

Mitchell D. Roth
Mayor



Elizabeth A. Strance
Corporation Counsel

J S. Yoshimoto
Assistant Corporation
Counsel

COUNTY OF HAWAII
OFFICE OF THE CORPORATION COUNSEL

101 Aupuni Street, Suite 325 • Hilo, Hawai'i 96720 • Phone (808) 961-8251 • Fax (808) 961-8622

July 25, 2024

Via Electronic Mail only

Douglas A. Codiga
Schlack Ito
Topa Financial Center
745 Fort Street, Suite 1500
Honolulu, HI 96713
e-mail: dcodiga@schlackito.com

Dear Mr. Codiga:

Re: Fiscal Year 2024-25 Professional Services: Statement of Qualifications (SOQs)

Thank you for submitting your firm's Statement(s) of Qualifications for providing professional services to the Office of the Corporation Counsel, County of Hawai'i. Based upon the information provided, the Department's review committee has determined that your firm is qualified to perform services for the following category(ies):

- CC.1) Attorney/Law (Bankruptcy)
- CC.2) Attorney/Law (Civil Rights Defense)
- CC.3) Attorney/Law (Class Actions)
- CC.4) Attorney/Law (Collections)
- CC.5) Attorney/Law (Commercial Transactions)
- CC.6) Attorney/Law (Condemnation)
- CC.7) Attorney/Law (Constitutional)
- CC.8) Attorney/Law (Construction Litigation)
- CC.9) Attorney/Law (Criminal Defense of County Employees)
- CC.10) Attorney/Law (Drafting of Legislation and Administrative Rules)
- CC.11) Attorney/Law (Enforcement of Federal, State and County Law)
- CC.12) Attorney/Law (Environmental General)
- CC.13) Attorney/Law (Environmental Litigation)
- CC.14) Attorney/Law (Fair Labor Standards Act and other laws related to compensation)
- CC.15) Attorney/Law (Federal and State Tax)
- CC.16) Attorney/Law (General defense in civil matters, including administrative proceedings)
- CC.17) Attorney/Law (General Personal Injury Defense)
- CC.18) Attorney/Law (Land Use, Planning)

- CC.19) Attorney/Law (Procurement)
- CC.20) Attorney/Law (Public Financing)
- CC.21) Attorney/Law (Public Sector Employment)
- CC.22) Attorney/Law (Real Estate)
- CC.23) Attorney/Law (Regulatory)
- CC.24) Attorney/Law (Worker's Compensation)

Your firm will remain on the Department's List of Qualified Providers of Professional Services until June 30, 2025. For your information, this list may be utilized by any County agency during this time period.

When the need for professional services arises, a selection committee will review the qualifications of firms on the list in the appropriate category. Professional services procurements that equal or exceed \$5,000.00 are posted on the County's website within seven (7) days of the contract award.

Thank you for your interest in providing professional services to the County of Hawai'i. If you have any questions or concerns, please contact Amy Bautista at corpcounsel@hawaiicounty.gov or (808) 961-8251.

Respectfully,



Sinclair Salas-Ferguson
Deputy Corporation Counsel

Chair, 2024-25 Professional Services Statement of Qualifications Review Committee

Douglas A. Codiga
Schlack Ito
July 25, 2024
Page 3

bcc: County of Hawai'i, Procurement with enclosure (application packet)

July 24, 2024

Via Electronic Mail

Ms. Elizabeth A. Strance
Corporation Counsel, County of Hawai'i
101 Aupuni Street, Suite 325
Hilo, Hawai'i 96720
corp.counsel@hawaiiicounty.gov

**Re: Schlack Ito, A Limited Liability Law Company
Response to Notice of Providers of Professional Services**

Dear Ms. Strance:

This responds on behalf of Schlack Ito, A Limited Liability Law Company to the County of Hawaii's Notice to Providers of Professional Services dated June 1, 2024.

