

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

TO: Chief Procurement Officer

FROM: Administration  
*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>Labor to re-glue carpet tiles within certain areas of the hallways of the Supreme Court Chambers Area on the second floor of Ali'iolani Hale.</p>	
<p>2. Vendor/Contractor/Service Provider:</p> <p>Society Contracting, LLC 96-1403 Waihona Place Pearl City, HI 96782</p>	<p>3. Amount of Request:</p> <p>\$9,098.42</p>
<p>4. Term of Contract From: 03/20/2020 To: 12/31/2020</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:</p> <p>In June of 2019, Society Contracting was awarded Contract J-19375 to install new carpet tiles within the hallways of the chambers area. During demolition of the existing broadloom carpet, abatement was required as asbestos containing floor tiles were discovered. An abatement contractor, Unitek, was acquired to safely remove the hazardous materials. The job was completed October 2019. The entire process appeared seamless until the new carpet tiles started to lift off the floor shortly after the project was completed. Due to the lapse of well-defined language in the Judiciary's specifications and oversights on the part of both Society and Unitek, it was determined that the situation be resolved without litigation. The carpet manufacturer was also consulted during discussions. In order to maintain the warranty of the carper tiles, the entire project would need to be done completely over again. However, the Judiciary was not willing to pay the \$30,000 cost estimate. After careful consideration, Society shall re-glue approximately 15% of the carpet tiles in certain areas of the hallway based on two factors (1) the carpets tiles that lifted off the floor have gradually settled down and flattened out as time passed, and (2) due to the accumulation of approximately 30 cases of carpet tiles from past projects at Ali'iolani Hale and the Kapuawai Building, the need for a warranty of the newly installed carpet tiles is not required.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:</p> <p>Serving as the original installer of the carpet tiles, Society Contracting possess intimate knowledge of the project. Obtaining another contractor would complicate the resolution process as "finger-pointing" would definitely arise. Society has been in the business for 49 years. Aside from this project, the Judiciary has acquired the services of Society numerous times in the past and they have consistently performed outstanding work each and every project.</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
Curt Shibata*	Supreme Court	539-4730	Curt.M.Shibata@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/ Rochelle R. Kauai

Department/Division/Program Head Signature

03/17/2020

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