

April 28, 2016

HAR 2864.16



STATE PROCUREMENT OFFICE  
NOTICE & REQUEST FOR SOLE SOURCE

Received by  
State Procurement Office  
05/17/2016

TO: Chief Procurement Officer  
FROM: Transportation, Harbors Division  
Name of Requesting Department

Pursuant to HRS §103D-306 and HAR chapter 3-122, Subchapter 9, the Department requests sole source approval to purchase the following:

1. Describe the goods, services, or construction to be procured.  
The Hawaii Tourism Authority (HTA) awarded to The Mariner Group, LLC, a wholly owned subsidiary of ARES Security Corporation, Contract CON15001 to develop a web-based cruise line vessel scheduling system for cruise line agents to plan their itinerary and reserve berths four (4) years in advance of arrival. Except for the Norwegian Cruise Lines which is home ported in Hawaii, cruise line agents reserve berths one to three times a year and up to four years in advance. In order to prevent scheduling conflicts, the DOTH requires cargo ship agents like Matson, Young Brothers, and PASHA, to reserve regular scheduled berths for their cargo vessels similarly and four years in advance. The DOTH requires technical services to enhance the HTA vessel scheduling system to allow cargo ship agents to make recurring weekly reservations for each vessel and barge at each island's berths for the next four years in advance. Cargo agents will be able to edit their regular vessel schedules as needed for efficient scheduling instead of having to enter schedules on a (See Attached)

2. Vendor/Contractor/Service Provider Name: PortCall Inc.	3. Amount of Request: \$95,000.00
4. Term of contract (shall not exceed 12 months), if applicable: From: <u>1-Jun-16</u> To: <u>31-Dec-16</u>	5. Prior SPO-001, Sole Source (SS) No.: None

6. Describe in detail the following:  
a. The unique features, characteristics, or capabilities of the goods, service or construction.  
PortCall.com is a functional berth reservation and vessel scheduling system software product. DOTH is requesting enhancements to the current product functionality as built under the original scope of HTA contract CON15001. The proposed procurement to enhance the HTA vessel scheduling system for the DOTH includes programming recurring weekly reservations for each cargo vessel and barge, for port visits to each island; to allow for more efficient editing of weekly cargo berths reservations. These changes will significantly enhance the utility of the system including better response time to cargo vessel agent input requests for berthing reservations made for port visits to occur years in advance.  
b. How the unique features, characteristics or capabilities of the goods, service or construction are essential for the department  
The changes described in section 1 build on the capabilities of Hawaii.PortCall.com to address the scheduling needs of the cargo vessel community that were not included in the initial scope of the HTA project. Since launching the system, DOTH has received constructive feedback from key customer groups, including Pasha Hawaii, Matson, Young Bros. and Sause Bros. In order to prevent scheduling conflicts, it is essential for all cargo agents to enter their cargo vessel berth reservations in Hawaii.Portcall.com. To address scheduling cargo vessel berths years in advance and support the HTA marketing efforts, the DOTH is requiring cargo agents to enter theirvessel berthing reservations years in advance. These enhancements will make reserving berths for cargo vessels through <http://hawaii.portcall.com/> efficient. These changes will also enhance coordination and prevent scheduling conflicts between agents and harbor schedulers of cruise line agents and cargo vessel schedulers.

7. Describe the efforts and results in determining that this is the only vendor/contractor/service provider who can provide the goods, services or construction.

DOTH reviewed HTA's Contract CON15001 and determined that no third party is authorized to make changes to the PortCall functionality or underlying code base. Accordingly the End User License Agreement (EULA) purchased under HTA CON 15001, PortCall Inc., the current owner of the software is the only vendor authorized to make changes to the software. The EULA granted HTA "a non-exclusive, perpetual and fee bearing license." PortCall Inc. is the current title owner and proprietor of Hawaii.PortCall.com. The source code (uncompiled software) is protected by copyright. and any attempt to decompile HTA's copy of the software would violate the EULA and the PortCall Intellectual Property Agreement between ARES Security Corporation and PortCall Inc.

8. Alternate source. Describe the other possible sources for the goods, services, or construction that were investigated but did not meet the department's needs.

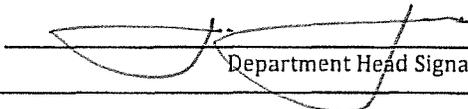
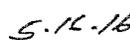
The HTA procured a license to the proprietary software for \$241,500 but not the source codes. The DOTH has not expended any funds for <http://hawaii.portcall.com/>. The source codes are essential to implement programming enhancements to allow vessel berthing to be scheduled years in advance which will prevent scheduling conflicts between passenger ships and cargo ships. The DOTH enhancements is projected to cost \$95,000. Procuring the enhancements avoids duplicating the HTA operating system. The DOTH requests to enhance the system and avoid the risk of an unsuccessful and potentially costly integration by another system developer with Hawaii.PortCall.com.

9. 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
Davis K. Yogi *	Harbors	587-1928	davis.k.yogi@hawaii.gov
Ford N. Fuchigami	DOT	587-2150	Ford.N.Fuchigami@hawaii.gov

Department shall ensure adherence to applicable administrative and statutory requirements, including HAR chapter 3-122, Subchapter 15, Cost or Pricing Data if required.

