

**THE JUDICIARY, STATE OF HAWAII
NOTICE OF TO EXEMPTION
FROM HRS CHAPTER 103D**

TO: Chief Procurement Officer

FROM: First Circuit, Facilities Management Branch
Name of Requesting Division/Program

Pursuant to HRS § 103D ---102 (b)(4) and HAR Chapter 3---120, The Judiciary requests to amend an exemption for the following:

<p>1. Describe the goods, services or construction: To provide the monitoring and controlling of the heating, ventilation and air conditioning (HAVC) system through automation logic for Kapolei Judiciary Complex.</p>	
<p>2. Vendor/Contractor/Service Provider: Johnson Controls, Inc 550 Paiea Street, Suite 210 Honolulu, HI. 96819-1837</p>	<p>3. Amount of Request: \$28,686.90</p>
<p>4. Term of Contract From:07/01/2021 To: 6/30/2022</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable): JE21-12</p>
<p>6. Explain in detail why it is not practicable or not advantageous for the Program/Division to procure by competitive means: It is not practicable or not advantageous for the Program/Division to procure by competitive means because the current HVAC system of which monitoring and controlling at KJC has been installed from the construction of building through Johnson Controls, Inc. and in accordance to service agreement of section O. JCI's Intellectual Property: "JCI shall retain all rights, title and interest in any (a) work provided to customer, including without limitation, all software source and object code, documentation, technical information, or data, specifications and designs and any changes, improvements or modifications ... Ownership of all deliverables and how shall vest solely in JCI and no deliverables shall be deemed "works for hire". Page 6 section O of service agreement.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider: Based on Johnson Controls, Inc being the vendor to implement the monitoring and controlling of HVAC at KJC and in accordance to ownership of intellectual property to control system this was designed for.</p>	

8. 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
Dee Dee Letts	Court Admin Services Officer (TA)	539-4351	DeeDee.D.Letts@courts.hawaii.gov
Wayne Taniguchi **	Facilities Management Manager	539-4005	Wayne.S.Taniguchi@courts.hawaii.gov

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

5/14/2021

Department/Division/Program Head Signature

Date

For Chief Procurement Officer Use Only

Date Notice Posted: _____

Inquiries about

Chief Procurement Officer – The Judiciary
 Financial Services Department
 Contracts & Purchasing Office
 1111 Alakea Street, 6th Floor
 Honolulu, Hawaii 96813---2807

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Approved

Disapproved

No Action Required

Chief Procurement Officer Signature

Date