

JOSIAH K. NISHITA  
County Clerk



WT-75

MARGARET C. CLARK  
Deputy County Clerk

**OFFICE OF THE COUNTY CLERK**  
COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov/county/clerk](http://www.mauicounty.gov/county/clerk)

January 27, 2020

Honorable Yuki Lei Sugimura, Chair  
Water, Infrastructure, and Transportation Committee  
Council of the County of Maui  
Wailuku, Hawaii 96793

Dear Chair Sugimura:

By letter dated January 9, 2020 (County Communication No. 20-26), the Director of Finance transmitted 166 contracts/grants for filing with the County Clerk.

At the January 24, 2020 Council meeting, the foregoing communication was filed; however, Contract C6027-1 was referred to your Committee at Councilmember King's request. Transmitted is a copy of the contract.

Respectfully,

A handwritten signature in black ink, appearing to be "J. Nishita", written over a horizontal line.

JOSIAH K. NISHITA  
County Clerk

/jym

Enclosures

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.

| <u>Appropriation</u><br>Index | <u>Title</u>                | <u>Amount Required</u> |
|-------------------------------|-----------------------------|------------------------|
| 369503 ✓                      | SO MAUI TRAFFIC MASTER PLAN | (7190) \$0.00          |

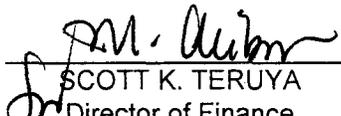
Contract No. C 6027 CH2M HILL, INC.

Amendment No. 1 Dated:

Dated this 27 day of DECEMBER 2019

Extension of Contract to: Additional 365 Calendar Days

|                 |                        |
|-----------------|------------------------|
| Original Amount | \$ 681,168.00          |
| Prior Amends/CO | \$ 0.00                |
| This Amendment  | \$ 0.00                |
| Total contract  | <u>\$ 681,168.00</u> ✓ |

  
 SCOTT K. TERUYA  
 Director of Finance

**Time extension only.**  
 Kihei Sub-Area Transportation  
 Study for DPW  
 Job #SPR-0010(036)  
 RFP #14-15/P-9  
 QBS #Q-PW-16-20

FY 2020

jh *aug 12/27*  
*je47*

*je*

**AMENDMENT NO. 1 TO CONTRACT NO. C6027**

Department: Public Works – Engineering Division  
Project Title: Kihei Sub-Area Transportation Study  
Job No.: SPR-0010(036)  
RFP No.: 14-15/P-9  
QBS No.: Q-PW-16-20  
Additional Certification Requested from County: \$0.00

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, INC., a Florida 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. C6027**

| CONTRACT OR AMENDMENT NO. | DATE       | ADDITIONAL CERTIFIED AMOUNT | TOTAL CERTIFIED AMOUNT | TIME OF PERFORMANCE/EXTENSION                           | RENEWAL OPTION FOR MULTI TERM CONTRACT |
|---------------------------|------------|-----------------------------|------------------------|---|--|
| C6027                     | 08/04/2016 | NOT APPLICABLE              | \$681,168.00           | 1,080 calendar days from Notice to Proceed (01/20/2017) | None                                   |

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. Section 2., Time of Performance, is amended to read as follows:

2. Time of Performance. The Contractor shall commence performance under this Contract upon issuance of the Notice to Proceed, and shall continue performance for a period of 1,445 calendar days therefrom, unless sooner completed, terminated, or extended in compliance with the terms of this Contract. Where the contract work is structured into phases or discrete work items, if the commencement of a phase or work item is triggered not by the completion of the prior phase or work item, but by some other event not under the control of the Contractor, the time between the completion of one phase or work item and the commencement of the next shall not count towards the time of performance within which the Contractor agreed to complete its performance under the Contract. The Contractor agrees to cooperate and coordinate with the County to accurately compute and document the time of performance.

**AMENDMENT NO. 1 TO CONTRACT NO. C6027**

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]**

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**AMENDMENT NO. 1 TO CONTRACT NO. C6027**

**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, INC.

By   
(Signature)

Ross A. Kaneko  
(Print Name)

Its Client Account Manager and Designated Signer  
(Title)

Date December 9, 2019

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AMENDMENT NO. 1 TO CONTRACT NO. C6027

STATE OF HAWAII )  
City and County of Honolulu ) SS.

On this 9th day of December, 2019, before me personally appeared Ross A. Kaneko, 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.

(Stamp or Seal)



Sally Manglicmot  
Notary Public, State of Hawaii  
Print Name: Sally Manglicmot  
My commission expires: 10/08/21

| NOTARY PUBLIC CERTIFICATION |   |                   |            |
|-----------------------------|---|-------------------|------------|
| Doc. Date:                  | <u>Undated</u>                                  | # Pages:          | <u>7</u>   |
| Notary Name:                | <u>Sally Manglicmot</u>                         | Judicial Circuit: | <u>1st</u> |
| Doc. Description:           | <u>Amendment No. 1 to Contract</u>              |                   |            |
|                             | <u>No. C6027, Kihei Sub-Area Transportation</u> |                   |            |
|                             | <u>Study</u>                                    |                   |            |
| Notary Signature:           | <u>Sally Manglicmot</u>                         |                   |            |
| Date:                       | <u>December 9, 2019</u>                         |                   |            |



AMENDMENT NO. 1 TO CONTRACT NO. C6027

COUNTY EXECUTION PAGE

COUNTY OF MAUI

By M. Alibin CW  
mf  
~~SCOTT K. TERUYA~~ MAY-ANNE A. ALIBIN  
Its ~~Director of Finance~~ Deputy Director of Finance  
Date DEC 31 2019

REVIEWED AND APPROVED:

*Jordan Molina*  
FOR ROWENA M. DAGDAG-ANDAYA  
Director  
Department of Public Works  
Date DEC 11 2019

APPROVED AS TO FORM  
AND LEGALITY:

*[Signature]*  
Deputy Corporation Counsel  
County of Maui  
Date 12.23.19

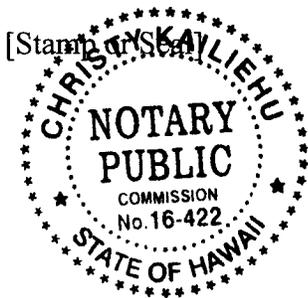
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STATE OF HAWAII )  
 )  
COUNTY OF MAUI ) SS.

On this 31<sup>st</sup> day of December, 2019, before me personally appeared **MAY-ANNE A. ALIBIN**, to me personally known, who, being by me duly sworn, did say that she is the Deputy Finance Director 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 by authority of its Charter; and the said **MAY-ANNE A. ALIBIN** 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:                  | <u>DEC 31 2019</u>                                     | # Pages:          | <u>7</u>   |
| Notary Name:                | <u>CHRISTY KAILIEHU</u>                                | Judicial Circuit: | <u>2nd</u> |
| Doc. Description            | <u>Amendment No. 1 to</u><br><u>Contract No. C6027</u> |                   |            |
| Notary Signature:           | <u>Christy Kailiehu</u>                                |                   |            |
| Date:                       | <u>DEC 31 2019</u>                                     |                   |            |

