

## AMENDMENT TO GRANT CERTIFICATION

I, **DANILO F. AGSALOG**, 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
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914216B ✓	HERITAGE HALL, INC. ✓	(6317) ✓ \$ 500,000.00 ✓
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Grant No. G 3712 HERITAGE HALL, INCORPORATED


Amendment No. 2 Dated:

Dated this 13 day of AUGUST 2015

Extension of Grant: December 31, 2017 ✓

Original amount	\$ 1,500,000.00
Prior amendments	\$ 750,000.00
This amendment	\$ 500,000.00
Total	<u>\$ 2,750,000.00</u>

RECEIVED  
2015 SEP - 1 AM 9:53  
OFFICE OF THE MAYOR

  
DANILO F. AGSALOG  
Director of Finance

Heritage Hall construction for the  
Office of Economic Development  
ORDINANCE NO. 4231

FY 2016

ji

8/24/15  
8/14/15

8/28/15  
mg

**SECOND AMENDMENT TO GRANT AGREEMENT OF COUNTY FUNDS  
HERITAGE HALL, INCORPORATED  
HERITAGE HALL CONSTRUCTION  
G3712**

Source of Funds:            914216 Heritage Hall, Inc.            \$2,750,000.00

Total Certification requested from County:            \$2,750,000.00

THIS AMENDMENT TO GRANT AGREEMENT OF COUNTY FUNDS, made this 11<sup>th</sup> day of September, 2015, by and between the HERITAGE HALL, INCORPORATED, a non-profit Hawai'i corporation, whose mailing address is 95 Mahalani Street, Room 12, Wailuku, Hawai'i, 96793, hereinafter referred to as "Grantee", and the COUNTY OF MAUI, a political subdivision of the State of Hawai'i, whose principal place of business is 200 South High Street, Wailuku, Maui, Hawai'i 96793, hereinafter referred to as "County", collectively referred to as the "Parties".

R E C I T A L S:

1. The Parties entered into that certain Grant Agreement of County Funds No. G3712 dated June 28, 2013, hereinafter referred to as "Grant Agreement", on file with the Director of Finance and incorporated herein by reference;

2. The Parties amended said Grant Agreement on May 26, 2015, which amendment is on file with the Director of Finance and incorporated herein by reference; and

3. The Parties wish to amend said Grant Agreement to extend the performance schedule and provide additional funds as further described by Exhibit "A", attached hereto and made a part hereof, and to add a matching funds requirement.

AMENDMENT OF GRANT AGREEMENT

1. Section B., Program Budget, is amended to read as follows:

"B. Program Budget. The County agrees to make available as a grant to the Grantee, a sum not to exceed TWO MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$2,750,000.00) in grant funds. Grantee shall utilize all County funds granted hereunder solely for the Grantee's Program.

2. Section C., Performance Schedule, is amended to read as follows:

"C. Performance Schedule. Grantee shall complete its Program on or before December 31, 2017, subject to such extensions as may be agreed to in writing by County, and unless sooner terminated as provided herein."

3. Add new Section E., as follows:

"E. Appropriation of Funds Proviso. Maui County has appropriated the sum of \$500,000 for Fiscal Year 2015-2016. Prior to any disbursements of funds, Grantee shall provide proof, in writing, to Maui County, that five-to-one matching funds have been received by Grantee."

All other terms, conditions, provisions and covenants of the grant agreement not herein modified by this Amendment shall remain unchanged and shall continue to be in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have executed this  
Amendment on the day, month and year first above written.

GRANTEE:

HERITAGE HALL, INCORPORATED

By Audrey M. Guerrero  
(Signature)

Audrey M. Guerrero  
(Print Name)

Its President  
(Title)

By Audrey Rocha Reed  
(Signature)

Audrey Rocha Reed  
(Print Name)

Its Secretary  
(Title)

COUNTY OF MAUI

By Alan M. Arakawa

ALAN M. ARAKAWA  
Its Mayor

APPROVAL RECOMMENDED:

Teena M. Rasmussen

TEENA M. RASMUSSEN  
Director  
Office of Economic Development

APPROVAL RECOMMENDED:



JAN SHISHIDO  
Director ~~Deputy~~  
Department of Housing and Human Concern



SANANDA K. BAZ  
Budget Director

APPROVED AS TO FORM AND LEGALITY:

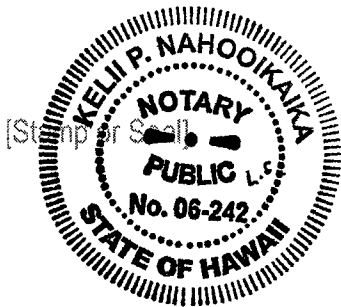


JERRIE L. SHEPPARD  
Deputy Corporation Counsel

STATE OF Hawaii )  
 ) SS.  
County of Maui )

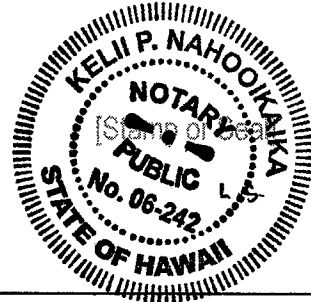
On this 27<sup>th</sup> day of July, 2015, before me personally appeared Audrey M. Guerrero + Audrey Rocha Reed, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the 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.