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


 \_\_\_\_\_ Department Head Signature
 
  
 \_\_\_\_\_ Date

**For Chief Procurement Officer Use Only**

Date Notice Posted: 5/18/2016

Submit written objection to this notice to issue a sole source 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 for the period 6/1/2016 to 12/31/2016 and is based on the department's determination that PortCall, Inc. is the owner and proprietor of Hawaii.PortCall.com and is the sole source vendor to add the source code to the existing software stated in the End-User License Agreement. 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) for all contracts awarded, and award is required to be posted on the Awards Reporting System. Copies of the HCE certificates and 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](mailto:stanton.d.mato@hawaii.gov).

Approved       Disapproved       No Action Required

      6/1/16  
Chief Procurement Officer Signature      Date

**1. Describe the goods and / or services:**

(continued) a weekly basis. The source code and programming for this web-based scheduling system, Hawaii.PortCall.com, (PortCall) is protected by copyright, i.e. it is a proprietary software system. The enhancements will include:

**Recurring Reservation Module:** Enhance the current reservation process to address high volume reservation entry. Provide support for the scheduling of recurring berth reservations with an interface similar to recurring calendar items.

**Reservation Conflicts:** Modify current workflow to allow for reservation conflicts. Provide support for the submission and resolution of conflicting reservations. Modify the Berth Timeline user interface (UI) and other UI as needed to visualize conflicting reservations. The system shall detect three types of conflicts: 1) reservation overlaps or double booking, 2) length violations (vessel length greater than berth length, and 3) draft violations, where the vessel's planned draft (as entered by users) is greater than the maximum vessel draft allowed at the berth.

**Traffic Manager Module:** Enhance and relocate the current Vessel Movements view of PortCall to improve the management and recording of vessel arrivals, departures and other harbor movements. The enhancement will: Provide a comprehensive agenda of daily vessel traffic for use by operations watch standers. Consolidate existing application functions with the Vessel Movements view to provide access to the following functions: recording actual line times, and providing navigation shortcuts to the Berth Timeline or PortCall profile for the selected reservation.

**Berth Manager's Dashboard:** Consolidate daily berth manager workflow and notifications into a dashboard. The dashboard shall include four distinct summary sections: the Reservation Activity Feed, the Operations Forecast, the Daily Vessels in Port list, and the Pier-Side Services Schedule. Each summary section shall provide a situation awareness widget for quick reference. Each widget will open into a full page view displaying the related information and providing additional functionality.

- 1) Reservation Activity Feed: the activity feed will list notifications for reservation activities. The list will be in reverse chronological order (newest reservation listed first) and the list will be filterable by notification category. Each notification will summarize the trigger action and provide functionality for the berth manager to acknowledge, process, and clear the notification from the list. The notifications will be grouped into the following categories:
  - a. New Reservation Submissions:
  - b. Reservation Changes: show all reservation changes that require action.
  - c. Conflicts: List Reservations that are in conflict.

- d. Open Reservations: display reservations past due for recording actual line times.
- 2) Operations Forecast: display a 3-day forward view/forecast of arrivals, departures, and shifts. The full page view shall display reservations in a time-based display similar in style to a GANTT chart. Each reservation display shall provide edit capabilities for key reservation details.
- 3) Daily Vessels in Port List: a daily list of vessels in port (up-to-at the time of viewing), and a list of available berths for the day.
- 4) Pier-Side Services Schedule: an agenda style summary of requested services for daily pier-side operations. This is a summary of the services scheduled as part of the new Approval Cards, described below.

**Reporting Enhancements:** Provide the general enhancements to the Reservation Report and Berth Managers Report. Implement export capabilities in selectable formats (PDF or comma-separated-values). Enhance the filtering capabilities to allow for multiple and/or conditions and provide grouping capabilities.

**Vessel Profiles:** Provide additional management for vessel data. Add a Vessel Profiles menu item under the More menu that lists all the vessel records in the database. Integrate vessel particulars via web services from Lloyd's, USCG PSIX and [MarineTraffic.com](http://MarineTraffic.com). Berth Managers shall be able to edit vessel particulars, such as length overall and gross tonnage, as well as choose which data source to use for each vessel field. Provide paid web services from Lloyd's (IHS Fairplay) for one year. The Vessel Profile shall also display the vessel's past and future PortCalls. Agents and other requestors shall be able to schedule port calls from the vessel profile, including scheduling recurring reservations.

**Enhance Approval Cards:** Enhance Approval Cards to support a configurable notification workflow where user's created Approval Cards can select one or more users as managers for the card topic. Card Managers shall have all approval authority over cards with their topic, and will receive notifications on changes to the cards. Implement Approval Cards as part of the Berth Services Request function. Integrate a **Services Schedule** on the Berth Managers dashboard which summarizes all requested services into an agenda view for daily pier-side operations.

**General Enhancements:** Add support for stern-to mooring. Show vessel beam as the reservation length on the Berth Timeline. Add support to allow scheduling of alongside reservations (rafting or bunkering). Allow users to create reservations that are outboard of another vessel already scheduled at the berth. Modify UI to visualize rafted reservations. Add support for two vessels on a reservation to reflect a berth request for a tug/barge combination.

NOTICE OF REQUEST FOR SOLE SOURCE HRS 103D-306  
Software Enhancements to Hawaii.PortCall.com  
April 28, 2016

**Training:** source provide 10-days of onsite training statewide. Provide separate modules for berth managers and agents. Cover material on new features and enhancements, as well as provide refresher topics. Coordinate all industry visits with DOT Harbors POC. Provide up to an additional 5 webinar training sessions.

**SS16-061S**