

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

TO: Chief Procurement Officer

FROM: THIRD JUDICIAL CIRCUIT  
*Name of Requesting Division/Program*

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

1. Describe the goods, services or construction:  
Maintenance of the mechanical portions of the ventilation and air conditioning system at Keahuolu Kona Courthouse.

2. Vendor/Contractor/Service Provider:  
Johnson Controls, Inc. (JCI)  
420 Waikamilo Road, Ste. 101  
Honolulu, HI 96817-4950

3. Amount of Request:  
\$152,706.75

4. Term of Contract From: To:  
09/14/2022 to 09/13/2023

5. Prior Judiciary Procurement Exemption No.  
(if applicable):

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 Keahuolu Kona Courthouse's ventilation and air conditioning mechanical equipment was manufactured by Johnson Controls. Johnson Controls has maintained the system satisfactorily during the system's warranty period. Competitors don't have JCI's experience and technical knowledge with respect to JCI equipment. Although Dorvin D. Leis (DDL) installed Keahuolu's machinery, DDL sub-contracted the warranty maintenance to JCI.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:  
Johnson Controls is best qualified to provide post warranty support because they manufactured Keahuolu's mechanical equipment and are supporting it during the warranty period. Although Dorvin D. Leis installed the machinery, they sub-contracted the warranty maintenance to JCI.

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
Colin Young	Third Judicial Circuit	961-7417	Colin.S.Young @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/ Dawn G. West

08/24/2022

Department/Division/Program Head Signature

Date

### For Chief Procurement Officer Use Only

Date Notice Posted: \_\_\_\_\_

Inquiries about this request shall be directed to the contact named in Item 8. Submit written objection to this NOTICE OF REQUEST FOR EXEMPTION within seven (7) calendar days, or as otherwise allowed, from the Date Notice Posted to:

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

Chief Procurement Officer (CPO) Comments:

Approved

Disapproved

No Action Required

Chief Procurement Officer Signature

Date