



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

15 APR -1 A8:24

**ADMINISTRATION
STATE PROCUREMENT OFFICE
STATE OF HAWAII**

TO: Chief Procurement Officer

FROM: Department of Transportation, Harbors Division (DOT)
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.
Replace 50 high pressure sodium light fixtures with 50 marine grade LED light fixtures on five (5) high-mast cargo yard poles (85 feet in height) located along Pier 51, Horizon overseas container terminal.

2. Vendor/Contractor/Service Provider Name: Johnson Controls, Incorporated (JCI)	3. Amount of Request: \$150,000.00
4. Term of contract (shall not exceed 12 months), if applicable: From: <u>20-Apr-15</u> To: <u>31-Dec-15</u>	5. Prior SPO-001, Sole Source (SS) No.: None

6. Describe in detail the following:

a. The unique features, characteristics, or capabilities of the goods, service or construction.
Pursuant to HRS §36-41, the DOT procured JCI as its energy savings contractor on January 20, 2012. During 2014, JCI prepared the DOT-Harbors Division's (DOTH) investment grade audit (IGA) over 1,000 hours project hours measuring and verifying DOTH's energy use; the IGA result is JCI guaranteeing \$1,018,067 in energy savings. The savings is based largely on JCI's design of a marine grade LED light fixture on high mast yard lights that meets the Act 287, 2012 SLH "Night sky protection strategy" requirement that replacement lights shall meet the correlated color temperature of four thousand Kelvin or less. JCI is the only contractor that have the design specifications and contract with a manufacturer to produce marine grade, dark sky legislation compliant LED high mast yard light fixtures, therefore unique.

b. How the unique features, characteristics or capabilities of the goods, service or construction are essential for the department
JCI's completed Nov 24, 2014 IGA guarantees \$1,018,067 in energy savings. In light of the IGA, the DOTH cancelled its Nov 2014 Horizon Lines Pier 51 high pressure sodium yard light fixtures replacement project in order that the DOTH may claim savings under the DOTH-JCI energy savings contract. However, the Pier 51 light outages is creating a safety hazard for night cargo work. It is essential to proceed with a limited one for one replacement of 50 high pressure sodium yard light fixtures with 50 LED light fixtures for safety, energy savings, and Night sky protection compliance.

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.

When DOT contracted JCI on January 20, 2012 to serve as its energy savings contractor, there were no marine grade LED light fixtures available in the marketplace. On July 1, 2012, Act 287, 2012 SLH was enacted that effective July 1, 2014, light replacements projects shall meet correlated color temperature of four thousand Kelvin or less. Act 287 required JCI to design LED light fixtures that met both a) marine grade LED light fixtures for high mast lighting (85 feet cargo lights) and b) LED lights that met Act 287 "Night sky protection strategy" requirements. The DOTH explored plasma lighting technology, however, plasma does not comply with the Act 287, requirements - plasma lights exceeds the correlated color temperature of four thousand Kelvin

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.

While plasma lighting is an alternate, plasma light fixtures do not comply with the Act 287, 2012 SLH "Night sky protection strategy." Plasma technology exceeds the correlated color temperature of four thousand Kelvin. Therefore JCI had to design specifications for a lighting manufacturer to produce a marine grade LED light fixtures for high mast lighting (85 feet cargo lights) and meet the "Night sky protection strategy."

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/Agency	Phone Number	E-mail Address
Davis K. Yogi <i>DY 3/25/15</i>	Harbors Division	587-1928	davisk.yogi@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

3.27.15

 Date

For Chief Procurement Officer Use Only

Date Notice Posted: 4/2/2015

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:

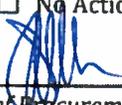
state.procurement.office@hawaii.gov

Chief Procurement Officer (CPO) Comments:

Approval is granted for the period 4/20/2015 to 12/31/2015 and is based on the department's representation that JCI owns the design specifications for the marine grade, high mast, LED light fixtures which are compliant with Act 287 for Night Sky Protection for Pier 51 Horizon overseas container terminal. Department is reminded that sole source contracts in excess of \$100,000 require certified cost or pricing data pursuant to HAR chapter 3-122, subchapter 15 and are required to be documented in the procurement/contract file. This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply (e.g., vendor is required to provide proof of compliance and may use the Hawaii Compliance Express) and award is required to be posted on the Awards Reporting System. Proof of compliance and awards posting are required to be documented in the procurement/contract file.

If there are any questions, please contact Bonnie Kahakui at 587-4702, or bonnie.a.kahakui@hawaii.gov.

- Approved
- Disapproved
- No Action Required


 Chief Procurement Officer Signature Date 4/16/15