

Subject: Procurement Practices & Principles	Policy No.: 102-27
20-xxxx (contract number not obtained at time of exception approval)	2/5/2021

**REQUEST FOR PROCUREMENT COMPETITION EXCEPTION**

Facility: Kona Community Hospital & Kohala Hospital

Requesting Official Name/Position Tawnie McDonald, Quality Director

**1. Name and address of contractor (Attach Completed Purchase Request/Requisition - may be approved concurrently).**

Hyman, Phelps & McNamara, P.C., 700 13<sup>th</sup> Street NEW, Suite 1200, Washington DC, 20005-5929

**2. Describe process used for selection and method for determining best value pricing obtained:**

KCH's pharmacy consultant recommended this firm because of their expertise in working with the FDA, USDA and other federal regulatory agencies.

**3. Expenditure amount/means of funding:**

Operations

**4. Justification (why competition is excluded or restricted)**

- Emergency Type A – patient safety risk  Sole Source
- Emergency Type B– significant financial impact if delayed for bidding  Physician Preference
- Selection based on prior involvement of vendor
- Procurement Code Policy Board/Rule/Statutory Exemption or Exclusion Citation: \_\_\_\_\_
- Other – \_\_\_\_\_

**EXPLANATION:**

KCH has received an FDA warning letter concerning the hospital's pharmacy's operations. KCH has fifteen (15) business days to provide a comprehensive response to the multiple issues referenced in the letter. As this warning letter is the first KCH has received in its history, it was determined that we require the assistance of professionals who work with the FDA on a daily basis. In the FDA warning letter, the FDA also recommends working with a third party consultant to assist with KCH's response to the warning letter. Due to the limited response time frame and the highly specific area of expertise required, it is in KCH's best interest to waive formal competition and contract directly with Hyman, Phelps & McNamara, P.C..

  
Requestor: Tawnie McDonald, Quality Director

2/5/21  
Date


  
Regional Sr. Contracts Manager: Yvonne S. Taylor

2/5/21  
Date

  
Regional Chief Financial Officer: Dean Herzog

2/5/21  
Date

**APPROVED/DISAPPROVED**

  
Regional CEO or Designee: James Y. Lee

2/5/2021  
Date

Comments: