

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

TO: Chief Procurement Officer

FROM: Facilities Management
Name of Requesting Division/Program

Pursuant to HRS § 103D ---102 (b)(4) and HAR Chapter 3---120, The Judiciary requests to amend an exemption for the following:

<p>1. Describe the goods, services or construction: B8046 Refurbish/Replacement of components for cooling towers #1 - #4 at Kauikeaouli Hale</p>	
<p>2. Vendor/Contractor/Service Provider: Oahu Air Conditioning</p>	<p>3. Amount of Request: Not to exceed \$95,000.00</p>
<p>4. Term of Contract From: 7/01/2018 To: 12/31/2018</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable): 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: Oahu Air Conditioning (OAC) has a contract with First Circuit to service and maintain "incomplete and satisfactory operations," the AC systems at Judiciary-related buildings on Oahu, including Kauikeaouli Hale. Their contract stipulates that they will "replace all worn, failed or doubtful components with new that are of "similar design and quality to maintain system integrity and serviceability". In the event replacement is required, OAC will provide new parts (in our case system components) with those exceeding \$4,000.00 to be paid by Judiciary. All three cooling towers continue to function with dysfunctional fan wheels, sheaves and shafts, bad bearings with inlet rings, broken mounts that causing bad vibration to towers and welded seams to crack causing water to leak uncontrollably from towers. Given that OAC is already under contract to service and maintain our systems as well as provide replacement equipment at our cost, it is not practical or advantageous to procure or install replacement components to cooling towers by competitive means. Because OAC is responsible for maintaining AC systems, it would likely create conflicts and finger pointing were we to bring in another vendor to provide new component parts and service equipment selectively and independently that must otherwise tie into our system and function properly.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider: Oahu Air Conditioning (OAC) submitted a competitive sealed bid, to "provide air conditioning and ventilation system maintenance service and chemical water treatment of air conditioning equipment at various Judiciary facilities on Oahu", that was accepted by the Judiciary as the lowest responsive and responsible bid based on criteria set forth in IFB No. J18030. Agreement was made and entered into as of 10th day of July, 2017. The IFB and agreement clearly state responsibilities for the company to replace system components on terms that apply to the cooling towers parts replacement.</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
Paul Kaneshiro	First Circuit/CASO	539-4350	Paul.T.Kaneshiro@courts.hawaii.gov
Wayne Taniguchi *	First Circuit/Facilities	539-4005	Wayne.S.Taniguchi@courts.hawaii.go
Joanne Krippaehne	Admin./CIP	539-4784	Joanne.M.Krippaehne@hawaii.courts.

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/ Paul Kaneshiro

Department/Division/Program Head Signature

7/19/2018

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 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