

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

TO: Chief Procurement Officer

FROM: Administration / Policy and Planning / CIP
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>Provide Consulting Certified Arborist Services for two trees on Honolulu's Exceptional Trees list (a Kauri Tree and a Tamarind Tree, both located on the Ewa side of Ali'iolani Hale). Services include supervision of pruning, monitoring, providing additional treatments (such as fungicide application) as required to restore and support the health of the trees and secure the safety of passersby and protect nearby real and personal properties from damage.</p>	
<p>2. Vendor/Contractor/Service Provider:</p> <p>Steve Nimz and Associates - Steve Nimz, ISA Certified Arborist PO Box 10026 Honolulu, HI 96816 / (808) 734-5963</p>	<p>3. Amount of Request:</p> <p>NTE \$4,000.00</p>
<p>4. Term of Contract From: 12/07/2015 To: 06/30/2016</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable):</p> <p>N/A</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>The Kauri and Tamarind trees are stressed in different ways and require expedited attention as follows: Kauri Tree: At request of Judiciary, Mr. Nimz performed a field inspection of the Kauri Tree. According to his November 30, 2015 report, the Kauri tree is showing significant signs of decline and senescing in the upper crown. Mr. Nimz recommends immediate removal of dead branches before branch failure occurs. Branch failure in neighborhood trees has recently caused significant injuries to persons and the condition of this tree poses similar risk of serious injury or death to persons and/or damage to property. Mr. Nimz has assisted our preparation of the paperwork required to apply, through the Honolulu Arborist Advisory Committee and City Arborist to the Director of Parks and Recreation, for a permit to prune the Exceptional Kauri tree. Tamarind Tree: This tree has a hollow that is currently occupied by a massive beehive. The condition of the hollow is suspect and must be inspected once the beehive is relocated. The tree also has many shoots and is in need of pruning. In coordination with his work on the Kauri Tree, Mr. Nimz would assess and prescribe treatment for the Tamarind tree, would possibly perform that treatment and would oversee the pruning to restore its health. Mr. Nimz will assist in preparation of our application for a permit to prune the Exceptional Tamarind Tree.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:</p> <p>Due to extensive involvement with pruning work on both trees, Mr. Nimz is in a unique position to perform consulting services on an expedited basis.</p> <p>DAGS Public Works recently managed an Exterior Alterations and Improvements project at Ali'iolani Hale for The Judiciary. That project involved repair, relocation and creation of new sidewalks on the Ewa side of the building along Mililani between the Kauri tree and the building and in the Ewa courtyard around the Tamarind tree. The sidewalk improvements required root pruning of both trees. All pruning of Exceptional Trees must be done under the direct supervision of a certified arborist. As a subconsultant to Mason Architects, the prime consultant on the project, Mr. Nimz was the consulting certified arborist supervising the root pruning of both trees.</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
Tom Mick	Policy & Planning/Dept Head	539-4244	tom.w.mick@courts.hawaii.gov
Joanne Krippaehne**	CIP Branch / Architect	539-4784	joanne.m.krippaehne@courts.hawaii.g
Naty Butay	Administration / Fiscal Officer	539-5747	naty.b.butay@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/ Wendell Mick

Department/Division/Program Head Signature

12/10/2015

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