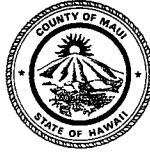


DANNY A. MATEO
County Clerk



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

February 2, 2018

RECEIVED
2018 FEB -2 PM 2:52
OFFICE OF THE
COUNTY COUNCIL

Honorable Riki Hokama, Chair
Budget and Finance Committee
Council of the County of Maui
Wailuku, Hawaii 96793

Dear Chair Hokama:

By letter dated January 17, 2018 (County Communication No. 18-39), the Director of Finance transmitted 91 contracts/grants for filing with the County Clerk.

At the February 2, 2018 Council meeting, the foregoing communication was filed; however, Contract No. C6172-1 was referred to your Committee at your request. Transmitted is a copy of the contract.

Respectfully,

A handwritten signature in black ink, reading "Danny A. Mateo". The signature is written in a cursive style with a large, sweeping "M" and "A".

DANNY A. MATEO
County Clerk

/lks

Enclosures

cc: Director of Council Services

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.

<u>Appropriation</u> <u>Index</u>	<u>Title</u>	<u>Amount Required</u>
<u>378366</u>	<u>WAI REDEVT MUNI PRKG LOT EXP (7190)</u>	<u>\$2,914,375.00</u>

Contract No. C 6172 FERRARO CHOI AND ASSOCIATES LTD.

Amendment No. 1 Dated:

Dated this 22 day of DECEMBER 2017

Extension of Contract to: August 15, 2021

Original Amount	\$ 4,587,741.00
Prior Amends/CO	\$ 0.00
This Amendment	\$ 2,914,375.00
Total contract	<u>\$ 7,502,116.00</u>



MARK R. WALKER
Director of Finance

Wailuku Parking and
Events Facility for PLAN
Job #17-15
QBS #Q-PL-17-01
ORDINANCE #4334 (FY2017)

FY 2018

jh

8/6/17 JAO

JV
12/27/17

AMENDMENT NO. 1 TO CONTRACT NO. C6172

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

DEC 20 2017
RECEIVED

Department: Planning – Maui Redevelopment Agency

Project Title: Wailuku Parking and Events Facility

Job No.: 17-15

QBS No.: Q-PL-17-01

Additional Certification Requested from County: \$2,914,375.00

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 FERRARO CHOI AND ASSOCIATES LTD., a Hawaii corporation whose mailing address is 1240 Ala Moana Boulevard, Suite 510, Honolulu, Hawaii 96814, 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. C6172

CONTRACT OR AMENDMENT NO.	DATE	ADDITIONAL CERTIFIED AMOUNT	TOTAL CERTIFIED AMOUNT	TIME OF PERFORMANCE/EXTENSION	RENEWAL OPTION FOR MULTI TERM CONTRACT
C6172	12/29/2016	NOT APPLICABLE	\$4,587,741.00	NTP through 11/30/2018	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. The scope of work as set forth in the Contractor's proposal dated September 6, 2017, and any attachments thereto, (hereinafter "Amended Proposal") is hereby added to the Scope of Work. A copy of said document is maintained and on file in the office of the Director of Finance of the County of Maui and incorporated herein by reference and hereby made a part of the Contract.

2. 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 August 15, 2021, unless sooner completed, terminated, or extended in compliance with the terms of this Contract.

AMENDMENT NO. 1 TO CONTRACT NO. C6172

3. 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 fee or compensation schedule as set forth in the Amended Proposal is hereby added to the Compensation provision of the Contract.

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]

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

AMENDMENT NO. 1 TO CONTRACT NO. C6172

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.

FERRARO CHOI AND ASSOCIATES LTD.

By David Akinaka
(Signature)

DAVID AKINAKA
(Print Name)

Its PRINCIPAL
(Title)

Date 12/18/17

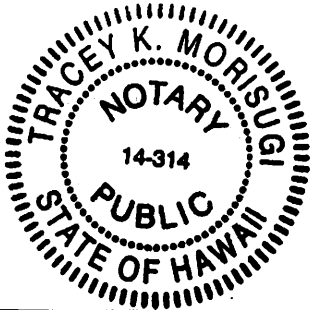
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AMENDMENT NO. 1 TO CONTRACT NO. C6172

STATE OF HAWAII
City and County of Honolulu } SS.

On this 18th day of December, 2017, before me personally appeared David Akinaka, 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.



Tracey K. Morisugi
Notary Public, State of HAWAII
Print Name: Tracey K. Morisugi
My commission expires: 9/14/2018

NOTARY PUBLIC CERTIFICATION

Document Date: Undated at time of
Notarization

pages: 7

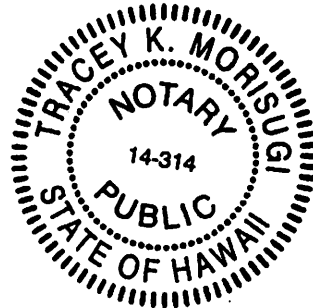
Notary Name: Tracey K. Morisugi

12/18/17

First Grant

Doc. Description: Amendment No. 1 to Contract
No. C6172

Tracey K. Morisugi
Tracey K. Morisugi



AMENDMENT NO. 1 TO CONTRACT NO. C6172

COUNTY EXECUTION PAGE

COUNTY OF MAUI

By 
MARK R. WALKER
Its Director of Finance

Date DEC 27 2017

REVIEWED AND APPROVED:


WILLIAM R. SPENCE, DIRECTOR
Department of Planning

Date _____

APPROVED AS TO FORM
AND LEGALITY:



Deputy Corporation Counsel
County of Maui
2016-1730

Date 12/21/17

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AMENDMENT NO. 1 TO CONTRACT NO. C6172

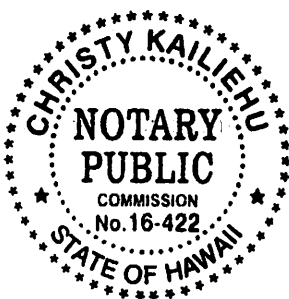
STATE OF HAWAII

COUNTY OF MAUI

} SS.

On this 27th day of December, 2017, before me appeared MARK R. WALKER, 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 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.



Christy Kailiehu

Notary Public, State of Hawaii

Print Name: CHRISTY KAILIEHU

My commission expires: NOV 27 2020

NOTARY PUBLIC CERTIFICATION

Doc Date: DEC 27 2017

Pages: 7

Notary Name: CHRISTY KAILIEHU

Judicial
Circuit: 2nd

Doc.
Description: Amendment No. 1 to
Contract No. C6172

Notary
Signature: Christy Kailiehu

Date: DEC 27 2017

