

## AMENDMENT TO CONTRACT 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.

<u>Appropriation</u> <u>Index</u>	<u>Title</u>	<u>Amount Required</u>
<u>917762B</u>	<u>MAUI BUS PARATRANSIT SERVICES</u>	<u>(6160) \$ 2,000,500.00</u>

Contract No. C 5325 MAUI ECONOMIC OPPORTUNITY, INC.

Amendment No. 3 Dated:

Dated this 2 day of SEPTEMBER 2015

Extension of Contract to: June 30, 2016

Original Amount	\$ 2,875,500.00
Prior Amends/CO	\$ 2,000,500.00
This Amendment	\$ 2,000,500.00
Total contract	<u>\$ 6,876,500.00</u>



DANILO F. AGSALOG  
Director of Finance

Maui bus ADA paratransit services for  
the Department of Transportation,  
RFP No. 12-13/P-16  
ORDINANCE NO. 4231 (FY2016)

FY 2016

ji

9/13/15  
557  
m 9/3/15

09/14/15  
ps

### AMENDMENT NO. 3 TO CONTRACT NO. C5325

Department: Transportation  
Project Title: Maui Bus ADA Paratransit Services  
RFP No.: 12-13/P-16  
Additional Certification Requested: \$2,000,500.00

This AMENDMENT NO. 3 TO CONTRACT is made and entered into by and between the COUNTY OF MAUI, a political subdivision of the State of Hawaii, whose mailing address is 200 South High Street, Wailuku, Maui, Hawaii 96793, hereinafter referred to as "County", and MAUI ECONOMIC OPPORTUNITY, INC., a Hawaii nonprofit corporation, whose mailing address is Post Office Box 2122, Kahului, Maui, Hawaii 96733, hereinafter referred to as the "Contractor", and collectively referred to as "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:

CONTRACT OR AMENDMENT NO.	DATE	ADDITIONAL CERTIFIED AMOUNT	TOTAL CERTIFIED AMOUNT	TIME OF PERFORMANCE/EXTENSION	RENEWAL OPTION FOR MULTI TERM CONTRACT
C5325	07/15/2013	not applicable	\$2,875,500.00	07/01/2013 through 06/30/2014	none
Amend 1	12/20/2013	none	same as above	same as above	4 additional 1 year terms
Amend 2	09/03/2014	\$2,000,500.00	\$4,876,000.00	07/01/2014 through 06/30/2015	3 additional 1 year terms

**AMENDMENT NO. 3 TO CONTRACT NO. C5325**

2. WHEREAS, the Contract and any Amendment(s) thereto listed above shall hereafter be referred to as "Contract," collectively; 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 time of performance is hereby extended through June 30, 2016, unless sooner completed, terminated, or extended in compliance with the terms of the Contract. This Contract may be extended for 2 additional terms of 1 year each, upon mutual agreement in writing. It is understood that to exercise each extension option, the parties will execute an Amendment to the Contract.

2. The total not-to-exceed amount as stated in Section 3 of 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 entire Contract, as amended herein, shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties execute this Amendment No. 3 by their signatures, on the dates below, to be effective as of the date of last signature hereto.


**AMENDMENT NO. 3 TO CONTRACT NO. C5325**

**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:

MAUI ECONOMIC OPPORTUNITY, INC.

By   
(Signature)

Lyn McNeff  
(Print Name)

Its CEO  
(Title)

Date 8/4/15

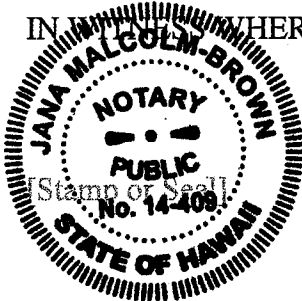
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AMENDMENT NO. 3 TO CONTRACT NO. C5325

STATE OF HAWAII }  
COUNTY OF MAUI } SS.

On this 4<sup>TH</sup> day of AUGUST, 2015, before me personally appeared LYN MCNEFF, 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.



Jana Malcolm-Brown  
Notary Public, State of HAWAII

Print Name: JANA MALCOLM-BROWN

My commission expires: 11/16/18

NOTARY PUBLIC CERTIFICATION

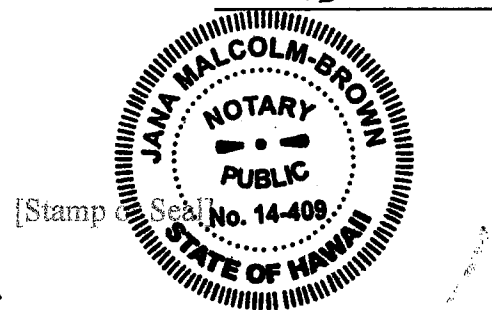
Doc. Date: 8/4/15

# Pages: 6

Notary Name: JANA MALCOLM-BROWN

Judicial Circuit: 2 HD

Doc. Description: COUNTY OF MAUI  
AMMENDMENT No 3 TO CONTRACT  
No. C5325



Notary Signature: Jana Malcolm-Brown  
Date: 8/4/15

AMENDMENT NO. 3 TO CONTRACT NO. C5325


COUNTY EXECUTION PAGE

COUNTY OF MAUI

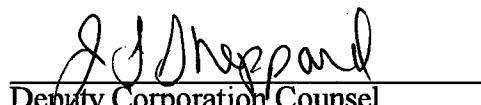
By   
DANILO F. AGSALOG  
Its Director of Finance

Date SEP 11 2015

APPROVAL RECOMMENDED:

  
JO ANNE JOHNSON WINER  
Director, Department of Transportation  
Date 8/6/15

APPROVED AS TO FORM  
AND LEGALITY:

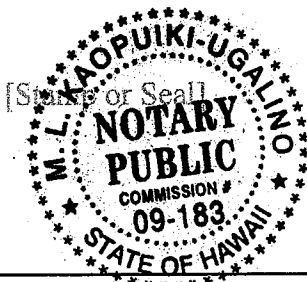
  
Deputy Corporation Counsel  
County of Maui  
S:\ALL\CONTRACTS\meo c5325\amd3.wpd  
Date 8/23/15

**AMENDMENT NO. 3 TO CONTRACT NO. C5325**

STATE OF HAWAII                     )  
  ) SS.  
COUNTY OF MAUI                    )

On this 11<sup>th</sup> day of September, 2015, before me appeared **DANILO F. AGSALOG**, 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 **DANILO F. AGSALOG** 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.



M. L. Kaopuiki-Ugalino  
Notary Public, State of Hawaii  
Print Name: M. L. KAOPUIKI-UGALINO  
My commission expires: MAY 17 2017

**NOTARY PUBLIC CERTIFICATION**

Doc. Date:	<u>SEP 11 2015</u>	# Pages:	<u>6</u>
Notary Name:	<u>M. L. KAOPUIKI-UGALINO</u>	Judicial Circuit:	<u>Second</u>
Doc. Description:	<u>Amendment No. 3 to</u> <u>Contract No. C5325</u>		
Notary Signature:	<u>M. L. Kaopuiki-Ugalino</u>		
Date:	<u>SEP 11 2015</u>		

