

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

1. TO:	HHSC Interim CEO and HHSC Chief Procurement Officer		
2. FROM:	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:			
3. Description of goods, services or construction:	Legal, Compliance and Fair Market Valuation services		
4. Name of Vendor: Krieg Devault, LLP Address: 4101 Edison Lakes Parkway, Suite 100, Mishawaka IN 46545			5. Price: \$400 - \$500 per hour for services of Robert A. Wade, Esq.; other services as negotiated
6. Term of Contract: From: Execution of Contract To: 6 months			7. Prior Exemption Ref. No.
8. Explanation describing how procurement by competitive means is either not practicable or advantageous to the State: Mr. Wade has been doing legal work for HHSC for some time under two existing contracts with his former law firm, Baker & Daniels. He has now moved to a new law firm, Krieg Devault, LLP, effective March 1, 2011. HHSC seeks to contract with Mr. Wade's new firm as we have not utilized the services of others at Baker & Daniels except on rare occasions and only under Mr. Wade's supervision. The contracts with Baker & Daniels will be terminated and/or cease to be utilized once the contract with Krieg Devault, LLP is effective.			
9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable: HHSC followed normal procurement procedure in contracting with Baker & Daniels. The professional services list is currently closed and neither Mr. Wade nor his new firm are individually listed therein. Mr. Wade's continuing services will be required prior to the reopening of the list. Therefore a six month exemption is sought, by which time the list should be reopened.			
10. A description of the agency's internal controls and approval requirements for the exempted procurement: 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.			
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	
Alice M. Hall	Interim HHSC CEO	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Joseph Evanoff	Director of Contracts and Material Management	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Michelle Kato	Contracts Manager	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration
12. Direct inquiries to:	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 (Print: Charla Ota)

3/3/11

Date

Reserved for CPO/Delegee Use Only

14 .Date Notice Posted: 3/3/11

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


HHSC Chief Procurement Officer

3/14/11
Date