

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

TO: Chief Procurement Officer

FROM: Detention Services Branch, 1st 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:

The Human Resources Dept., Staffing Services Division (SSD) administers the IMPACT and IMPACT PROMOTE tests developed by Ergometrics to applicants applying for non-supervisory and supervisory positions at the detention facility that have close/direct contact with juvenile offenders. Ergometrics & Applied Personnel Research, Inc. is a human resources management firm specializing in personnel selection and training. SSD has administered the Ergometric tests to qualified applicants applying for entry level non-supervisory positions who have close/direct contact with juveniles (IMPACT) since July 28, 2010, and from March 14, 2013, for supervisory level positions (IMPACT PROMOTE) located at the detention facility on a pre-offer basis.

2. Vendor/Contractor/Service Provider:
Ergometrics and Applied Research, Inc

3. Amount of Request:
\$4,500

4. Term of Contract From: To:
July 1, 2024 to June 30, 2025

5. Prior Judiciary Procurement Exemption No.
(if applicable):
JE24-22

6. Explain in detail why it is not practicable or not advantageous for the Program/Division to procure by competitive means:

The IMPACT and IMPACT PROMOTE exams are only available through Ergometrics and Applied Research, Inc. Also known as an "attitudinal» tests, the tests were designed by Ergometrics with input from the juvenile/corrections community to ensure best hiring practices for those who will work in juvenile justice settings. This assessment test measures the overall suitability for those working with juvenile offenders. Procurement by competitive means would be impracticable because there are no other vendors who have developed these types of juvenile justice exams.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:

The Judiciary is a Juvenile Detention Assessment Initiative (JDAI) participant. JDAI is a national program to improve the treatment of juveniles in detention facilities. Hawaii Revised Statutes §571-34, Criminal History Record Checks, authorizes the Judiciary to "develop standards to ensure the reputable and responsible character" of juvenile detention employees, including but not be limited to criminal history record checks. In order to develop standards for the hiring of juvenile detention employees, our staff attorney inquired with the JDAI Help Desk in February 2011 for best practice guidelines. The JDAI Help Desk contacted Cook County, IL about their hiring practices and found that they implemented a new process requiring all new hires and current employees at the juvenile detention facility to be tested. SSD decided to follow the same protocol as Cook County by utilizing the same test vendor and administering the IMPACT and IMPACT PROMOTE tests developed by Ergometrics. The consultant, hired by First Circuit as part of the JDAI initiative, was familiar with and an advocate of the Ergometric test. Former Chief Court Administrator Glennard Fong was able to find funds to add this component to the pre-employment screening process. The IMPACT and IMPACT PROMOTE test licensing agreements were originally signed in 2010 by former Chief Court Administrator Glennard Fong.

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
Kristin Davidson	Client Services Division, JCSB	954-8222	kristin.l.davidson@courts.hawaii.gov
Dwight Sakai	DCCA, Client Services Division	954-8200	Dwight.S.Sakai@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

7/2/2024

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, 6th Floor
Honolulu, Hawaii 96813-2807

Chief Procurement Officer (CPO) Comments:

☐

Approved

☐

Disapproved

☐

No Action Required

Chief Procurement Officer Signature

Date