

EX 06-16



**STATE PROCUREMENT OFFICE  
NOTICE OF AND REQUEST FOR EXEMPTION  
FROM CHAPTER 103D, HRS**

1. TO: Head of Purchasing Agency  
2. FROM: Kelley Roberson, COO/CFO, Finance Department, HHSC

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:

3. Description of goods, services or construction:  
lobbyist and consultant services

4. Name of Vendor: Charles Toguchi  
Address:

5. Price:  
\$ 60,000

6. Term of Contract: From: July 1, 2006 Thru: June 30, 2007

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:  
Mr. Toguchi has extensive experience and knowledge with some of the House and Senate members, the Legislative process and State government operations, as a former Senator and former Director of the Department of Education. His personal contacts with various government officials makes him uniquely qualified to act as HHSC's liaison in presenting issues and concerns and coming to resolution on behalf of the health care needs of our rural communities. He has worked with HHSC for many years in this capacity and has been involved in highly sensitive and confidential communications as our advisor. His history with the organization and knowledge of the confidential issues renders him uniquely qualified to provide these services. It would not be in the State's or HHSC's best interests to compete these services and lose the continuity that has been developed over the years with Mr. Toguchi.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:  
HHSC did an extensive search several years ago and determined that Mr. Toguchi along with one other vendor, together, would give HHSC the complement of lobbyists and political advisers needed. No other competition has been sought.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:  
Kelley Roberson, COO/CFO and Thomas Driskill, Jr., Pres/CEO of HHSC, personally direct this procurement action and contract. Alice Hall, Asst General Counsel and Director of Contract Management, assists them.

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

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:			
Name	Position	Involvement in Process	
Thomas Driskill, Jr.	Pres/CEO	xx <input type="checkbox"/> Approval	xx <input type="checkbox"/> Administration
Kelley Roberson	COO/CFO	Xx	Xx
Alice Hall	Dir Contracts/Counsel	<input type="checkbox"/> Approval	x <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to: Department: Finance/Procurement  
 Contact Name: Alice Hall  
 Phone Number: 733-4168  
 Fax Number: 733-4460

14. This exemption should be considered for list of exemptions attached to Chapter 3-120, HAR: YES xx  NO

Agency shall ensure adherence to applicable administrative and statutory requirements

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

  
 Department Head

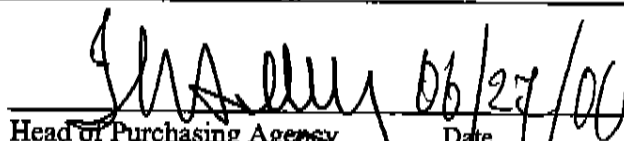
JUNE 8, 2006  
 Date

16. Date Notice Posted 6-9-2006

The Head of the Purchasing Agency is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to: Head of Purchasing Agency  
 HHSC  
 3675 Kilanea Ave.  
 Honolulu, Hawaii 96816

Head of Purchasing Agency's comments:

17.  APPROVED  DISAPPROVED

  
 Head of Purchasing Agency Date 06/27/06