

STATE OF HAWAII  
HAWAII COMMUNITY DEVELOPMENT AUTHORITY  
**KAKAAKO**  
Honolulu, Hawaii, 96813

*November 1, 2017*

Chairperson and Members  
Hawaii Community Development Authority  
State of Hawaii  
Honolulu, Hawaii

HCDA Kakaako Board Members:

**SUBJECT**

Shall the Authority Authorize the Executive Director to Execute a Contract for Security Guard and Social Outreach Services for Hawaii Community Development Authority Kakaako Parks for an Initial One-Year, plus two (2) Two-Year Options to Extend, using funds from the Hawaii Community Development Authority's Revolving Fund, Public Facility Dedication Subaccount?

**SUMMARY**

HCDA's Park Security contract expires on November 17, 2017 and there are no additional extensions. We must award a new contract prior to this date to avoid a lapse in security services.

**AUTHORITIES**

At the August 3, 2016 General Meeting, the Board set a policy to review and approve all procurement requests over \$25,000. The Minutes to the August 3, 2016 meeting is attached as Exhibit A.

**BACKGROUND**

Kewalo Basin Park, Kakaako Waterfront Park, Kakaako Gateway Parks, Kolowalu Park, and the Olomehani Street Parking Lot comprise approximately fifty-three acres and were completed in 1990, 1992, 1998, 2010, and 2005 respectively.

Throughout the years, the HCDA has competitively bid and awarded security service contracts for these properties. The last contract was awarded to Honolulu Merchant Patrol for an initial two-year term, plus a one year option to extend. The current contract cost \$72,237.15 per year for the initial two-year term and \$82,237.15 for the third year option. An additional \$10,000 per year was allocated as allowance spending for unforeseen repairs. The current contract expires on November 17, 2017.

Recognizing the changing conditions in the Kakaako Makai Parks, HCDA staff thought it is prudent to rewrite the security contract to include other service components. The new contract

includes all provisions of the current contract, but also requires the Contractor to be responsible for enforcing and complying with Hawaii Administrative Rules Chapter 15-210 (HCDA's 2017 Park Rules). While this addition in scope of work will come with an increased cost, HCDA staff believes it will help to effectively manage and secure HCDA's park properties, especially as it relates to criminal trespass during nightly park closure.

The Scope of Work for the new security contract includes, but is not limited to, the following:

***\*Denotes new items added to the Scope of Work under the previous contract***

- A. Take appropriate action to document, report, and cite in response to any violation of HAR § 15-210-1 through § 15-210-29, in the Park Facilities. Give verbal warnings to violators, followed by civil citations for corrective action. \*
- B. Maintain daily records of security patrols and provide detailed reports to the HCDA upon request. Contractor may choose to maintain and install, at Contractor's sole expense, an electronic monitoring system to ensure that Contractor's employees adhere to regular patrol schedules. Such monitoring system shall remain the property of Contractor upon the termination of the Contract.
- C. Provide a dedicated roving patrol vehicle equipped with a bullhorn and flashing beacon light to be used as needed, but especially during the Park Facilities' closure hours.
- D. Cite all unpermitted persons and tow all unpermitted vehicles remaining in parks during nightly, posted closure hours. Any violators remaining in the park after 10:00 PM shall be cited for corrective action.
- E. Contact law enforcement to enforce criminal trespass, HRS § 708-814.5, against individuals who refuse to leave the closed Park Facilities after (1) trespassers have been cited, and (2) if they self-identify as homeless, follow Park Rules regarding property storage and outreach procedures. A record of those calls and law enforcement response shall be documented and maintained by the Contractor in a written log and reported to HCDA. \*
- F. Subcontract or coordinate with a towing contractor to remove all unauthorized vehicles from the Park Facilities fifteen minutes after the Park Facilities have closed.
- G. Open, close, and lock all security gates and comfort station gates located within the Park Facilities in accordance with the Park Facilities' operating hours.

Kewalo Basin Park: There are two cattle gates to the parking lot. These gates must be opened daily at 5:30 AM and closed daily at 10:00 PM.

