

# REQUEST FOR LEGAL SERVICES

**Date:** September 26, 2017  
**From:** Don Guzman, Chair  
Parks, Recreation, Energy, and Legal Affairs Committee


TRANSMITTAL

**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Gary Murai, Esq.

**Subject:** AUTHORIZING THE EMPLOYMENT OF THE LEGAL AID SOCIETY OF HAWAII AS SPECIAL COUNSEL FOR LEGAL SERVICES ADMINISTERED THROUGH THE OFFICE ON AGING (PRL-8)

**Background Data:** Attached is a markup reflecting the revisions made to the proposed resolution at the 09/19/17 Committee meeting as well as a nonsubstantive revision. Also attached is a clean hard copy for your review and approval. Please return a signed, hard copy of the resolution with your response.

**Work Requested:**  FOR APPROVAL AS TO FORM AND LEGALITY  
 OTHER:

|   |   |
|---|---|
| Requestor's signature<br><br>Don Guzman | Contact Person<br><u>Carla Nakata or James Krueger</u><br>(Telephone Extension: 7659 or 7761, respectively) |
|---|---|

ROUTINE (WITHIN 15 WORKING DAYS)       RUSH (WITHIN 5 WORKING DAYS)  
 PRIORITY (WITHIN 10 WORKING DAYS)       URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): September 27, 2017  
REASON: To meet posting deadline for October 6, 2017 Council meeting.

## FOR CORPORATION COUNSEL'S RESPONSE

|              |                |     |
|--------------|----------------|-----|
| ASSIGNED TO: | ASSIGNMENT NO. | BY: |
|--------------|----------------|-----|

TO REQUESTOR:  APPROVED  DISAPPROVED  OTHER (SEE COMMENTS BELOW)  
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEPARTMENT OF THE CORPORATION COUNSEL

Date \_\_\_\_\_

By \_\_\_\_\_

(Rev. 7/03)

prl:ltr:008acc01:jgk/cmn

Attachments

# Resolution

NO. \_\_\_\_\_

AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL  
LEGAL AID SOCIETY OF HAWAII FOR LEGAL SERVICES  
ADMINISTERED THROUGH THE OFFICE ON AGING

WHEREAS, the Department of Housing and Human Concerns (“Department”) has acquired funds under the Older Americans Act to provide legal assistance to individuals qualified to receive such assistance (“qualified individuals”); and

WHEREAS, the Department has operated this program as a grant in the past, but is now required by the State of Hawaii, Department of Health, Executive Office on Aging, to operate and administer such funds as a contract for services; and

WHEREAS, the Department desires to provide this essential service to qualified individuals of the County; and

WHEREAS, Legal Aid Society of Hawaii desires to provide the services pursuant to the scope of work indicated in the Request for Proposals (“RFP”); and

WHEREAS, the Department procured services of Legal Aid Society of Hawaii through the bidding procurement process, RFP No. 16-17/P-96; and

**Resolution No. \_\_\_\_\_**

WHEREAS, pursuant to RFP No. 16-17/P-96, Legal Aid Society of Hawaii was the only and winning bidder; and

WHEREAS, pursuant to Section 3-6(6) of the Revised Charter of the County of Maui (1983), as amended, the Council alone is authorized to retain or employ special counsel by resolution adopted by a two-thirds vote; and

WHEREAS, the Department finds that, because of the need for specialized expertise and services, there is a real necessity to retain Legal Aid Society of Hawaii as special counsel to provide legal services to qualified individuals; and

WHEREAS, Legal Aid Society of Hawaii shall conduct itself in a manner consistent with the scope of work and terms and conditions contained in RFP No. 16-17/P-96 and as may be imposed and required by the Contract and County General Terms and Conditions; now therefore,

**BE IT RESOLVED** by the Council of the County of Maui:

1. That the Council hereby authorizes the employment of Legal Aid Society of Hawaii as special counsel to provide legal services to qualified individuals as administered through the Maui County Office on Aging and the Older Americans Act; and

