

## UNIVERSITY OF HAWAI'I NOTICE OF EXEMPTION CHAPTER 103D, HRS

The Chief Procurement Officer, University of Hawai'i, is in the process of reviewing the request from  
Information Technology Services, Systemwide (Department/Campus)

for exemption from Chapter 103D, HRS, for the following goods and services:

Custom Adobe Enterprise Term License Agreement (ETLA) for the University of Hawaii System for a three-year duration, to be paid on an annual basis, which includes:

1. 20,000 Acrobat Sign for Enterprise Transactions, annually;
2. Acrobat Pro software for all University of Hawaii faculty and staff, and device licenses for classrooms and computer labs for all University of Hawaii campuses; and
3. 40 licenses of the AI Assistant for Acrobat, annually.

**Vendor/Contractor:** Adobe Inc.  
(If known)

**Address:**  
345 Park Avenue  
San Jose, California 95110

<b>Term of Contract:</b> (If known)	From: November 28, 2024	To: November 27, 2027	Cost: \$309,069.27 + tax
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**Direct any inquiries to:**  
Department: Information Technology Services

Contact Name/Title: Sandra Ann Matsumoto, Site License Administrator

Address: 2520 Correa Road  
Information Technology Center, 5th Floor  
Honolulu, Hawaii 96822

Phone Number:  
(808) 956-5783

Fax Number:  
(808) 956-7483

Date Posted: November 14, 2024

Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven (7) calendar days from the date posted to:

Office of Procurement Management  
1400 Lower Campus Road, Room 15  
Honolulu, Hawai'i 96822  
email: OPM@hawaii.edu

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**UNIVERSITY OF HAWAII**  
**REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS**

**To:** Kalbert Young **Date:** 11/1/2024  
Chief Procurement Officer, University of Hawaii

**Via:** Office of Procurement Management

**From:** UH System, Information Technology Services - Site License Office  
(Campus & Department/Program)

**Vendor/Contractor:** Adobe Inc.

**Estimated Amount:** \$309,069.27 + tax

**Term of Contract, if applicable:** Three-Year term, valid 11/28/2024 - 11/27/2027

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Pursuant to University Administrative Procedure 8.220, and consistent with Hawaii Revised Statutes §103D-102(b)(4) and Hawaii Administrative Rules Chapter 3-120, the department requests a procurement exemption to purchase the following (attach additional sheets if necessary):

1. Description of the goods or services:

This request for a custom Adobe Enterprise Term License Agreement (ETLA) contract which provides the following for the UH System for a three-year duration, to be paid on an annual basis:

1. 20,000 Acrobat Sign for Enterprise Transactions, annually
2. Acrobat Pro software for all University of Hawaii (UH) faculty and staff, device licenses for classrooms and computer labs for all UH campuses
3. 40 licenses of the AI Assistant for Acrobat, annually

2. Explain in detail, why it is not practicable or not advantageous for the University to procure by standard competitive means when multiple sources are available, or by other standard methods of source selection:

Resellers are unable to competitively bid or quote for custom Adobe ETLA pricing, as custom ETLA pricing is established directly between Adobe Inc. and the customer (UH) based upon FTE counts, and inclusion of customer-specific additional features and capabilities are subject to unique direct-only offerings by Adobe Inc. Therefore UH must purchase the custom Adobe ETLA directly from Adobe Inc.

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

In this situation, Adobe Inc. is the sole entity that can provide the custom Adobe ETLA for UH. The Adobe Acrobat product (current and all future offerings will be under the Adobe Document Cloud (DC) subscription method), is required to ensure the UH can comply with the U.S. Department of Education's Accessibility Statement, for electronic and information technologies. UH has ensured the software subscription is being offered at a price-point lower than any comparable standard Adobe DC higher education subscription price point.

4. Provide a description of the department's internal controls and approval requirements for the exempt procurement:

The ITS site license administrator will oversee the execution and oversight of the administration of the procurement and licensing process. Any and all provisioning of the resulting license will be under the joint oversight of ITS site license administration and ITS administrative services functions.

5. Provide a list of department personnel, by position title, who will be involved in the approval process and administration of the contract:

Sandra Ann Matsumoto, Site License Administrator  
 Osamu Makiguchi, ITS - AT Webgroup/Site License Manager  
 Blanche Fountain, Fiscal Administrator

6. Direct questions to: Sandra Ann Matsumoto Email Address: snoda@hawaii.edu

**Certification:** I certify that the information provided herein is true and correct to the best of my knowledge.

Sandra Ann Matsumoto	Sandra Ann Matsumoto	11/01/24
Full Name of Principal Investigator, Department Head, or Administrator	Digitally signed by Sandra Ann Matsumoto Date: 2024.11.01 09:39:23 -10'00'	Signature Date
Blanche Fountain	Blanche Fountain	11/01/24
Full Name of Fiscal Administrator	Digitally signed by Blanche Fountain Date: 2024.11.01 17:59:26 -10'00'	Signature Date
Garret Yoshimi		2024.11.04 14:50:41 -10'00'
Full Name of Vice President or Chancellor	Digitally signed by Garret Yoshimi Date: 2024.11.04 14:50:41 -10'00'	Signature Date

**FOR OPM USE ONLY**

OPM COMMENTS:

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APPROVED       DENIED

CHIEF PROCUREMENT OFFICER, UNIVERSITY OF HAWAII

*November 25, 2024*  
 DATE