

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

August 7, 2015

Committee
Report No. _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Committee of the Whole, having met on June 30, 2015, makes reference to County Communication 15-145, from the Director of Housing and Human Concerns, transmitting a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL LEGAL AID SOCIETY OF HAWAII WITH RESPECT TO PROVIDING LEGAL SERVICES TO QUALIFIED ELDERLY PEOPLE FOR THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS."

The purpose of the proposed resolution is to authorize the employment of Legal Aid Society of Hawaii as special counsel to provide legal services to qualified individuals, pursuant to Section 3-6(6) of the Revised Charter of the County of Maui (1983), as amended, administered through the Office on Aging. As proposed, total compensation for the two-year period of engagement would not exceed \$70,000 per year.

At the request of the Chair of your Committee, the Department of the Corporation Counsel transmitted a revised proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL LEGAL AID SOCIETY OF HAWAII FOR LEGAL SERVICES ADMINISTERED THROUGH THE OFFICE ON AGING," approved as to form and legality, incorporating nonsubstantive revisions.

According to the County of Maui's Executive on Aging, the Older Americans Act requires each area's agency on aging to provide legal services to seniors and to grandparents raising grandchildren. To comply with this requirement, the Department of Housing and Human Concerns issued a request for proposals. The Legal Aid Society of Hawaii was the successful bidder.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

Page 2

Committee
Report No. _____

The Executive on Aging also advised your Committee the Office on Aging receives Federal funding to provide these services. For that reason, the Office intends to use the Federal fiscal year, starting in 2015, to implement the contract for legal services. Services rendered by Legal Aid Society of Hawaii pursuant to the proposed resolution will commence on October 1, 2015, rather than July 1, 2015.

Your Committee notes the Council previously adopted Resolution 13-142, authorizing the employment of Legal Aid Society of Hawaii as special counsel to provide legal services to qualified individuals, as required by the Older Americans Act, for total compensation for two years not to exceed \$73,200 per year.

Your Committee questioned whether there would be a gap in legal services because the period authorized by Resolution 13-142 ended on June 30, 2015. The Executive on Aging informed your Committee the existing contract had been extended until December 31, 2015, to avoid any gap in services, and that sufficient funding remained under the existing contract to cover the extended period. A Deputy Corporation Counsel advised the time extension was not "a substantial change to the responsibilities of the parties," which would require Council approval pursuant to Resolution 13-142.

Your Committee noted the assistance provided by Legal Aid Society of Hawaii, through the Office on Aging, is vital to the population it serves.

Your Committee voted 9-0 to recommend adoption of the revised proposed resolution and filing of the communication. Committee Chair Guzman, Vice-Chair Crivello, and members Baisa, Carroll, Cochran, Couch, Hokama, Victorino, and White voted "aye."

Your Committee is in receipt of a further revised proposed resolution, approved as to form and legality by the Department of the Corporation Counsel, reflecting the stated intent to start the two-year contract period on October 1, 2015, consistent with the start of the Federal fiscal year.

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

Page 3

Committee
Report No. _____

Your Committee of the Whole RECOMMENDS the following:

1. That Resolution _____, as revised herein and attached hereto, entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL LEGAL AID SOCIETY OF HAWAII FOR LEGAL SERVICES ADMINISTERED THROUGH THE OFFICE ON AGING," be ADOPTED; and
2. That County Communication 15-145 be FILED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



DON S. GUZMAN, Chair

cow:cr:15004aa:cmn

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. 14-15/P-62; and

WHEREAS, pursuant to RFP No. 14-15/P-62, Legal Aid Society of Hawaii was the only and winning bidder; and

Resolution No. _____

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 Council 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. 14-15/P-62 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

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

Resolution No. _____

taxes, subject to the availability of Older Americans Act funds or similar funds; and

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

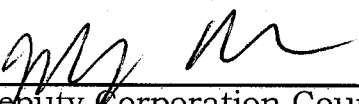
4. That the funds for the two-year contract period shall be expended according to the Cost Proposal attached as Exhibit "A" hereto, which is by reference incorporated herein; and

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, 2015 through September 30, 2017; 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:



Deputy Corporation Counsel
County of Maui
LF 2015-4160

Applicant: Legal Aid Society of Hawai'i
RFP No. 14-15/P-62: Legal Assistance
Prepared: February 2015

VII-B

COST PROPOSAL

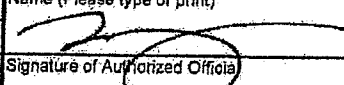
BUDGET

(Period 7/1/2015 to 6/30/2017)

