

EX 08-025

**HAWAII HEALTH SYSTEMS CORPORATION  
NOTICE OF AND REQUEST FOR EXEMPTION  
FROM CHAPTER 103D, HRS**

1. TO: Thomas Driskill, Jr., Chief Procurement Officer  
2. FROM: Orianna Skomoroch, Kauai Region CEO

Department/Division/Agency

Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

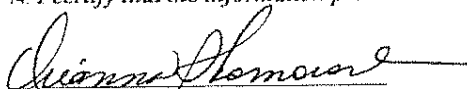
|  |                   |  |
|--|-------------------|--|
| <p>3. <b>Description of goods, services or construction:</b> Jonathan Bailey Design is the architect and construction project manager for the new building and renovation of part of Kauai Veterans Memorial Hospital. The legislature has appropriated funds for life safety upgrades to the electrical system and back up power system for KVMH. The additional contract (new separate contract) would be to design and manage the electrical renovations and back up power system to be consistent and compatible with the work that they will be providing for the new building and renovations.</p>   |                   |  |
| <p>4. Name of Vendor: Jonathan Bailey Design<br/><br/>Address: 400 South Akard Street, Dallas, TX 75202</p>  |                   | <p>5. Price:<br/>\$NTE \$1,592,348</p>   |
| <p>6. Term of Contract: From: May 1, 2008 To: April 30, 2011</p>   |                   | <p>7. Prior Exemption Ref. No.</p>   |
| <p>8. <b>Explanation describing how procurement by competitive means is either not practicable or advantageous to the State:</b> Jonathan Bailey Design (JBD) has been contracted to provide architectural and project management services for the construction of a new building on the WKMC campus, and to provide the same services for renovation of part of the existing KVMH building. In order to save money and ensure that the electrical upgrades are consistent and compatible with the new building and renovations already contracted to Jonathan Bailey Design, it is in the State's best interest to have Jonathan Bailey design and manage the electrical renovations and back up power system for other parts of the building. This exemption and additional contract is to award the C.I.P. electrical/back up power design/build services to JBD.</p> |                   |  |
| <p>9. <b>Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:</b> See attached.</p>   |                   |  |
| <p>10. <b>A description of the agency's internal controls and approval requirements for the exempted procurement:</b> Cora Shirai, Senior Contract Manager, and Alice Hall, Kauai Legal Counsel, will be involved with the contracting process. Other executives will also be involved, as outlined below.</p>   |                   |  |
| Name   | Position          | Involvement in Process   |
| Mike Perel   | CFO, Kauai Region | <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration |
| Orianna Skomoroch  | CEO, Kauai Region | <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration |

|   |                      |                                   |  |
|---|----------------------|-----------------------------------|--|
| Cora Shirai   | Sr. Contract Manager | <input type="checkbox"/> Approval | <input checked="" type="checkbox"/> Administration |
| Alice Hall  | Regional Counsel     | <input type="checkbox"/> Approval | <input checked="" type="checkbox"/> Administration |
|   |                      | <input type="checkbox"/> Approval | <input type="checkbox"/> Administration            |
|   |                      | <input type="checkbox"/> Approval | <input type="checkbox"/> Administration            |
| 12. Direct inquiries to: Department: Contracts/Procurement<br>Contact Name: Cora Shirai<br>Phone Number: 808-338-9454<br>Fax Number: 808-240-2747 |                      |                                   |  |

13. This exemption should be considered for list of exemptions attached to Chapter 3-120, HAR: YES  NO

Agency shall ensure adherence to applicable administrative and statutory requirements

14. I certify that the information provided above is, to the best of my knowledge, true and correct.

  
Department Head

4-14-08  
Date

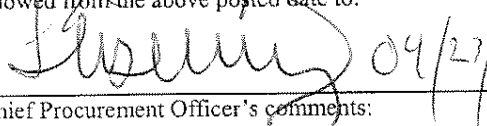
Reserved for CPO/Delegee Use Only

15. Date Notice Posted 4-15-08

The Head of the Purchasing Agency is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven (7) calendar days or as otherwise allowed from the above posted date to:

