11/30/06

Prior Exemption Ref. No. (if applicable)

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

HMC currently purchases from three different companies for pacemaker supplies/equipment (Medtronic USA Inc, Guidant Corporation and St. Jude Medical). When patients are scheduled the selection of vendor is based on surgeon's training and knowledge of the supplies/equipment. It is also based on the type of pacemaker equipment the patient currently has implanted for procedure that requires repair or replacement. It is not practical to limit ourselves to one vendor due to the reasons cited above. It would limit HMC and the surgeons ability to care for all types of patients.

Details of the process or procedure to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

See above selection based on surgeon's knowledge/training and patients existing supplies/equipment previously implanted in the body.

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

1. <sup>OK staff</sup> Physicians involved will indicate need & reason for use of a particular product by completing a form.
2. Regional material manager will document purchase with the form & will check to see if the product is available under acceptable terms & make the best value purchase.

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

Chris Takahashi, Surgical Services Supervisor  
 Malia Lewis, Nurse Manager of the Operating Room  
 Debbie Kaina, Regional Material Manager

Direct questions to: *C. Takahashi* | Phone Number:  
 Chris Takahashi, RN Surgical Services Supervisor | 933-3109

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

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

*[Signature]* 7-29-05  
 Department Head or Designee Date  
 Ron Schurka  
 HMC CEO

Chief Procurement Officer's Comments: Much of this equipment would be ~~exempt~~ <sup>excluded</sup> as "commercial resale" products under HRS 103D-102 (b)(4)(H). An RFP for multiple vendors of a catalog of products will be initiated within 6 months.

Please ensure adherence to applicable administrative requirements.

APPROVED       DISAPPROVED

*[Signature]* 12-27-05  
 Head of Purchasing Agency Date

cc: Administrator,  
 State Procurement Office

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Medtronic USA, Inc.  
21550 Oxnard St., Suite 400  
Woodland Hills, CA 91367

St. Jude Medical  
21700 Oxnard St., Suite 800  
Woodland Hills, CA 91367

Guidant Corporation  
4100 Hamline Avenue North  
St. Paul, MN 55112