Background Information

Schlack Ito is a mid-sized Hawaii law firm, with fourteen total attorneys, with a focus on real estate transactional and litigation work, including environmental and land use matters. Schlack Ito has been acknowledged as a "Best Law Firm" by US News & World Report and is ranked in Chambers USA. In addition, our attorneys have been consistently recognized by Best Lawyers in America, Martindale Hubbell (AV Rated), Super Lawyers, Chambers USA and other organizations. Additional information is available on the Schlack Ito website, at:

www.schlacktito.com

Response to Questions

The following responds to the enumerated questions in the Notice to Providers.

(1) The name of the firm or person, contact information including email address, the principal place of business, and location of all of its offices;

Schlack Ito has one office only and its principal place of business is Honolulu, Hawaii. The contact information is as follows:

Schlack Ito, A Limited Liability Law Corporation
Attn.: Douglas A. Codiga, Esq.

July 24, 2024

Page 2

745 Fort Street, Suite 1500
Honolulu, Hawaii 96813
Tel.: (808) 523-6040
dcodiga@schlackito.com

(2) *The age of the firm and its average number of employees over the past five years;*

Schlack Ito was founded in 2003 and has served its clients for over twenty years. Over the past five years, the average number of attorneys has been approximately thirteen and the average number of non-attorney staff has been approximately six.

(3) *The education, training, and qualifications of the individual, or if a firm, its key employees in accordance with HRS 103D-304 and/or the professional and scientific occupation series contained in the United States Office of Personnel Management's Qualifications Standards Handbook (<https://www.opm.gov/policy-data-oversight/classification-qualifications/general-schedule-qualification-standards/#url=GS-PROF>);*

Schlack Ito consists of attorneys licensed to practice law in the State of Hawaii. Additional information concerning the education, training and qualifications of the firm's attorneys is available on the Schlack Ito website, at:

www.schlackito.com

Note that the Schlack Ito website includes a section on "Attorneys" which contains an individual webpage for each attorney with the attorney's educational background, professional experience, and areas of practice. The attorneys include:

Douglas A. Codiga
dcodiga@schlackito.com
Member
Honolulu, HI
Direct: 808.523.6047

Eric A. Elkind
eelkind@schlackito.com
Member
Honolulu, HI
Direct: 808.523.6090

July 24, 2024

Page 3

Natalie S. Hiu
nhiu@schlackito.com
Member
Honolulu, HI
Direct: 808.523.6003

Mark F. Ito
mito@schlackito.com
Member
Honolulu, HI
Direct: 808.523.6045

Raymond S. Iwamoto
riwamoto@schlackito.com
Member
Honolulu, HI
Direct: 808.523.6006

Regan M. Iwao
riwao@schlackito.com
Member
Honolulu, HI
Direct: 808.439.8041

Derek R. Kobayashi
dkobayashi@schlackito.com
Member
Honolulu, HI
Direct: 808.523.6060

Carol E. Lockwood
clockwood@schlackito.com
Member
Honolulu, HI
Direct: 808.523.6043

Scot Z. Matayoshi
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Associate
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Direct: 808.439.8042

July 24, 2024

Page 4

Matthew M. Matsunaga
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Member
Honolulu, HI
Direct: 808.523.6061

Jeffrey S. Piper
jpiper@schlackito.com
Member
Honolulu, HI
Direct: 808.523.6789

Carl J. Schlack, Jr.
cschlack@schlackito.com
Member
Honolulu, HI
Direct: 808.523.6044

Brittney M. Wu
bwu@schlackito.com
Associate
Honolulu, HI
Direct: 808.523.6042

Kiana K.T. Nakanelua
knakanelua@schlackito.com
Associate
Honolulu, HI
Direct: 808.784.2872

Emily Schlack
eschlack@schlackito.com
Associate
Honolulu, HI
Direct: 808.523.6031

Note also that the Schlack Ito website contains a section on “Areas” which describes the areas of law which are the focus of the attorneys in the firm. The legal practice areas are as follows:

July 24, 2024

Page 5

- Real Estate
- Business and Corporate
- Environmental, Land Use, and Climate and Sustainability
- Litigation and Alternative Dispute Resolution
- Government Affairs
- Nonprofit Organizations
- Finance
- Assisted Reproductive Technology and Adoption Law

