

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

TO: Chief Procurement Officer

FROM: Administrative Director of the Courts-State Judiciary  
*Name of Requesting Division/Program*

*Pursuant to § 103F-101 (a)(4), HRS, and Chapter 3-141, HAR, the Judiciary requests a procurement exemption to purchase the following:*

1. Title and description of health and human service(s):

Title: Agreement for Health and Human Services Transaction Exempt for Chapter 103F, HRS

Description: This is a contract for mediation and related dispute resolution services for appropriate cases in judicial circuits in the State of Hawaii.

2. Provider Name and Address:

Mediation Centers of Hawaii, Inc.; 1301 Young Street, Honolulu, HI, 96814.

3. Total Contract Funds: \$170,000

Check if estimated:

Contract Funds per Year (if applicable):

FY 2024 \$85,000

FY 2025 \$85,000

FY

4. Term of Contract From: 11/01/2023 To: 06/30/2025

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

6. Describe how procurement by competitive means is either not practicable or not advantageous to the Judiciary:

For Fiscal Years 2024 and 2025, the Hawaii State Judiciary has a contract, J24024, with Mediation Centers of Hawaii, Inc. (MCH) for the provision of mediation and related dispute resolution services (mediation services). J24024 was procured via Request for Proposals (RFP) No. J24024, which the Judiciary posted on October 17, 2022. MCH was the sole applicant. Additional funding for the same mediation services was appropriated by the 2023 legislature. To ensure continuity of the same mediation services, it would not be practicable nor advantageous to the Judiciary for a different provider to attempt to get up to speed in delivering the same mediation services at current levels.

7. Describe the reason for the selection of the provider including a description of how the procedure, as much as practicable, ensured maximum fair and open competition:

MCH's current contract with the Judiciary, J24024, ends on June 30, 2025. J24024 was procured via the RFP process and MCH was the sole applicant.

MCH is a well-established organization of community mediation centers and programs located on Oahu, Maui, the Island of Hawaii, and Kauai. MCH has a track record of successful performance under prior contracts for mediation services since 1991. Throughout the years, MCH has maintained availability of low and no-cost mediation services to individuals in the low-income population, and worked closely with the courts and CADR to assist the Judiciary with its alternative dispute resolution needs.

MCH is familiar with the various courts, court procedures, and the Judiciary's contract and billing processes. Continuing with MCH minimizes training a new contractor with the court system, the contract/billing processes, and CADR program expectations.

8. Describe the Judiciary's internal controls and approval requirements for the exempted procurement:  
 This exempt procurement will be effectuated in compliance with applicable state procurement laws through the Judiciary's Financial Services Department, Fiscal Services & Contract/Purchasing Division.

9. 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
Becky Sugawa	ICRD/Center for ADR	808-539-4237	becky.h.sugawa@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/ Susan Gochros

9/7/2023

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

\_\_\_\_\_  
 Date

**NOTICE**

Date Notice Posted: \_\_\_\_\_

The chief procurement officer is considering this request for exemption and, if there is good cause, the state intends to exempt the purchase as described in the request. Any inquiries regarding the purchase shall be directed to the contact person noted in item 9 of the request. Any concerns regarding the exemption shall be in writing and received by the chief procurement officer within seven days of the date the notice was first posted. Concerns shall be mailed to: **Chief Procurement Officer - The Judiciary; Financial Services Department; Contracts & Purchasing Office; 1111 Alakea Street, 6<sup>th</sup> Floor; Honolulu, Hawaii 96813-2807.**

**For Chief Procurement Officer Use Only**

Chief Procurement Officer (CPO) Comments:

Approved

Disapproved

No Action Required

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*Chief Procurement Officer Signature*

*Date*