

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

TO: Chief Procurement Officer

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:

Service 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 "sterile" areas of the airport.

Name of Vendor: American Association of Airport Executives	Cost: \$300,000.00
Address: 601 Madison Street Suite 400 Alexandria, VA 22314	(\$27.00 per record check)

Term of Contract:	From: July 1, 2008:	To: June 30, 2010 <i>June 30, 2009</i>	Prior Exemption Ref. No. (if applicable) 06-087-C
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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 endorsed the services provided by AAAE and mandated airport operators to 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 1542-04-8E). The \$27.00 fee is broken down as follows:

\$22 of the total goes to the FBI for conducting the records check
\$ 3 of the total goes to the US Office of Personnel Management (OPM) for its services
\$ 2 of the total goes to AAAE to cover expenses for all front end processing, accounting and customer service.

Furthermore, in accordance with Aviation Security Directive 1542-04-08E, airport operators must submit fingerprints for each individual who is employed or performs duties in the sterile area or is applying for such to the Transportation Security Administration, except for individuals who have successfully completed a fingerprint-based criminal history records check to the American Association of Airport Executives (AAAE) Transportation Security Clearinghouse.

Using AAAE's services greatly reduces airport costs and improves turnaround times to obtain security clearances for personnel who are required to obtain a security clearance.

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 airlines and airports who become paying members of this organization. The organization was developed to lobby the federal government to keep airline and airport costs down. There are no reasons to believe that another entity would be able to provide such an affordable, accurate and timely service at this time. The AAAE is the only non-government agency that performs this function. As stated in Exemption 06-087-C, AAAE is not able to supply the State with the documentation required under Section 103D-310, HRS. An exemption from that requirement is also included 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:

James Pratt, Airside Operations Manager
 Benjamin Schlapak, Airport Manager, Oahu District
 Brian Sekiguchi, Deputy Director for Airports
 Brennon Morioka, 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.

 4/25/08
 Department Head or Designee Date
 Deputy Director
 Title (If other than Department Head)

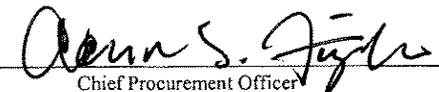
Chief Procurement Officer's Comments:

This approval is based on the DOT-Airport's Manager representation that it is the Federal Government (TSA) directive that requires the DOT to use this contractor for these services. This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply.

Please use the most current SPO forms that are available at www.hawaii.gov/spo

Please ensure adherence to applicable administrative requirements.

APPROVED DISAPPROVED

 7/9/08
 Chief Procurement Officer Date

cc: Administrator,
 State Procurement Office



STATE OF HAWAII
NOTICE OF EXEMPTION FROM CHAPTER 103D, HRS

The Chief Procurement Officer is in the process of reviewing the request from the Department of Transportation for exemption from Chapter 103D, HRS, for the following goods, services, or construction:

Service to obtain criminal history record checks from the American Association of Airport Executives Transportation Security Clearing House.

Vendor: American Association of Airport Executives
Address: 601 Madison Street Suite 400
Alexandria, VA 22314

Term of Contract: From: July 1, 2008 To: June 30, 2010 | **Cost:** \$300,000.00
(\$27.00 per record check)

Direct any inquiries to:
Department: Department of Transportation/Airports Division/Oahu District
Contact Name/Title: James Pratt/Airside Operations Manager
Address: 300 Rodgers Blvd #12
Honolulu, HI 96819-1897

Phone Number: (808) 836-6428
Fax Number: (808) 836-6682

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Date Posted: 6/30/08

A copy of this notice of exemption from Chapter 103D, HRS, shall be posted by the Chief Procurement Officer and the purchasing agency in an area accessible to the public, at least seven (7) calendar days prior to any approval action.

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

Chief Procurement Officer  
Office/Agency \_\_\_\_\_  
Address \_\_\_\_\_