



11-2014-011

**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:

The Hawaii Criminal Justice Data Center (HCJDC) requires services for the configuration and training in the use of IBM's Rational Testing tools Performance Tester and Rational Robot. The two tools will be utilized to perform regression and stress testing for the CJIS-Hawaii system. CJIS-Hawaii has been operational since 2002 and it has been determined that these testing tools are necessary to maintain the system integrity of CJIS-Hawaii.

4. Name of Vendor: IBM Corporation
Address: 1240 Ala Moana Blvd.
Honolulu, Hawaii 96814

5. Price:
\$22,913.08

6. Term of Contract: From: 01/07/2008 To: 02/29/2008

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:

The services required include technical knowledge of the installation, configuration, and troubleshooting of the Performance Tester and Rational Robot testing tools. Research was performed by the HCJDC to determine if any local vendors, in addition to IBM, were authorized by IBM to perform the desired services. IBM was the only vendor with a Hawaii presence that was found to be authorized. The HCJDC will be relying on the testing tools to certify a major upgrade to CJIS-Hawaii's application server. This upgrade needs to be implemented in a short time frame because it is holding up many follow-on projects for CJIS-Hawaii

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

A Request for Quotes was solicited through HePS. IBM submitted a price quote, but was found to be nonresponsive to the other requirements. Because IBM has been identified as the only vendor with a Hawaii presence that is authorized to provide the necessary services, a procurement exemption is necessary in order to facilitate negotiations with IBM.

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

The HCJDC and IBM has developed a Statement of Work (attached) for the services to be performed. The tasks in the Statement of Work have been reviewed by the HCJDC project team and the AG Admin Division. This procurement will be reviewed by the HCJDC Administrator, Assistant Administrator, and Data Processing Systems Manager before it can proceed.

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 type="checkbox"/> Administration
Laureen Uwaine	Assistant Administrator	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Clay Sato	Data Processing Systems Manager	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
John Maruyama	Information Systems Chief	<input 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 Contact Name: John Maruyama Phone Number: 587-3366 Fax Number: 587-3109
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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.*


 Department Head

1/8/08
 Date

Reserved for SPO Use Only	
	15. Date Notice Posted <u>1/17/08</u>
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: <p align="center"> Chief Procurement Officer State Procurement Office P.O. Box 119 Honolulu, Hawaii 96810-0119 </p>	
Chief Procurement Officer's comments: <p align="center"> If no responsive, responsible quotes are received through the HePS and certain conditions are met, HAR section 3-122-78(d) allows the procuring agency to utilize an alternative procurement process. For that reason, this request is returned with no action required. </p>	

16. APPROVED DISAPPROVED NO ACTION REQUIRED


 Chief Procurement Officer Date 1/23/08