

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

TO: Chief Procurement Officer

FROM: Administration / Human Resources
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:

<p>1. Describe the goods, services or construction: Oracle software maintenance agreement. Allows the technical support services provided under support services number 3239288. PeopleSoft Enterprise Profile (Employee Count Perpetual), PeopleSoft Enterprise EProfile (Manager - Employee Count Perpetual), PeopleSoft Enterprise Human Resources - (Employee Count Perpetual). Please see contract renewal.</p>	
<p>2. Vendor/Contractor/Service Provider: Oracle</p>	<p>3. Amount of Request: \$100,217.68</p>
<p>4. Term of Contract From: To: July 1, 2024 to June 30, 2025</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable): JE24-05</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 to procure by competitive means because Oracle has the unique expertise and capabilities to support Oracle program licenses. Oracle creates the proprietary program updates that may be provided as part of Oracle's technical support services. As the sole source of technical support (including the proprietary program updates created by Oracle), Oracle offers the services to Oracle customers to purchase on an annual basis. The Oracle software is needed to run the current Human Resources Management System (HRMS) for the Judiciary. Employee salary data is maintained in the HRMS system. Its proper application affects the ability to timely and accurately pay employees.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider: The current Human Resources Management System (HRMS) for the Judiciary utilizes the Oracle software. Oracle has the unique expertise and capabilities to support Oracle program licenses. Oracle creates the proprietary program updates that may be provided as part of Oracle's technical support services.</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
*Wade Hiraishi	HR, Admin Svcs	808-539-4963	wade.k.hiraishi@courts.hawaii.gov
Jade Taono	HR Deputy Dir	808-539-4952	jade.c.taono@courts.hawaii.gov
Eric Tanigawa	HR Director	808-539-4962	eric.a.tanigawa@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/ Eric Tanigawa

3/5/2024

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, 6th Floor
Honolulu, Hawaii 96813-2807

Chief Procurement Officer (CPO) Comments:

Approved

Disapproved

No Action Required

Chief Procurement Officer Signature

Date



4-Mar-24

Dear Wade Hiraishi

Your technical support services are due for renewal.

Support Service Number: 3239288

Support Start Date: 1-Jul-24

Amount Due: USD 95,707.93 (excluding applicable tax)

Add 4.712% Hi Excise Tax

To avoid any interruption in these services, please complete your renewal by 1-Jun-24.

Oracle would like to thank you for your continued business.

Have a question? Call 1-888-545-4577, [Chat on My Support Renewals](#), or [find answers and get help](#).



Technical Support Services Renewal Order

General Information

Customer: State Of Hawaii Judiciary Branch

Support Service Number: 3239288

Offer Expires: 30-Jun-24

Oracle: Oracle America, Inc.

Oracle Contact Information:

Oracle Premier Support Digital Renewal Center

Call 1-888-545-4577

[Chat on My Support Renewals](#)

[Click to find answers and get help](#)

Online Renewals can be viewed and accepted on [My Support Renewals](#)

Customer Quote To

Wade Hiraishi

State Of Hawaii Judiciary Branch

1111 Alakea St

Honolulu

HI 96813

United States

808-539-4963

wade.k.hiraishi@courts.hawaii.gov

Customer Bill To

Wade Hiraishi

State Of Hawaii Judiciary Branch

1111 Alakea St 6th Fl

6th Floor

Honolulu

HI 96813

United States of America

808-539-4963

wade.k.hiraishi@courts.hawaii.gov

"You" and "Your" as used in this renewal order, refer to the Customer listed above.

Please ensure the Quote To and Bill To details above are correct, especially the email addresses, as Oracle will usually deliver communications, including Your invoice, to the respective email address.

