

DANNY A. MATEO
County Clerk



JOSIAH K. NISHITA
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

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

COPY

October 21, 2016

OFFICE OF THE
COUNTY COUNCIL

2016 OCT 21 PM 3:04

RECEIVED

Honorable Elle Cochran, Chair
Infrastructure and Environmental
Management Committee
Council of the County of Maui
Wailuku, Hawaii 96793

Dear Chair Cochran:

By letter dated September 23, 2016 (County Communication No. 16-238), the Director of Finance transmitted 48 contracts/grants for filing with the County Clerk.

At the October 21, 2016 Council meeting, the foregoing communication was filed; however, Contract No. C5530-4 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 "Danny A. Mateo", is written over a large, stylized, light-colored mark that resembles a large "M" or a stylized letter.

DANNY A. MATEO
County Clerk

/jym

Enclosures

cc: Director of Council Services

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 Index</u>	<u>Title</u>	<u>Amount Required</u>
919509B <u>#7</u>	<u>DISPOSAL CENTRAL LANDFILL</u>	<u>(6276) \$1,220,790.00</u>

Contract No. C 5530 ROJAC CONSTRUCTION, INC.

Amendment No. 4 Dated:

Dated this 15 day of AUGUST 2016

Extension of Contract to: _____

Original Amount	\$ 1,080,000.00
Prior Amends/CO	\$ 1,380,000.00
This Amendment	<u>\$ 1,220,790.00</u>
Total contract	<u>\$ 3,680,790.00</u>


For DANILO F. AGSALOG
Director of Finance

Furnishing and delivery of cover
material to the Central Maui L/F for
the Department of Environmental
Management
IFB No. 13-14/P-79
ORDINANCE NO. 4334 (FY2017)

FY 2017

ji

8/8/16

in 8/15/16
jg

ji
8/18/16

AMENDMENT NO. 4 TO CONTRACT NO. C5530

Department: Environmental Management - Solid Waste Division
Project Title: Furnishing and Delivery of Cover Material to the Central Maui Landfill
IFB No.: 13-14/P-79
Additional Certification Requested: \$1,220,790.00

This AMENDMENT NO. 4 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 ROJAC CONSTRUCTION, INC., whose mailing address is 150 Pakana Street, Wailuku, Hawaii 96793, 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
C5530	07/03/2014	not applicable	\$1,080,000.00	notice to proceed through 06/30/2017	2 additional 1 year terms
Amend 1	07/15/2015	\$1,080,000.00	\$2,160,000.00	same as above	same
Amend 2	05/04/2016	\$230,000.00	\$2,390,000.00	same as above	same
Amend 3	06/30/2016	\$70,000.00	\$2,460,000.00	same as above	same

AMENDMENT NO. 4 TO CONTRACT NO. C5530

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

IN WITNESS WHEREOF, the Parties execute this Amendment No. 4 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. 4 TO CONTRACT NO. C5530

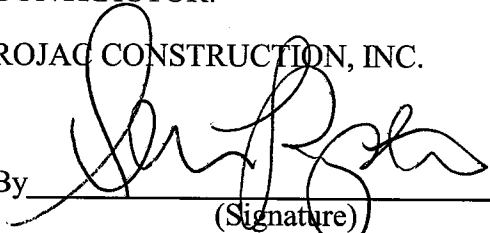
CONTRACTOR EXECUTION PAGE

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

CONTRACTOR:

ROJAC CONSTRUCTION, INC.

By


(Signature)

Aaron Ringstad
(Print Name)

Its

Contracts Manager
(Title)

Date

8/1/16

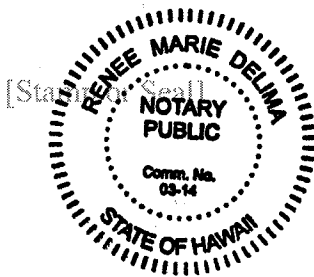
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AMENDMENT NO. 4 TO CONTRACT NO. C5530

STATE OF Hawaii)
County of Maui) SS.

On this 1st day of August, 2016, before me personally appeared Aaron Ringstad, 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.

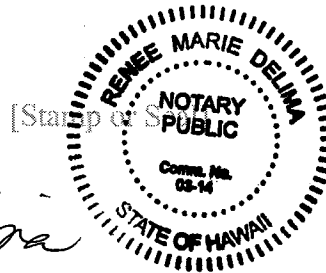


Renee Marie DeLima
Notary Public, State of Hawaii

Print Name: Renee Marie DeLima

My commission expires: 01.05.2019


NOTARY PUBLIC CERTIFICATION			
Doc. Date:	<u>8/1/16</u>	# Pages:	<u>6</u>
Notary Name:	<u>Renee Marie DeLima</u>	Judicial Circuit:	<u>2nd</u>
Doc. Description:	<u>Amendment No. 4</u> <u>to Contract No. C5530</u>		
Notary Signature:	<u>Renee Marie DeLima</u>		
Date:	<u>8/1/16</u>		



AMENDMENT NO. 4 TO CONTRACT NO. C5530

COUNTY EXECUTION PAGE

COUNTY OF MAUI

By 
~~By DANIEL F. AGSALOC~~ MARK R. WALKER *PA mp.*
Its ~~Director of Finance~~ Acting Director of Finance

Date AUG 18 2016

APPROVAL RECOMMENDED:



STEWART STANT
Director, Department of
Environmental Management

Date 8/2/16

APPROVED AS TO FORM
AND LEGALITY:


Deputy Corporation Counsel
County of Maui

S:\ALL\CONTRACTS\rojac c5530\amd4.wpd

Date 8/10/2016

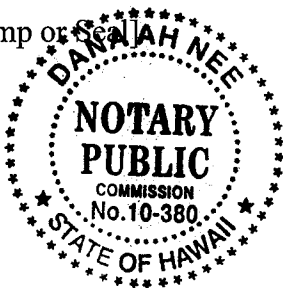
STATE OF HAWAII)
 :
COUNTY OF MAUI)

SS.

On this 18th day of August, 2016, before me personally appeared **MARK R. WALKER**, to me personally known, who, being by me duly sworn, did say that he is the Acting 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 **MARK R. WALKER** 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.

[Stamp or Seal]



Dana Ah Nee

Notary Public, State of Hawaii

Print Name DANA AH NEE

My commission expires: NOV 14 2018

NOTARY PUBLIC CERTIFICATION

Doc. Date: AUG 18 2016

Pages: 4

Notary Name: DANA AH NEE

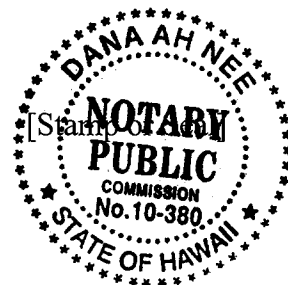
Judicial Circuit: 2nd

Doc. Description: Amendment no. 4 to Contract

No. 05530

Notary Signature: Dana Ah Nee

Date: AUG 18 2016



ROJAC CONSTRUCTION, INC.

150 Pakana Street

Wailuku, HI 96793

Phone: (808) 986-1105 Fax: (808) 986-1106

March 31, 2016

County of Maui
200 South High Street
Wailuku, HI 96793

To Whom It May Concern;

Please be advised and accept this as formal notification that Aaron Ringstad is authorized to sign on behalf of RoJac Construction documents relating to and regarding contracts and execution thereof. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mirissa McCandless, Pres.", written in black ink.

Mirissa McCandless
President