(4) *A list of recent projects and the names of up to five clients who may be contacted, including at least two for whom services were rendered during the preceding year; and*

Schlack Ito regularly represents clients in the practice areas listed above. Examples of client matters in these practice areas can be provided upon request. In response to this question, a recent client matter is as follows:

Description: The matter involves advising a commercial real estate owner with regard to (i) the federal Clean Water Act and implementing Code of Federal Regulations, and (ii) the Hawaii Water Pollution law, Hawaii Revised Statutes ch. 342D, and implementing Hawaii Administrative Rules. Specific legal work includes advising and negotiating with regard to permitting and compliance matters, including with regard to the renewal of a National Pollution Discharge Elimination System (“NPDES”) permit and related matters.

Client contact:

Curt Nakamura, General Manager
Anderson Real Estate
700 Bishop St, Honolulu, HI 96813
cnakamura@andersonrealestate.com

(5) *Any promotional or descriptive literature which the individual or firm desires to submit.*

Promotional and descriptive literature is available on the Schlack Ito website, at:

www.schlacktito.com

July 24, 2024

Page 6

Applicable Categories of Services

Schlack Ito wishes to be considered for the following categories of services as set forth in the Notice to Providers:

- CC.2) Attorney/Law (General Personal Injury Defense)
- CC.4) Attorney/Law (General defense in civil matters, including administrative proceedings)
- CC.11) Attorney/Law (Real Estate)
- CC.12) Attorney/Law (Land Use, Planning)
- CC.17) Attorney /Law (Construction Litigation)
- CC.19) Attorney/Law (Commercial Transactions)
- CC.22) Attorney/Law (Environmental)
- CC.23) Attorney/Law (Regulatory)

Please feel free to contact me at (808) 523-6047 or dcodiga@schlackito.com if you would like more information. Thank you.

Very truly yours,
SCHLACK ITO
A LIMITED LIABILITY LAW COMPANY

/s/ Douglas A. Codiga
Douglas A. Codiga

Douglas A. Codiga

DOUGLAS A. CODIGA, a Member of the firm, advises clients in the areas of energy and environmental law, with an emphasis on utility regulatory and administrative proceedings.

- Regulatory and environmental counsel on renewable energy development projects with cumulative value of \$1 billion
- Lead counsel for clean energy advocacy organizations on policy dockets before Hawaii Public Utilities Commission including renewable generation and transmission, ratemaking, resource planning, and grid modernization
- Advise and represent clients in multi-year, multi-stakeholder regulatory proceedings on clean energy matters
- Represent multinational corporations on energy development and power purchase agreements for hydro and solar PV projects
- Energy and environmental due diligence and lease review for \$44 million oil company transaction
- Regulatory and environmental review and permitting for hotel resort and commercial development projects
- Advise clients in air and water pollution control permitting and compliance matters, including enforcement and cost recovery
- Advise and represent parties to Hawaii Water Commission proceeding defending water resource use claims
- Two-year mediation of complex enforcement action under Clean Water Act and Endangered Species Act with U.S. Environmental Protection Agency and other federal, state, and county agencies
- Advise university on environmental compliance for research permits and approvals
- Administrative proceedings and litigation involving \$11 million Waikiki municipal development project

Education:

Yale Law School, Master of Laws (LL.M.), 1999
Richardson School of Law, University of Hawaii, Juris Doctor with Environmental Law Certificate, 1994
University of Hawaii, Master of Arts, Religion, 1991
University of California Santa Barbara, Bachelor of Arts (Honors), 1984

Practice Areas:

Energy and Regulatory Law
Climate and Sustainability
Environmental Law

Admitted to Practice:

U.S. District Court
District of Hawaii
State Court of Hawaii

Direct Dial:

(808) 523-6047

E-mail Address:

dcodiga@schlackito.com

DOUGLAS A. CODIGA is a Member of the firm concentrating his practice in the areas of energy and environmental law, with an emphasis on regulatory and administrative proceedings and dispute resolution. Mr. Codiga founded Hawaii's first Climate and Sustainability Law Practice Group in 2007 and frequently publishes and lectures on clean energy, climate change, and environmental law and policy. He has been listed in The Best Lawyers in America, Super Lawyers, and holds the highest Martindale-Hubbell Peer Review Professional Rating of AV (Preeminent).



