

EX 06-25



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

1. TO: Chief Procurement Officer

2. FROM:

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:

Completion of the Renovation of Patient Bathrooms at Samuel Mahelona Memorial Hospital. Exemption request is for completion of work from the original scope of work contract # HHSC 05-198 that was not completed due to time delays inherent in working within a Hospital and Emergency Room.

4. Name of Vendor: TOMCO CORP

Address: 500 Alakawa St. 100A
Honolulu, Hawaii 96817

5. Price:

\$117,117.00

6.

Term of Contract:

From: 9/1/06

To: 3/31/07

7. Prior Exemption Ref. No.

05-019

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State: TOMCO CORP was contracted to build a new emergency room and renovate the patient bathrooms at Samuel Mahelona Memorial Hospital. The new emergency room and the renovation of some patient bathrooms were completed by the expiration of the contract which occurred on June 30, 2006. This project is a design build project and the contractor is responsible for the design as well as the construction. The contractor with the available funds left has eight bathrooms left to renovate for eight patients but was not able to be completed because the patients had to be relocated and this caused delay. The current contractor has already used state funds to design the renovation, purchase supplies and materials for the renovation, and has completed surrounding work getting ready for the completion. If another firm was awarded the contract, it would cost significantly more as they would have start-up costs and transition costs that would add to the total price. See Additional Page.

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

TOMCO was selected through the procurement process with an emergency exemption due to the necessity to build with the new SMMH CAH designation in December to construct a new emergency room and renovate patient bathrooms which expired on June 30, 2006. We are asking for a new contract to extend the time so that the contractor can fulfill the requirements of the original contract.

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

The State Procurement Officer has delegated to Tom Driskill President and CEO of Hawaii Health Systems Corporation duties as Chief Procurement Officer for the Corporation for approval and oversight of procurement policies including this exemption. Under this oversight Mr. Driskill has staff and systems in place to review and approve procurement as outlined in 103d. The list below is an example of staff that are involved in this exemption request.

In addition, competition through an RFP would delay the project further impeding the Hospital's ability to fully service its Emergency Room patients. The project has already been delayed because of coordinating renovation around patient care. Further delays necessitated if competition were required would affect the Hospital negatively and cost more money for HHSC and the State.

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	
Tom Driskill	President and CEO HHSC	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Kelley Roberson	CFO/COO HHSC	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Alice Hall	Director of Contract Management	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Orianna Skomoroch	Regional CEO Kauai Region	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
David Lane	Contract Manager Kauai Region	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to: Department: West Kauai Medical Center
 Contact Name: Herman Chong
 Phone Number: 808 338-9436
 Fax Number: 808 9420

Agency shall ensure adherence to applicable administrative and statutory requirements

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


 Department Head

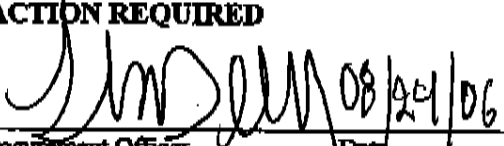
8-16-06
 Date

15. Date Notice Posted 8-16-06

The Chief Procurement Officer 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: Chief Procurement Officer
 State Procurement Office
 P.O. Box 119
 Honolulu, Hawaii 96810-0119

Chief Procurement Officer's comments:

16. APPROVED DISAPPROVED NO ACTION REQUIRED


 Chief Procurement Officer Date 08/21/06