**Resolution No. \_\_\_\_\_**

2. That the total compensation, including any costs incurred, for the employment of Legal Aid Society of Hawaii as special counsel for two years shall not exceed \$70,000 per year (\$140,000 total), inclusive of all taxes, subject to the availability of Older Americans Act funds or similar, non-County funds; and

3. That the hourly attorney rate charged shall be \$40.00 per hour, which is well below market pricing; and

4. That the funds for the two-year contract period shall be expended according to the Cost Proposal attached as Exhibit "A" hereto, which is by reference incorporated herein; and

5. That the expenditures of additional funds or substantial changes to the responsibilities of the parties shall require Council approval; and

6. That, notwithstanding the contract period stated in Exhibit "A," the contract period shall be from October 1, 2017 through September 30, 2019; and

7. That certified copies of this Resolution be transmitted to the Mayor, the Corporation Counsel, the Director of Housing and Human Concerns, and the Director of Finance.

**Resolution No.** \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY

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Deputy Corporation Counsel  
County of Maui

prl:misc:008areso01:jgk/cmn

**VII-B**

**COST PROPOSAL**

**EXHIBIT " A "**

# BUDGET

(Period October 1, 2017 to September 30, 2018)

Applicant/Provider: Legal Aid Society of Hawaii  
 RFP No.: 16-17/P-96  
 Contract No. (As Applicable): \_\_\_\_\_

| BUDGET CATEGORIES                        | Budget Request (a) | (b)  | (c) | (d) |
|--|--------------------|--|-----|-----|
| <b>A. PERSONNEL COST</b>                 |                    |  |     |     |
| 1. Salaries                              | 47,738             |  |     |     |
| 2. Payroll Taxes & Assessments           | 5,251              |  |     |     |
| 3. Fringe Benefits                       | 8,593              |  |     |     |
| <b>TOTAL PERSONNEL COST</b>              | <b>61,582</b>      |  |     |     |
| <b>B. OTHER CURRENT EXPENSES</b>         |                    |  |     |     |
| 1. Airfare, Inter-Island                 | 450                |  |     |     |
| 2. Airfare, Out-of-State                 |                    |  |     |     |
| 3. Audit Services                        | 300                |  |     |     |
| 4. Contractual Services - Administrative |                    |  |     |     |
| 5. Contractual Services - Subcontracts   |                    |  |     |     |
| 6. Insurance                             | 250                |  |     |     |
| 7. Lease/Rental of Equipment             | 450                |  |     |     |
| 8. Lease/Rental of Motor Vehicle         |                    |  |     |     |
| 9. Lease/Rental of Space                 | 4,268              |  |     |     |
| 10. Mileage                              | 200                |  |     |     |
| 11. Postage, Freight & Delivery          |                    |  |     |     |
| 12. Publication & Printing               |                    |  |     |     |
| 13. Repair & Maintenance                 |                    |  |     |     |
| 14. Staff Training                       |                    |  |     |     |
| 15. Substance/Per Diem                   |                    |  |     |     |
| 16. Supplies                             | 200                |  |     |     |
| 17. Telecommunication                    | 1,150              |  |     |     |
| 18. Transportation                       | 450                |  |     |     |
| 19. Utilities                            |                    |  |     |     |
| 20. Litigation                           | 500                |  |     |     |
| 21. Outreach                             | 200                |  |     |     |
| 22.                                      |                    |  |     |     |
| 23.                                      |                    |  |     |     |
| <b>TOTAL OTHER CURRENT EXPENSES</b>      | <b>8,418</b>       |  |     |     |
| <b>C. EQUIPMENT PURCHASES</b>            |                    |  |     |     |
| <b>D. MOTOR VEHICLE PURCHASES</b>        |                    |  |     |     |
| <b>TOTAL (A+B+C+D)</b>                   | <b>70,000</b>      |  |     |     |
| <b>SOURCES OF FUNDING</b>                | (a) Budget Request | Budget Prepared By:<br>Wayne Keawe (808) 527-8060<br>Name (Please type or print) Phone |     |     |
|  | (b)                | Signature of Authorized Official Date<br>5/31/2017                                     |     |     |
|  | (c)                | M. Nalani Fujimori Kaina, Executive Director<br>Name and Title (Please type or print)  |     |     |
|  | (d)                | For State Agency Use Only  |     |     |
| <b>TOTAL REVENUE</b>                     |                    | Signature of Reviewer Date   |     |     |

