

THE JUDICIARY, STATE OF HAWAII NOTICE AND REQUEST FOR SOLE SOURCE

TO: Chief Procurement Officer

FROM: First Judicial Circuit / Circuit Court

Name of Requesting Division/Program

Pursuant to HRS § 103D -306 and HAR Chapter 3-122, Subchapter 9, The Judiciary requests sole source approval to purchase the following:

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| <p>1. Describe the goods, services or construction to be procured: To provide year round preventive maintenance servicing to (1) emergency generator at Ka'ahumanu Hale</p> | |
| <p>2. Vendor/Contractor/Service Provider Name: Hawthorne Pacific Corp. dba Ness Turf Equipment 94-025 Farrington Hwy Waipahu, HI 96797</p> | <p>3. Amount of Request: \$4,473.47</p> |
| <p>4. Term of Contract (shall not exceed 12 months), if applicable: From: 7/01/2023 To: 6/30/2024</p> | <p>5. Prior Judiciary Procurement Sole Source No. (if applicable):</p> |
| <p>6. Describe in detail the following:</p> <p>a. The unique features, characteristics, or capabilities of the goods, service or construction.</p> <p>One (1) emergency generator at Ka'ahumanu Hale had been installed and serviced since inception the of complex in 1984 by Hawthorne Pacific. All designing phase and programming at construction time in 1984 were performed by Hawthorne Pacific and to have a third party involved in servicing would mean that reference to repair will need to go through Hawthorne Pacific at possible added cost from the third party to the Judiciary.</p> <p>The courts originally did not have a maintenance agreement but ran into problems keeping the generator operational due to lack of maintenance which resulted in the Judiciary entering a maintenance agreement with Hawthorne around 2011 as the only authorized service dealer in the State of Hawaii. Hawthorne has been maintaining and servicing the generator since then. Besides being the only authorized dealer in the State, Hawthorne has all of the tracking and service documents for the generator since maintenance started. Hawthorne implemented and monitors the program that tracks the generator systems.</p> <p>b. How the unique features, characteristics or capabilities of the goods, service or construction are essential for the department.</p> <p>Prior to entering into a maintenance contract back at around 2011 with Hawthorne, emergency generator had not been properly maintained causing delays at unannounced power outages up to 2011. This emergency generator serves to continually maintain high volume equipment, various prioritized lighting, two elevators, minimal AC for up to 8 hrs. either till power is restored for employees being able to shutdown equipment properly and exit safely. A third party in an emergency situation will not be able to repair as stated prior that Hawthorne has all of the tracking and service documents for the generator since maintenance started. Hawthorne implemented and monitors the program that tracks the generator systems. Further delays without proper maintenance will lead up up to possible unsafe conditions and/or equipment damages.</p> | |

7. Describe the efforts and results in determining that this is the only vendor/contractor/service provider who can provide the goods, services or construction:

As the emergency generator is a Caterpillar brand, Hawthorne Pacific has submitted a letter to state that they are and have been since 1956, the authorized dealer to provide technical/maintenance support for generators. They are the only authorized servicing dealer for our island area.

All programming and implementation of the monitoring system has been done since 1984 before we had a maintenance contract by Hawthorne Pacific. Hawthorne uses this historical data to fine tune, suggest upgrades and perform preventive maintenance on the generator. Besides there being no other qualified vendor Hawthorne is the only one with this historical data to assist with maintenance.

8. Alternate source. Describe the other possible sources for the goods, services, or construction that were investigated but did not meet the department's needs.

As the only authorized service dealer in the state as well as the entire pacific region per attached letter no one else can provide servicing for such generator. Cummin - Hawaii, another company in the state was contacted and they are not able to provide a maintenance contract on our Hawthorne generator due to the proprietary nature of controls and monitoring system. Hawthorne is the only vendor qualified to provide service and maintenance to Hawthorn generators.

9. 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 |
|------------------|----------------------------------|--------------|-------------------------------------|
| *Wayne Taniguchi | Fiscal Support/Facilities Mgmt. | 539-4005 | wayne.s.taniguchi@courts.hawaii.gov |
| Dee Dee Letts | Deputy Chief Court Administrator | 539-4351 | deedee.d.letts@ courts.hawaii.gov. |
| | | | |

Department shall ensure adherence to applicable administrative and statutory requirements, including HAR chapter 3-12, Subchapter 15, Cost Pricing Data, if required.

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

5/22/2023

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 SOLE SOURCE 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



Electric Power Division
P.O. Box 610- AC6109
Mossville, IL 61552

May 1, 2023

Subject: Authorized Caterpillar Dealer

To whom it may concern:

Caterpillar is pleased to inform you that Hawthorne CAT is and has been an authorized Caterpillar dealership since 1956. Over these years, Hawthorne CAT has been selling Caterpillar product and providing excellent customer service and support to Electric Power Generation Equipment Customers. Hawthorne CAT is Caterpillars designated dealership San Diego, California and surrounding region, the state of Hawaii, the Island of Guam, the Federated States of Micronesia, the Republic of Belau, the commonwealth of Northern Mariana Islands the republic of the Marshal Islands and Western Samoa. Hawthorne Cat is the only authorized servicing dealer for these areas.

We are sure you will find that Hawthorne CAT has all the people and resources to satisfy your EPG needs.

Sincerely,

Richard Qualey
LEP Territory Manager – Western States Region
Caterpillar Inc. | Electric Power Division
Seattle, WA
(Mobile) +1 253-880-2553
* qualey_richard_l@cat.com