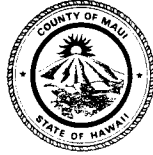


JOSIAH K. NISHITA
County Clerk



19P1-47
RECEIVED

MARGARET C. CLARK
Deputy County Clerk

2019 JUN 18 PM 4: 27

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

OFFICE OF THE
COUNTY COUNCIL

June 18, 2019

Honorable Alice L. Lee, Chair
Water and Infrastructure Committee
Council of the County of Maui
Wailuku, Hawaii 96793

Dear Chair Lee:

By letter dated June 5, 2019 (County Communication No. 19-256), the Director of Finance transmitted 47 contracts/grants for filing with the County Clerk.

At the June 18, 2019 Council meeting, the foregoing communication was filed; however, Contract No. C6589-1 was referred to your Committee at your request. Transmitted is a copy of the contract.

Respectfully,

A handwritten signature in black ink, appearing to read "Josiah K. Nishita".

JOSIAH K. NISHITA
County Clerk

/lks

Enclosure

cc: Director of Council Services

✓

AMENDMENT TO CONTRACT CERTIFICATION

I, **SCOTT K. TERUYA**, Director of Finance of the County of Maui, State of Hawaii, do certify that there is available appropriation or balance of an appropriation over and above all outstanding contracts, sufficient to cover the amount required by the foregoing contract, i.e.

Appropriation Index	Title	Amount Required
919509B	DISPOSAL CENTRAL LANDFILL	(6112) \$73,912.00

Contract No. C 6589 CH2M HILL ENGINEERS, INC.

Amendment No. 1 Dated:

Dated this 9 day of MAY 2019

Extension of Contract to: No Time Extension

Original Amount	\$ 131,237.74
Prior Amends/CO	\$ 0.00
This Amendment	<u>\$ 73,912.00</u>
Total contract	<u>\$ 205,149.74</u>


 SCOTT K. TERUYA
 Director of Finance

Central Maui Landfill Groundwater
 Monitoring Services for DEM
 QBS #Q-SW-19-04
 ORDINANCE #4861 (FY2019)

FY 2019

jh kc slq J195 5/10/19

J 5/10/19

AMENDMENT NO. 1 TO CONTRACT NO. C6589

Department: Environmental Management – Solid Waste Division
Project Title: Central Maui Landfill Groundwater Monitoring Services
QBS No.: Q-SW-19-04
Additional Certification Requested from County: \$73,912.00

This AMENDMENT NO. 1 TO CONTRACT is made and entered into by and between the COUNTY OF MAUI, a political subdivision of the State of Hawaii, whose business address is 200 South High Street, Wailuku, Maui, Hawaii 96793, hereinafter referred to as the "County", and CH2M HILL ENGINEERS, INC., a Delaware corporation, whose mailing address is 1132 Bishop Street, Suite 1100, Honolulu, Hawaii 96813, hereinafter referred to as the "Contractor". County and Contractor shall hereinafter be referred to collectively as the "Parties".

Source of Funds. The source(s) and availability of the funds for this Contract shall be as set forth in the Contract Certification signed by the Director of Finance of the County of Maui on or before the effective date of this Contract. Contract Certification shall be on file in the office of the Director of Finance of the County of Maui.

RECITALS:

1. WHEREAS, the County and the Contractor entered into the following Contract and Amendment(s), if any, with certified availability of funds in the amount indicated and time of performance as indicated:

AMENDMENT NO. 1 TO CONTRACT NO. C6589

CONTRACT OR AMENDMENT NO.	DATE	ADDITIONAL CERTIFIED AMOUNT	TOTAL CERTIFIED AMOUNT	TIME OF PERFORMANCE/EXTENSION	RENEWAL OPTION FOR MULTI TERM CONTRACT
C6589	10/19/2018	NOT APPLICABLE	\$131,237.74	3 years from Notice to Proceed (7/11/2018)	Two Additional One Year Terms

2. WHEREAS, the Contract and any Amendment(s) thereto listed above shall be hereafter collectively referred to as "Contract"; and

3. WHEREAS, the Contract is on file with the Director of Finance; and

4. WHEREAS, the Parties now desire to amend the Contract.

NOW, THEREFORE, the Parties mutually agree to amend the Contract as follows:

1. The scope of work as set forth in the Contractor's proposal dated March 22, 2019, and any attachments thereto, (hereinafter "Amended Proposal") is hereby added to the Scope of Work. A copy of said document is maintained and on file in the office of the Director of Finance of the County of Maui and incorporated herein by reference and hereby made a part of the Contract. Any general, miscellaneous, or other terms, conditions, or provisions that are found in any of the Contractor's proposals for this Contract or in any sub-contractor's proposals attached thereto shall be unenforceable as against the County, unless the subject of such terms, conditions, or provisions is addressed in the County's General Conditions, and such terms, conditions, or provisions are consistent with the County's General Conditions.