# ORGANIZATION - WIDE BUDGET BY SOURCE OF FUNDS

(Period October 1, 2017 to September 30, 2018)

Applicant/Provider: Legal Aid Society of Hawaii  
 RFP No.: 16-17/P-96  
 Contract No. (As Applicable): \_\_\_\_\_


| BUDGET CATEGORIES                        | Total Funds<br>(a) | TITLE III<br>(b)   | STATE FUNDS<br>(c) | FEDERAL FUNDS<br>(d) |
|--|--------------------|--|--------------------|----------------------|
| <b>A. PERSONNEL COST</b>                 |                    |  |                    |                      |
| 1. Salaries                              | 337,210            | 47,738   | 115,789            | 173,683              |
| 2. Payroll Taxes & Assessments           | 37,093             | 5,251  | 12,737             | 19,105               |
| 3. Fringe Benefits                       | 64,070             | 8,593  | 22,190             | 33,286               |
| <b>TOTAL PERSONNEL COST</b>              | <b>438,373</b>     | <b>61,582</b>  | <b>150,716</b>     | <b>226,074</b>       |
| <b>B. OTHER CURRENT EXPENSES</b>         |                    |  |                    |                      |
| 1. Airfare, Inter-Island                 | 2,000              | 450  | 620                | 930                  |
| 2. Airfare, Out-of-State                 |                    |  |                    |                      |
| 3. Audit Services                        | 1,200              | 300  | 360                | 540                  |
| 4. Contractual Services - Administrative | 500                |  |                    |                      |
| 5. Contractual Services - Subcontracts   |                    |  |                    |                      |
| 6. Insurance                             | 4,200              | 650  | 1,420              | 2,130                |
| 7. Lease/Rental of Equipment             | 3,309              | 450  | 1,144              | 1,715                |
| 8. Lease/Rental of Motor Vehicle         |                    |  |                    |                      |
| 9. Lease/Rental of Space                 | 51,700             | 4,268  | 18,973             | 28,460               |
| 10. Mileage                              | 1,500              | 200  | 520                | 780                  |
| 11. Postage, Freight & Delivery          |                    |  |                    |                      |
| 12. Publication & Printing               |                    |  |                    |                      |
| 13. Repair & Maintenance                 |                    |  |                    |                      |
| 14. Staff Training                       |                    |  |                    |                      |
| 15. Substance/Per Diem                   |                    |  |                    |                      |
| 16. Supplies                             | 7,700              | 200  | 3,000              | 4,500                |
| 17. Telecommunication                    | 5,000              | 1,150  | 1,540              | 2,310                |
| 18. Transportation                       |                    |  |                    |                      |
| 19. Utilities                            |                    |  |                    |                      |
| 20. Litigation                           | 4,800              | 500  | 1,720              | 2,580                |
| 21. Outreach                             | 1,000              | 250  | 750                | 450                  |
| 22.                                      |                    |  |                    |                      |
| 23.                                      |                    |  |                    |                      |
| <b>TOTAL OTHER CURRENT EXPENSES</b>      | <b>82,909</b>      | <b>8,418</b>   | <b>30,047</b>      | <b>44,395</b>        |
| <b>C. EQUIPMENT PURCHASES</b>            |                    |  |                    |                      |
| <b>D. MOTOR VEHICLE PURCHASES</b>        |                    |  |                    |                      |
| <b>TOTAL (A+B+C+D)</b>                   | <b>521,282</b>     | <b>70,000</b>  | <b>180,763</b>     | <b>270,469</b>       |
| <b>SOURCES OF FUNDING</b>                |                    | Budget Prepared By:  |                    |                      |
| (a) Total Funds                          |                    | Wayne Keawe (808) 527-8080<br>Name (Please type or print) Phone  |                    |                      |
| (b)                                      |                    | 7/24/2017<br>Signature of Authorized Official Date   |                    |                      |
| (c)                                      |                    | Angela J. Lovitt, Director of Professional Development & Compliance<br>Name and Title (Please type or print) |                    |                      |
| (d)                                      |                    | For State Agency Use Only  |                    |                      |
| <b>TOTAL REVENUE</b>                     |                    | Signature of Reviewer Date   |                    |                      |



