

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

TO: Chief Procurement Officer

FROM: HR Department/Disability Claims Management Division  
*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:</p> <p>Retain private attorney, Scott Leong, Esq. of Leong Kunihiro Lezy &amp; Benton to represent the Judiciary on a workers' compensation case.</p>	
<p>2. Vendor/Contractor/Service Provider:</p> <p>Scott Leong, Esq. 1212 Davies Pacific Center 841 Bishop Street, Honolulu, Hawaii 96813</p>	<p>3. Amount of Request:</p> <p>Approx. \$24,000.00</p>
<p>4. Term of Contract From: To:</p> <p>May 16, 2014 to case closure.</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable):</p>
<p>6. Explain in detail why it is not practicable or not advantageous for the Program/Division to procure by competitive means:</p> <p>We are currently working on establishing procurement procedures to be used in the future to retain private attorneys. We do not anticipate the procurement procedures to be in place in time to allow us to secure a private attorney by competitive means to represent the Judiciary on the referenced captioned matter. I would like to proceed with an exemption request to ensure Mr. Scott Leong is retained on a timely basis and he has sufficient preparation time for a upcoming hearing which I expect to be scheduled in the very near future. By mutual agreement with Claimant's attorney, we postponed a hearing that was scheduled for March 28, 2014.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:</p> <p>Mr. Leong has represented the Judiciary on other workers' compensation cases. He has proven to be a hard worker, researches the issues and makes prudent decisions/recommendations to ensure proper cost analysis or benefit while always looking out for the best interest of the Judiciary. Over the years, we have retained a number of attorneys to handle some of our workers' compensation cases and it has been through this experience that we are able to assess the performance and costs associated with each of the attorneys we have used. We believe that Mr. Leong provides us the best service at a reasonable cost. Mr. Leong was initially selected based on his 33 years of experience, and his demeanor and ability to effectively engage with opposing counsel, and our employees, including the claimant, supervisor, administrator, etc. This specific case, I believe will involve sensitive personal matters amongst the Claimant and staff. I believe Mr. Leong will be able to effectively deal with such matters.</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
*Leighton Oshiro	HR Department/DCMD	539-4940	Leighton.S.Oshiro@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 Wakabayashi

Department/Division/Program Head Signature

05/12/2014

Date

### For Chief Procurement Officer Use Only

Date Notice Posted: 05/15/2014

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