

# Resolution

NO. 23-197

## AUTHORIZING THE EMPLOYMENT OF LEGAL AID SOCIETY OF HAWAII AS SPECIAL COUNSEL TO PROVIDE LEGAL SERVICES TO QUALIFIED RESIDENTS OF THE COUNTY OF MAUI

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, previously the Department distributed the Older Americans Act funds as a grant, but is now required by the State of Hawaii, Department of Health, Executive Office on Aging, to administer the funds as a contract for services; and

WHEREAS, the Department desires to provide this essential service of legal assistance to Qualified Individuals of the County for a time period of two years from October 1, 2022 to September 30, 2025; and

WHEREAS, Legal Aid Society of Hawaii desires to provide the services in accordance with the scope of work described in Request for Proposals (“RFP”) No. 22-23/P-135; and

WHEREAS, the Department procured the services of Legal Aid Society of Hawaii through the bidding procurement process, RFP No. 22-23/P-135; and

WHEREAS, in accordance with RFP No. 22-23/P-135, 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

**Resolution No. 23-197**

WHEREAS, because of the need for specialized expertise and services, the Council finds there is a 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. 22-23/P-135 and as may be imposed and required by the Contract and County General Terms and Conditions; now therefore,

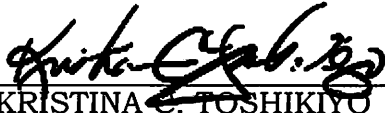
BE IT RESOLVED by the Council of the County of Maui:

1. That the Council 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 for a contractual time period of two years from October 1, 2022, to September 30, 2025;
2. That the total compensation, including any costs incurred and taxes, for the employment of Legal Aid Society of Hawaii as special counsel for two years must not exceed \$171,056 total, subject to the availability of Older Americans Act funds or similar funds;
3. That the hourly attorney rate charged during the two-year contract period must not exceed \$60 per hour;
4. That the funds for the two-year contract period must be expended according to the Cost Proposal attached as Exhibit "A", and the Scope of Service description attached as Exhibit "B," both of which are incorporated into this Resolution;
5. That the expenditures of additional funds or substantial changes to the responsibilities of the parties shall require Council approval;

**Resolution No. 23-197**

6. That despite the contract period stated in Exhibit "A," the contract period will be from October 1, 2022 through September 30, 2025; 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.

APPROVED AS TO FORM  
AND LEGALITY:



KRISTINA C. TOSHIKIYO  
Deputy Corporation Counsel  
County of Maui

LF 2023-0989  
2023-08-15 Resolution LASH-MCOA's RFP 22-23 P-135

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

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ALICE L. LEE

Upon the request of the Mayor.

Applicant: Legal Aid Society of Hawai'i  
RFP No. 22-23/P-135: Legal Assistance  
Submitted: April 10, 2023

**VII-B**


# **COST PROPOSAL**

**EXHIBIT "A"**

# BUDGET

(October 1, 2023 to September 30, 2024)

Applicant/Provider: Legal Aid Society of Hawaii  
 RFP No.: RFP 22-23/P-135  
 Contract No. (As Applicable): \_\_\_\_\_

BUDGET CATEGORIES	Budget Request (a)	(b)	(c)	(d)
<b>A. PERSONNEL COST</b>				
1. Salaries	67,822			
2. Payroll Taxes & Assessments	6,782			
3. Fringe Benefits	10,173			
<b>TOTAL PERSONNEL COST</b>	<b>84,778</b>			
<b>B. OTHER CURRENT EXPENSES</b>				
1. Airfare, Inter-Island	750			
2. Airfare, Out-of-State				
3. Audit Services				
4. Contractual Services - Administrative				
5. Contractual Services - Subcontracts				
6. Insurance				
7. Lease/Rental of Equipment				
8. Lease/Rental of Motor Vehicle				
9. Lease/Rental of Space				
10. Mileage				
11. Postage, Freight & Delivery				
12. Publication & Printing				
13. Repair & Maintenance				
14. Staff Training				
15. Substance/Per Diem				
16. Supplies				
17. Telecommunication				
18. Transportation				
19. Utilities				
20. Litigation				
21. Outreach				
22.				
23.				
<b>TOTAL OTHER CURRENT EXPENSES</b>	<b>750</b>			
<b>C. EQUIPMENT PURCHASES</b>				
<b>D. MOTOR VEHICLE PURCHASES</b>				
<b>TOTAL (A+B+C+D)</b>	<b>85,528</b>			
<b>SOURCES OF FUNDING</b>	(a) Budget Request	Budget Prepared By:		
	(b)	Jim Gagne (808) 527-8060 Name (Please type or print) Phone		
	(c)	 4/6/2023 Signature of Authorized Official Date		
	(d)	Angela J. Lovitt, Interim Executive Director Name and Title (Please type or print)		
<b>TOTAL REVENUE</b>		For State Agency Use Only		
		Signature of Reviewer Date		

