DEPARTMENT OF BUDGET AND FISCAL SERVICES
NOTICE OF AMENDMENT TO SOLE SOURCE CONTRACT

TO: Chief Procurement Officer
Dwight ~~N~~ K Nadamoto, Acting
FROM: Prosecuting Attorney
Department/Division/Agency

Pursuant to HRS §103D-306 and HAR Chapter 3-122, Subchapter 9, the Department requests an amendment to sole source approval as follows:

1. Project Title and description of goods, services, or construction procured:
Medical Legal Services for Victims of Sexual Assault

2. Sole Source (SS) Number: 949

3. Contract/PO Number: CT-PAT-1900112

4. Vendor Name: Kapiolani Medical Center for Women and Children

*** Attach all previously approved Sole Source forms.**

5. Request to amend is submitted in order to:

Original contract amount: $684,000
Amend. No. 1 amount: $912,000
Amended contract total: $1,596,000

☐ Revise the scope of services for the contract as follows:

☒ Increase contract price by 10% or more:

Original Contract Price: $684,000 Amended Contract Price: $1,596,000

6. Explain in detail why this amendment is necessary:

The amendment to the sole source is needed in order to reflect the modified term of 7/1/19 to 10/31/20 and the increase in the contract price. The initial sole source had a term of 7/1/19 to 6/30/20. The extended term of the sole source will insure: timely and properly conducted medical-legal examinations of victims of sexual assault, evidence collection and preservation, the prompt and effective investigation and prosecution of perpetrators of sexual assault, and the proper support and treatment of the victims.

7. Person who will be responsible for managing this procurement:

Contact Name/Title:	Phone Number:
Dennis M. Dunn, Victim Witness Assistance Program Director	768-7485

Department shall ensure adherence to applicable administrative and statutory requirements, including HAR Chapter 3-122, Subchapter 15, Cost or Pricing Data if required.

To the best of my knowledge I certify that the information provided above is true, correct, that there is no conflict of interest related to this procurement and approval is recommended.

Dwight K Nadamoto — 11.15.19

Department Head Signature — Date

Dwight K. Nadamoto

Print Signature Name

FOR CHIEF PROCUREMENT OFFICER USE ONLY
Date Notice Posted: _____ Submit written objections to this notice to issue a sole source contract within seven calendar days or as otherwise allowed from the above posted date.
Chief Procurement Officer (CPO) Comments:

☐ Approved ☐ Disapproved

Chief Procurement Officer Signature — Date

DEPARTMENT OF BUDGET AND FISCAL SERVICES
NOTICE AND REQUEST FOR SOLE SOURCE

TO: Chief Procurement Officer
Dwight K. Nadamoto, Acting
FROM: Prosecuting Attorney
Department/Division/Agency

Pursuant to HRS §103D-306 and HAR Chapter 3-122, Subchapter 9, the Department requests sole source approval to purchase the following:

1. Project Title and description of goods, services, or construction to be procured:
Medical Legal Services for Victims of Sexual Assault

2. Vendor Name: Kapiolani Medical Center for Women and Children

3. Amount of Request:
$ 684,000

4. Term of Contract (Shall not exceed 12 months), if applicable: 12 months
From: ~~07/1/2019~~ 11/1/19 To: 06/30/2020

6. Prior Sole Source Ref No (if applicable): 55a Prior Contract Price: $ 684,000

Prior Contract or PO number: CT-PAT-1900112

Prior Term of Contract: From: 07/01/2018 To: 06/30/2019

7. The good, service, or construction has the following unique features, characteristics, or capabilities: The physicians who conduct the medical legal examinations and the crisis workers who provide counseling and advocacy to victims must follow specific training standards as outlined in A National Protocol for Sexual Assault Medical Forensic Examinations (Adults/Adolescents), which was developed by the Office on Violence Against Women under the direction of the U.S. Attorney General and incorporated in the Violence Against Women Act of 2000. Per the protocol, the goal of the trainings is for every sex assault victim to have access to a specially trained and clinically prepared physician examiner and sexual assault worker who can validate and address health concerns, minimize trauma, promote healing, and maximize the detection, collection, preservation, and documentation of physical evidence related to the assault for potential use by the legal system. The medical legal examinations must be completed immediately after the assault was reported or depending on the circumstances, within 72 hours of the assault. During the examination, evidence is collected and placed in a sexual assault kit and stored in a safe and secure facility with protocols designed to ensure proper chain of custody for cases in which the evidence may be used in a criminal proceeding. The medical forensic examiner must keep careful records of the proceedings and must be sufficiently trained and have a depth of experience to provide expert testimony in a court of law. The sex assault worker must be able to provide counseling and legal advocacy during the crisis period and must provide follow-up care to ensure the continued health, safety, and well-being of the victim.

