

**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: S8124 Replacement of Secondary Chill Water Pumps at Kapolei Judiciary Complex</p>	
<p>2. Vendor/Contractor/Service Provider: Oahu Air Conditioning Service</p>	<p>3. Amount of Request: Not to exceed \$30,000.00</p>
<p>4. Term of Contract From: N/A To:</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: 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 Kapolei Judiciary Complex. 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. There are two (2) secondary chill water pumps of which one (1) is down and the other is not at its full functionality. 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	1 <sup>st</sup> Circuit Court/CASO	539-4350	Paul.T.Kaneshiro@courts.hawaii.gov
Wayne Taniguchi*	1 <sup>st</sup> Circuit Court/Facilities	539-4005	Wayne.S.Taniguchi@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/ Paul Kaneshiro

Department/Division/Program Head Signature

9/24/2018

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

Chief Procurement Officer (CPO) Comments:

Approved

Disapproved

No Action Required

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

\_\_\_\_\_  
 Date