Service Details

Program Technical Support Services

Service Level: Software Update License & Support

Product Description	CSI #	Qty	License Metric	License Level / Type	Start Date	End Date	Price
HCM Expansion - Employee Count Perpetual	14481098	2040		FULL USE	1-Jul-24	30-Jun-25	7,917.30
PeopleSoft Enterprise Eprofile - Employee Count Perpetual	14481098	2040	VALUE		1-Jul-24	30-Jun-25	7,342.88
PeopleSoft Enterprise Eprofile Manager - Employee Count Perpetual	14481098	2040	VALUE		1-Jul-24	30-Jun-25	7,342.88
PeopleSoft Enterprise Human Resources - Employee Count Perpetual	14481098	2040	VALUE		1-Jul-24	30-Jun-25	73,104.87

Program Technical Support Fees: USD 95,707.93

Total Price: USD 95,707.93

Excluding applicable tax

Notes

If Oracle accepts Your renewal order, the start date set forth in the Service Details table above shall serve as the commencement date of the technical support services and the technical support services ordered under this renewal order will be provided through the end date specified in the table for the applicable programs and/or hardware ("Support Period").

If any of the fields listed in the Service Details table above are blank, then such fields do not apply to Your renewal.

** Need to include Hawaii excise tax of 4.712% to the total price as noted above. UAA*

Technical Support Services Terms

If the Customer and the Customer Quote To name identified in the General Information table above are not the same, State Of Hawaii Judiciary Branch represents that Customer has authorized State Of Hawaii Judiciary Branch to execute this renewal order on the Customer's behalf and to bind the Customer to the terms contained in this renewal order. State Of Hawaii Judiciary Branch agrees that the services ordered are for the sole benefit of Customer and shall only be used by Customer. State Of Hawaii Judiciary Branch agrees to advise Customer of the terms of this renewal order as well as any communications received from Oracle regarding the services.

If the Customer and the Customer Bill To name identified in the General Information table above are not the same, Customer agrees that: a) Customer has the ultimate responsibility for payments under this renewal order; and b) any failure of State Of Hawaii Judiciary Branch to make timely payment per the terms of this renewal order shall be deemed a breach by Customer and, in addition to any other remedies available to Oracle, Oracle may terminate Customer's technical support service under this renewal order.

Technical support is provided under Oracle's technical support policies in effect at the time the services are provided. The technical support policies are subject to change at Oracle's discretion; however, Oracle will not materially reduce the level of services provided for supported programs and/or hardware during the period for which fees for technical support have been paid, or for U.S. federal and public sector entities, the period for which services have been ordered. You should review the technical support policies prior to entering into this renewal order.

The current version of the technical support policies may be accessed at <http://www.oracle.com/us/support/policies/index.html>.

Regarding the inclusion of DFARS 252.204-7012, the parties agree that DFARS 252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting (OCT 2016), does not apply to the Commercial Off the Shelf (COTS) licenses or hardware, and does not apply to the associated technical support because Oracle will not process, collect, develop, receive, transmit, use, or store "covered defense information" on "covered contractor information systems" as defined in DFARS 252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting (OCT 2016), in performance of the associated technical support services ordered under this renewal quote, and the Government agrees that it will not provide "covered defense information" to Oracle in performance of the associated technical support services..

The technical support services renewed under this renewal order are governed by the terms and conditions of the US-PSFT-SLSA-PS2032-US28-JUN-2001 ("agreement"). Any use of the programs and/or hardware, which includes updates and other materials provided or made available by Oracle as a part of technical support services, is subject to the rights granted for the programs and/or hardware set forth in the order in which the programs and/or hardware were acquired.

This renewal order incorporates the agreement by reference. In the event of inconsistencies between the terms contained in this renewal order and the agreement, this renewal order shall take precedence.

Renewal Processing Details

Your renewal order is subject to Oracle's acceptance. Your renewal is considered complete when You provide Oracle with payment details for the renewal as detailed below or an executed Oracle Financing contract. Once completed, Your renewal cannot be cancelled and Your payment is nonrefundable, except as provided in the agreement. Oracle will issue an invoice to You upon receipt of a purchase order or a form of payment acceptable to Oracle.

If You are U.S. federal government or public sector entity, Oracle will issue You an invoice quarterly in arrears after the services are performed.