8. How are the unique features, characteristics or capabilities of the good, service or construction essential for the agency: Timely and properly conducted medical-legal examinations of victims of sexual assault are required to assure the prompt and effective investigation and prosecution of perpetrators of sexual assault and the proper support and treatment of the victims. Without the specialized forensic examinations and the crisis counseling, the Department of the Prosecuting Attorney could not fulfill its mandate to seek justice on behalf of the people of the City and County of Honolulu and to hold offenders accountable for their crimes.

9. Describe the efforts and results in determining that this is the only vendor who can provide the goods, services, or construction: In 1975, the Hawai'i State Legislature allocated funds to Kapi'olani Medical Center for Women & Children (KMCWC) to establish treatment services for O'ahu's sexual violence victims. On October 3, 1976, the Sex Abuse Treatment Center (SATC) at KMCWC opened for business and remains the only agency providing comprehensive sexual assault services and treatment for victims on O`ahu. In 1998, the following statewide administrative and capacity building responsibilities were given to SATC by the State:

- Program monitoring
- Program evaluation
- Fiscal monitoring
- Staff development consultation
- Staff development training

Under this State contract (which still remains in force), SATC became the master contractor for statewide direct services and administrative/capacity building services. As the master contractor for statewide sexual assault services, SATC developed and implemented standards of care for service delivery and for internal and external auditing. SATC also developed and implemented a standard protocol for the medical care of sexual assault victims and the collection, preservation, and transfer of forensic evidence in these cases. With support from the Hawai`i Department of the Attorney General, the Honolulu Police Department's Crime Laboratory, all County Chiefs of Police and Prosecutors, and identified sexual assault service providers and medical personnel in the community, the project yielded a new statewide sexual assault evidence collection kit and accompanying protocols designed to heighten consistency in the investigation of sexual assault cases, increase credibility in the court system, and increase the overall quality and quantity of forensic evidence through improved and uniform specimen collection and preservation techniques. The kit and protocols were put into statewide implementation in August 2000 and continue to be used today.

To confirm that SATC is the only agency that can provide these services on O`ahu, contacts were made on April 17, 2014 with Pamela Ferguson-Brey, Executive Director of the Crime Victim Compensation Commission and Jasmine M. Mau-Mukai, Director of the O`ahu Children's Justice Center. Both said that SATC was the only agency on O`ahu that provides medico-legal examinations of sex assault victims and that provided concurrent crisis counseling services for those victims. On April 17, Det. Thornley from the Honolulu Police Department verified that SATC was the only civilian provider of sex assault services on O`ahu, but noted that Tripler Army Medical Center provided sex assault examinations for military victims of sexual assault. Tripler does not provide sex assault examinations for the civilian population on O`ahu. As of October 2019, SATC is the only service provider available to civilians on Oahu.

The Kapiolani Medical Center for Women and Children, Sex Abuse Treatment Center is the only agency on O`ahu that provides medico-legal examinations and crisis counseling/legal advocacy services to sexual assault victims.

10. Alternate source. Describe the other possible sources for the goods, services, or construction that were investigated but did not meet the agency needs: On April 17, 2014, contact was made to local hospitals in Honolulu to determine if they provide medico-legal examinations of sex assault victims. A representative from Kaiser Permanente Hawaii indicated that all area hospitals (including Queens) send sexual assault victims to Kapiolani's Sex Abuse Treatment Center because they are the only agency on O`ahu that has trained physicians that can collect forensic evidence properly.

No other treatment or medical facility can provide the necessary sexual assault services that Kapiolani's SATC provides.

11. Person who will be responsible for managing this procurement:

Contact Name/Title:	Phone Number:
Dennis M. Dunn	768-7485

Department shall ensure adherence to applicable administrative and statutory requirements, including HAR Chapter 3-122, Subchapter 15, Cost or Pricing Data if required.

To the best of my knowledge I certify that the information provided above is true, correct, that there is no conflict of interest related to this procurement, the goods, services or construction are available through only one source and approval is recommended.

Department Head Signature

8·14·19
Date

Dwight K. Nadamoto
Print Signature Name

Date Notice Posted: 10/24/19-11/5/19 No questions or objections received.

Submit written objections to this notice to issue a sole source contract within seven calendar days or as otherwise allowed from the above posted date.

Chief Procurement Officer (CPO) Comments:

☑ Approved ☐ Disapproved

Michael F. Hein 11-6-19

For Chief Procurement Officer Signature Date

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