

**THE JUDICIARY, STATE OF HAWAII
NOTICE OF REQUEST FOR EXEMPTION
FROM HRS CHAPTER 103D**

TO: Chief Procurement Officer

FROM: HR Department/Disability Claims Management Division
Name of Requesting Division/Program

Pursuant to HRS § 103D -102 (b)(4) and HAR Chapter 3-120, The Judiciary requests a procurement exemption for the following:

<p>1. Describe the goods, services or construction:</p> <p>Retain private attorney Calton Chun, Esq, of Chun & DeCourcy, to represent the Judiciary on the following workers' compensation case:</p> <p>Claimant-Appellant: Shellone N. Akina-Keana'aina Employer/Self-Insured-Appellee: The Judiciary, State of Hawaii Date of Injury: January 6, 2011 Case No.: AB 2013-482 (2-11-00325)</p>	
<p>2. Vendor/Contractor/Service Provider:</p> <p>Carlton Chun, Esq. 841 Bishop Street, Suite 1550 Honolulu, HI 96813</p>	<p>3. Amount of Request:</p> <p>Not to exceed \$10,000.00</p>
<p>4. Term of Contract From: To:</p> <p>March 17, 2014 to case closure (exact date unknown)</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable):</p>
<p>6. Explain in detail why it is not practicable or not advantageous for the Program/Division to procure by competitive means:</p> <p>The Labor Appeals Board issued a notice on March 12, 2014 notifying parties of an Initial Conference at the Labor Appeals Board. The Initial Conference is scheduled for April 1, 2014. Because the conference is approximately 2 weeks away, it is not possible to proceed to procure by competitive means.</p> <p>Mr. Chun has the knowledge and expertise necessary to represent the Judiciary in this workers' compensation case. He has successfully represented the Judiciary in the past and has the necessary experience and knowledge of the daily operations and work function of the unit where the claimant was employed. Such experience and working knowledge increases the possibility of a favorable resolution and outcome of this appeal. If an amicable resolution and settlement is not possible, and the case proceeds to trial, Mr. Chun has the experience to proceed and handle all trial preparations necessary.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:</p> <p>Mr. Chun is one of a number of attorneys that have represented the Judiciary in the past. Based on his handling of prior cases, we believe he is best able to achieve a favorable outcome.</p>	

8. Identify the primary responsible staff person(s) conducting and managing this procurement. (Appropriate delegated procurement authority and completion of mandatory training required).

*Point of contact (Place asterisk after name of person to contact for additional information).

Name	Division/Program	Phone Number	email address
Leighton Oshiro*	HR/Disability Claims Mgmt. Div.	539-4940	

All requirements/approvals and internal controls for this expenditure is the responsibility of the Division/Program. I certify that the information provided above is, to the best of my knowledge, true and correct.

/S/ Dee Wakabayashi

Department/Division/Program Head Signature

03/17/2014

Date

For Chief Procurement Officer Use Only

Date Notice Posted: 03/20/2014

Inquiries about this request shall be directed to the contact named in Item 8. Submit written objection to this NOTICE OF REQUEST FOR EXEMPTION within seven (7) calendar days, or as otherwise allowed, from the Date Notice Posted to:

Chief Procurement Officer – The Judiciary
Financial Services Department
Contracts & Purchasing Office
1111 Alakea Street, 6th Floor
Honolulu, Hawaii 96813-2807

Chief Procurement Officer (CPO) Comments:

Approved

Disapproved

No Action Required

Chief Procurement Officer Signature

Date