

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

06 JUN 13 AM 11:56

TO: Chief Procurement Officer

STATE PROCUREMENT OFFICE
STATE OF HAWAII

FROM: DOT/Airports Division/Oahu District
(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:

Description of goods, services, or construction:
Services to obtain fingerprint based criminal history background record checks from the American Association of Airport Executives (AAAE) Transportation Security Clearing House for all airport employees and tenants who require unescorted security clearance or who perform their duties within the "sterile" areas of the airport.

Name of Vendor: American Association of Airport Executives Address: 601 Madison Street, Suite 400 Alexandria, VA 22314	Cost: \$300,000.00 (\$29.00 per record check)
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Term of Contract: From: July 1, 2006 To: June 30, 2008	Prior Exemption Ref. No. (if applicable) 05-37-J
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Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

The U.S. Department of Homeland Security endorses the services provided by AAAE and mandated that airport operators conduct criminal history record checks of all individuals who perform duties in the airport's sterile area or have unescorted access to the airport's security identification display area (Aviation Security Directive 1542-04-08A). The \$29.00 fee is broken down as follows:

- \$22.00 to the FBI for conducting the criminal history background check
- \$ 5.00 to U.S. Office of Personnel Management (OPM) for its services
- \$ 2.00 to the AAAE for processing, accounting and other administrative expenses.

The Security Directive states that the airport must submit fingerprints within 72 hours of obtaining the fingerprints from the individual. Using the AAAE greatly reduces the airport's costs and the turnaround time to obtain security clearances for personnel who are required to have them.

Details of the process or procedure to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

The AAAE is comprised of various airline and airport organizations. The AAAE was developed to lobby the federal government to keep airline and airport costs down. There is no reason to believe that another entity would be able to provide this service in such an affordable, accurate and timely manner. The AAAE is the only non-government agency that performs this function.

Also, as stated in the Amended Exemption (05-37-J/C) AAAE is not able to supply the State with the Documentation required under Section 103D-310, HRS. We request inclusion of this exemption also in this request.

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

Purchase orders will be issued on a quarterly basis following our Department's procurement delegation.

A list of agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Joseph Guyton, Airport Security Manager
 James Pratt, Airside Operations Manger
 Benjamin Schlapak, Airport Manager, Oahu District
 Brian Sekiguchi, Deputy Director for Airports
 Rodney Haraga, Director

Direct questions to:	James Pratt	Phone Number:	836-6428
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This exemption should be considered for list of exemptions attached to Chapter 3-120, HAR: Yes No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS, TO THE BEST OF MY KNOWLEDGE, TRUE AND CORRECT.

Benjamin Schlapak 6/6/02
 Department Head or Designee Date

Deputy Director
 Title (If other than Department Head)

Chief Procurement Officer's Comments:

This approval for a one-year period is based on the DOT's representation that there is no other entity that would be able to provide this service in such an affordable, accurate, and timely manner. Any future requests should include documentation to support this representation.

Please ensure adherence to applicable administrative requirements.

APPROVED DISAPPROVED

Aaron S. Fujihira 6/20/06
 Chief Procurement Officer Date

cc: Administrator,
 State Procurement Office