Chief Procurement Officer  
IHSC  
3675 Kilauea Ave.  
Honolulu, Hawaii 96816

Chief Procurement Officer's comments:



Scope of Work JBD Contract Number 2 for electrical/power upgrades

### **WKMC Electrical Upgrades and Emergency Power Back Up Upgrade**

1. Consulting and Design/engineering services to Joint Commission accreditation standards and in conformity with all applicable State, local, and federal codes and regulations. Design/Engineering Consulting services to include:
  - a. Review all feeder lines from transformer to main switch to distribution panels to assure that phasing and grounding throughout the facility is correct and meets applicable regulatory codes;
  - b. Review electrical system for National Electrical Code violations including, but not limited to, in adequate workspace clearance fronting electrical disconnects, distribution panels, and switches;
  - c. Review all circuits in all distribution panels:
    - i. Review labeling of all switches, lights, and outlets;
    - ii. Verify all circuit breakers are working properly;
    - iii. Determine if additional circuits needed or existing circuits should be replaced;
    - iv. Conduct a thermal analysis of all panels.
  - d. Evaluate the transformers located in the mechanical room.
  - e. Evaluate existing building electrical power system, including back up, to determine options for upgrading the power system to meet existing and additional requirements resulting from renovation and new round building extension (hereinafter called, "expansion project"; see schematics on jonathanbailey.com "WKMC" icon).
    - i. Evaluation to strive for energy efficiency and noncarbon based energy solutions to the extent practicable;
    - ii. Evaluation to take into consideration need for additional back up power for existing operations, as well as additional back up power for
  - f. Design all aspects of needed upgrades and additional power and emergency back up energy requirements based on schematics in expansion project;
  - g. Draft scope of work/specifications for electrical work and equipment needed to construct the designed upgrades and emergency back up energy requirements;

- h. Provide construction documents inclusive of specifications, schedules, architectural, electrical, plumbing, and mechanical plans for construction purposes for the electrical/back up power upgrades;
  - i. With input from the Owner, contract with the necessary contractors (hereinafter, the "general contractor") to perform the electrical/back up power work. Electrical work contracted hereunder that affects the areas and electrical systems involved in the construction work described in HHSC FY 08-122 (Jonathan Bailey Design (JBD) contract with HHSC/WKMC dated December 6, 2007) may be included in the contract entered into with the general contractor for that project and shall become part of the Guaranteed Maximum Price. The additional electrical upgrade work required for portions of the facility not under construction in HHSC FY 08-122 shall be contracted in a separate contract between the JBD and the general contractor and paid for out of the fees charged by JBD Consultant under this Agreement.
2. Once the design has been finalized and the contractor has been selected and retained to perform the electrical/back up power work, the JBD shall perform construction management services for the electrical/back up power upgrades, including the portions not under renovation or new construction in HHSC FY -08-122. At a minimum, and consistent with HHSC FY 08-122 requirements, JBD shall:
- a. perform construction observation services, to include, visiting the job site at appropriate stages of construction to see that the general contractor is performing properly;
  - b. hold on-site meetings with the owner, general contractor, and necessary subcontractors, consistent with the schedule outlined in the Architect/Project management services contract between JBD and Owner dated December 6, 2007, HHSC FY 08-122;
  - c. process and review general contractor submittals prior to order and installation of materials;
  - d. process, respond, document, and track all general contractor clarification request during construction;
  - e. process owner/general contractor change orders as necessary;
  - f. process punch list and issue substantial completion for project close out;
  - g. finalize as built drawings on CADD 1 printed set of drawing to Owner and 1 archive disk to Owner.

3. Permitting is not required for this job. All work will be performed, inspected, and documented per the UBC of the County of Kauai.