Kelii P. Nahooikaika  
Notary Public, State of Hawaii  
Print Name: KELII P. NAHOOIKAIKA  
My commission expires: 4-30-2016

NOTARY PUBLIC CERTIFICATION		
Doc. Date:	<u>undated at time of notarization</u>	# Pages: <u>9</u>
Notary Name:	<u>KELII P. NAHOOIKAIKA</u>	Judicial Circuit: <u>2nd</u>
Doc. Description:	<u>grant agreement amendment 3</u> <u>Heritage Hall</u>	
Notary Signature:	<u>Kelii P. Nahooikaika</u>	
Date:	<u>7-27-15</u>	



STATE OF \_\_\_\_\_ )  
 ) SS.  
\_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_, 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.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

[Stamp or Seal]

Print Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_

#### NOTARY PUBLIC CERTIFICATION

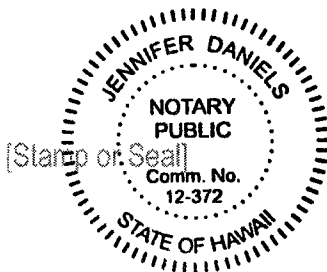
Doc. Date:	undated at time of notarization	# Pages:	_____
Notary Name:	_____	Judicial Circuit:	_____
Doc. Description:	_____		
	_____		
	_____		
	_____		
Notary Signature:	_____		
Date:	_____		

[Stamp or Seal]

STATE OF HAWAII            )  
                                      )  
COUNTY OF MAUI         )       SS.

On this 11<sup>th</sup> day of September, 2015, before me personally appeared ALAN M. ARAKAWA, to me personally known, who, being by me duly sworn, did say that he is the Mayor 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 7-5.11 and Section 9-18 of the Charter of the County of Maui; and the said ALAN M. ARAKAWA 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.



Jennifer Daniels  
Notary Public, State of Hawaii

Print Name: JENNIFER DANIELS

My commission expires: 11/11/2016

NOTARY PUBLIC CERTIFICATION		
Doc. Date:	<u>9/11/15</u>	# Pages: <u>9</u>
Notary Name:	<u>JENNIFER DANIELS</u>	Judicial Circuit: <u>Second</u>
Doc. Description: <u>Second Amendment to Grant</u> <u>Agreement of County Funds, Heritage Hall</u>		
<div style="text-align: right;"></div>		
Notary Signature:	<u>Jennifer Daniels</u>	
Date:	<u>9/11/15</u>	





## HERITAGE HALL

95 Mahalani Street, Room 12  
Wailuku, HI 96793

### OFFICERS

July 22, 2015

**Audrey M. Guerrero**  
*President*  
(Portuguese Association of Maui)

**Dolores T. Bio**  
*Vice-President*  
(Maui Puerto Rican Association)

**Audrey Rocha Reed**  
*Secretary*  
(Portuguese Association of Maui)

**Margie Vida**  
*Treasurer*  
(Maui Puerto Rican Association)

### DIRECTORS

**Alfred Boteilho, Jr.**  
(Portuguese Association of Maui)

**Louis G. Cambra, Alternate**  
(Maui Puerto Rican Association)

**Lawrence K. Hudson, Alternate**  
(Portuguese Association of Maui)

**Roy K. Katsuda**  
(Independent)

**Harold L. ("Ivan") Luce, Jr.**  
(Portuguese Association of Maui)

**Julius Rodrigues**  
(Maui Puerto Rican Association)

**Philip A. Valentine**  
(Maui Puerto Rican Association)

\* In Memoriam  
**Francis Torres**  
Maui Puerto Rican Association

Ms. Teena Rasmussen, Director  
Office of Economic Development  
County of Maui  
2200 Main Street, Ste. 305  
Wailuku, HI 96793

Attention: Tina Silva  
Grants Administrator

Dear Ms. Rasmussen:


The Board of Directors of Heritage Hall respectfully requests a time amendment until 12/31/17 for Grant No. G3712 in the amount of \$2,750,000. The extension will allow Heritage Hall to utilize the final \$500,000 to complete construction of the facility at 401 Baldwin Avenue in Paia.

The construction contract is \$4,353,047.80. Related costs amount to \$253,942.00 and include purchase of the water meter, fees for the architect, engineer, and construction manager, construction insurance, fees to Maui Electric for relocation of a pole and initiation of service, soil compaction and required deposit with the Dept. of Water Supply. This brings the total project cost to \$4,606,989.80. (Please see attached Heritage Hall Project Summary).

Construction is expected to be completed in February 2016. Delays due to weather are likely, however, so we are planning the dedication for late March or early April.

We are most grateful to the County of Maui for its confidence in and support for Heritage Hall. We look forward to serving the people of Maui.

Sincerely,

  
(Mrs.) Audrey M. Guerrero  
President

Att.

EXHIBIT "A"



## HERITAGE HALL

95 Mahalani Street, Room 12  
Wailuku, HI 96793

### Heritage Hall Project Summary

#### Income:

\$ 1,500,000.00	County of Maui
1,500,000.00	State of Hawaii
50,000.00	Atherton Family Foundation
750,000.00	County of Maui
500,000.00	County of Maui
300,000.00	State of Hawaii
10,000.00	Alexander & Baldwin. Inc.
<u>\$ 4,610,000.00</u>	<b>MONEY RAISED as of 7/1/2015</b>
- 4,353,047.80	<b>Contract Amount 7/20/15 with change order #6</b>
<u>\$ 256,952.20</u>	<b>Balance</b> (subject to additional change orders)

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#### Related Expenses:

\$ 79,942.00	Water Meter
30,000.00	RSK (Earl Kono)
36,000.00	Warren S. Unemori Engineering
43,000.00	Michael Wright's contract (with costs)
27,000.00	Insurance
14,000.00	MECO- relocate pole
10,000.00	MECO- service
9,000.00	I.G.E. (soil compaction)
5,000.00	Deposit with Water Dept. for one year
<u>\$ 253,942.00</u>	

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\$ 256,952.20	Balance pending change orders
<u>253,942.00</u>	Additional Expenses
\$ 3,010.20	Remainder*

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\*To be applied to photo voltaic system