

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

TO: Chief Procurement Officer

FROM: Information Technology & Support Department/JIMS
(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: Requesting exemption for maintenance and support services from F5 Networks, Inc. for two f5 Network 3900 Load Balancers purchased under sealed bid in May 2012. One of the main uses for these load balancers is for Local Traffic Management (LTM), e.g automatically distributing DC Criminal users across the JIMS server farm, increasing application reliability, decreased application & network server-burden, application-specific tasks, etc. Also provides enhanced data security features including application firewall and private data monitoring and blocking. Without current service, the customer will not be able to open support cases with f5 via phone or web support portal, receive advance-replacement RMAs, or access the f5 licensing server to receive software updates.</p>	
<p>2. Vendor/Contractor/Service Provider: f5 Networks, Inc.</p>	<p>3. Amount of Request: \$25,000.00USD</p>
<p>4. Term of Contract From: To: July 1, 2013 to June 30, 2014</p>	<p>5. Prior Judiciary Procurement Exemption Not applicable</p>
<p>6. Explain in detail why it is not practicable or not advantageous for the Program/Division to procure by competitive means: The JIMS Project initially sought quotations and selected a low bidder for maintenance and support of its f5 3900 Load Balancers; however, JIMS was later provided written documentation by the manufacturer of the load balancers, f5 Networks, Inc., that maintenance and support to its f5 products is proprietary. F5 further stated that it will not be responsible for any potential issues/damages that may occur while the devices are unsupported or if a non-f5-authorized party provides support on f5 devices. In addition, any such work may void the f5 product warranty. Extended maintenance and support coverage is now needed and f5 Networks, Inc. informed JIMS that it will not authorize any other vendor to provide L3 and L1-3 maintenance for its products.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider: JIMS received written correspondence from manufacturer f5 Networks, Inc. that it is the “only party authorized to provide L3 and L1-3 maintenance services for f5 products.”</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
Mai T. Nguyen Van*	Program Manager, JIMS Project	(808) 538-5308	Mai.T.NguyenVan@courts.hawaii.gov
Naty Butay	Court Fiscal Officer Administrative Fiscal Office	(808)538-5747	Naty.B.Butay@courts.hawaii.gov
Kevin G. Thornton	Director, Information Technology & Systems Department	(808) 538-5714	Kevin.G.Thornton@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/ Kevin G. Thornton

Department/Division/Program Head Signature

Date

For Chief Procurement Officer Use Only

Date Notice Posted: _____

Inquiries about this request shall be directed to the contact named in no. 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