Applicant/Provider: Legal Aid Society of Hawaii

RFP 14-15/P-62

Contract No. (As Applicable): _____

BUDGET CATEGORIES	Budget Request (a)	Title Item (b)	(c)	(d)
A. PERSONNEL COST				
1. Salaries	92,017	4,219		
2. Payroll Taxes & Assessments	9,202	422		
3. Fringe Benefits	16,562	759		
TOTAL PERSONNEL COST	117,781	5,400		
B. OTHER CURRENT EXPENSES				
1. Airfare, Inter-Island	1,500	300		
2. Airfare, Out-of-State				
3. Audit Services	819			
4. Contractual Services - Administrative				
5. Contractual Services - Subcontracts				
6. Insurance	1,300			
7. Lease/Rental of Equipment	700	200		
8. Lease/Rental of Motor Vehicle				
9. Lease/Rental of Space	7,000			
10. Mileage	600	200		
11. Postage, Freight & Delivery	400			
12. Publication & Printing				
13. Repair & Maintenance				
14. Staff Training				
15. Substance/Per Diem				
16. Supplies	1,000	300		
17. Telecommunication				
18. Transportation				
19. Utilities	1,500			
20. Program Activities: Education & Outreach	1,000			
21				
22				
23				
TOTAL OTHER CURRENT EXPENSES	15,819	1,000		
C. EQUIPMENT PURCHASES				
D. MOTOR VEHICLE PURCHASES				
TOTAL (A+B+C+D)	133,600	6,400		
SOURCES OF FUNDING		Budget Prepared By:		
(a) Budget Request	140,000	Elise von Dohlen (808) 527-8076 Name (Please type or print) Phone:		
(b)				
(c)		Signature of Authorized Official Date 2/17/15		
(d)		M. Naisani Fujimori Kaina Name and Title (Please type or print)		
TOTAL REVENUE	140,000	For State Agency Use Only		
		Signature of Reviewer Date		

ORGANIZATION - WIDE BUDGET BY SOURCE OF FUNDS
(Period 7/1/2015 to 6/30/2017)

Applicant/Provider: Legal Aid Society of Hawaii
 RFP No.: 14-15/P-62
 Contract No. (As Applicable): _____

BUDGET CATEGORIES	Total Funds (a)	TITLE III (b)	STATE FUNDS (c)	FEDERAL FUNDS (d)
A. PERSONNEL COST				
1. Salaries	279,221	86,238	65,358	117,629
2. Payroll Taxes & Assessments	27,924	9,624	6,538	11,764
3. Fringe Benefits	50,258	17,321	11,764	21,173
TOTAL PERSONNEL COST	357,403	123,181	83,658	150,566
B. OTHER CURRENT EXPENSES				
1. Airfare, Inter-Island	3,500	1,800	807	1,093
2. Airfare, Out-of-State			0	0
3. Audit Services	2,500	819	600	1,081
4. Contractual Services - Administrative	0		0	0
5. Contractual Services - Subcontracts	400		143	257
6. Insurance	4,000	1,300	984	1,736
7. Lease/Rental of Equipment	5,109	900	1,503	2,708
8. Lease/Rental of Motor Vehicle			0	0
9. Lease/Rental of Space	44,500	7,000	13,394	24,106
10. Mileage	2,400	800	671	1,029
11. Postage, Freight & Delivery	800	400	143	257
12. Publication & Printing			0	0
13. Repair & Maintenance			0	0
14. Staff Training			0	0
15. Substance/Per Diem	811		218	393
16. Supplies	7,000	1,300	2,036	3,664
17. Telecommunication	8,000		2,857	5,143
18. Transportation			0	0
19. Utilities	5,000	1,500	1,250	2,250
PROGRAM OUTREACH	1,000	1,000	0	0
OTHER EXPENSES	800		288	514
22.				
23.				
TOTAL OTHER CURRENT EXPENSES	85,620	16,819	24,573	44,228
C. EQUIPMENT PURCHASES				
D. MOTOR VEHICLE PURCHASES				
TOTAL (A+B+C+D)	443,023	140,000	108,229	194,794
SOURCES OF FUNDING		Budget Prepared By:		
(a) Total Funds		Wayne Keawa 627-8080 Name (Please type or print) Phone		
(b)		Signature of Authorized Official 4/2/2015 Date		
(c)		M. Nalani Fujimori Kaina, Executive Director Name and Title (Please type or print)		
(d)		For State Agency Use Only		
TOTAL REVENUE		Signature of Reviewer Date		

ORGANIZATION - WIDE BUDGET BY PROGRAMS
(Period 7/1/2015 to 6/30/2017)

Applicant/Provider Legal Aid Society of Hawaii
 RFP No. : 14-15/P-62
 Contract No. (As Applicable): _____

