

MICHAEL P. VICTORINO
Mayor

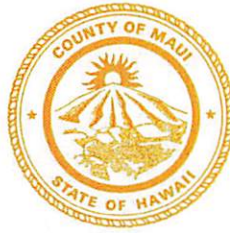
ERIC A. NAKAGAWA, P.E.
Director

ROBERT SCHMIDT
Deputy Director

MICHAEL KEHANO, P.E.
Solid Waste Division

SCOTT R. ROLLINS, P.E.
Wastewater Reclamation Division

TAMARA L. FARNSWORTH
Environmental Protection &
Sustainability Division



**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**

2145 KAOHU STREET, SUITE 102
WAILUKU, MAUI, HAWAII 96793

October 26, 2022

Ms. Michele M. Yoshimura 
Budget Director, County of Maui
200 South High Street
Wailuku, Hawaii 96793

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Alice Lee, Chair
and Members of Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Lee and Members:

**SUBJECT: GRANT REVENUE – DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT – ELECTRONIC WASTE COLLECTION ADM. SERV.
LOG NO. 19-029 MOD. 4**

In accordance with Ordinance No. 5392, Bill 69, CD1, FD1 (2022), Fiscal Year 2023 Budget, we are hereby transmitting to you a copy of the contract agreement for Adm. Serv. Log No. 19-029 Modification 4 from the State of Hawaii Department of Health in the amount of \$99,000.00 for the fiscal year 2023.

Thank you for your attention to this matter. Should you have any questions, please feel free to contact me at Ext. 8229.

Sincerely,


for ERIC A. NAKAGAWA, P.E.
Director of Environmental Management

cn=Robert Schmidt, o=Deputy Director,
ou=Dept of Environmental Management,
email=Robert.Schmidt@co.maui.hi.us, c=US
2022.10.26 12:39:58 -1000

Attachment

COUNTY COMMUNICATION NO. 22-271



CONTRACT MODIFICATION FORM

STATE OF HAWAII
DEPARTMENT OF HEALTH

Date April 20, 2022

ADM. SERV. OFFICE LOG NO. 19-029

MODIFICATION ORDER NO. 4

Contractor/Provider: County of Maui

Contract Title: Electronic Waste Collection

A. MODIFICATIONS

The following modifications are to be performed in accordance with all contract stipulations (specifications, delivery point, rate of delivery, period of performance, price, quantity, or other provisions by mutual action of the parties to the contract).

See Attachment for contract modifications.

B. CONTRACTOR/PROVIDER's QUOTATION

The modifications described in A, above, will be performed at a contract price ☒ increase ☐ decrease of \$99,000.00.

The Contractor/Provider will not undertake to perform the changes in A, above, until this modification order has been approved and issued.


Contractor/Provider's Signature

4/15/2022
Date

C. STATEMENT OF CONTRACT FUNDS

Original Contract Price	\$	<u>160,000.00</u>
Previous Adjusted Contract Price	\$	<u>504,000.00</u>
Amount of this Change: Plus ☒ Minus ☐	\$	<u>99,000.00</u>
New Adjusted Contract Price	\$	<u>603,000.00</u>

Approved as to Form and Legality:

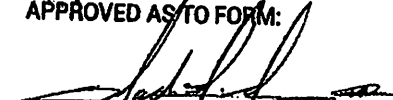

MIMI DESJARDINS
Deputy Corporation Counsel
County of Maui

D. VALIDATION OF CONTRACT MODIFICATION


Director of Health

10/12/22
Date

APPROVED AS TO FORM:


Deputy Attorney General

CONTRACT MODIFICATIONS:

Effective June 30, 2022, the parties mutually agree that the CONTRACTOR shall continue to provide the required services with the following modifications:

1. Attachment S-2, Compensation and Payment Schedule.
The Budget, attached to the Contract as Exhibit "D", is hereby deleted and replaced with a revised Budget, attached hereto as Exhibit "E" and made a part hereof.
2. Attachment S-5, Special Conditions
 - a. Paragraph 4, Option to extend Contract, is modified to read as follows:
"4. Option to Extend Contract. Unless terminated, this Contract may be extended by the STATE for specified periods of time not to exceed five (5) year(s) or for not more than five (5) additional twelve (12)-month period(s), upon mutual agreement and the execution of a supplemental contract or contract modification. The Contract price may be adjusted at the beginning of each extension period and shall be subject to allotment and the availability of funds."
 - b. In accordance with paragraph 4, the performance period of the Contract is extended by an additional (1) year, from July 1, 2022, to and including June 30, 2023.
3. All other terms and conditions of the Contract shall remain the same.

BUDGET

July 1, 2018 to June 30, 2019

E-waste Community Collections Programs \$160,000.00

July 1, 2019 to June 30, 2020

E-waste Community Collections Programs \$160,000.00

July 1, 2020 to June 30, 2021

E-waste Community Collections Programs \$99,000.00

July 1, 2021 to June 30, 2022

E-waste Community Collections Programs \$85,000.00

July 1, 2022 to June 30, 2023

E-waste Community Collections Programs \$99,000.00

Source of funds:	S-19-319-H-372	\$160,000.00
	S-20-319-H-372	\$160,000.00
	S-21-319-H-372	\$99,000.00
	S-22-319-H-372	\$85,000.00
	S-23-319-H-372	\$99,000.00

DAVID Y. IGE
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
File:

June 13, 2022

TO: Elizabeth A. Char, M.D.
Director of Health

THROUGH: Janis A. Morita, Chief
Administrative Services Office

Kathleen S. Ho, Deputy Director
Environmental Health Administration

Joanna L. Seto, Chief
Environmental Management Division

FROM: Lene Ichinotsubo, Acting Chief
Solid and Hazardous Waste Branch

SUBJECT: Request Approval to Contract for Staffing Resources

Your approval is respectfully requested, pursuant to EM 21-04, to enter into contracts to assist the Office of Solid Waste Management (OSWM) with implementing the Electronic Waste and Television Recycling and Recovery Act (Hawaii Revised Statutes Ch. 339D).

