



RUSH
STATE PROCUREMENT OFFICE
**NOTICE OF REQUEST FOR EXEMPTION
FROM HRS CHAPTER 103D**

15 JUN -5 10:08

ADMINISTRATION
STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Department of Public Safety
Name of Requesting Department

Pursuant to HRS § 103D-102(b)(4) and HAR chapter 3-120, the Department requests a procurement exemption for the following:

1. Describe the goods, services or construction:
The Department of Public Safety (PSD) is requesting to purchase three (3) Computer Voice Stress Analyzer II (CVSA) computers/analyzers (truth verification devices also known as lie detectors), Final Analysis Confirmation Tool® (FACT®) scoring algorithm and 4-year onsite support hardware service warranty and accident protection plan from the National Institute of Truth Verification Federal Services (NITV FS). These voice stress analyzers (Upgraded Model II from original Model I) are the only devices that have the same software specifications and features as the existing equipment used by the PSD. Please see attached sheet for additional information.

2. Vendor/Contractor/Service Provider: National Institute for Truth Verification Federal Service (NITV FS)	3. Amount of Request: \$ 22,737.00
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4. Term of Contract From: 15-Jun-15 To: 15-Jul-15	5. Prior SPO-007, Procurement Exemption (PE): None
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6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:
NITV FS is the exclusive manufacturer/distributor of the CVSA II and there are no other U.S. distributors. NITV FS is the only U.S. voice stress analysis (VSA) manufacturer holding patents for its VSA technologies. Included with CVSA II, is the FACT® Scoring System that is only offered by the NITV FS, and can precisely classify and quantify stress in the human voice and evaluate CVSA II examination charts with an accuracy level greater than 98%. Additionally, the CVSA has been approved and upheld for use by both State and U.S. Federal Court Systems (see attached document entitled "CVSA Upheld by U.S. Courts"), and is used by approximately 2,000 U.S. and International Law Enforcement Agencies as well as elements of the U.S. Military and other U.S. Federal Agencies. The CVSA II is the only voice stress analyzer with Voice Imaging™ Technology, Report Auto-Write, and a patented scoring algorithm. Please see attached sheet for additional information.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:
The National Institute for Truth Verification Federal Service (NITV FS) is the only source for the Department of Public Safety (PSD) for the purchase of the requested CVSA II analyzers. Although ITV Consulting is also a source for CVSA II analyzers, it is the NITV FS's authorized distributor for the Canadian market. The NITV FS is the only source for the CVSA II analyzers in the U.S. While there may be other voice analyzer systems, none have been accepted by State and U.S. Federal Court systems nor are any compatible with the PSD's existing equipment.

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/Agency	Phone Number	e-mail address
Marc Yamamoto <i>msy 6/3/15</i>	PSD/ASO-PC	587-1215	marc.s.yamamoto@hawaii.gov

All requirements/approvals and internal controls for this expenditure is the responsibility of the department. I certify that the information provided above is, to the best of my knowledge, true and correct.

[Signature]

Department Head Signature

6/5/15

Date

For Chief Procurement Officer Use Only

Date Notice Posted: *6/16/2015*

Inquiries about this request shall be directed to the contact named in No. 8. Submit written objection to this notice to issue an exempt contract within seven calendar days or as otherwise allowed from date notice posted to:

state.procurement.office@hawaii.gov

Chief Procurement Officer (CPO) Comments:

Approval is granted with the understanding that the National Institute for Truth Verification Federal Services is the exclusive manufacturer/distributor of the CVSA II device and the CVSA II is the only system compatible with PSD's existing voice stress analyzer system. This approval is for \$22,737 for the period 6/15/2015 - 7/15/2015. This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112 shall apply (i.e., vendor is required to provide proof of compliance and may use the Hawaii Compliance Express) and the award is required to be posted on the Awards Reporting System. Copies of compliance and the awards posting are required to be documented in the procurement/contract file.

If there are any questions, please contact Stanton Mato at 586-0566, or email stanton.d.mato@hawaii.gov.

Approved

Disapproved

No Action Required

[Signature]

Chief Procurement Officer Signature

6/19/15

Date

Attachment to Notice of Request for Exemption for CVSA II Computers

1. Describe the goods, services or construction (continuation):

Computer Voice Stress Analyzer (CVSA) technology measures microtremor frequency modulations in the human voice. When a test subject answers questions and is not being truthful, the automatic involuntary nervous system, causes inaudible changes in the subject's microtremor voice frequency. Along with the requested Final Analysis Confirmation Tool, the system is able to record and evaluate the subject's voice patterns and determine if the subject is being truthful or deceptive.

The purpose of the CVSA system is not for use on criminal suspects, but for the screening of deputy sheriff applicants. Unlike typical polygraph systems, with the CVSA system, no wires are attached to the subject that could cause them to be nervous and affect the test results. Also unlike the typical polygraph system, drugs and medical issues do not affect the results of the CVSA and there are no known other countermeasures (i.e. controlled breathing, etc.) to cause inconclusive results.

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means (continuation):

The requested Computer Voice Stress Analyzers (CVSA) is the only system compatible with PSD's existing voice stress analyzer system. Consistent methodology and equipment is necessary to insure testing results are fair and compatible for all tested applicants.

Because PSD staff have already been trained on the existing CVSA analyzers, no down time is required for training on another manufacturer's system.

The requested CVSA analyzers are needed to test current deputy sheriff applicants and the upcoming approximate 400 applicants under current recruitment efforts.

The National Institute for Truth Verification Federal Service is the only source for the CVSA II analyzers in the U.S. While there may be other voice analyzer systems, none have been accepted by State and U.S. Federal Court systems nor are any compatible with PSD's existing system.