

REQUEST FOR LEGAL SERVICES

Date: September 26, 2017

From: Don Guzman, Chair

Parks, Recreation, Energy, and Legal Affairs Committee

RECEIVED
CORPORATION COUNSEL

2017 SEP 26 PM 1:28

TRANSMITTAL
Memo to:

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


RECEIVED

BY OCS | DATE
WE SEP 26 2017
3:55p

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  Don Guzman	Contact Person Carla Nakata or James Krueger (Telephone Extension: 7659 or 7761, respectively)
---	--

- ROUTINE (WITHIN 15 WORKING DAYS)
- PRIORITY (WITHIN 10 WORKING DAYS)
- RUSH (WITHIN 5 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: C1YM	ASSIGNMENT NO. 2017-0099	BY: JAM
-------------------	--------------------------	---------

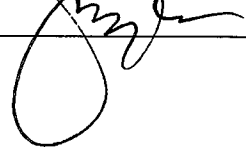
TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): revisions made

SEP 26 2017

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By 

(Rev. 7/03)

prl:ltr:008acc01:jgk/cmn

SEP 26 2017

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

A handwritten signature in black ink, appearing to be "S. J. ...", written over a horizontal line.

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)
A. PERSONNEL COST				
1. Salaries	47,738			
2. Payroll Taxes & Assessments	5,251			
3. Fringe Benefits	8,593			
TOTAL PERSONNEL COST	61,582			
B. OTHER CURRENT EXPENSES				
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.				
TOTAL OTHER CURRENT EXPENSES	8,418			
C. EQUIPMENT PURCHASES				
D. MOTOR VEHICLE PURCHASES				
TOTAL (A+B+C+D)	70,000			
SOURCES OF FUNDING	(a) Budget Request	Budget Prepared By:		
	(b)	Wayne Keawe (808) 527-8060		
	(c)	Name (Please type or print) Phone		
	(d)	Signature of Authorized Official Date		
		M. Naiani Fujimori Kaina, Executive Director		
		Name and Title (Please type or print)		
TOTAL REVENUE		For State Agency Use Only		
		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 (a)	TITLE III (b)	STATE FUNDS (c)	FEDERAL FUNDS (d)
A. PERSONNEL COST				
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
TOTAL PERSONNEL COST	438,373	61,582	150,716	226,074
B. OTHER CURRENT EXPENSES				
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.				
TOTAL OTHER CURRENT EXPENSES	82,909	8,418	30,047	44,395
C. EQUIPMENT PURCHASES				
D. MOTOR VEHICLE PURCHASES				
TOTAL (A+B+C+D)	521,282	70,000	180,763	270,469
SOURCES OF FUNDING	(a) Total Funds	Budget Prepared By:		
	(b)	Wayne Keawe (808) 527-8080		
	(c)	Name (Please type or print) Phone		
	(d)	Signature of Authorized Official Date		
		Angela J. Lovitt, Director of Professional Development & Compliance		
		Name and Title (Please type or print)		
TOTAL REVENUE		For State Agency Use Only		
		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#: G4373 Program: Legal Services	Contract/RFP#: G4373 Program: Holistic Legal Services	Contract/RFP#: C5953 Program: Title III	Contract/RFP#: J18004 Program: GAL
A. PERSONNEL COST				
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
TOTAL PERSONNEL COST	249,847	74,699	61,582	52,245
B. OTHER CURRENT EXPENSES				
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.				
TOTAL OTHER CURRENT EXPENSES	65,826	301	8,418	8,400
C. EQUIPMENT PURCHASES				
D. MOTOR VEHICLE PURCHASES				
TOTAL (A+B+C+D)	315,673	75,000	70,000	60,645
SOURCES OF FUNDING				
(a) Budget Request				
(b)				
(c)				
(d)				
TOTAL REVENUE				
For State Agency Use Only	Budget Prepared By: Wayne Keawe			
Signature of Reviewer	Date	Name (Please type or print)	Phone	Signature of Authorized Official
		Angela J. Lovitt	(808) 527-8003	
				7/24/2017

**BUDGET JUSTIFICATION
PERSONNEL - SALARIES AND WAGES**

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): _____

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	Staff Attorney	1	50640.00	25.00%	12,660
1	Staff Attorney	1	48912.43	31.13%	15,226
1	Paralegal	1	27623.33	30.00%	8,287
1	GA-SSI Paralegal	1	34940.00	10.00%	3,494
1	Legal Secretary	1	28860.00	5.00%	1,443
1	Molokai Paralegal	1	43130.00	10.00%	4,313
1	Lanai Paralegal	1	23150.00	10.00%	2,315
TOTAL:					47,738
JUSTIFICATION/COMMENTS:					

**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 ASSESSMENTS OR FRINGE BENEFITS	% OF SALARY	TOTAL
PAYROLL TAXES & ASSESSMENTS:			
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:			
FRINGE BENEFITS:			
Health Insurance	\$ 47,738.44	13%	\$ 6,206.00
Retirement	\$ 47,738.44	5%	\$ 2,386.92
SUBTOTAL:			
TOTAL:			13,844
JUSTIFICATION/COMMENTS:			

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
TOTAL:		3		450		450
JUSTIFICATION/COMMENTS:						

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 A	AIR FARE B	TRANSPORTATION C	TOTAL A+B+C
TOTAL:						
JUSTIFICATION/COMMENTS:						

**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
TOTAL:			

**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
TOTAL:			

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 PLEASE IDENTIFY EACH ASSET. DO NOT GROUP BY ASSET TITLE.	ACQUISITION DATE	ACQUISITION COST	USEFUL LIFE	METHOD OF DEPRECIATION	PREVIOUS DEPRECIATION TAKEN	DEPRECIATION EXPENSE	% ALLOCATED	DEPRECIATION ALLOCATED
Total:								

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
Total:		