## ORGANIZATION - WIDE BUDGET BY SOURCE OF FUNDS

(October 1, 2023 to September 30, 2024)

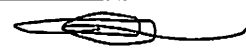
Applicant/Provider: Legal Aid Society of Hawaii  
 RFP No.: RFP 22-23/P-135  
 Contract No. (As Applicable): \_\_\_\_\_

BUDGET CATEGORIES	Total Maui Funds (a)	Title III (b)	County and State Funds (c)	Federal Funds (d)
<b>A. PERSONNEL COST</b>				
1. Salaries	352,857	67,822	125,855	189,630
2. Payroll Taxes & Assessments	35,285	6,782	12,520	18,963
3. Fringe Benefits	78,522	10,173	22,453	28,532
<b>TOTAL PERSONNEL COST</b>	<b>466,664</b>	<b>84,778</b>	<b>160,828</b>	<b>237,125</b>
<b>B. OTHER CURRENT EXPENSES</b>				
1. Airfare, Inter-Island	4,500	750	1,227	1,210
2. Airfare, Out-of-State				
3. Audit Services	4,445		1,522	3,800
4. Contractual Services - Administrative	500			500
5. Contractual Services - Subcontracts	2,300			
6. Insurance	3,335		1,410	1,856
7. Lease/Rental of Equipment	7,921		3,022	3,363
8. Lease/Rental of Motor Vehicle				
9. Lease/Rental of Space	47,852		13,365	32,502
10. Mileage	4,500		750	2,250
11. Postage, Freight & Delivery				
12. Publication & Printing				
13. Repair & Maintenance				
14. Staff Training				
15. Substance/Per Diem				
16. Supplies	5,758		1,500	2,250
17. Telecommunication	8,948		950	2,675
18. Transportation				
19. Utilities				
20. Litigation	2,450		655	885
21. Outreach	1,250		750	500
22.				
23.				
<b>TOTAL OTHER CURRENT EXPENSES</b>	<b>93,759</b>	<b>750</b>	<b>25,151</b>	<b>51,791</b>
<b>C. EQUIPMENT PURCHASES</b>				
<b>D. MOTOR VEHICLE PURCHASES</b>				
<b>TOTAL (A+B+C+D)</b>	<b>560,423</b>	<b>85,528</b>	<b>185,979</b>	<b>288,916</b>
<b>SOURCES OF FUNDING</b>		Budget Prepared By:		
(a) Total Funds	560,423	Jim Gagne (808) 527-8060 Name (Please type or print) Phone		
(b)		4/6/2023 Date		
(c)		Signature of Authorized Official		
(d)		Angela J. Lovitt, Interim Executive Director Name and Title (Please type or print)		
<b>TOTAL REVENUE</b>	<b>560,423</b>	For State Agency Use Only		
		Signature of Reviewer Date		

## ORGANIZATION - WIDE BUDGET BY PROGRAMS

(October 1, 2023 to September 30, 2024)

Applicant/Provider Legal Aid Society of Hawaii  
 RFP No. : RFP 22-23/P-135  
 Contract No. (As Applicable): \_\_\_\_\_

