

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

July 20, 2018

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

Dear Chair Cochran:

By letter dated July 10, 2018 (County Communication No. 18-270), the Director of Finance transmitted 81 contracts/grants for filing with the County Clerk.

At the July 20, 2018 Council meeting, the foregoing communication was filed; however, Contract No. C6477-1 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 "Danny A. Mateo", is written over a horizontal line.

DANNY A. MATEO
County Clerk

/jym

Enclosures

cc: Director of Council Services

RECEIVED
2018 JUL 20 PM 3:25
OFFICE OF THE
COUNTY COUNCIL

✓

AMENDMENT TO CONTRACT CERTIFICATION

I, **MARK R. WALKER**, 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
<u>903288B</u>	<u>ENVIRONMENTAL PROTECTION</u>	<u>(6119) \$0.00</u>

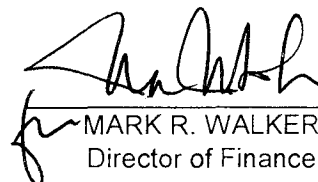
Contract No. C 6477 SSFM INTERNATIONAL, INC.

Amendment No. 1 Dated:

Dated this 29 day of JUNE 2018

Extension of Contract to: December 31, 2018

Original Amount	\$ 25,000.00
Prior Amends/CO	\$ 0.00
This Amendment	\$ 0.00
Total contract	<u>\$ 25,000.00</u>



MARK R. WALKER
Director of Finance

Main Inland Sand Resource
Quantification Study Update for DPW
Job #18-40
QBS #Q-PW-18-18
ORDINANCE #4456 (FY2018)

FY 2018

jh

ang 6/29
gob

21
6/29

AMENDMENT NO. 1 TO CONTRACT NO. C6477

Department: Public Works – Engineering Division
Project Title: Maui Inland Sand Resource Quantification Study Update
Job No.: 18-40
QBS No.: Q-PW-18-18
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 SSFM INTERNATIONAL, INC., a Hawaii corporation, whose mailing address is 501 Sumner Street, Suite 620, Honolulu, Hawaii 96817, 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. C6477

CONTRACT OR AMENDMENT NO.	DATE	ADDITIONAL CERTIFIED AMOUNT	TOTAL CERTIFIED AMOUNT	TIME OF PERFORMANCE/EXTENSION	RENEWAL OPTION FOR MULTI TERM CONTRACT
C6477	03/22/2018	NOT APPLICABLE	\$25,000.00	From Notice to Proceed through 06/29/2018	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 through December 31, 2018, 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.

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

AMENDMENT NO. 1 TO CONTRACT NO. C6477

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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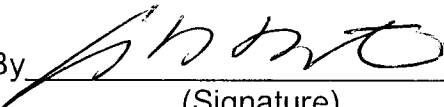
AMENDMENT NO. 1 TO CONTRACT NO. C6477

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:

SSFM INTERNATIONAL, INC.

By 
(Signature)

Eric M. Matsuda

(Print Name)

Its Vice President, Maui
(Title)

Date 4/27/18

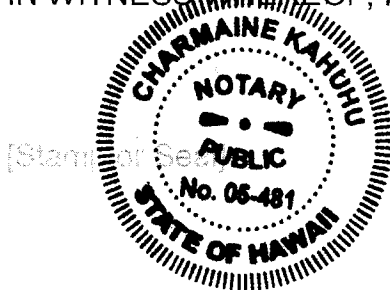
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AMENDMENT NO. 1 TO CONTRACT NO. C6477

STATE OF Hawaii)
County of Maui, 2nd Circuit) SS.

On this 27 day of June, 2018, before me personally appeared Eric Matsuda, 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.



Charmaine Kahuhu
Notary Public, State of Hawaii

Print Name: Charmaine Kahuhu

My commission expires: 7/31/2021

NOTARY PUBLIC CERTIFICATION

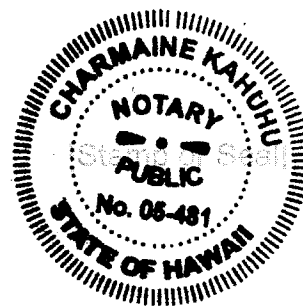
Doc. Date: 6/27/18 # Pages: 7

Notary Name: Charmaine Kahuhu Judicial Circuit: 2nd Circuit

Doc. Description: Amendment No. 1 to Contract
No. C6477. Maui Inland Sand
Resource Quantification Study Update.

Notary Signature: Charmaine Kahuhu

Date: 6/27/18

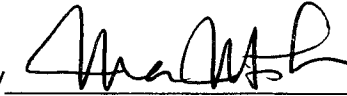


AMENDMENT NO. 1 TO CONTRACT NO. C6477

COUNTY EXECUTION PAGE

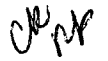
COUNTY OF MAUI

By



~~MARK R. WALKER~~ MARCI M. SATO

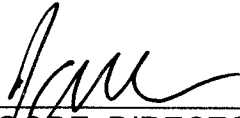
~~Its Director of Finance~~ Acting Deputy



Director c
Finance

Date JUN 29 2018

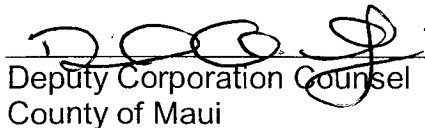
REVIEWED AND APPROVED:



DAVID C. GOODE, DIRECTOR
Department of Public Works

Date JUN 29 2018

APPROVED AS TO FORM
AND LEGALITY:



Deputy Corporation Counsel
County of Maui

Date 6-28-18

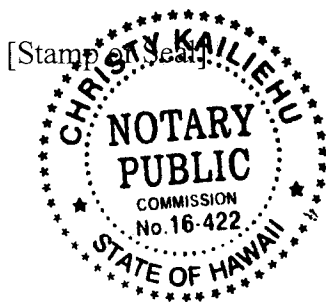
LF2018-0286

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STATE OF HAWAII)
 : SS.
COUNTY OF MAUI)

On this 29th day of June, 2018, before me personally appeared **MARCI M. SATO**, to me personally known, who, being by me duly sworn, did say that she is the Acting 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 **MARCI M. SATO** 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>JUN 29 2018</u>	# Pages:	<u>7</u>
Notary Name:	<u>CHRISTY KAILIEHU</u>	Judicial Circuit:	<u>2nd</u>
Doc. Description	<u>Amendment No. 1 to</u> <u>Contract No. C6477</u>		
Notary Signature:	<u>Christy Kailiehu</u>		
Date:	<u>JUN 29 2018</u>		

