

**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:

<p>1. Describe the goods, services or construction:</p> <p>Replacement of optical leveling switch to optical leveling conversion to elevators 1-8 at Ka’ahumanu Hale, 777 Punchbowl Street, Honolulu, HI 96813. Obsolete optical levelling will be removed with a conversion kit to get elevator back to working order. As original parts are no longer available for the type of elevators at Ka’ahumanu Hale; vendor will convert with an updated type sensor system for levelling of elevator cab and floors. A sensor system for an elevator assembly determines alignment between the floor level of an elevator car and the floor level of a building when the car has come to a stop.</p>	
<p>2. Vendor/Contractor/Service Provider: Thyssenkrupp Elevator Corporation 2880 Ualena Street Honolulu, HI 96819</p>	<p>3. Amount of Request: \$68,373.00</p>
<p>4. Term of Contract From: 7/1/2021 To: 12/31/2021</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable):</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>With regards to repairs and maintenance of State-owned elevators and whether this service should be competitively bid or handled manufacturers' maintenance, extensive investigation by DAGS Central Services Division has determine that servicing by manufacturers affords the best liability protection and value for the State. The basis for this includes: a) liability issues, accountability through single sole manufacturer to protect the Judiciary exposure to liability; b) cost and parts availability, as the manufacturer has access to original parts, specifications, parts and engineering support to perform repairs and maintenance work as being the original equipment manufacturer (OEM); c) manufacturer's factory-trained technicians who have technical expertise and access to proper parts.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:</p> <p>Thyssenkrupp Elevators 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 Section 103D-102(b)(4) and Chapter 3-120. Liability is critical for the Judiciary. Elevators are expected to operate reliably to transport building occupants without failure. Given the usage of elevators, protecting the Judiciary's exposure to liability is the priority. Problems, failures and continued performance issues are clearly attributable to one source and resolution is expedient. To have another elevator company diagnosis the problem which is not their licensed equipment will not be feasible. The Judiciary will always be in dispute with two companies for the same problem if we were to compromise in such matter as who gives the best pricing.</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	Facilities Management	539-4590	Wayne.s.taniguchi@courts.hawaii.gov
Dee Dee Letts	Fiscal Officer (TA)	539-4351	Deedee.d.letts@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/ Dee Dee Letts

Department/Division/Program Head Signature

3/18/2021

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