

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

TO: Chief Procurement Officer

FROM: Facilities Management

\_\_\_\_\_  
*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:

1. Describe the goods, services or construction to be procured:  
To provide year round preventive maintenance servicing to (1) emergency generator at Kapolei Judiciary Complex

2. Vendor/Contractor/Service Provider Name:  
Hawthorne Pacific Corp. dba Ness Turf Equipment  
94-025 Farrington Hwy.  
Waipahu, HI 96797

3. Amount of Request:  
\$8,241.02

4. Term of Contract (shall not exceed 12 months), if applicable:  
  
From: July 01, 2023                      To: June 30, 2024

5. Prior Judiciary Procurement Sole Source No. (if applicable):

6. Describe in detail the following:

a. The unique features, characteristics, or capabilities of the goods, service or construction.

Emergency generator at Kapolei Judiciary Complex was installed and serviced since the court was completed in 2011 by Hawthorne Pacific. The system was designed and the monitoring systems programmed during the construction phase 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. 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 us 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.

b. How the unique features, characteristics or capabilities of the goods, service or construction are essential for the department.

The emergency generator should be properly maintained to avoid delays and unannounced power outages. This emergency generator serves to continually maintain high volume equipment, various prioritized lighting, elevators, minimal AC for up to 8 hours 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. Kapolei has had a maintenance agreement with Hawthorne from the beginning and this maintenance agreement has kept the Kapolei generator in excellent shape with no problems. The Judiciary is very satisfied with the service they receive.

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 been an authorized Caterpillar dealership since 1956, the only authorized dealer and technical/maintenance support for Hawaii and other States mentioned in the letter.

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 and per the attached letter the entire pacific region no one else can provide servicing for this generator. Cummings another company in town was contacted and they are not able to provide a maintenance contract on our Hawthorne generator due to the proprietary nature of the controls and monitoring system. Hawthorne is the only vendor that can provide maintenance qualified to provide service and maintenance to Hawthorne 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

5/18/2023

\_\_\_\_\_  
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, 6<sup>th</sup> 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](mailto:qualey_richard_l@cat.com)