1. Staffing Resource Services to be Provided:

Individual functions and responsibilities will be determined and solicited on a case-by-case basis through Requests for Proposals and other procurement methods such as the Hawaii eProcurement System. Contracted staff will be competitively awarded in accordance with State procurement law or through negotiations with other government agencies. Staffing resource services to be provided include supporting the OSWM by developing plans and studies, conducting compliance assistance activities, operating collection centers, and/or assisting with other program needs that facilitate the OSWM's implementation of the Electronic Device and Television Recycling Program.

2. Description of Functions and Responsibilities:

The CONTRACTORS shall:

- a. Submit a comprehensive workplan and budget for the OSWM review and approval.
- b. Contract and manage operators of electronic waste collection centers in compliance with all applicable rules and regulations, including the Hawaii Administrative Rules, the Hawaii Revised Statutes, and their federal counterparts.
- c. Assist the OSWM with providing educational and outreach support.
- d. Submit applicable reports.
- e. Conduct relevant studies and research tasks as requested by the OSWM.
- f. Operate planning activities relevant to the implementation of the OSWM's E-Waste Recycling Program.
- g. Assist the OSWM with other tasks as needed to facilitate OSWM's E-Waste Recycling Program.

3. Justification for the Procurement of the Staffing Resource:

The OSWM is responsible for implementation of the Electronic Waste and Television Recycling and Recovery Act (Hawaii Revised Statutes Ch. 339D).

Statute requires manufacturers of Covered Electronic Devices (CEDs) and Covered Televisions (CTVs), who sell their products in Hawaii, to provide consumers programs to recycle their respective products. CEDs include computers, computer monitors and computer printers. Manufacturer operated CED recycling programs have been in place since 2009; while CTV programs have been in place since 2011.

However, many of the current CED recycling programs being offered by manufacturers are inconvenient to consumers and are underutilized. Counties, having identified the gap in services, have established county funded electronic waste collection programs to supplement manufacturer programs.

The counties are seeking to limit the amount of electronic waste deposited into landfills, both to conserve space and to avoid the disposal of potentially hazardous waste. However, they struggle to adequately fund the collection and

recycling services. The OSWM will provide funding support through these contracts with the counties.

Contracts will be issued annually for the next five fiscal years (FY 2023-FY 2027), with options to extend.

These contracts are listed on the FY22 Form BRR and will continue to be listed on the Form BRR in the future. The OSWM commits to compliance with future Budget Execution Policies and Instructions for all years of the contracts.

4. Impact of Not Contracting for this Service:

Not contracting for these services will mean the landfilling of a portion of the existing electronic waste stream, some of which is potentially hazardous in nature.

5. Program ID/Title: HTH 840FJ/Environmental Management

a. Division/Branch/Section: Environmental Management Division, Solid and Hazardous Waste Branch, OSWM

b. Total Estimated Cost of the Contracts for FY 2023-FY 2027:
\$2,500,000.00

c. Source of Funds: BJ Line No. 18

S-23-319-H-372:	\$500,000.00
S-24-319-H-372:	\$500,000.00
S-25-319-H-372:	\$500,000.00
S-26-319-H-372:	\$500,000.00
S-27-319-H-372:	\$500,000.00

d. Means of Financing: B – Special Funds (Electronic Device Recycling Fund)

e. Contact Name/Phone: Michael Burke, Solid Waste Management Coordinator,
(808) 586-4226

Elizabeth A. Char, M.D.
Request Approval to Contract for Staffing Resources
June 13, 2022
Page 4

RECOMMEND:

☒ APPROVAL ☐ DISAPPROVAL


JANIS A. MORITA, Chief
Administrative Services Office

Date: 06/24/2022

☒ APPROVED ☐ DISAPPROVED


ELIZABETH A. CHAR, M.D.
Director of Health

Date: JUN 30 2022

DAVID Y. IGE
GOVERNOR OF HAWAII



Environmental Resources Office #15101

AUG 29 2022

ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
File:

August 26, 2022

TO: Wade H. Hargrove III
Deputy Attorney General
Department of the Attorney General

FROM: Elizabeth A. Char, M.D.
Director of Health

SUBJECT: Retroactive Contract Modification Approval

We request your approval to execute this Contract Modification with the County of Maui, ASO Log No. 19-029-M4 as a "retroactive contract modification" for the following reasons:

Current Contract end date: June 30, 2022

When did program submit contract modification via Genie Lamp to ASO:
March 11, 2022

☐ The contract modification is for services that could not be interrupted or delayed. Provision of services by the department is required by statute.

☒ Additional time was needed to draft, process and execute the contract modification.

☒ APPROVED

☐ DISAPPROVED

Deputy Attorney General

10/3/22
Date