



Cora Shirai	Sr. Contract Manager	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Alice Hall	Regional Counsel	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
12. Direct inquiries to:	Department: Contracts/Procurement Contact Name: Cora Shirai Phone Number: 808-338-9454 Fax Number: 808-240-2747		

13. 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

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

*[Signature]* 2-8-08  
 Department Head                      Date

15. Date Notice Posted 2-8-08

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 (7) calendar days or as otherwise allowed from the above posted date to:

Chief Procurement Officer

HHSC  
3675 Kilanua Ave.  
Honolulu, Hawaii 96816

Chief Procurement Officer's comments:

Approved: *[Signature]*

Date: 02/15/08

**ATTACHMENT TO EXEMPTION REQUEST**

The following outline describes an overview of the proposed method in the selection of the General Contractor for the pre-construction and construction services for the West Kauai Medical Center (WKMC).

1. The project will be announced publicly via local paper, nationally in other publications, and directly to known interested vendors. Firms will access the Request For Qualification and Proposal (RFQ/P), and drawings with specifications via the internet on a Jonathan Bailey Design(JBD) based FTP site. The contractors will be allowed to ask questions within a specified amount of time. Only written responses will be given by way of addenda.
2. The responding construction firms will be evaluated and scored based on specified criteria from their answers to the RFQ/P questions. This is similar to a professional services list screening, with both the general qualifications and qualifications to perform this specific job included. Both design team consultants and WKMC employees will be on the selection team.
3. The RFQ/P will be formatted to allow respondents to provide information about previous healthcare projects, previous State of Hawaii experience, the proposed team for this project, financial stability, and several other criteria. In this selection process the contractors will provide an estimate of their pre-construction fees as well as their construction phase service fees or general condition costs. A detailed explanation of the costs and fees will be required, to include equipment costs, labor costs, overhead costs, insurance, etc. This estimate, the qualifications, and the proposed approach to the project will constitute the criteria for scoring and ranking of the offers.
4. The top ranked companies will be invited to prepare a presentation to the Selection Committee at the site. Two firms, the "Preferred" and the "Alternate" firms, will then be chosen from the interviewed contractors (priority offerors).
5. The Owner, with the assistance of JBD, will then negotiate the pre-construction and construction service fees with the top preferred firm. If the contract is not negotiated to the satisfaction of the Owner, the alternate firm will be approached for negotiation.
6. The firm that is selected from the above process will provide pre-construction services at a fixed fee for a lump sum to join the design team in the middle of the Design Development Phase. The contract with the general contractor will include a fee for the preconstruction services. The contract will also detail the process for determining the final Guaranteed Maximum Price (GMP) of the construction phase of the contract and the general contractors fees for the construction and post construction phases of the project. Cost containment measures will be included in the contract to prevent the GMP from escalating beyond the budgeted amount.
7. After the completion of the Design Development Phase, the General Contractor will deliver to the Owner the (GMP). The GMP must be satisfactory to the Owner, who will work with the General Contractor to ensure that the GMP is within budget. This price will be the construction cost for subcontractors and materials and the general contractor's contract will be amended to add this figure. The general contractor will enter into subcontracts to obtain the needed services and materials and, working with JBD, will ensure that the project is completed.