BUDGET CATEGORIES	(a)	(b)	(c)	(d)
	LEGAL SERVICE	Contract/RFP#: G3928	Contract/RFP#: C5345	Contract/RFP#: J12152
	Program Total:	Program: Holistic Legal Services for	Program: Title III	Program: GAL Services
A. PERSONNEL COST				
1. Salaries	83,925	61,560	96,236	37,500
2. Payroll Taxes & Assessments	9,294	5,258	9,624	3,750
3. Fringe Benefits	20,554	7,883	17,321	4,600
TOTAL PERSONNEL COST	113,773	74,699	123,181	46,750
B. OTHER CURRENT EXPENSES				
1. Airfare, Inter-Island	1,700		1,800	
2. Airfare, Out-of-State	0			
3. Audit Services	1,681		819	
4. Contractual Services - Administrative	0			
5. Contractual Services - Subcontracts	400	0		
6. Insurance	2,700		1,300	
7. Lease/Rental of Equipment	4,209		800	
8. Lease/Rental of Motor Vehicle	0			
9. Lease/Rental of Space	31,500		7,000	8,000
10. Mileage	400		800	1,200
11. Postage, Freight & Delivery	400		400	
12. Publication & Printing	0			
13. Repair & Maintenance	0			
14. Staff Training	0			
15. Substance/Per Diem	0			
16. Supplies	6,700			300
17. Telecommunication	4,799		2,301	900
18. Transportation	0			
19. Utilities	5,000			
20. Outreach	0		1,000	
21. Other	0	301	499	
22.	0			
23.	0			
TOTAL OTHER CURRENT EXPENSES	59,489	301	16,819	8,400
C. EQUIPMENT PURCHASES				
D. MOTOR VEHICLE PURCHASES				
TOTAL (A+B+C+D)	173,262	75,000	140,000	54,150
SOURCES OF FUNDING				
(a) Budget Request				
(b)				
(c)				
(d)				
TOTAL REVENUE				
For State Agency Use Only	Budget Prepared By:			
Signature of Reviewer	Date	Wayne Keawe Name (Please type or print)	527-8050 Phone Signature of Authorized Official	4/2/2018 Date

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

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: 14-15/P-62 Period: 7/1/2015 to 6/30/2017

Date Prepared: 2/17/2015

Contract No.: _____
(As Applicable)

TYPE	BASIS OF ASSESSMENTS OR FRINGE BENEFITS	% OF SALARY	TOTAL
PAYROLL TAXES & ASSESSMENTS:			
Social Security	\$96,236	7.65%	\$7,362
Unemployment Insurance (Federal)	As required by law	0.00%	\$0
Unemployment Insurance (State)	\$96,236	1.39%	\$1,338
Worker's Compensation	\$96,236	0.54%	\$520
Temporary Disability Insurance	\$96,236	0.42%	\$404
SUBTOTAL:			
			\$9,624
FRINGE BENEFITS:			
Health Insurance	\$96,236	15%	\$14,434
Retirement	\$96,236	3%	\$2,887
SUBTOTAL:			
			\$17,321
TOTAL:			
			\$26,945
JUSTIFICATION/COMMENTS:			

BUDGET JUSTIFICATION TRAVEL - INTER-ISLAND

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: 14-15/P-62 Period: 7/1/2015 - 6/30/2017

Date Prepared: 2/17/15

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
Project Staff (9 roundtrips)	Molokai and Lanai			1,800		1,800
TOTAL:						1,800

JUSTIFICATION/COMMENTS:

Inter-island airfare - \$200/roundtrip

**BUDGET JUSTIFICATION
CONTRACTUAL SERVICES - ADMINISTRATIVE**

Applicant/Provider: Legal Aid Society of Hawaii Period: 7/1/2015 to 6/30/2017 Date Prepared: 4/2/2015

RFP No.: 14-15/P-62

Contract No. _____
(As Applicable)

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

**BUDGET JUSTIFICATION
CONTRACTUAL SERVICES - SUBCONTRACTS**

Applicant/Provider: Legal Aid Society of Hawaii Date Prepared: 4/2/2015
 RFP No.: 14-15/P-62 Period: 7/1/2015 to 6/30/2017
 Contract No. _____
 (As Applicant) _____

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

BUDGET JUSTIFICATION DEPRECIATION

Applicant/Provider: Legal Aid Society of Hawaii
 RFP No.: 14-15/P-62

Contract No. (As Applicable): _____
 Date Prepared: 4/2/2015

Period: 7/1/2015 to 6/30/2017

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
N/A								
Total:								

JUSTIFICATION/COMMENTS:

**BUDGET JUSTIFICATION
PROGRAM ACTIVITIES**

Applicant/Provider: Legal Aid Society of Hawaii

RFP No.: 14-15/P-62

Period: 7/1/2015 to 6/30/2017

Date Prepared: 2/17/2015

Contract No. : _____
(As Applicable)

DESCRIPTION	AMOUNT	JUSTIFICATION/COMMENTS
Audit Services	\$819	
Insurance	\$1,300	Liability insurance
Lease Rental of Equipment	\$900	Including copy machine
Lease Rental of Space	\$7,000	For Maui, Molekai and Lanai offices
Mileage for staff	\$800	\$0.56/mi. x 448 miles
Postage	\$400	
Supplies	\$1,300	Office supplies including paper, ink, etc.
Utilities	\$1,500	
Education and Outreach Activities - including staff presentations	\$1,000	
Total:	\$15,019	