BUDGET CATEGORIES	(a)	(b)	(c)	(d)
	Contract/RFP#:	Contract/RFP#:	Contract/RFP#:	Contract/RFP#:
	Program: Maui Legal Services	Program: Holistic Legal Services	Program: Title III	Program: GAL
<b>A. PERSONNEL COST</b>				
1. Salaries	189,273	55,262	67,822	40,500
2. Payroll Taxes & Assessments	19,257	4,791	6,782	4,455
3. Fringe Benefits	51,112	9,947	10,173	7,290
<b>TOTAL PERSONNEL COST</b>	<b>259,641</b>	<b>70,000</b>	<b>84,778</b>	<b>52,245</b>
<b>B. OTHER CURRENT EXPENSES</b>				
1. Airfare, Inter-Island	3,750		750	
2. Airfare, Out-of-State				
3. Audit Services	4,445			
4. Contractual Services - Administrative	500			
5. Contractual Services - Subcontracts	2,300			
6. Insurance	3,335			
7. Lease/Rental of Equipment	7,921			
8. Lease/Rental of Motor Vehicle				
9. Lease/Rental of Space	41,852			6,000
10. Mileage	3,300			1,200
11. Postage, Freight & Delivery				
12. Publication & Printing				
13. Repair & Maintenance				
14. Staff Training				
15. Substance/Per Diem				
16. Supplies	5,458			300
17. Telecommunication	8,048			900
18. Transportation				
19. Utilities				
20. Litigation	2,450			
21. Outreach	1,250			
22.				
23.				
<b>TOTAL OTHER CURRENT EXPENSES</b>	<b>84,609</b>	<b>0</b>	<b>750</b>	<b>8,400</b>
<b>C. EQUIPMENT PURCHASES</b>				
<b>D. MOTOR VEHICLE PURCHASES</b>				
<b>TOTAL (A+B+C+D)</b>	<b>344,250</b>	<b>70,000</b>	<b>85,528</b>	<b>60,645</b>
<b>SOURCES OF FUNDING</b>				
(a) Budget Request	344,250			
(b)	70,000			
(c)	85,528			
(d)	60,645			
<b>TOTAL REVENUE</b>	<b>560,423</b>			
For State Agency Use Only	Budget Prepared By: Jim Gagne			
Signature of Reviewer	Date	Name (Please type or print) Angela J. Lovitt	Phone (808) 527-8014	Signature of Authorized Official  Date 4/6/2023



**BUDGET JUSTIFICATION  
PERSONNEL - SALARIES AND WAGES**

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: RFP 22-23/P-135 10/01/2023-09/30/2024

Date Prepared: 4/6/2023

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

POSITION NO.	POSITION TITLE	FULL TIME EQUIVALENT TO ORGANIZATION	ANNUAL SALARY INCLUDING BUDGETED SALARY INCREASE A	% OF TIME BUDGETED TO THE CONTRACT B	TOTAL SALARY BUDGETED TO THE CONTRACT A x B
1	Managing Attorney	1	\$ 84,521.00	5.00%	\$ 4,226.05
1	Staff Attorney	1	\$ 58,340.00	7.00%	\$ 4,083.80
1	Paralegal	1	\$ 50,349.00	70.00%	\$ 35,244.30
1	Paralegal	1	\$ 48,925.00	15.00%	\$ 7,338.75
1	Staff Attorney	1	\$ 63,919.00	7.00%	\$ 4,474.33
1	Molokai Paralegal	1	\$ 41,131.00	20.00%	\$ 8,226.20
1	Lanai Paralegal	1	\$ 21,145.00	20.00%	\$ 4,229.00
<b>TOTAL:</b>					\$ 67,822.43

**JUSTIFICATION/C** Staff are the key to the provision of services and to project success.

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

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: RFP 22-23/P-135 Period: 10/1/2023 to 9/30/2024 Date Prepared: 4/6/2023

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

TYPE	BASIS OF ASSESSMENTS OR FRINGE BENEFITS	% OF SALARY	TOTAL
<b>PAYROLL TAXES &amp; ASSESSMENTS:</b>			
Social Security	\$ 67,822.43	7.65%	5,188.42
Unemployment Insurance (Federal)	\$ 67,822.43	0.00%	0.00
Unemployment Insurance (State)	\$ 67,822.43	0.90%	610.40
Worker's Compensation	\$ 67,822.43	0.65%	440.85
Temporary Disability Insurance	\$ 67,822.43	0.80%	542.58
SUBTOTAL:		0	6,782.24
<b>FRINGE BENEFITS:</b>			
Health Insurance	\$ 67,822.43	12%	8,138.69
Retirement	\$ 67,822.43	3%	2,034.67
SUBTOTAL:			10,173.36
<b>TOTAL:</b>			