# ORGANIZATION - WIDE BUDGET BY PROGRAMS

(Period October 1, 2017 to September 30, 2018)

Applicant/Provider Legal Aid Society of Hawaii  
 RFP No. : 16-17/P-96  
 Contract No. (As Applicable): \_\_\_\_\_

| BUDGET CATEGORIES                        | (a)                             | (b)   | (c)                      | (d)   |
|--|---------------------------------|---|--------------------------|---|
|  | Contract/RFP#:<br>G4373         | Contract/RFP#:<br>C5953                         | Contract/RFP#:<br>J18004 | Contract/RFP#:<br>J18004  |
| Program:                                 | Program: Legal Services         | Program: Holistic Legal Services                | Program: Title III       | Program: GAL  |
| <b>A. PERSONNEL COST</b>                 |                                 |   |                          |   |
| 1. Salaries                              | 187,412                         | 61,560  | 47,738                   | 40,500  |
| 2. Payroll Taxes & Assessments           | 22,131                          | 5,256   | 5,251                    | 4,455   |
| 3. Fringe Benefits                       | 40,304                          | 7,883   | 8,593                    | 7,290   |
| <b>TOTAL PERSONNEL COST</b>              | <b>249,847</b>                  | <b>74,699</b>                                   | <b>61,582</b>            | <b>52,245</b>   |
| <b>B. OTHER CURRENT EXPENSES</b>         |                                 |   |                          |   |
| 1. Airfare, Inter-Island                 | 1,550                           |   | 450                      |   |
| 2. Airfare, Out-of-State                 |                                 |   |                          |   |
| 3. Audit Services                        | 900                             |   | 300                      |   |
| 4. Contractual Services - Administrative | 500                             |   |                          |   |
| 5. Contractual Services - Subcontracts   |                                 |   |                          |   |
| 6. Insurance                             | 3,550                           |   | 650                      |   |
| 7. Lease/Rental of Equipment             | 2,895                           |   | 450                      |   |
| 8. Lease/Rental of Motor Vehicle         |                                 |   |                          |   |
| 9. Lease/Rental of Space                 | 41,432                          |   | 4,268                    | 6,000   |
| 10. Mileage                              | 100                             |   | 200                      | 1,200   |
| 11. Postage, Freight & Delivery          |                                 |   |                          |   |
| 12. Publication & Printing               |                                 |   |                          |   |
| 13. Repair & Maintenance                 |                                 |   |                          |   |
| 14. Staff Training                       |                                 |   |                          |   |
| 15. Substance/Per Diem                   |                                 |   |                          |   |
| 16. Supplies                             | 7,200                           |   | 200                      | 300   |
| 17. Telecommunication                    | 2,950                           |   | 1,150                    | 900   |
| 18. Transportation                       |                                 |   |                          |   |
| 19. Utilities                            |                                 |   |                          |   |
| 20. Litigation                           | 4,300                           |   | 500                      |   |
| 21. Other                                | 449                             | 301   | 250                      |   |
| 22.                                      |                                 |   |                          |   |
| 23.                                      |                                 |   |                          |   |
| <b>TOTAL OTHER CURRENT EXPENSES</b>      | <b>65,826</b>                   | <b>301</b>                                      | <b>8,418</b>             | <b>8,400</b>  |
| <b>C. EQUIPMENT PURCHASES</b>            |                                 |   |                          |   |
| <b>D. MOTOR VEHICLE PURCHASES</b>        |                                 |   |                          |   |
| <b>TOTAL (A+B+C+D)</b>                   | <b>315,673</b>                  | <b>75,000</b>                                   | <b>70,000</b>            | <b>60,645</b>   |
| <b>SOURCES OF FUNDING</b>                |                                 |   |                          |   |
| (a) Budget Request                       |                                 |   |                          |   |
| (b)                                      |                                 |   |                          |   |
| (c)                                      |                                 |   |                          |   |
| (d)                                      |                                 |   |                          |   |
| <b>TOTAL REVENUE</b>                     |                                 |   |                          |   |
| For State Agency Use Only                | Budget Prepared By: Wayne Keawe |   |                          |   |
| Signature of Reviewer                    | Date                            | Name (Please type or print)<br>Angela J. Lovitt | Phone<br>(808) 527-8003  | Signature of Authorized Official<br> |
|  |                                 |   |                          | Date<br>7/24/2017   |



