

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

TO: Chief Procurement Officer

FROM: FIRST CIRCUIT COURT / FACILITIES MANAGEMENT
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:

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| <p>1. Describe the goods, services or construction: Elevator maintenance for the Kapuaiwa building.</p> | |
| <p>2. Vendor/Contractor/Service Provider: Otis Elevator Company</p> | <p>3. Amount of Request: \$ 32,135.40</p> |
| <p>4. Term of Contract From: 8/1/2018 To: 7/31/2023</p> | <p>5. Prior Judiciary Procurement Exemption No. (if applicable): JE14-10</p> |
| <p>6. Explain in detail why it is not practicable or not advantageous for the Program/Division to procure by competitive means: Since the passage of the State Procurement Code, much discussion has occurred on whether the repair and maintenance of State-owned elevators should be competitively bid or handled through manufacturer's maintenance. After extensive investigation by DAGS Central Services Division, it was determined that manufacturer's maintenance affords the best liability protection and value for the State. The basis for this includes a) liability issues, to protect the Judiciary's exposure to liability; b) cost and parts availability, as the manufacturer has access to original plans, specifications, parts and engineering support to perform repairs and maintenance work as the original equipment manufacturer (OEM); c) manufacturer's factory-trained technicians who have the technical expertise and access to the proper parts.</p> | |
| <p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider: Otis Elevator Company is the original installer of the elevator system and based on the explanation in item 6 above, has provided the maintenance services since the elevator was first put into service. Procurement exemption pursuant to HRS Sec. 103D-102(b)(4) and Chapter 3-120.</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 |
|-----------------|--------------------------------|--------------|-------------------------------------|
| Wayne Taniguchi | First Circuit Court/Facilities | 808.538.4005 | Wayne.S.Taniguchi@courts.hawaii.gov |
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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/ Wayne Taniguchi

Department/Division/Program Head Signature

5/17/2018

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 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