

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

TO: Chief Procurement Officer

FROM: Second 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:

<p>1. Describe the goods, services or construction: Provide monthly and annual maintenance services for the emergency generator system that provides electrical power during a utility power outage at Hoapili Hale.</p>	
<p>2. Vendor/Contractor/Service Provider: King Power Systems</p>	<p>3. Amount of Request: \$18,037.56</p>
<p>4. Term of Contract From: 11/01/2018 To: 11/01/2021</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable): N/A</p>
<p>6. Explain in detail why it is not practicable or not advantageous for the Program/Division to procure by competitive means: It is not practicable or not advantageous for the Program/Division to procure by competitive means because vendor, King Power, the original installer of the Cummins equipment, is the only authorized dealer on Maui to provide maintenance services for the emergency generator system. Vendor is the only authorized dealer on the island of Maui who employs technicians who are factory trained specifically for the Cummins equipment. Technicians understand the mechanics of possible breakdowns/problems; allowing for the most effective service to maintain the system. As such, vendor possesses the knowledge to evaluate, assess and repair and/or provide solutions with minimal downtime; which in the end would allow for safe operations, continued service and timeliness of repair. Since vendor is the only business who employees technicians who possesses overall knowledge and specialized skills, it deems feasible to and most beneficial to the Judiciary to accept a three (3) maintenance agreement. Also, Judiciary shall receive a cost saving by entering into a multi-year service agreement.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider: Vendor is the only authorized dealer on the island of Maui who employs technicians who are factory trained specifically for the Cummins equipment. Judiciary conducted an IFB to replace the electrical generating equipment. King Power was awarded; as part of this equipment replacement, a two (2) year maintenance agreement was initiated from 11/1/2016-11/1/2018.</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
Paul Petro	Fiscal branch	808.244.2994	Paul.M.Petro@courts.hawaii.gov
Sandy Kozaki	Second Circuit Court	808.244.2929	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

08/03/2018

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