



**STATE PROCUREMENT OFFICE**  
**NOTICE & REQUEST FOR SOLE SOURCE**

14 JUL 24 08:36

ADMINISTRATION  
 STATE PROCUREMENT OFFICE

TO: Chief Procurement Officer  
 FROM: Transportation  
*Name of Requesting Department*

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

1. Describe the goods, services, or construction to be procured.  
 Provide 3900 each Permanent Concrete Reactive Tension Barriers, Specification number TB 990901 Rev 6, 1 meter long, 18 inches wide and 32 inches tall (zipper barriers) and 100 each Variable Length Barriers, Specification number TB 990903 Rev 10. These barriers will be used to replace 4000 each existing 24 inch unacceptable/degraded barriers currently along the H-1 AM Zipper Route. The route referenced runs from Manager's Drive Overpass to Keehi Interchange. This distance is approximately 12.1 miles in Length.

2. Vendor/Contractor/Service Provider Name: Lindsay Transportation Solutions Sales and Service, LLC	3. Amount of Request: \$4,024,000.00
4. Term of contract (shall not exceed 12 months), if applicable:  From: <u>September 1, 2014</u> To: <u>June 30, 2015</u>	5. Prior SPO-001, Sole Source (SS) No.:  NA

6. Describe in detail the following:

a. The unique features, characteristics, or capabilities of the goods, service or construction.  
 Lindsay Transportation Solutions Sales and Services, LLC is currently the sole source provider of the barriers that are currently used for the Zipper Lane operation. (See attached letter from Lindsay) The barrier is a critical component of the system that is currently used to provide an additional lane in the morning for commuters from the West side of Oahu into the downtown Honolulu area. The existing 24" barriers (approximately 15,000 in number) were acquired in 1999 and based on an assessment conducted by the Oahu District Engineering staff in May of 2014, have more than 50 percent of these units that will need to be replaced immediately or in the very near future. Further, these barriers are an older generation barrier and are not consistent in form or function with the newer 18" wide barriers that are currently being produced and are installed in the H-1 AM Zipper Lane. A procurement program must be immediately initiated.

b. How the unique features, characteristics or capabilities of the goods, service or construction are essential for the department to accomplish its work.  
 The barrier is a critical component of the moveable barrier system that is currently used by the Department of Transportation, Highway Division to provide a safe and well maintained AM Zipper program. This system, for continued success, will require ongoing maintenance and measures such as this procurement initiative to insure that the morning traffic congestion is mitigated to the maximum extent possible and the H-1 freeway between Manager's Drive Overpass and the Keehi Interchange is as safe and efficient for the motorist as the Department can provide.

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.

Lindsay Transportation Solutions Sales and Service is the only company that can provide the barrier for the system that is compatible with the current 18" barrier currently installed and with the barrier transfer machine. No other company is capable of or does manufacture this product. (See attached letter from Lindsay)

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.

No other alternative.

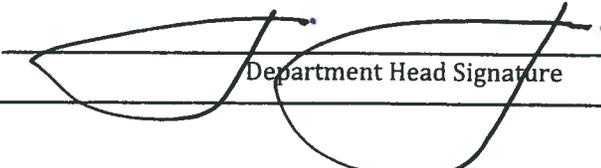
9. Identify the primary individual(s) who is knowledgeable about this request, who will conduct and manage this process, and has 1) appropriate written delegated procurement authority; 2) completed mandatory training; and 3) who SPO may contact for follow up inquiry, if any.

(Type over "example" and delete cells not used.)

Name of Department Personnel	Division/Agency	Phone Number	E-mail Address
Robert Shin	DOT/ Hwy	831-6705 x127	robert.shin@hawaii.gov
Pratt Kinimaka	DOT/ Hwy	831-6705 x126	pratt.kinimaka@hawaii.gov

Department shall ensure adherence to applicable administrative and statutory requirements, including HAR chapter 3-122, Subchapter 15, Cost or Pricing Data if required.