Unless you are an U.S. federal government entity, Oracle's invoice includes applicable sales tax, GST, or VAT (collectively referred to as "tax"). If State Of Hawaii Judiciary Branch is a tax exempt organization and is not an U.S. federal government entity, a copy of State Of Hawaii Judiciary Branch's tax exemption certificate must be submitted with State Of Hawaii Judiciary Branch's purchase order, credit card, or other acceptable form of payment.

Technical Support fees are invoiced Quarterly in Arrears. All fees payable to Oracle are due within NET 30 DAYS from date of invoice.

You agree to pay any sales, value-added or other similar taxes imposed by applicable law, except for taxes based on Oracle's income. If State Of Hawaii Judiciary Branch is a tax exempt organization, a copy of State Of Hawaii Judiciary Branch's tax exemption certificate must be submitted with State Of Hawaii Judiciary Branch's purchase order, check, credit card or other acceptable form of payment.

Payment Details

Purchase Order

If You are submitting a purchase order for the payment of the renewal of the technical support services on this renewal order, the purchase order must be in a non-editable format (e.g., PDF) and include the following information:

- Support Service Number: 3239288
- Total Price: USD 95,707.93 (excluding applicable tax)
- Local Tax, if applicable

In issuing a purchase order, State Of Hawaii Judiciary Branch agrees that the terms of this renewal order and the agreement supersede the terms in the purchase order or any other non-Oracle document, and no terms included in any such purchase order or other non-Oracle document shall apply to the technical support services ordered under this renewal order.

Please contact Oracle per the General Information section above to issue Your purchase order.

Credit Card


If You wish to use a credit card to pay for the renewal of the technical support services on this renewal order, please contact Oracle per the General Information section above. Please note that Oracle is unable to process credit card transactions of USD \$100,000 or greater or transactions that are not in USD.

PayPal

If You wish to use PayPal to pay for the renewal of the technical support services on this renewal order, please contact Oracle per the General Information section above. Please note that Oracle is unable to process PayPal transactions of USD \$100,000 or greater or transactions that are not in USD.

eCheck

If You wish to use eCheck to pay for the renewal of the technical support services on this renewal order, please



contact Oracle per the General Information section above. Please note that Oracle is unable to process eCheck transactions that are not in USD.



Check

If You are submitting a check for the payment of the renewal of the technical support services on this renewal order, the check must include the following information:

- Support Service Number: 3239288
- Total Price: USD 95,707.93 (excluding applicable tax)
- Local Tax, if applicable

In issuing a check, State Of Hawaii Judiciary Branch agrees that only the terms of this renewal order and the agreement shall apply to the technical support services ordered under this renewal order. No terms attached or submitted with the check shall apply.

Checks for technical support services ordered under this renewal order should be sent to:

AK, AZ, CA, HI, ID, NV, OR, UT, WA:

Oracle America, Inc
PO Box 884471
Los Angeles, CA 90088-4471

All Other States:

Oracle America, Inc
PO Box 203448
Dallas, TX 75320-3448

Payment Confirmation

If You cannot pay using any of the payment methods described above, please complete this payment confirmation and submit it to Oracle. Please initial the following statement that best applies to You.

- State Of Hawaii Judiciary Branch does not issue purchase orders.
- State Of Hawaii Judiciary Branch does not require a purchase order for the services ordered hereto.

State Of Hawaii Judiciary Branch certifies that the information provided above is accurate and complies with State Of Hawaii Judiciary Branch's business practices in entering into this renewal order, including obtaining all necessary approvals to release the funds for this renewal. In issuing this payment confirmation, State Of Hawaii Judiciary Branch agrees that the terms of this renewal order and the agreement shall apply to the technical support services ordered under this renewal order. No terms attached or submitted with the payment confirmation shall apply.

The signature below affirms State Of Hawaii Judiciary Branch's commitment to pay for the services ordered in accordance with the terms of this renewal order.

State Of Hawaii Judiciary Branch

Authorized Signature

Name

Title



Signature Date

Please contact Oracle per the General Information section above to issue Your Payment Confirmation.