

**THE JUDICIARY, STATE OF HAWAII
NOTICE OF REQUEST FOR 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 a procurement exemption for the following:

<p>1. Describe the goods, services or construction: An exemption for First Circuit Court from the procurement provisions of 103D HRS for renewal of a five (5) year contract with Kone Inc. for maintenance of two (2) Kone elevators at Abner Paki Hale (Kaneohe District Court)</p>	
<p>2. Vendor/Contractor/Service Provider: Kone Inc. 3375 Koapaka Street, Suite D160 Honolulu, HI 96819 Phone # (808)833-3299</p>	<p>3. Amount of Request: \$85,496.42</p>
<p>4. Term of Contract From: To: July 1, 2024 to June 30, 2029</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable): JE20-05</p>
<p>6. Explain in detail why it is not practicable or not advantageous for the Program/Division to procure by competitive means: With regards to repair and maintenance of State-owned elevators and whether this service should be competitively bid or handled through manufacturers' maintenance, extensive investigation by DAGS Central Services Division has determined 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's exposure to liability; b): cost and parts availability, as the manufacturer has access to original plans, specifications, parts and engineering support to perform repairs and maintenance works as the original equipment manufacturer (OEM); c): manufacturer's factory-trained technicians who have the technical expertise and access to the proper parts.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider: Kone Elevator Inc. 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 Manager	539-4005	wayne.s.taniguchi@courts.hawaii.gov
Dee Dee Letts	Deputy Chief Court Administrator	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

5/13/2024

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