**BUDGET JUSTIFICATION  
PERSONNEL: PAYROLL TAXES, ASSESSMENTS, AND FRINGE BENEFITS**

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: 16-17/P-96 Period: 10/1/2017 to 9/30/2018

Date Prepared: 5/31/2017

Contract No.: \_\_\_\_\_  
(As Applicable)

| TYPE                                    | BASIS OF<br>ASSESSMENTS OR<br>FRINGE BENEFITS | %<br>OF<br>SALARY | TOTAL       |
|---|---|-------------------|-------------|
| <b>PAYROLL TAXES &amp; ASSESSMENTS:</b> |   |                   |             |
| Social Security                         | \$ 47,738.44                                  | 7.65%             | \$ 3,651.99 |
| Unemployment Insurance (Federal)        | \$ 47,738.44                                  | 0.00%             | \$ -        |
| Unemployment Insurance (State)          | \$ 47,738.44                                  | 1.40%             | \$ 668.34   |
| Worker's Compensation                   | \$ 47,738.44                                  | 1.15%             | \$ 548.99   |
| Temporary Disability Insurance          | \$ 47,738.44                                  | 0.80%             | \$ 381.91   |
|   |   |                   |             |
| SUBTOTAL:                               |   |                   |             |
| <b>FRINGE BENEFITS:</b>                 |   |                   |             |
| Health Insurance                        | \$ 47,738.44                                  | 13%               | \$ 6,206.00 |
| Retirement                              | \$ 47,738.44                                  | 5%                | \$ 2,386.92 |
|   |   |                   |             |
| SUBTOTAL:                               |   |                   |             |
| TOTAL:                                  |   |                   | 13,844      |
| <b>JUSTIFICATION/COMMENTS:</b>          |   |                   |             |

## BUDGET JUSTIFICATION TRAVEL - INTER-ISLAND

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: 16-17/P-96      Period: 10/1/2017 to 9/30/2018

Date Prepared: 5/31/2017

Contract No. \_\_\_\_\_  
(As Applicable)

| NAME OF EMPLOYEE & TITLE       | DESTINATION    | NO. DAYS | PER DIEM OR SUBSISTENCE A | AIR FARE B | TRANSPORTATION C | TOTAL A+B+C |
|--------------------------------|----------------|----------|---------------------------|------------|------------------|-------------|
| All Staff                      | Molokai, Lanai | 3        |                           | 450        |                  | 450         |
|                                |                |          |                           |            |                  |             |
|                                |                |          |                           |            |                  |             |
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|                                |                |          |                           |            |                  |             |
| <b>TOTAL:</b>                  |                | 3        |                           | 450        |                  | 450         |
| <b>JUSTIFICATION/COMMENTS:</b> |                |          |                           |            |                  |             |