Kakaako Waterfront Park: All park gates shall be opened daily at 6:00 AM and closed daily at 10:00 PM

- H. Maintain a daily log book of all status reports, incidents, and vehicle tows. The Log book shall also include observations of the following: \*
1. Vandalism of any electrical, water, wastewater, or other utility equipment;
  2. Unauthorized access, damage, or theft of public utilities equipment located on HCDA Properties;
  3. Vandalism or other Property Damage to HCDA comfort stations or shower facilities;
  4. Potentially Unsafe Conditions on HCDA's Properties such as exposed and/or frayed energized (live) electrical wiring near standing water;
  5. Neglect/Abuse of Dogs or Other Domesticated Animals on HCDA Properties;
  6. Unleashed Dogs on HCDA's Properties;
  7. Incidents Involving Bites/Attacks by Dogs on HCDA Properties; and
  8. Graffiti on HCDA Properties.
- I. Compile daily logs on a weekly basis and submit seven daily logs to the HCDA's Asset Manager every Monday for review. For any disturbances, violations, accidents, malfunctions, or actions in which law enforcement is called to provide assistance, Contractor shall submit a written report to the HCDA within twenty-four hours of such incident(s). \*
- J. Maintain a Security Management Plan that includes all required security guard qualifications, hiring procedures (including background and police record check), training, day-to-day guard duties and responsibilities, electronic monitoring system, equipment list, patrol schedule, supervision system, and other salient issues relating to security.
- K. Conduct outreach services to all individuals who are violating park rules to prevent behavior from continuing. Outreach services shall be done in conjunction with service providers, law enforcement, and the Hawaiian Humane Society, as needed. \*
- L. Store any personal property left behind by individuals who are asked to leave the park due to violating park closure hours or park rules. Stored property shall be handled in accordance with HAR § 15-210-16, Abandoned Property. \*

- M. Ensure Contractor's GDA (Guard Agency) license is active and in good standing during the entire term of this Contract.
- N. Ensure that all of Contractor's personnel adhere to the following guidelines:
1. All security guards shall lookout for illegal, suspicious, or unusual activities, as well as security and safety hazards such as; but not limited to, disorderly conduct and vandalism. Such surveillance shall be maintained throughout HCDA Properties including inspection of comfort stations, promenades, walkways and parking areas.
  2. All security guards shall be uniformed and maintain a neat and well-groomed appearance.
  3. All security guards shall have the attitude, capability, and emotional stability to interact positively with park users and members of the public.
  4. All security guards shall take immediate appropriate responsive action to any unauthorized or illegal activities or conduct to ensure the safety of park users and welfare of the Parks. The Honolulu Police Department, Sherriff's Office, and/or Honolulu Fire Department shall be immediately notified of suspicious, unsafe and/or emergency conditions.
  5. All security guards assigned to the HCDA Properties shall be thoroughly familiar with the provisions of HAR Chapter 15-210 and the related policies and procedures prior to reporting to work.
  6. Family members or friends are not allowed to accompany the security guards in the course of performing their duties.

**ANALYSIS**

On October 13, 2017, the HCDA released a Request for Proposals (RFP) for Security Guard and Social Outreach Services for Hawaii Community Development Authority Public Parks. Due to a delay in issuing the solicitation, bid results are not yet available.

Proposals are due by November 13, 2017. At that time, HCDA staff will evaluate all proposals to determine the most responsive, responsible bidder that offers the best quality of services to the agency. The evaluation criteria are as follows:

<b><u>Proposal Application Categories</u></b>	<b><u>Possible Points</u></b>
Program Overview	0 points
Experience and Capability	30 points
Organization and staffing	15 points
Service Delivery	40 points
Financials	15 points
<b>TOTAL POSSIBLE POINTS</b>	<b>100 points</b>

**RECOMMENDATION**

HCDA staff recommends the Authority authorize the Executive Director to execute a contract for security guard and social outreach services for Hawaii Community Development Authority Kakaako parks for an initial one-year term, plus two (2) two-year options to extend, using funds from the Hawaii Community Development Authority's Revolving Fund, Public Facility Dedication Subaccount.

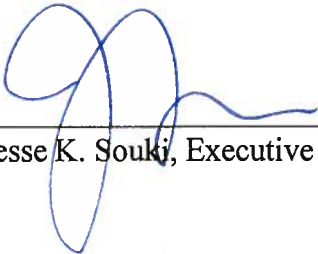
Respectfully Submitted,



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Lindsey Doi  
Asset Manager

Approved for Submittal:



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Jesse K. Souki, Executive Director

Exhibit A - Minutes of the August 3, 2016, General Meeting

Minutes of a Regular Meeting  
of the Members of the  
Hawaii Community Development Authority  
State of Hawaii

Wednesday, August 3, 2016

**GENERAL BUSINESS**

**I. CALL TO ORDER/ROLL CALL**

A general business meeting of the Members of the Hawaii Community Development Authority ("Authority" or "HCDA"), a body corporate and a public instrumentality of the State of Hawaii, was called to order by Chair Whalen at 10:00 AM August 3, 2016 at Authority's principal offices at 547 Queen Street in Honolulu, Hawaii, 96813, pursuant to Article IV, Section 1 of the Authority's Bylaws.

