



Office of the Administrative Director – Financial Services Department

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Date: July 23, 2015

To: All Interested Providers

From: Janell M. Kim, Financial Services Director
The Judiciary, State of Hawaii

Subject: **Request for Information (RFI)** for providing civil legal services to indigent persons, RFI J16184

The Judiciary, State of Hawaii is publishing this Request for Information (RFI) pursuant to Chapter 103F, Hawaii Revised Statutes, to obtain comments and suggestions from interested providers for the planned purchase of providing civil legal services to indigent persons. Draft service specifications are attached to this RFI for your review, or are available through the Judiciary's website at <http://www2.hawaii.gov/jud> under "Doing Business with the Judiciary/Solicitations".

Persons or organizations interested in commenting about the draft specifications may submit, email, or postmark their comments by **July 30, 2015** to the program contact person listed in the RFI. Input received in response to this RFI may be incorporated into the specifications and be used in a formal Request for Proposals, tentatively scheduled for July 2015. (Note: The receipt of comments to this RFI will not be a pre-requisite to submit proposals for the subsequent RFP.) Contracts resulting from the RFP will be for the periods indicated in the service specifications.

Programmatic questions regarding this RFI shall be directed to the program contact person indicated in the service specifications, while other RFI questions may be directed to Kelly Kimura in the Judiciary Contracts & Purchasing Office at 808-538-5805, or email Kelly.Y.Kimura@courts.hawaii.gov.

Thank you.

/s/ Janell M. Kim
Janell M. Kim
Financial Services Director

Section 2

Service Specifications

2.1 Introduction

2.1.1 Description of the service goals

The goal of the requested service is to provide civil legal services without charge to the indigent population in the State of Hawai‘i. Legal services shall be provided for the types of matters in which indigent persons need the most assistance, particularly in the areas of housing, government benefits, family law, and consumer issues.

2.1.2 Description of the target population to be served

The target population consists of indigent persons throughout the State of Hawai‘i. “Indigent person” is defined as follows:

- (1) Any individual whose income is not greater than one hundred twenty-five per cent of the official poverty line established by the Secretary of Health and Human Services under the Community Services Block Grant Act, 42 U.S.C. section 9902; or
- (2) Any individual who is eligible for free services under the Older Americans Act or Developmentally Disabled Act.

2.1.3 Geographic coverage of service

Service areas include the following:

First Circuit	Oahu
Second Circuit	Maui, Lanai, and Molokai
Third Circuit	Island of Hawai‘i
Fifth Circuit	Kauai

The applicant shall demonstrate actual capacity to provide the required services in the area(s) in which it is applying.

Applicants may propose to service clients in one or more geographic areas. Applicants are not required to submit separate proposals for each circuit/island. If an applicant proposes to service clients from one or more circuits/islands, the proposal shall indicate the specific services and capacity it is proposing for each circuit/island.

2.1.4 Probable funding amounts, source, and period of availability

State general funds in the total amount of \$600,000.00 are available during fiscal year 2016. Applicants shall propose funding amounts based on their best estimates for the cost of providing the services as described in their proposal. Applicants may submit proposals to receive funding for the entire \$600,000.00 or for amounts less than \$600,000.00. Applicants may also submit scalable proposals, e.g., for \$100,000.00, applicant can provide X services; for \$200,000.00, applicant can provide XY services; for \$400,000.00 applicant can provide XYZ services. The contract(s) awarded pursuant to this RFP shall be effective upon execution and shall remain in effect until June 30, 2016. Funds are only available for fiscal year 2016 (July 1, 2015 – June 30, 2016). Contingent upon appropriation by the legislature, however, the contract may be extended for an additional twelve (12) months.

2.2 General Requirements

2.2.1 Specific qualifications or requirements, including but not limited to licensure or accreditation

- (1) The proposed services must meet all required licensing or certification standards, provide assurances for fair hearing and grievance procedures for clientele, civil rights compliance, information and safeguarding practices, and provide proof of insurance coverage.
- (2) Four (4) sets (original plus 3 copies) of the completed proposal must be submitted to the Financial Services Division.
- (3) The applicant shall submit in a timely manner any additional information requested by the Judiciary to make a decision on applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal.
- (4) The applicant shall comply with Chapter 103F, Hawaii Revised Statutes, Cost Principles for Purchase of Health and Human Services which can be found on the State Procurement Office website by typing "Cost Principles" in the search box. (See Section 5, Proposal Application Checklist, for the website address.)
- (5) The applicant shall have an accounting system in compliance with generally accepted accounting practices.

2.2.2 Secondary purchaser participation

(Refer to HAR §3-143-608)

After-the-fact secondary purchases will not be allowed.

2.2.3 Multiple or alternate proposals

(Refer to HAR §3-143-605)

Allowed Not allowed

Applicants may submit scalable proposals as described in Section 2.1.4. Applicants who submit scalable proposals shall combine all proposals into one proposal (combined proposal). A combined proposal shall clearly state that multiple scalable proposals are being submitted and shall clearly delineate each separate proposal.

2.2.4 Single or multiple contracts to be awarded

(Refer to HAR §3-143-206)

Single Multiple Single & Multiple

Criteria for multiple awards: Awards will be based on the applicant's ability to provide necessary services in one or more of the geographic area(s) set forth in Section 2.1.3 above.