**JUSTIFICATION/COMMENTS:**

**BUDGET JUSTIFICATION  
TRAVEL - INTER-ISLAND**

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: RFP 22-23/P-135      Period: 10/1/2023 to 9/30/2024

Date Prepared: 4/6/2023

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
Managing Attorney travel	Molokai, Lanai	5		750		750
<b>TOTAL:</b>		5		750		750

**JUSTIFICATION/COMMENTS:**  
Travel by Managing Attorney for oversight and advisement of Molokai and Lanai offices

**BUDGET JUSTIFICATION  
TRAVEL - OUT OF STATE**

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: RFP 22-23/P-135 Period: 10/1/2023 to 9/30/2024

Date Prepared: 4/6/2023

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
N/A						
<b>TOTAL:</b>						
<b>JUSTIFICATION/COMMENTS:</b>						

**BUDGET JUSTIFICATION  
CONTRACTUAL SERVICES - ADMINISTRATIVE**

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: RFP 22-23/P-135      Period: 10/1/2023 to 9/30/2024

Date Prepared: 4/6/2023

Contract No. \_\_\_\_\_  
(AS APPLICABLE)

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

**BUDGET JUSTIFICATION  
CONTRACTUAL SERVICES - SUBCONTRACTS**

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: RFP 22-23/P-135

Period: 10/1/2023 to 9/30/2024

Date Prepared: 4/6/2023

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

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

**BUDGET JUSTIFICATION  
PROGRAM ACTIVITIES**

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: RFP 22-23/P-135 Period: 10/1/2023 to 9/30/2024 Date Prepared: 4/6/2023

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

DESCRIPTION	AMOUNT	JUSTIFICATION/COMMENTS
N/A		
<b>Total:</b>		

## BUDGET JUSTIFICATION EQUIPMENT PURCHASES

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: RFP 22-23/P-135      Period: 10/1/2023 to 9/30/2024      Date Prepared: 4/6/2023

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

DESCRIPTION OF EQUIPMENT	NO. OF ITEMS	COST PER ITEM	TOTAL COST	TOTAL BUDGETED
N/A				

**JUSTIFICATION/COMMENTS:**



## LEGAL ASSISTANCE

- a. **Definition:** *Provides legal advice, counseling and representation by an attorney or other person acting under the supervision of an attorney to adults 60 years or older or a grandparent or older individual (not child's parent) who is a relative caregiver, including a grandparent or step-grandparent of a child, or a relative of a child by blood, marriage, or adoption who is 55 years of age and older and:*
- i. *Lives with the child.*
  - ii. *Is the primary caregiver of the child because the biological or adoptive parents are unable or unwilling to serve as the primary caregiver for the child.*
  - iii. *Has a legal relationship to the child, such as legal custody or guardianship, or is raising the child informally.*
- c. *A child is an individual who is not more than eighteen years of age or who is an individual with a disability, from age eighteen to fifty-nine. (Unit of service is one hour; Fee-for-Service paid in increments of 15 minutes)*

**There are two components of this service.**

- i. Legal Assistance for Older Adults provides legal advice counseling and representation by an attorney or other person acting under the supervision of an attorney. Services will promote and secure the rights and entitlements of older persons in solving legal problems relating to a law, regulation, policy or rule.
  - ii. Legal Assistance Adoption/Guardianship Project is directed specifically to grandparents or older individuals who are relative caregivers (a grandparent or step-grandparent of a child or a relative of a child by blood or marriage who is 55 years of age or older) to provide advice, counseling and representation by an attorney or other persons under the supervision of an attorney with caretaking issues including, but not limited to, adoptions and guardianships.
- b. **Minimum service activity requirements which may be included in the Service Authorization Plan according to individual situations and participants' preferences.**
- i. Develop a service plan for the provision of legal services.
  - ii. Interview participants to identify legal problem.
  - iii. Research the law pertaining to the problem.
  - iv. Conduct case finding/investigation.
  - v. Provide legal advice to the individual regarding the identified problem.
  - vi. Draft legal documentation pertaining to the identified problem.
  - vii. Provide individual representation.
  - viii. Provide legal advocacy for individuals regarding the identified problem.
  - ix. Prepare legal advocacy educational materials for distribution to individuals.
  - x. Provide community education designed to increase participants'