

**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:*

1. Describe the goods, services or construction:

Provide basic air conditioning, elevator room, water treatment, and other chiller maintenance services for Hoapili Hale.

2. Vendor/Contractor/Service Provider:

Oahu Air Conditioning Service, Inc. (OAC)  
938 Kohou Street  
P.O. Box 17010, Honolulu, HI 96817

3. Amount of Request:

\$ 112,000 (estimate)

4. Term of Contract From: 01/01/2017 To: 12/31/2017

5. Prior Judiciary Procurement Exemption No.  
(if applicable):

JE16-25

6. Explain in detail why it is not practicable or not advantageous for the Program/Division to procure by competitive means:

Second Circuit's original contract with OAC expired on 12/31/13. A solicitation via HEPS was issued on November 2013, however, the Second Circuit was unable to award a contract due primarily to budgetary limitations in light of the prohibitive costs proposals received. Hoapili Hale's air conditioning system went through a major overhaul through a CIP project (DAGS job #7529). An exemption from the Provision of HRS 103D was requested and granted (JE 14-31) to enter into an agreement with OAC from 05/01/14 to 9/30/14. ON 09/24/14, another exemption (JE15-20) was granted to OAC to provide essential air conditioning maintenance services as the CIP project was anticipated to commence shortly. Due to a delay in the CIP AC project, on 11/04/15 an exemption was granted (JE 16-25) to extend the OAC contract from 01/01/16 to 12/31/16.

A fourth exemption is being requested as the air handlers that were replaced through the CIP project is covered under a 1 year warranty with the contractor which is set to expire in 2/28/17. As such, it is not practical for the Judiciary to procure by competitive means in light of the warranty. It would be more advantageous for the Judiciary to have OAC to continue to provide services to the AC system not affected by the current CIP project until the warranty on the new air handlers expire at which time, the Judiciary will see competitive bids to provide maintenance and service to the entire AC system of Hoapili Hale.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:

OAC has been satisfactorily providing needed maintenance services at Hoapili Hale since July 2011 and was the vendor contracted for the CIP funded chiller upgrade project (DAGS Job #15-21-7374). 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 no later that December 31, 2017.

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
Marsha Yamada	Second Circuit Court	808-244-2784	Marsha.T.Yamada@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

10/04/2016

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

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No Action Required

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

\_\_\_\_\_  
Date