

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

EX-09-011

- 1. TO: Chief Procurement Officer
- 2. FROM: Maui Memorial Medical Center

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:

<p>3. Description of goods, services or construction:</p> <p>Vascular grafts, patch material for vascular repairs, bypass grafts and hernia repair materials. Product construction depends on patient needs, anatomy and surgery required.</p>		
<p>4. Name of Vendor: WL Gore</p> <p>Address: 960 West Elliot Road, Suite 202, Tempe, AZ 85284</p>		<p>5. Price:</p> <p style="text-align: center;">\$ 100,000</p>
<p>6. Term of Contract:</p> <p style="margin-left: 40px;">From: Date of Contract Execution</p> <p style="margin-left: 100px;">To: Two Years</p>		<p>7. Prior Exemption Ref. No.</p>
<p>8. Explanation describing how procurement by competitive means is either not practicable or advantageous to the State:</p> <p>It is in the State's best interest to buy directly from this vendor without requiring a formal competitive process because the vendor is willing to provide its products on a consignment basis, thus providing the State with significant advantageous potential cost savings.</p> <p>Product construction depends on patient-specific needs, anatomy and surgery required; and as such, supply needs vary greatly from case to case, and require a full inventory on short notice. The hospital is spared the expense of maintaining the expensive product in inventory. Additionally, the vendor's representative is available to the surgeon and staff to provide technical assistance in the operating room, when needed.</p>		
<p>9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:</p> <p>The term of the exemption will be for a two (2) year period. During the term of this exemption the hospital will conduct research to determined if other vendors could provide these services on a short turnaround schedule and on consignment. If the Hospital does make a determination that another vendor meets the above requirements an IFB or RFP would be completed.</p>		

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

This exemption shall be from HRS, Sections 103-302 & 103-303. All other guidelines, rules and policies under Chapter 103D shall be upheld. HHSC Polices 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	
Wesley Lo	Regional Chief Executive Officer	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Pat Saka	Regional Chief Operating Officer	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Jackie Colman	OR Specialty Team Coordinator	<input type="checkbox"/> Approval	<input checked="" 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

12. Direct inquiries to: Department: Contract Manager
 Contact Name: Andrew Alvarez
 Phone Number: 808- 442-5212
 Fax Number: 808-442-5462

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: Patricia Saka) Date 11/13/08

Reserved for CPO/Delegee Use Only

14. Date Notice Posted 11-13-08

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 11/26/08