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STATE PROCUREMENT OFFICE
NOTICE OF AND REQUEST FOR EXEMPTION
FROM CHAPTER 103D, HRS

- 1. TO: Chief Procurement Officer
2. FROM: Attorney General, Hawaii Criminal Justice Data Center

Department/Division/Agency
Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction:
This request is for an exemption from Chapter 103D, HRS, to join and to procure technology services from a consortium of states who are building their justice information sharing systems. The Hawaii Integrated Justice Information Sharing Program (HIJIS) in the Hawaii Criminal Justice Data Center, Department of the Attorney General, is partially funded by the U.S. Department of Justice (US DOJ) to build a comprehensive justice information sharing program for Hawaii's state, city, county, and federal law enforcement and public safety community. (See attached for further details.)

4. Name of Vendor: Open Justice Broker Consortium (OJBC)
Address: 7311 Greenhaven Drive, Suite 145, Sacramento, CA 9583
5. Price: \$85,000.00

6. Term of Contract: From: 6/1/2011 To: 5/31/2012
7. Prior Exemption Ref. No. per Kishi recommended

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State
See attached.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
See attached.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
See attached.

**REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)**

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:		
Name	Position	Involvement in Process
Liane Moriyama	Administrator	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Laureen Uwaine	Assistant Administrator	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Clay Sato	Data Processing System Manager	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Arnold Kishi	Project Manager	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to: Department: Attorney General, HCJDC  
 Contact Name: Arnold Kishi  
 Phone Number: 808-587-3216  
 Fax Number: 808-587-3109

Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*

*Russell A. Supt*

*3-3-11*

Department Head

Date

**Reserved for SPO Use Only**

15. Date Notice Posted 3/15/2011

The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to:

Chief Procurement Officer  
 State Procurement Office  
 P.O. Box 119  
 Honolulu, Hawaii 96810-0119

**Chief Procurement Officer's comments:**

Approval is based on department's representation that developing the HIJIS before the November 2011 Asia Pacific Economic Cooperation (APEC) conference is vital toward providing assistance to the local law enforcement agencies in providing security services. OJBC is the only consortium of states working with the US Department of Justice to integrate the emerging series of national justice information sharing standards among the states. The OJBC is the most experienced source of specialized expertise that can modify components from other states to meet Hawaii's requirements and comply with the national standards.

This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply and award is required to be posted on the Awards Reporting System.

As a reminder, individual(s) participating in procurement activities are required to be in compliance with Procurement Delegation No. 2010-01 and Amendment 1, and Procurement Circular No. 2010-05, *Statewide Procurement Training*, as appropriate. Procurement requests submitted to the SPO listing departmental personnel without written delegated procurement authority and the appropriate mandatory procurement training will be returned.

16.  **APPROVED**     **DISAPPROVED**     **NO ACTION REQUIRED**

*Arnold Kishi*  
 Chief Procurement Officer      Date 5/17/2011

## **ATTACHMENT**

### **Request for Exemption from Chapter 103D, HRS**

#### **Description of Goods, Services, or Construction**

This request is for an exemption from Chapter 103D, HRS, to join and to procure technology services from a consortium of states who are building their justice information sharing systems. The Hawaii Integrated Justice Information Sharing Program (HIJIS) in the Hawaii Criminal Justice Data Center, Department of the Attorney General, is partially funded by the U.S. Department of Justice (US DOJ) to build a comprehensive justice information sharing program for Hawaii's state, city, county, and federal law enforcement and public safety community.

To meet that goal, HIJIS plans to acquire customized server and application software and services through the Open Justice Broker Consortium (OJBC), an organization created by state governments and governed by those states to exchange data among their disparate justice systems by 1) adopting cost-effective common open source, open standards software and design tools; 2) sharing and reusing the products among the states; and 3) implementing and integrating common standards being adopted by the justice community for nationwide information sharing and to support information exchange initiatives of the U.S. DOJ.

#### **Explanation Describing How Procurement by Competitive Means is Either Not Practical or Not Advantageous to the State:**

By pooling resources and experiences, sharing their expertise, and making software products they develop available for other member states to use, the OJBC member states, including Hawaii, significantly shorten time to build such systems and reduce overall development and maintenance costs. For example, if one member builds a useful software module or series of modules, other members could use those components as is, or tweak them for their own installations and have that application running at a fraction of the normal development time and cost.

The OJBC is the only consortium of states working with the US DOJ to integrate the emerging series of national justice information sharing standards among the states. Justice information sharing professionals in other state agencies and the OJBC technical staff have collaboratively built OJB software components that Hawaii can use for its systems. As the original OJB contractors, the OJBC is the most experienced source of specialized expertise that can modify components from other states to meet Hawaii's requirements and comply with the national standards.

The OJBC staff and member states have a demonstrated track-record of building, integrating, training, and supporting the new US DOJ standards and tools that HIJIS is adopting as part of its mandate from US DOJ: Service Oriented Architecture (SOA), the Global Justice Reference Architecture (JRA), the National Information Exchange Model (NIEM), Global Federated Identity and Privilege Management (GFIPM), Extensible Access Control Markup Language (XACML), and web services.

Further, HIJIS applications will play key roles in supporting the Asia Pacific Economic Cooperation (APEC) conference in Honolulu during November 2011. As this APEC event is designated a National Security Special Event with President Obama and heads of many countries in the region attending, local law enforcement has requested HIJIS to accelerate its development timetable to make sure these services are ready to assist them.

Given our relatively short timeframe and the complexities involved, dealing with other considerably less qualified vendors with little experience with OJBC products would work against the best interests of the state to support this important upcoming major event and the longer-term future of information sharing in Hawaii and nationally.

In summary, working with another vendor introduces significant risks of not implementing in time to support APEC, of developing products not consistent with justice information sharing development standards in other states, of taxing HIJIS staff resources to train a new vendor on national, HIJIS, and HCJDC-specific hardware and software environments, and of requiring considerably more funds to build systems from the ground up compared with reusing existing OJB software components that other vendors have little experience with.

**Details of the Process or Procedures to be Followed in Selecting the Vendor to Ensure Maximum Fair and Open Competition as Practical:**

In the future, once OJBC open standard technologies and national standards are more widely adopted and tested, we can expect to see other contractors who can support projects like this. Right now, since this is a new emerging area, only OJBC can deliver the specialized training, the OJBC software, and the OJBC development services that HIJIS needs within its project timeline and budget.

**A Description of the Agency's Internal Controls and Approval Requirements for the Exempted Procurement:**

The HIJIS project will follow these general procedures when contracting for software application development:

- Review and confirm service specifications and scope of work for requested services
- Work closely with OJBC staff to define roles and responsibilities
- Jointly develop schedules, work product expectations, cost estimates
- HIJIS monitors development activities
- OJBC provides services
- HIJIS tests, reviews, and accepts deliverables

We expect consultants working with HIJIS to have these Minimum Qualifications:

- Knowledge of HIJIS and related HCJDC hardware and software environment
- Knowledge of National Justice Standards, e.g., JRA, NIEM, GFIPM, XACML, etc.
- Knowledge of SOA, web services, and open source software related to integrating tools in Justice Systems