

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

EX 11-007

<b>1. TO:</b> HHSC Interim CEO and HHSC Chief Procurement Officer	
<b>2. FROM:</b>	Charla Ota, Assistant General Counsel
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:	
<b>3. Description of goods, services or construction:</b> Legal, Compliance and Fair Market Valuation services	
<b>4. Name of Vendor:</b> Robert A. Wade, Esq. <b>Address:</b> 51371 Colleen Court, Granger, IN 46530	<b>5. Price:</b> \$400 - \$500 per hour
<b>6. Term of Contract:</b> From: March 1, 2011 To: February 28, 2013	<b>7. Prior Exemption Ref. No.</b>
<b>8. Explanation describing how procurement by competitive means is either not practicable or advantageous to the State:</b> Mr. Wade has been doing legal work for HHSC for some time under two existing contracts with his law firm, Baker & Daniels. HHSC now seeks to contract with him individually, to better reflect our practice, as we have not utilized the services of others in the firm except on rare occasions. The contracts with Baker & Daniels will be terminated and/or cease to be utilized once this individual contract is effective.	
<b>9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:</b> HHSC followed normal procurement procedure in contracting with Baker & Daniels. Unfortunately the professional services list is currently closed and Mr. Wade is not individually listed therein. His continuing services will be required prior to the reopening of the list.	
<b>10. A description of the agency's internal controls and approval requirements for the exempted procurement:</b> HHSC corporate procurement policies and procedures are maintained and updated periodically to address procurement delegation, methods of procurement, authorities to administer contracts and other procurement related matters. HHSC regions shall follow HHSC procurement policies when the procurement methods are conducted at a system level and executed by the HHSC CEO and as detailed within the respective procurement policies.	
<b>11. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:</b>	
<b>Name</b>	<b>Position</b>
Alice M. Hall	Interim HHSC CEO
Joseph Evanoff	Director of Contracts and Material Management
Michelle Kato	Contracts Manager
<b>12. Direct inquiries to:</b>	Department: Contracts Contact Name: Michelle Kato Phone Number: 808-832-3001

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



Reserved for CPO/Delegated Use Only

14 .Date Notice Posted: Feb 18, 2011

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:

Mr Wade is leaving Baker + Daniels so that contract no longer sufficient. Once the prof services least opens up, he & his new firm should apply. ~~del~~ provides necessary services for corporate compliance.

15.  APPROVED  DISAPPROVED: Alise M Hall | 2/25/11  
HHSC Chief Procurement Officer | Date  
 NO ACTION REQUIRED