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

1. TO: Head of Purchasing Agency
2. FROM: Maui Memorial Medical Center

Department/Division/Agency
Pursuant to §103D-102(1)(A), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction:
   Implantable orthopedic hardware (plates, screws, washers, etc.) that is compatible with Synthes instrumentation sets. Reusable instrumentation replacements and disposable drills, taps, etc., compatible with existing Synthes instrumentation sets to be included.

<table>
<thead>
<tr>
<th>4. Name of Vendor: Synthes</th>
</tr>
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<tbody>
<tr>
<td>Address: 1011 Synthes Ave</td>
</tr>
<tr>
<td>Monument, CO 80132</td>
</tr>
</tbody>
</table>

| 5. Price: $275,000.00 |

| 6. Term of Contract: From: 9/06 To: 9/07 |


8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
   At the request of the orthopedic surgeons several years ago, the operating room standardized to the use of Synthes instrumentation and implants for the repair of bone fractures. Synthes was the vendor of choice due to both the number of orthopedic surgeons trained on the technique used with this system and the quality of their implants. As is customary with orthopedic vendors, Synthes implants are specific to the use of their instrumentation sets. The operating room owns a large inventory of Synthes implants and instrumentation and it would be both cost prohibitive and detrimental to the relationship we have with the surgeon to change to another system.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
   The term of the exemption will be for a total of two years at one(1) year period at which time the hospital will re-evaluate the equipment and the different options to determine if any other services for equipment and implants would be more advantageous for the hospital. Based on the availability of resources, information and research the best procurement practice will be completed.
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
   This exemption shall be from HRS, Section 103-302 all other guidelines, rules and policies under Chapter 103D shall be upheld. HHSC Policies and procedures will be followed and periodic reviews of contract action will be completed.

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

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Involvement in Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alice Hall</td>
<td>Assistant General Counsel</td>
<td>☑ Approval ☐ Administration</td>
</tr>
<tr>
<td>Wesley Lo</td>
<td>Chief Executive Officer</td>
<td>☑ Approval ☐ Administration</td>
</tr>
<tr>
<td>Pat Saka</td>
<td>Chief Financial Officer</td>
<td>☑ Approval ☐ Administration</td>
</tr>
<tr>
<td>Nancy Delima</td>
<td>Contract Management</td>
<td>☑ Approval ☐ Administration</td>
</tr>
</tbody>
</table>

13. Direct inquiries to:
   Department: Contracting
   Contact Name: Nancy Delima
   Phone Number: 808-243-3091
   Fax Number: 808-242-2773

14. This exemption should be considered for list of exemptions attached to Chapter 3-120, HAR: YES ☐ 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.

   [Signature]

   Date: 5/31/06

16. Date Notice Posted: 8-30-06

   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 Kilauea Ave.
   Honolulu, Hawaii 96816

SPO-07 (Rev. 05/30/2005)
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

Head of Purchasing Agency's comments:

☐ APPROVED ☐ DISAPPROVED

Head of Purchasing Agency

Date: 08/08/01