AMENDMENT NO. 1 TO CONTRACT NO. C6589

2. The total not-to-exceed amount as stated in the Contract is hereby increased by the amount of additional certification requested as set forth hereinabove, subject to appropriation and inclusive of all taxes. The fee or compensation schedule as set forth in the Amended Proposal is hereby added to the Compensation provision of the Contract.

The entire Contract, as amended herein, shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties execute this Amendment by their signatures, on the dates below, to be effective as of the date of last signature hereto.

[EXECUTION PAGES TO FOLLOW]

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

AMENDMENT NO. 1 TO CONTRACT NO. C6589

CONTRACTOR EXECUTION PAGE

I hereby represent and warrant that I have the legal right and authority to execute this Contract on behalf of the Contractor.

CONTRACTOR:

CH2M HILL ENGINEERS, INC.

By 
(Signature)

Dennis Peters
(Print Name)

Its Designated Manager
(Title)

Date April 19, 2019

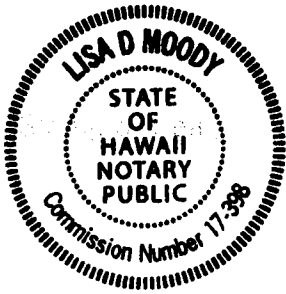
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AMENDMENT NO. 1 TO CONTRACT NO. C6589

STATE OF Hawaii
City and County of Honolulu } ss.

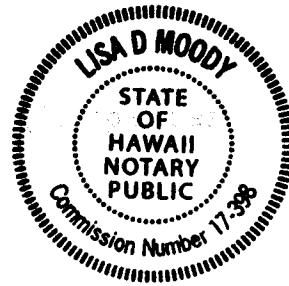
On this 19 day of APRIL, 2019, before me personally appeared DENNIS PETERS, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



[Signature]
Notary Public, State of HAWAII
Print Name: Lisa D. Moody
My commission expires: 10/08/21

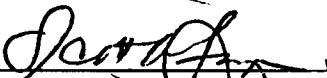
NOTARY PUBLIC CERTIFICATION			
Doc. Date:	<u>undated</u>	# Pages:	<u>7</u>
Notary Name:	<u>Lisa D. Moody</u>	Judicial Circuit:	<u>1st</u>
Doc. Description:	<u>Amendment No.1 to Contract No. C6589 Central Maui Landfill Groundwater Monitoring Services</u>		
Notary Signature:	<u>[Signature]</u>		
Date:	<u>4/19/2019</u>		



AMENDMENT NO. 1 TO CONTRACT NO. C6589

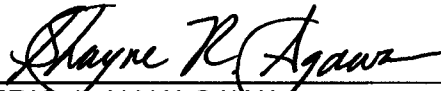
COUNTY EXECUTION PAGE

COUNTY OF MAUI

By 
SCOTT K. TERUYA
Its Director of Finance

Date MAY 10 2019

REVIEWED AND APPROVED:

for 
ERIC A. NAKAGAWA
Acting Director, Department of
Environmental Management

Date 4/29/19

APPROVED AS TO FORM
AND LEGALITY:


Deputy Corporation Counsel
County of Maui

Date 5/2/19
2018-1229
2019-04-03 C6589 Amd1

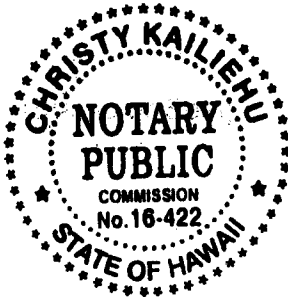
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AMENDMENT NO. 1 TO CONTRACT NO. C6589

STATE OF HAWAII)
COUNTY OF MAUI) SS.

On this 10th day of MAY, 2019, before me appeared SCOTT K. TERUYA, to me personally known, who being by me duly sworn, did say that he is the Director of Finance of the County of Maui, a political subdivision of the State of Hawaii, and that the seal affixed to the foregoing instrument is the lawful seal of the said County of Maui, and that the said instrument was signed and sealed on behalf of said County of Maui pursuant to Section 9-18 of the Charter of the County of Maui; and the said SCOTT K. TERUYA acknowledged the said instrument to be the free act and deed of said County of Maui.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Christy Kailiehu

Notary Public, State of Hawaii

Print Name: CHRISTY KAILIEHU

My commission expires: NOV 27 2020

NOTARY PUBLIC CERTIFICATION

Doc. Date: MAY 10 2019 # Pages: 7

Notary Name: CHRISTY KAILIEHU Judicial Circuit: 2nd

Doc. Description: Amendment No. 1 to
Contract No. C6589

Notary Signature: *Christy Kailiehu*

Date: MAY 10 2019

