

**NOTICE OF SOLE SOURCE**  
COUNTY OF KAUAI

The Director of Finance has received a Request For Sole Source in accordance with Hawai'i Administrative Rule 3-122-82 and Hawai'i Revised Statutes 103D-306. A preliminary review has been conducted and approved for posting of this Notice.

Accordingly, by posting of this Notice, constructive notice is provided to permit interested parties an opportunity to review a copy of the Request For Sole Source, attached and posted herewith, and to submit written objections within seven (7) days from the date this Notice was posted. Objections shall be submitted by email to:

[COKPurchasing@kauai.gov](mailto:COKPurchasing@kauai.gov).

Questions may be directed to the Division of Purchasing at phone: (808) 241-4288:

A summary of the Sole Source Request follows:

Proposed Vendor's Name and Address:

Optimal Controls LLC 94-1388 Moaniani Street #241 Waipahu HI 96797

Brief description of proposed Sole Source Item:

Eleele WWTP Replacement Diffusers (See Attached)

BY: Hope Stem  
Division of Purchasing

Date Notice Posted: August 29, 2024

SPACE BELOW IS RESERVED FOR RESPONSE TO REQUESTING AGENCY
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TO: Public Works / Wastewater  
(Dept or Agency) (Div)

- Sole Source # \_\_\_\_\_ is assigned. This Notice was posted for seven (7) days. No objections were received. Please proceed with (1) processing of a requisition for a purchase order, or (2) contract preparation, and reference the assigned Sole Source number in the respective document.
- Objection(s) were received. Please contact the Division of Purchasing.

\_\_\_\_\_  
Division of Purchasing

\_\_\_\_\_  
Date

**REQUEST FOR SOLE SOURCE**  
County of Kaua'i

TO: DIRECTOR OF FINANCE

FROM: Public Works /Wastewater Management  
(Dept or Agency) (Div)

8/27/2024  
Date

RE: REQUEST FOR SOLE SOURCE APPROVAL

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*Instructions: Cost and/or pricing data requirements for contracts expected to exceed \$100,000 are applicable pursuant to HAR 3-122-123 & 124.*

I. Pursuant to 103D-306, HRS, and Subchapter 9, Chapter 3-122, HAR, the Department requests sole source approval to purchase the following: **(Description of goods, services, or construction)**

Eleele WWTP Replacement Diffusers

II. Name and Address of Vendor:

Optimal Controls LLC  
94-1388 Moaniani Street #241  
Waipahu, Hawaii 96797

III. Estimated Cost: \$16,998.74

IV. Term of Contract or delivery time:

50 calendar days

V. The goods, services, or construction has the following unique features, characteristics, or capabilities:

These will be a direct replacement of parts for the existing diffuser membranes that is in need of replacement. This would be first replacment of these membranes for at least the past 14 years over at the Eleele Wastewater Treatment Plant. These parts of the system are only provided locally in Hawaii by Optimal Controls LLC the designative Hawaii representative and sole distributor of all FlexAir replacement parts.

VI. Describe how the unique features, characteristics, or capabilities are essential for the agency to accomplish its work:

This is a overhaul of the existing system by replacing damaged and worn parts caused by daily use. Ideally the new disffuser will provide more air to the system. Optimal Controls will

provide the parts only and our own mechanics will install.

VII. The following other possible sources for the goods, services, or construction were investigated but do not meet our needs because:

N/A because if another vendor part is used it would require modification to the entire air distribution system for different parts or might cause the system to fail if we use parts not approved by the manufacture.

VIII. Person(s) recommended to negotiate the sole source contract:

A. Name, Title, and relevant experience or qualifications:

Donn Kakuda, Civil Engineer VI

B. Name, Title, and relevant experience or qualifications:

IX. Special Provisions:

X. This expenditure may be processed through a purchase order: Yes  No .

XI. The vendor was/will be notified prior to soliciting or negotiating a price, that the applicable General Terms and Conditions, or General Provisions for Construction Contracts, is applicable to this purchase: Yes  No .