2.2.5 Single or multi-term contracts to be awarded

(Refer to HAR §3-143-302)

Single term (2 years or less) Multi-term (more than 2 years)

Contract terms:

The contract term will cover the period during Fiscal Year 2016 from execution of the contract until June 30, 2016. Funds are only available for this initial term of the contract. The contract may be extended for an additional twelve (12) months, subject to the appropriation and availability of funds and satisfactory performance of services by providers. Execution of a contract amendment is required to extend the contract for another term.

2.2.6 RFP Contact Persons

The individuals listed below are the points of contact from the date of release of this RFP until the award of the contracts to providers. Written questions should be submitted to the RFP contact persons listed below and must be received on or before the date and time specified in Section 1.1 (Procurement Timetable) of this RFP.

For technical questions related to the Request for Proposals process, please contact the following individual:

Judiciary Contracts and Purchasing Office
Kelly Kimura
Phone: (808)538-5805; Fax: (808)538-5802
Email: Kelly.Y.Kimura@courts.hawaii.gov

For programmatic questions regarding the requested services, please contact the following individual:

Administrative Staff Attorney's Office
Lynn Inafuku
Phone: (808)539-4990; (808)539-4794
Email: Lynn.M.Inafuku@courts.hawaii.gov

2.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

2.3.1 Service Activities

Service activities shall consist of direct legal services provided by attorneys or attorney-supervised staff to indigent persons in civil matters, including but not limited to housing, applying for and/or maintaining government benefits, family/domestic issues, and consumer issues. Services may include pro bono, judicial, and administrative advocacy and providing legal advice and information. "Indigent person" is defined as follows:

- (1) Any individual whose income is not greater than one hundred twenty-five per cent of the official poverty line established by the Secretary of Health and Human Services under the Community Services Block Grant Act, 42 U.S.C. section 9902; or
- (2) Any individual who is eligible for free services under the Older Americans Act or Developmentally Disabled Act.

2.3.2 Management Requirements (Minimum and/or mandatory requirements)

2.3.2.1 Personnel

- (1) All legal services shall be provided by attorneys licensed in the State of Hawaii, or by staff who are supervised by an attorney licensed in the State of Hawaii. Organizations that utilize volunteer attorneys to provide legal services shall ensure that the attorneys are accepted as volunteers through established procedures and that there is appropriate monitoring of the volunteer attorneys. Applicants' personnel must have the requisite

training, knowledge, and experience to effectively resolve the problems of their clientele.

- (2) The applicant shall conduct a criminal history record check based on a search of www.ecrim.ehawaii.gov (Adult Criminal Conviction Information System, Hawaii Criminal Justice Data Center) for any officer, employee, volunteer or subcontractor who provides the services described in applicant's proposal. In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry), and www.nsopr.gov (National Sex Offender Public Registry), for any officer, employee, volunteer or subcontractor who provides the services described in applicant's proposal. The record check shall be conducted at the outset of the contract period if such checks have never been conducted. A prior record check that was conducted within four (4) years of the effective date of the contract shall be valid. Results of all criminal history and sex offender registry record checks shall be maintained by the applicant and shall be available for the Judiciary to review. The applicant shall have a written plan for addressing any findings that result from a criminal history and/or sex offender registry record check of an officer, employee volunteer or subcontractor who provides described in applicant's proposal.

2.3.2.2 Administrative

Applicants must meet the following administrative requirements:

- (1) Must be duly organized in accordance with applicable laws.
- (2) Have bylaws or policies that describe the manner in which business is conducted, and policies that relate to nepotism and management of conflict of interest situations.
- (3) Have sound financial management systems, a client grievance procedure, and a method of monitoring the quality of legal services provided.

2.3.2.3 Quality assurance and evaluation specifications

Applicants shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, and what standards are used to assess or evaluate the quality and utilization of services. Applicants shall agree that the Judiciary may conduct a program evaluation and/or audit to assess the legal services provided to indigent clients.

2.3.2.4 Output and performance/outcome measurements

Output measures: Applicants shall maintain a record of all clients served and services provided.

Outcome measures: Applicants shall utilize measurement tools by which effectiveness of the services may be determined.

2.3.2.5 Experience

Applicants must have demonstrated competence or qualifications to perform the required services. Applicants must have a minimum of one (1) year experience in providing civil legal services to indigent persons.

2.3.2.6 Reporting requirements for program and fiscal data

Applicants shall submit written periodic reports and a year-end report, summarizing output and outcome data, performance accomplishments, challenges and actual expenditures of funds. Periodic reports shall be due on January 31, 2016, and April 30, 2016. A year-end report shall be due on July 31, 2016.

Reports shall consist information on the number of clients served, the services that were provided to clients, identification of any immediate problems, and plans for resolving the problems. If requested by the Judiciary, applicants shall be required to meet with Judiciary representatives to discuss matters relating to the contract.

2.4 Compensation and Method of Payment

The first payment will be made during the latter part of 2015, the second payment will be made in early 2016, and final payment will be made upon completion of the contract. Payment shall be made upon submission of an invoice to the Contract Administrator, certifying that services were performed in accordance with the terms of the contract, and upon submission of reports.

2.5 Contract Monitoring and Evaluation

The criteria by which the performance of the contract will be monitored and evaluated are:

- (1) Performance/Outcome Measures
- (2) Output Measures
- (3) Quality of Services
- (4) Financial Management
- (5) Administrative Requirements

END OF SECTION