

THE JUDICIARY, STATE OF HAWAII
NOTICE OF REQUEST FOR 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 a procurement exemption for the following:

1. Describe the goods, services or construction:

Purchase and Install 2 Pre-Coolers on the 11th Floor at Kauikeaouli Hale to replace the existing non-functioning pre-coolers.

2. Vendor/Contractor/Service Provider:

Oahu Air Conditioning Service Inc

938 Kohou Street

Honolulu, HI 96817

3. Amount of Request:

NTE: \$600,000.00

4. Term of Contract From:

To:

June 14, 2023 to June 30, 2024

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

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

It is not practicable nor advantageous to replace the pre-coolers by competitive bid, as purchasing from another vendor would not be allowed under the existing contract. Oahu Air Conditioning (OAC) has a contract with First Circuit. This contract is to service and maintain "in complete and satisfactory operations" the AC systems at the Judiciary-related buildings on Oahu. As the Pre-Coolers are part of the existing system and they are not operational it is OAC's responsibility under the contract to provide new Pre-coolers as the current equipment cannot be repaired. The replacement of this equipment is necessary to control current mold and mildew problems that affect employees health. OAC did all the background studies to assess and examine possible health concerns. The result of the assessment was that the Pre-coolers were not working and need to be replaced. See attachment for more details.

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 to various Judiciary facilities on Oahu," that was accepted by the Judiciary as the lowest bid based on the criteria set forth in IFB and reflected in contract number J23013. The Contract clearly states responsibilities for the company to handle all AC functions for both equipment and maintenance needs. The new pre-coolers will be covered under the current maintenance agreement.

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
Dee Dee Letts	1st Circuit Court - DCCA	539-4351	deedee.d.letts@courts.hawaii.gov
Wayne Taniguchi	1st 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/ Dee Dee Letts

5/5/2023

Department/Division/Program Head Signature

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, 6th Floor
Honolulu, Hawaii 96813-2807

Chief Procurement Officer (CPO) Comments:

☐

Approved

☐

Disapproved

☐

No Action Required

Chief Procurement Officer Signature

Date