

# 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:*

<b>1. Title and description of health and human service(s):</b>  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.							
<b>2. Provider Name and Address:</b> Mediation Centers of Hawaii, Inc.; 1301 Young Street, Honolulu, HI, 96814.							
<b>3. Total Contract Funds:</b> \$170,000 <span style="float: right;">Check if estimated: <input type="checkbox"/></span> <b>Contract Funds per Year (if applicable):</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">FY 2026</td> <td style="width: 33%;">FY 2027</td> <td style="width: 33%;">FY</td> </tr> <tr> <td>\$85,000</td> <td>\$85,000</td> <td></td> </tr> </table>		FY 2026	FY 2027	FY	\$85,000	\$85,000	
FY 2026	FY 2027	FY					
\$85,000	\$85,000						
<b>4. Term of Contract</b> From: July 1, 2025 To: June 30, 2027	<b>5. Prior Judiciary Procurement Exemption No. (if applicable):</b> JE24-20						
<b>6. Describe how procurement by competitive means is either not practicable or not advantageous to the Judiciary:</b> For FY2024-2025, the Judiciary has a contract, J24024, with Mediation Centers of Hawaii, Inc. (MCH) for the provision of mediation and related dispute resolution services (mediation services). CADA is in the process of extending the contract until June 30, 2027. 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 is expected to be appropriated by the 2025 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. CADA is familiar with the mediation providers in Hawaii, and is not aware of any mediation services provider with the scale and experience necessary to provide mediation services for the thousands of district court cases that are mediated per the J24024 contract. Note: The 2023 legislature appropriated additional funding for the same mediation services required by J24024, and an exempt contract (J24332, in effect 12/1/2023 to 6/30/2025) was procured.							
<b>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:</b> MCH's current contract with the Judiciary, J24024 at present end on June 30, 2025 and CADA is in process of extending that contract until June 30, 2027. J24024 was procured via the AFP 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 CADA 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 CADA 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
Theresa Ng*	ICRD/Center for ADR	808-539-4237	theresa.s.ng@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

01/02/2025

\_\_\_\_\_  
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

---

*Chief Procurement Officer Signature*

*Date*