

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

TO: Chief Procurement Officer

FROM: First Circuit/Deputy Chief Court Administrator
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>Legal counsel services provided to Family Court parents who are parties in the Hawaii Revised Statutes Chapter 587A proceedings and other miscellaneous hearings involving children and parents that are heard in the First Circuit Family Court including Zero to Three hearings. This exemption request pertains to the listed court-appointed attorneys in Exhibit A and other court-appointed attorneys whose Chapter 587A cases were initiated prior to July 1, 2015.</p>	
<p>2. Vendor/Contractor/Service Provider:</p> <p>See Attached Exhibit A</p>	<p>3. Amount of Request:</p> <p>\$1,100.00 per case per year for the first three years after appointment. Attorney to be paid \$275 per quarter per case. No payment after 3 years.</p>
<p>4. Term of Contract From: 07/01/2015 To: 06/30/2016</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>In Contract No. J10045, the Contractor agreed to provide consulting services for parents who are parties in Hawaii Revised Statutes (HRS) Chapter 587A proceedings and other hearings. Contractor subcontracted the work to other private attorneys. Contract No J10045 expires on June 30, 2015. However, many of the cases that have been assigned to the private attorneys will not be resolved by June 30, 2015.</p> <p>For the next fiscal year, the Judiciary will procure consulting counsel services through the professional services procurement process pursuant to HRS §103D-304. However, it is not practical or advantageous to procure consulting counsel services pursuant to HRS §103-304 for the existing, ongoing cases because this could lead to the procurement of new attorneys who will then need to become acquainted with the parties and their cases, resulting in delays in the proceedings. In order to ensure continuity for the parties and to prevent unnecessary delays in the proceedings, it is most practical and efficient to retain the services of the attorneys currently assigned to those cases.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:</p> <p>Private attorneys who were subcontracted under Contract No. J10045, and who are providing services in cases that will not be resolved by June 30, 2015, will be retained as separate exempt contractors to continue providing services in those cases. Consulting counsel services for new cases as of July 1, 2015 will be procured through HRS §103D-304.</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
Mark Santoki	Office of the Chief Court Adm.	539-4052	mark.m.santoki@courts.hawaii.gov

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/ Cheryl Marlow

Department/Division/Program Head Signature

05/21/2015

Date

For Chief Procurement Officer Use Only

Date Notice Posted: 05/27/2015

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

Exhibit A

List of Court-Appointed Attorneys with Active Chapter 587A Cases as of May 20, 2015

Crystal M. Asano

Patricia A. Brady

Nicole K. Cummings

Thomas A. Haia

Herbert Y. Hamada

Tae Chin Kim

Leslie C. Maharaj

Korrine S. S. Oki

Randal I. Shintani