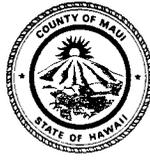


KATHY L. KAOHU
County Clerk



JAMES G.M. KRUEGER
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 27, 2020

Honorable Riki Hokama, Chair
Healthy Families and Communities Committee
Council of the County of Maui
Wailuku, Hawaii 96793

RECEIVED
2020 JUL 28 AM 10:50
OFFICE OF THE
COUNTY COUNCIL

Dear Chair Hokama:

By letter dated July 9, 2020 (County Communication No. 20-367), the Director of Finance transmitted 123 contracts/grants for filing with the County Clerk.

At the July 24, 2020 Council meeting, the foregoing communication was filed; however, Contract C6855-3 was referred to your Committee at your request. Transmitted is a copy of the contract.

Respectfully,

A handwritten signature in cursive script that reads "Kathy L. KaoHu".

KATHY L. KAOHU
County Clerk

/jym

Enclosures

cc: Director of Council Services

✓

AMENDMENT TO CONTRACT CERTIFICATION

I, **SCOTT K. TERUYA**, 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>
<u>390063</u>	<u>WELLS PARK MASTER PLAN IMPL (7190)</u>	<u>\$0.00</u>

Contract No. C 6855 FUKUMOTO ENGINEERING, INC.

Amendment No. 3 Dated:
Dated this 30 day of JUNE 2020
Extension of Contract to: September 1, 2021

Original Amount	\$ 123,823.00
Prior Amends/CO	\$ 25,950.00
This Amendment	\$ 0.00
Total contract	<u>\$ 149,773.00</u>


SCOTT K. TERUYA
Director of Finance

✓ **Time extension only.**
Wells Park Masterplanned
Improvements Phase 1 for DPR
Job #P18/021
QBS #Q-PK-19-08

FY 2020
jh *amg 6/30*
8/22

ji

AMENDMENT NO. 3 TO CONTRACT C6855

Department: Parks and Recreation, Planning & Development Division

Project Title: Wells Park Masterplanned Improvements Phase 1

Job No.: P18/021

QBS No.: Q-PK-19-08

Additional Certification Requested from County: \$0.00

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 business address is 200 South High Street, Wailuku, Maui, Hawaii 96793, hereinafter referred to as the "County", and Fukumoto Engineering, Inc., a Hawaii corporation, whose mailing address is 1721 Wili Pa Loop, Suite 203, Wailuku, Hawaii 96793, 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:

CONTRACT OR AMENDMENT NO.	DATE	ADDITIONAL CERTIFIED AMOUNT	TOTAL CERTIFIED AMOUNT	TIME OF PERFORMANCE/EXTENSION	RENEWAL OPTION FOR MULTI TERM CONTRACT
C6855	09/19/19	NOT APPLICABLE	\$123,823.00	180 calendar days from Notice to Proceed	None
Amend 1	11/27/2019	\$25,950.00	\$149,773.00	240 calendar days (END 6/3/2020) from Notice to Proceed	None
Amend 2	04/14/2020	\$0.00	\$149,773.00	330 calendar days (END 9/1/2020) from Notice to Proceed	

2. WHEREAS, the Contract and any Amendment(s) thereto listed above shall be hereafter collectively referred to as "Contract"; and

AMENDMENT NO. 3 TO CONTRACT C6855

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 September 1, 2021, unless sooner completed, terminated, or extended in compliance with the terms of this Contract.

2. This Amendment may be executed in two or more counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same instrument. The parties agree that they may utilize and shall be bound by their electronic signatures, pursuant to Chapter 489E, Hawaii Revised Statutes.

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]

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AMENDMENT NO. 3 TO CONTRACT C6855

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:

Fukumoto Engineering, Inc.

By Ronald M. Fukumoto
(Signature)

Ronald M. Fukumoto
(Print Name)

Its President
(Title)

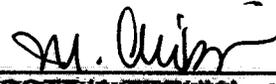
Date May 26, 2020

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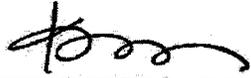
AMENDMENT NO. 3 TO CONTRACT C6855

COUNTY EXECUTION PAGE

COUNTY OF MAUI

By  OK
fn ~~SCOTT K. TERUYA~~ MAY-ANNE A. ALIBIN
~~Director of Finance~~ Deputy Director of Finance
Date JUN 30 2020

REVIEWED AND APPROVED:


KARLA H. PETERS
Director, Department of Parks and
Recreation
Date 5/27/2020

APPROVED AS TO FORM
AND LEGALITY:

/s/ Mimi Desjardins
Deputy Corporation Counsel
County of Maui
Date June 29, 2020
2019-1410
2020-05-22 Amd 3

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