

EX 07 - 011

**HAWAII HEALTH SYSTEMS CORPORATION
NOTICE OF AND REQUEST FOR EXEMPTION
FROM CHAPTER 103D, HRS**

1. TO: Chief Procurement Officer
2. FROM: Ronald J. Schurra, CEO East Hawaii Region

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: Full coverage service agreement including all labor, travel, living expenses to perform the inspection, maintenance and software support services. Contract to include Off-Site Data, Back-up/Disaster Recovery, Off-Site Programming and Software/Hardware Consulting Assistance, Support Services, Automation System Training, Automation Software upgrade services.	
4. Name of Vendor: American Controls & Equipment, Inc. Address: 2001A Kahai Street Honolulu, HI 06819	5. Price: \$23,793.03
6. Term of Contract: From: Execution date To: 2-yr term	7. Prior Exemption Ref. No. N/A
8. Explanation describing how procurement by competitive means is either not practicable or advantageous to the State: The Energy Management System that is used by the Maintenance Department is proprietary software developed by American Controls. As such, by license, we are not allowed to look to other vendors for assistance with the software.	
9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable: Open competition cannot be sought on the Energy Management System software based on the fact that it is proprietary software.	

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
 The Director of Contract Management reviews requests for exemptions for sufficiency prior to submission to the President and CEO for action. HHSC policies and procedures will be followed and periodic reviews of contract action will be completed.

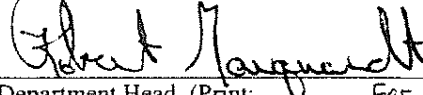
11. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:

Name	Position	Involvement in Process	
Ronald J. Schurra	CEO, East Hawaii Region	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Julie Rukstad	CFO, East Hawaii Region	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Robert Marquardt	COO, East Hawaii Region	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Julie-Beth Ako	Director Clinical Support Services	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

12. Direct inquiries to: Department: Institutional Facility Support
 Contact Name: Warren Okabayashi
 Phone Number: 974-4773
 Fax Number: 933-0708

Agency shall ensure adherence to applicable administrative and statutory requirements

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


 Department Head (Print: For Ronald J. Schurra) Date 3/12/07

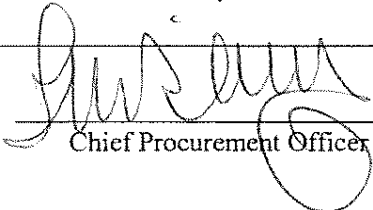
Reserved for CPO/Delegee Use Only

14. Date Notice Posted 3-12-07

The CPO 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 (7) calendar days or as otherwise allowed from the above posted date to: Chief Procurement Officer, HHSC, 3675 Kilauea Ave., Honolulu, Hawaii 96816

Chief Procurement Officer's comments:

15. APPROVED DISAPPROVED
 NO ACTION REQUIRED


 Chief Procurement Officer Date 03/20/07