**BUDGET JUSTIFICATION  
TRAVEL - OUT OF STATE**

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: 16-17/P-96      Period: 10/1/2017 to 9/30/2018

Date Prepared: 5/31/2017

Contract No. \_\_\_\_\_  
(As Applicable)

| NAME OF EMPLOYEE & TITLE       | DESTINATION | NO. DAYS | PER DIEM OR SUBSISTENCE<br>A | AIR FARE<br>B | TRANSPORTATION<br>C | TOTAL<br>A+B+C |
|--------------------------------|-------------|----------|------------------------------|---------------|---------------------|----------------|
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| <b>TOTAL:</b>                  |             |          |                              |               |                     |                |
| <b>JUSTIFICATION/COMMENTS:</b> |             |          |                              |               |                     |                |

**BUDGET JUSTIFICATION  
CONTRACTUAL SERVICES - ADMINISTRATIVE**

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: 16-17/P-96

Period: 10/1/2017 to 9/30/2018

Date Prepared: 5/31/2017

Contract No. \_\_\_\_\_  
(As Applicable)

| NAME OF BUSINESS OR INDIVIDUAL | TOTAL BUDGETED | SERVICES PROVIDED | JUSTIFICATION/COMMENTS |
|--------------------------------|----------------|-------------------|------------------------|
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| <b>TOTAL:</b>                  |                |                   |                        |

**BUDGET JUSTIFICATION  
CONTRACTUAL SERVICES - SUBCONTRACTS**

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: 16-17/P-96

Period: 10/1/2017 to 9/30/2018

Date Prepared: 5/31/2017

Contract No.  
(As Applicable) \_\_\_\_\_

| NAME OF BUSINESS OR INDIVIDUAL | TOTAL BUDGETED | SERVICES PROVIDED | JUSTIFICATION/COMMENTS |
|--------------------------------|----------------|-------------------|------------------------|
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| <b>TOTAL:</b>                  |                |                   |                        |

## BUDGET JUSTIFICATION DEPRECIATION

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: 16-17/P-96

Contract No. (As Applicable): \_\_\_\_\_ Period: 10/1/2017 to 9/30/2018

Date Prepared: 5/31/2017

| ITEM<br>PLEASE IDENTIFY EACH ASSET.<br>DO NOT GROUP BY ASSET TITLE. | ACQUISITION<br>DATE | ACQUISITION<br>COST | USEFUL<br>LIFE | METHOD<br>OF<br>DEPRECIATION | PREVIOUS<br>DEPRECIATION<br>TAKEN | DEPRECIATION<br>EXPENSE | %<br>ALLOCATED | DEPRECIATION<br>ALLOCATED |
|---|---------------------|---------------------|----------------|------------------------------|-----------------------------------|-------------------------|----------------|---------------------------|
|   |                     |                     |                |                              |                                   |                         |                |                           |
|   |                     |                     |                |                              |                                   |                         |                |                           |
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|   |                     |                     |                |                              |                                   |                         |                |                           |
| <b>Total:</b>   |                     |                     |                |                              |                                   |                         |                |                           |

**JUSTIFICATION/COMMENTS:**



**BUDGET JUSTIFICATION  
PROGRAM ACTIVITIES**

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: 16-17/P-96

Period: 10/1/2017 to 9/30/2018

Date Prepared: 5/31/2017

Contract No. : \_\_\_\_\_  
(As Applicable)

| DESCRIPTION   | AMOUNT | JUSTIFICATION/COMMENTS |
|---------------|--------|------------------------|
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| <b>Total:</b> |        |                        |