

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

TO: Chief Procurement Officer

FROM: Facilities Management/Family Court

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:  
To provide the monitoring and controlling of the heating, ventilation and air conditioning (HAVC) system through automation logic for Kapolei Judiciary Complex.

2. Vendor/Contractor/Service Provider:  
Johnson Controls, Inc  
550 Paiea Street, Suite 210  
Honolulu, HI. 96819-1837

3. Amount of Request:  
\$24,885.00 tax included

4. Term of Contract From: To:  
From: 07/01/2023 To: 06/30/2024

5. Prior Judiciary Procurement Exemption No. (if applicable):  
JE23-12

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 for Summary of services and options.

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.

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
Dwight S. Sakai	Deputy Cheif Court Administrator	954-8220	dwight.s.sakai@courts.hawaii.gov
Jovita Martinez	ACFO	954-8268	jovita.martinez@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/ Dwight S. Sakai

Department/Division/Program Head Signature

4/13/2023

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