

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

TO: Chief Procurement Officer

FROM: Second Circuit/Administrative Services 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: Provide basic air conditioning, elevator room, water treatment, and other chiller maintenance services for Hoapili Hale.</p>	
<p>2. Vendor/Contractor/Service Provider: Oahu Air Conditioning Service, Inc. (OAC) 938 Kohou Street P.O. Box 17010 Honolulu, HI 96817</p>	<p>3. Amount of Request: \$90,000 est.</p>
<p>4. Term of Contract From: To: Upon Contract Execution December 31, 2015</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable): JE14-31</p>
<p>6. Explain in detail why it is not practicable or not advantageous for the Program/Division to procure by competitive means: 2nd Circuit's original contract with OAC expired on December 31, 2013. A solicitation via HEPS was issued in November 2013, however the Second Circuit was unable to award a contract due primarily to budgetary limitations in light of the prohibitive cost proposals received. Because Hoapili Hale's air conditioning system is scheduled for a major overhaul through an impending CIP project (DAGS Job. #7529) which had been set to commence in September 2014, an Exemption from the Provisions of HRS 103D was requested and granted to enter into an agreement with OAC (Contract No. J142014) for maintenance services from May 1, 2014 to September 30, 2014, as it was not practicable or advantageous to procure by competitive means since the scope of CIP project had yet to be determined. The CIP bid results exceeded funds available for this project and required an adjustment to the scope of project, thereby delaying award of contract. Another request for an Exemption is being submitted to continue this agreement with OAC on a month to month basis until the DAGS Job #7529 contract is finalized and award can be made. It is currently estimated that the overhaul will not commence until at least July 2015. As such, essential air conditioning maintenance services will have to be continued for Hoapili Hale and it is not practicable or advantageous to the Judiciary to procure by competitive means at this time in light of the impending CIP project until the actual on-site work actually begins.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider: As mentioned above, OAC has been providing needed maintenance services satisfactorily at Hoapili Hale since July 2011 and was the vendor contracted for the CiP funded chiller upgrade project (DAGS Job#15-21-7374.) Their services were continued through another agreement (Contract No. J14204) via an Exemption from the Provisions of HRS 103D in May 2014 which ends on September 30, 2014 with the ability to extend services on a month to month basis. OAC has years of experience and familiarity with the building and its equipment. As such, we are requesting to extend the services provided under Contract J14204 on a month to month basis to end on December 31, 2015.</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
Gail Nakamae	Second Circuit Court	808-244-2871	Gail.K.Nakamae@courts.hawaii.gov
Sandy Kozaki	Second Circuit Court	808-244-2929	Sandy.S.Kozaki@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/ Sandy Kozaki

\_\_\_\_\_  
Department/Division/Program Head Signature

09/12/2014

\_\_\_\_\_  
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, 6<sup>th</sup> Floor  
 Honolulu, Hawaii 96813-2807

Chief Procurement Officer (CPO) Comments:

Approved

Disapproved

No Action Required

\_\_\_\_\_  
Chief Procurement Officer Signature

\_\_\_\_\_  
Date