REGAN M. IWAO, ESQ.

◆ PROFESSIONAL EXPERIENCE

Schlack Ito, A Limited Liability Law Company, Honolulu, Hawaii
Partner (2017-Present)

- Lead attorney of litigation teams that successfully represented plaintiffs and defendants in disputes in federal and state courts, jury and bench trials, arbitrations and mediations.
- Practice areas include Real Estate Litigation, Construction Litigation, Personal Injury Litigation, Commercial Litigation, Trust and Estate Litigation, Insurance Defense, Coverage and Bad Faith Litigation, and Other Litigation.

Goodsill Anderson Quinn & Stifel, LLP, Honolulu, Hawaii
Partner (2008-2017), Associate (2000-2007), Summer Associate (1999)

- Pro Bono Coordinator (2008-2017).
- Member of the Hiring & Recruiting Committee (2005-2017).
- Member of the Professional Responsibility Committee (2015-2017).

◆ HONORS AND AWARDS:

- *Martindale-Hubbell*, AV Preeminent (since 2015).
- *Best Lawyers in America*, Commercial Litigation (since 2020).
- *Best Lawyers in America*, Litigation - Trusts and Estates (since 2019).
- *Best Lawyers in America*, Litigation - Real Estate (since 2018).
- *Super Lawyers*, "Super Lawyer" (since 2016).
- *Super Lawyers*, "Rising Star" (2013-2015).

◆ EDUCATION:

William S. Richardson School of Law, University of Hawaii, Honolulu, Hawaii
Juris Doctor (J.D.) (Cum Laude), May 2000

- University of Hawaii Law Review, Editor.

Rensselaer Polytechnic Institute, Troy, New York

Bachelor of Science (B.S.), Mechanical Engineering (Magna Cum Laude), May 1996

- Completed degree in three years.
- Tau Beta Pi, National Engineering Honorary Society.
- Pi Tau Sigma, National Mechanical Engineer Honorary Society.
- Dean's List (1993-1996).

◆ **COMMUNITY ACTIVITIES:**

- **Legal Aid Society of Hawaii**, *Board Member* (2012-Present), *Past Treasurer and Vice President, and Current President* (2023).
- **Hawaii Justice Foundation**, *Board Member* (2014-Present).
- **Access to Justice Commission, Task Force on Pro Bono Initiative**, *Member* (2012-Present).
- **Access to Justice Center**, *Volunteer Attorney* (2012-Present).
- **Court Annexed Arbitration Program**, *Arbitrator* (2005-Present).
- **Hawaii Judiciary 20/20 Strategic Planning Committee on Access to Justice**, *Member* (2013-2014).
- **James S. Burns Aloha Chapter, American Inns of Court**, *Barrister and Master* (2008-Present).
- **Volunteer Legal Services Hawaii**, *Volunteer Attorney* (2000 – Present).
- **Hawaii State Bar Association, Delivery of Legal Services to the Public Committee**, *Chair* (2013-2014) and *Member* (2012-Present).
- **Hawaii State Bar Association**, *Delegate to 2012 Equal Justice Conference*.
- **Hawaii State Bar Association, 6th Annual Leadership Institute**, *Fellow* (2014).
- **Hawaii State Bar Association, Leadership Institute**, *Advisory Committee Member* (2015-Present), *Co-Leader* (2015).
- **Hawaii State Bar Association**, *Volunteer*, Legal Lines, Law Week clinics.

◆ **PROFESSIONAL LICENSES AND OTHER EXPERIENCE:**

- Admitted to practice in the State and Federal Courts of Hawaii, the Ninth Circuit Court of Appeals, and the United States Supreme Court.
- Engineer-in-Training Certification (1998).
- Mediator training from the Mediation Center of the Pacific (2010).
- Japan Exchange and Teaching Program, *Assistant Language Teacher* (1996-1997).