

**THE JUDICIARY, STATE OF HAWAII  
NOTICE OF AMENDMENT TO EXEMPTION  
FROM HRS CHAPTER 103D**

TO: Chief Procurement Officer

FROM: 2<sup>nd</sup> Circuit/Client Services Div, Special Services Branch  
*Name of Requesting Division/Program*

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

<p>1. Describe the goods, services or construction:</p> <p>Provide Legal counsel services for indigent parents and young adults participating in the Voluntary Foster Care program under HRS Chapter 346, Part XIX (Young Adult Voluntary Foster Care Program), Guardian Ad Litem (GAL) services for parties in HRS Chapter 587A, and GAL services for children in HRS Chapter 571 proceedings.</p> <p>Reference: JUD Contract No. J18095</p>	
<p>2. Vendor/Contractor/Service Provider:</p> <p>Erin Lowenthal dba Lowenthal &amp; Lowenthal LLLC 33 N. Market Street, Suite 101 Wailuku, HI 96793</p>	<p>3. Amount of Request:</p> <p>\$2500 per case for initial 12 months of service. \$2000 for cases in the 13th - 24th months of services \$1200 per case in the 25th - 36th months of services (Quarterly billing for 13th - 36th month cases)</p>
<p>4. Term of Contract From: 07/01/2018 To: 06/30/2019</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable): JE18-26</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>Procurement has been completed by competitive means. A Request for Proposal (RFP) No. J16002 was issued in December 2014, for GAL and Legal Counsel (LC) services for the Family Court, Second Circuit during the period 07/01/2015 - 06/30/2017, with the ability to extend from 07/01/2017 - 06/30/2019. In response to this RFP, contracts were to be awarded to five (5) attorneys and one (1) licensed social worker. However, only four (4) contracts were executed to provide the services mandated under the Hawaii Revised Statutes (HRS) Chapter 587A. Of the four (4) contractors, only three (3) are willing to cover the islands of Lanai and Molokai. No other inquiries or proposals were submitted in response to RFP J16002. It is not practical or advantageous to procure for this service by competitive means as there were no other proposals submitted for RFP J16002 when procurement was initially solicited. As such, to ensure quality mandated services are provided to parents who qualify for legal counsel and children who are in need of protection, it is felt that we need additional contracted GAL and LC services.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:</p> <p>The contractor either meets the minimum qualifications as required by RFP J16002 or has been providing legal counsel services, and is willing to contract to provide GAL and LC services for the Second Circuit until such time as an RFP is issued. Contractor has the knowledge of the existing Judiciary procedures and is knowledgeable of what the Judiciary requires.</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 Numbe	emailaddress
Alysha Stephenson*	Client Services/SSB	244-2772	Alysha.r.stephenson@courts.hawaii.gov
Kim Cuadro	Client Services/SSB	244-2779	Kim.s.cuadro@courts.hawaii.gov
Sandy Kozaki	Second Circuit/CCA	244-2929	Sandy.s.kozaki@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/ Sandy S. Kozaki

Department/Division/Program Head Signature

1/17/2018

Date

### For Chief Procurement Officer Use Only

Date Notice Posted: \_\_\_\_\_

Inquiries about this request shall be directed to the contact named in Item 8. Submit written objection to this NOTICE OF AMENDMENT TO 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, 6<sup>th</sup> Floor  
Honolulu, Hawaii 96813-2807

Chief Procurement Officer (CPO) Comments:

Approved

Disapproved

No Action Required

Chief Procurement Officer Signature

Date