

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

TO: Chief Procurement Officer

FROM: Third Judicial Circuit
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>To provide Guardian Ad Litem and/or legal Services on behalf of children and parents who are parties in Hawaii Revised Statutes, Chapter 587 proceedings; youngsters in Hawaii Revised Statutes, Chapter 571 proceedings; and other miscellaneous hearings which are heard in the Family Courts.</p>	
<p>2. Vendor/Contractor/Service Provider:</p> <p>RENE HERMANN HEIMGARTNER</p>	<p>3. Amount of Request:</p> <p>Payment in accordance with amount and type of assigned cases (see attached pay schedule)</p>
<p>4. Term of Contract From: To:</p> <p>July 1, 2018 thru June 30, 2019</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable):</p> <p>JE 18-01</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>Mr. Heimgartner has been a licensed and practicing attorney in the State of Hawaii since 2008. As a Deputy Public Defender for the State of Hawaii, he received training and obtained valuable experience with juveniles in the Judiciary system. Now in private practice and recently contracted with the Third Circuit as a GAL/LC under Contract J18002, he would like to continue his commitment. Efforts to recruit attorneys through the Request for Proposal process under J16003 in 2015, did not produce enough attorneys to absorb the amount of referrals from the Family Court of the Third Circuit.</p> <p>Due to the shortage of GAL/LC providers in West Hawaii, it is critical for the Judiciary to continue to contract with Mr. Heimgartner.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:</p> <p>Mr. Heimgartner has expressed an interest in continuing to be a Guardian Ad Litem for the Third Circuit . Due to lack of adequate response to the 2015 RFP J16003 and possible retirements of other contracted attorneys, it was decided by administration and the current presiding Family Court judges, that the need for another contracted GAL was immediate.</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
Aolani Mills	Third Judicial Circuit	322-8726	aolani.m.mills@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/ Lester D. Oshiro

Department/Division/Program Head Signature

01/26/2018

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 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

GAL APPOINTMENTS:

1st Year:

\$2940.00 for the initial 12 months

\$245.00 per month, through the end of the fiscal year (06/30)

2nd Year (1st Year Carry Over Cases):

\$2280.00/year

\$190.00 per month, through the end of the fiscal year (06/30)

3rd Year (2nd Year Carry Over Cases):

\$1320.00/year

\$110.00 per month, through the end of the fiscal year (06/30)

4th Year (3rd Year Carry Over Cases):

\$250.00/day; not to exceed \$500.00 for permanent plan hearings

****for carryover cases, 2 invoices may have to be submitted:

for example if appointment date is 01/04/10:

In July, 2011: invoice from 07/11 to 12/11 = 6 months @ \$190.00/month

In January, 2012: invoice from 01/12 to 06/12 = 6 months @ \$110.00/month

LC APPOINTMENTS:

1st Year:

\$2400.00 for the initial 12 months

\$200.00 per month, through the end of the fiscal year (06/30)

2nd Year (1st Year Carry Over Cases):

\$1620.00/year

\$135.00 per month, through the end of the fiscal year (06/30)

3rd Year (2nd Year Carry Over Cases):

\$900.00/year

\$75.00 per month, through the end of the fiscal year (06/30)

4th Year (3rd Year Carry Over Cases)

\$250.00/day; not to exceed \$500.00 for permanent plan hearings

****for carryover cases, 2 invoices may have to be submitted:

for example if appointment date is 01/04/10:

In July, 2011: invoice from 07/11 to 12/11 = 6 months @ \$135.00/month

In January, 2012: invoice from 01/12 to 06/12 = 6 months @ \$75.00/month