Members Present: Beau Bassett  
Donna Camvel  
Wei Fang  
Michael Golojuch, Sr.  
Scott Kami  
Jason Okuhama  
David Rodriguez  
Shirley Swinney  
Mary Pat Waterhouse  
Steven Scott  
John Whalen

Members Absent: George Atta  
William Oh  
Amy Luersen  
Kalani Capelouto  
Derek Kimura

Others Present: Aedward Los Banos, Interim Executive Director & ASO  
Mike Wong, Deputy Attorney General  
Lori Sunakoda, Deputy Attorney General  
Diane Taira, Deputy Attorney General  
Deepak Neupane, Planning Director  
Lindsey Doi, Asset Manager  
Laura Savo, Court Reporter  
Shelby Hoota, Media Specialist

## **II. APPROVAL OF MINUTES**

### General Regular Meeting of June 1, 2016.

No comments or corrections were made. Minutes were approved as presented.

### 1. General Regular Meeting of July 6, 2016.

No comments or corrections were made. Minutes were approved as presented.

## **REPORT OF THE EXECUTIVE DIRECTOR**

Interim Executive Director, Aedward Los Banos highlighted the following items:

The Kewalo Basin Harbor sewer repair is being worked on. The contractor identified the issue and will start on a permanent repair. The restrooms have reopened and the contractor will work to minimize any closures while the repair is in progress.

The 440 Keawe Street affordable rental project by Kamehameha Schools will possibly be occupied by the end of August.

Tenant improvements to the South Shore Market (section below TJ Maxx on Ward) will begin.

### KALAELOA UPDATE

The Kalaeloa Legacy Foundation held its annual fundraiser.

Kiran Polk of Hunt Development continues to indicate its commitment to address and remove the stockpiles on the site. They are working with another construction company to haul the equipment and complete the removal of the stockpile.

A Micro-grid Project is being prospected in a joint project with the State Energy Office for the Kalaeloa Development District receiving federal support through the Federal Energy Office. Funds will be used to coordinate a workshop with stakeholders to develop parameters for a microgrid. There will be an informational presentation for the Kalaeloa members regarding the microgrid workshop from the State Energy Office at the next meeting in September.

A meeting with BRAC, HCDA and DHHL confirmed that BRAC would like the City to commit to accepting land parcels by the end of the 2016 calendar year. If the City does not agree to accept the parcels HCDA or DHHL may have the opportunity to acquire the Kalaeloa property.

Mr. Los Banos confirmed for Member Swinney that the micro grid workshop will be federally funded and Ms. Tesha Malama stated the logistics for the micro grid workshop are being coordinated and it may coincide simultaneous with the Kalaeloa Landowners Summit

in October.

There were no other questions/comments or discussion from the board members or the public.

### **III. BUSINESS MATTERS**

#### **2. Decision Making: Election of Officers Fiscal Year 2016 - 2017**

Chair Whalen noted due to the lack of quorum at the board's July meeting, the Election of Officers, as required according to the bylaws were deferred to today's meeting.

There were no comments or questions from the board members or the public.

Chair Whalen opened the nominations for the respective officers of Chairperson, Vice Chairperson and Secretary.

Vice Chair Scott nominated John Whalen to continue as Chairperson. Member Golojuch seconded. Chair Whalen conducted a voice vote. All members approved with no abstentions.

Member Kami nominated Steven Scott as Vice Chair. Member Okuhama seconded. Chair Whalen conducted a voice vote. All members approved with no abstentions.

Member Golojuch nominated Shirley Swinney as Secretary. Member Steven Scott seconded. Chair Whalen conducted a voice vote. All members approved with no abstentions.

There were no comments or questions from the board members or the public.

#### **3. Information and Discussion: Settlement Offer and Update Relating to Close Construction, Inc. vs. Hawaii Community Development Authority et al., vs. Mitsunaga & Associates, Inc. vs. DTRIC Insurance Company, Ltd.; Civil No. 14-1-0599-03.**

Chair Whalen noted for the board that the Attorney General's office requested the information and discussion item be moved up, from # 7 as originally filed on the Agenda, and adjust the remaining order accordingly.

