

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

TO: Chief Procurement Officer  
FROM: 1st Circuit Court/Facilities Management

*Name of Requesting Division/Program*

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

1. Describe the goods, services or construction:

Maintenance of contract which covers elevators at Kapolei Judiciary Complex.

2. Vendor/Contractor/Service Provider:

Otis Elevator Company  
683 Halekauwila Street  
Honolulu, HI 96813

3. Amount of Request:

Year 1 - \$86,215.92 plus applicable tax  
(adjustment allowable for Year 2 - Year 5  
per contract)

4. Term of Contract From: To:

From: 04/01/2022 To: 03/31/2027

5. Prior Judiciary Procurement Exemption No.  
(if applicable):

JE17-55

6. Explain in detail why it is not practicable or not advantageous for the Program/Division to procure by competitive means:

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 manufactures affords the best liability protection and value for the State. The basis for this include: a) liability issues, accountability through single sole manufacturer to protect the Judiciary exposure to liability; b) costs 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.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:

OTIS Elevator 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.

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              | 538-5490     | wayne.s.taniguchi@courts.hawaii.gov |
| Dee Dee Letts   | Acting Court Administrative Svc Of | 538-5990     | 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

2/24/2022

\_\_\_\_\_  
*Department/Division/Program Head Signature*

\_\_\_\_\_  
*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 REQUEST FOR 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*