Direct questions to: Donn Kakuda Ph: x4084

I CERTIFY THAT THE INFORMATION PROVIDED HEREIN IS TO THE BEST OF MY KNOWLEDGE, TRUE, CORRECT AND THAT THE GOODS, SERVICES, OR CONSTRUCTION ARE AVAILABLE THROUGH ONLY ONE SOURCE.

Troy Tanigawa  
Troy Tanigawa (Aug 28, 2024 13:48 HST)  
(Department/Agency Head Signature) \_\_\_\_\_ Date \_\_\_\_\_

SPACE BELOW RESERVED FOR FINANCE DIRECTOR OR DESIGNEE:

APPROVED  DENIED

2025-SS-22

If approved, the following  conditions apply:

- The furnishing and delivery of the items and/or services specified herein shall comply with this Request for Sole Source in its entirety and with the General Terms and Conditions for Goods and Services, dated July 2016, which by reference is incorporated herein as though it were physically an integral part of this notice.
- For contracts of \$100,000 or more, HAR 3-122-121 et. seq., cost and pricing data requirements apply.
- The contract period shall not exceed one (1) year, unless approval is granted for a multi-term contract pursuant to HAR 3-122-149.
- Seven (7) day posting by **Purchasing Division** required.
- PRIOR APPROVAL for amendment(s) changing scope of work or increase price by 10% or more required. (Amendments are also subject to 7 day posting by **Purchasing Division**)
- A copy of the approved request must accompany the contract document submitted to the Purchasing Division for processing.
- Tax compliance is required as a pre-requisite to award and for final payment when contract amount is \$2,500 or more. (HRS 103D-328, HRS 103D-310, HAR 3-122-112)
- The contractor shall be informed of the requirements of **HRS 11-355 relating to the prohibition of campaign contributions by State and County Contractors during the term of the contract (Contact State Campaign Spending Commission: 808 586-0285; [www.hawaii.gov/campaign](http://www.hawaii.gov/campaign)).**

Ernest Barreira

Ernest Barreira (Aug 29, 2024 08:30 HST)

For DIRECTOR OF FINANCE

Date

DIRECTOR OF FINANCE'S COMMENTS:

July 25, 2024

Eleele WWTP  
Eleele, Kauai, HI 96705

## Re: Sole Source Letter

Nexom/Environmental Dynamics International (EDI) is the original equipment manufacturer of the FlexAir® Aeration/Mixing System currently in service at Eleele WWTP. Your system was engineered, designed, and manufactured at our headquarters in Columbia, MO.

EDI is the sole manufacturer of the FlexAir® Aeration/Mixing System. Optimal Controls LLC at 94-1388 Moaniani St. #241 Waipahu, HI 96797 is our sole representative in all of Hawaii.

Please do not hesitate to contact EDI with questions or if you require any further clarifications.

Sincerely,



Troy Guyer  
Regional Aftermarket  
Account Manager






# FORM Sole Source Aeration Membrane

Final Audit Report

2024-08-28

Created:	2024-08-27
By:	Donn Kakuda (dkakuda@kauai.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAP7fWS8BRlh_kpQ6XFix1182cm0StzrZn

## "FORM Sole Source Aeration Membrane" History

-  Document created by Donn Kakuda (dkakuda@kauai.gov)  
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-  Document emailed to Troy Tanigawa (ttanigawa@kauai.gov) for signature  
2024-08-27 - 8:35:05 PM GMT
-  Email viewed by Troy Tanigawa (ttanigawa@kauai.gov)  
2024-08-27 - 8:35:17 PM GMT- IP address: 52.202.236.132
-  Document e-signed by Troy Tanigawa (ttanigawa@kauai.gov)  
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-  Agreement completed.  
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# 2025-SS-22

Final Audit Report

2024-08-29

Created:	2024-08-29
By:	Hope Stem (hstem@kauai.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAsdtdxgeLugySXbXuu11bl5fGiTaZGkJf

## "2025-SS-22" History

-  Document created by Hope Stem (hstem@kauai.gov)  
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2024-08-29 - 6:10:04 PM GMT
-  Email viewed by Ernest Barreira (ebarreira@kauai.gov)  
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-  Agreement completed.  
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