*All requirements/approvals and internal controls for this expenditure is the responsibility of the department.  
I certify that the information provided is to the best of my knowledge, true and correct.*

  
Department Head Signature

7.23.14  
Date

**For Chief Procurement Officer Use Only**

Date Notice Posted: 7/24/2014

Submit written objection to this notice to issue a sole source contract within seven calendar days or as otherwise allowed from date notice posted to:

[state.procurement.office@hawaii.gov](mailto:state.procurement.office@hawaii.gov)

Chief Procurement Officer (CPO) Comments:

Approval is granted for the period from September 1, 2014 to June 30, 2015 and is based on the department's representation that (Lindsay) is the only organization that currently manufactures new Concrete Reactive Tension System (CRTS 18") Barrier and RTS Variable Length Barrier (VLB) for the H-1 Am "Zipper System." Pursuant to HRS section 103D-310(c) and HAR section 3-122-112, the procuring officer shall verify compliance (i.e. vendor is required to be compliant on the Hawaii Compliance Express) for all contracts awarded, and award is required to be posted on the Awards Reporting System. Copies of the HCE certificate and awards posting are required to be documented in the procurement/contract file. Sole Source contracts in excess of \$100,000 required cost or pricing data pursuant to HAR chapter 3-122, subchapter 15.

If there are any questions, please contact Stanton Mato at 586-0566, or [stanton.d.mato@hawaii.gov](mailto:stanton.d.mato@hawaii.gov).

Approved

Disapproved

No Action Required

  
\_\_\_\_\_  
Chief Procurement Officer Signature      Date 8/30/14

July 7, 2014

Robert Shin, PE  
Hawaii Department of Transportation  
Honolulu, HI 96813

Via email Robert.Shin@hawaii.gov

Dear Mr. Shin:

This letter is written to convey information pertinent to the sole source procurement for new Concrete Reactive Tension System (CRTS 18") Barrier and RTS Variable Length Barrier (VLB) for the H-1 AM "Zipper System".

Lindsay Transportation Solutions Sales and Service , LLC is the only organization that currently manufactures the subject barriers. They are manufactured to very specific specifications and standards in accordance with TB 990901 Rev 6 for the CRTS 18" and TB 990903 Rev 10 for the VLB's and are proprietary and patent protected.

These barriers are authorized for use on Federal-aid projects without further justification as stated in a Federal Highway Administration (FHWA) letter dated March 25, 1994. The use of this barrier is supported by a public interest finding because no equally suitable alternate product to the Quickchange Moveable Barrier (QMB/Zipper Barrier) exists for its use under certain highway and traffic conditions. In an addendum FHWA letter Dated March 25, 1994 it states that "Based on our review of the available products and the extraordinary operational and safety benefits of the QMB, we have found it is in the public interest to advise the States that a suitable alternative product is not available. Therefore, States' requests to use the QMB on appropriate projects, including any premium or royalties, will be approved for Federal participation".

We provided the information in the previous paragraph not to suggest where the funds are coming from but rather to stipulate that considerable due diligence has been taken by the FHWA to allow States to know equal competition does not exist and that procuring the barrier as a sole source endeavor is justified.

It should be further understood that while there are no equally suitable alternatives today, thus the sole source procurement, the barrier transfer machines have some replacement parts that are commercially available and that can be procured on a competitive basis.

The real value of the system to the Department is that this innovative technology significantly reduces congestion on the H-1 in the morning and provides a positively separated traffic lane to move more commuters with fewer vehicles on an already existing roadway. It is essential that the barrier identified by the District as inferior, and in some cases potentially unsafe, be replaced. The suggested procurement that this letter supports will in part accomplish this requirement.

There should be no question that Lindsay will provide HDOT with "state of the art" barrier. This barrier when combined with other managed lane strategies will insure that morning rush hour commuters have more options and traffic lanes to enter Honolulu from the West side. The cost benefits of the system on the H-1 are well documented. Because the H-1 Zipper is essential and because the system is a reusable asset it is important that it be maintained to the highest standards.

If there is any additional information such as the actual letters from the FHWA that HDOT requires in support of this sole source barrier procurement I am always available. Feel free to contact me at any time.

Sincerely,

Lindsay Transportation Solutions Sales and Service LLC

A handwritten signature in black ink that reads "Chris Sanders". The signature is written in a cursive style with a large, prominent "C" and "S".

Chris Sanders  
Senior Vice President

SS15-0095