

**THE JUDICIARY, STATE OF HAWAII
NOTICE AND REQUEST FOR SOLE SOURCE**

TO: Chief Procurement Officer

FROM: Third Judicial Circuit

Name of Requesting Division/Program

Pursuant to HRS § 103D -306 and HAR Chapter 3-122, Subchapter 9, The Judiciary requests sole source approval to purchase the following:

1. Describe the goods, services or construction to be procured:
One year maintenance agreement for Metasys HVAC energy management and control systems at Keahuolu Courthouse

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

3. Amount of Request:
\$65,968.56

4. Term of Contract (shall not exceed 12 months), if applicable:

From: 09/14/2023 To: 09/13/2024

5. Prior Judiciary Procurement Sole Source No. (if applicable):

6. Describe in detail the following:
a. The unique features, characteristics, or capabilities of the goods, service or construction.
Metasys controls are Johnson Controls products, designed to function with Johnson Controls HVAC mechanical equipment. Johnson Control's Metasys Sytem are highly technical. Being the manufacturer, Johnson Controls is uniquely qualified to support Johnson Controls Metasys systems. Johnson Controls is the only vendor providing YORK equipment, software and service for these systems; they are the sole supplier of the equipment and systems. Due to the unique technical nature of the systems, it would be efficient to have Johnson Controls service; as non-Johnson Controls providers may not have access to all software updates and required products. Johnson Controls has local resources, factory support and corporate support in Hawaii.

b. How the unique features, characteristics or capabilities of the goods, service or construction are essential for the department.
Johnson Controls is the sole supplier of the equipment and systems that operates the Kona Judiciary HVAC and Metasys Control systems. As a sole supplier of a unique technical system, Johnson Controls has full access to all software updates and required products to ensure the Metasys HVAC system operates properly. Vendor is capable to service these unique and highly technical systems. Properly functioning ventilation and air conditioning systems are essential for the daily operations at Keahuolu Courthouse as well as for the health, safety, and comfort of employees and court patrons.

7. Describe the efforts and results in determining that this is the only vendor/contractor/service provider who can provide the goods, services or construction:

Keahuolu's HVAC equipment and Metasys controls systems are solely manufactured by Johnson Controls and no other vendor. It is impracticable to search for other service vendors who manufacture Metasys controls. Johnson Controls' sole source letter dated 7/18/2023 explains that Johnson Controls is the only vendor providing YORK equipment, software, and service for these systems. Because of their unique technical nature, servicing of these controls needs to be performed by Johnson Controls; as non-Johnson Controls providers may not have access to all software updates and required products. Johnson Controls has local resources, factory support and corporate support in Hawaii.

8. Alternate source. Describe the other possible sources for the goods, services, or construction that were investigated but did not meet the department's needs.

Because other maintenance sources do not manufacture Johnson Controls products, they cannot provide the technical expertise of Johnson Controls. Johnson Controls is the sole supplier providing equipment and service for these systems. Service performed by non-Johnson Controls providers may not have the access to all software updates and required products.

9. 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	8089617417	colin.s.young@courts.hawaii.gov

Department shall ensure adherence to applicable administrative and statutory requirements, including HAR chapter 3-12, Subchapter 15, Cost Pricing Data, if required.

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 West

02/12/2024

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 SOLE SOURCE 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, 6th Floor
Honolulu, Hawaii 96813-2807

Chief Procurement Officer (CPO) Comments:

Approved

Disapproved

No Action Required

Chief Procurement Officer Signature

Date