Due to the litigation, Member Swinney motioned for the board to convene in executive session pursuant to Hawaii Revised Statutes, Section 92-5 (a)(4). Member Bassett seconded the motion. All members unanimously approved entering into executive session.



\*\*\*\*\*  
Pursuant to Section 92-5 (a) (4), Hawaii Revised Statutes, the Authority convened in  
Executive Session at 10:25 a.m.

\*\*\*\*\*  
Chair Whalen reconvened the meeting at 10:54 a.m.

There was no further discussion from board members or public comments.

**4. Information and Discussion: Executive Director Search Committee Update**

Chair Whalen provided the update. He stated a few changes made to the position description included the addition of the He'eia Community Development District and also skill sets to work in developing the Kaka'ako Community. A revised final position description was disseminated to board members, and the contractor, Bishop and Company opened the application period for 60 days. The committee hopes to recruit and hire the Executive Director by November 2016.

There was no further discussion from board members or public comments.

**5. Information and Discussion: 2017 HCDA Draft Legislative Package**

Mr. Los Banos presented the report provided in the board packet. DBEDT is seeking preliminary budget requests from its divisions and agencies in preparation for the 2017 legislative session. HCDA's summary of budget item requests include:

- The Kalaeloa Enterprise Energy Corridor
- Lot C project parking structure
- American Brewery Building remaining repairs
- Kewalo Basin Fisherman's Wharf bulkhead repair
- HCDA staff salaries
- Kakaako conveyance of roads and other remnant parcels

Chair Whalen noted as the agenda item is just preliminary information for DBEDT's budget request, the board will have an opportunity for a discussion at a later date once DBEDT's budget request is submitted to the legislature.

Mr. Los Banos and Mr. Neupane clarified for board members that the HCDA will not be requesting the legislature to fund an EIS for He'eia this year as the Office of Planning is conducting a NEPA and feels a EIS is not necessary at this time.

**PUBLIC TESTIMONY**

Ms. Michelle Matson, President of the Oahu Island Parks Conservancy, asked where the planned location for the Lot C parking garage will be. Mr. Los Banos and Mr. Neupane stated the parking structure per the current master plan will be located along Forest Avenue and designed to be between 45 to a maximum of 65 feet high.

Ms. Matson suggested that HCDA look into adopting rules so that the 1<sup>st</sup> floor

community room in the American Brewery Building can be utilized by the public for community meetings.

Member Rodriguez asked if the revisions to the reserved housing rules require legislative approval or if the revisions can be completed internally. Chair Whalen confirmed the board has authority to make the revisions and the draft of the reserved housing rules and workforce housing rules will be presented at the HCDA Authority meeting in September.

There was no further discussion from board members or public comments.

6. **Information and Discussion: Proposed Delegation of Authority to HCDA Executive Director Involving Certain Procurement Matters.**

AND

7. **Information and Discussion: Proposed Delegation of Authority to HCDA Executive Director Involving Reserved Housing Matters.**

Mr. Los Banos gave a general overview of the report provided in the board packet and stated, agenda items 7 & 8 are generally decisions that historically have been decided by the board and in an effort to streamline the administrative process both reports are to delegate those decisions to the executive director. Any decisions made by the executive director regarding these matters will be reported in the Executive Director's report to the Authority at the next regularly scheduled board meeting. The following are recommendation decisions currently retained by the Board to be delegated to the Executive Director:

**Administrative/Procurement Matters:**

- Expenditure of non-discretionary costs renewal and execution of existing contracts for goods and services required to operate and maintain HCDA's park properties, offices and other assets.
- Emergency procurement of goods and services and
- Expenditure of HCDA Capital Improvement Projects earmarked funds appropriated by the Hawaii State Legislature pursuant to the Authority's request.

**Reserved Housing Matters:**

- Sale or Transfer After the Regulated Term
- Sale or Transfer During the Regulated Term
- Owner's Refinancing Request and Subordination of Shared Equity Interest

Member Scott stated, to keep the board informed, he'd like any requests over \$25K for procurement matters to be presented to the board for approval.

Mr. Los Banos confirmed for Member Waterhouse, if there are inadequate funds in the reserved housing subaccount and other funds available from another account, the item would be brought before the board for approval.

There was no further discussion from the board members or public comment.

#### **IV. ADJOURNMENT**

Chairperson Whalen adjourned the regular meeting at 11:52 a.m.

Respectfully submitted,

/s/

John Whalen,  
Chair

Note: The transcript of this meeting contains a verbatim record and should be consulted if additional detail is desired.