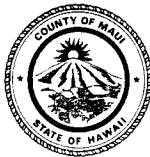


KATHY L. KAOHU  
County Clerk



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](http://www.mauicounty.gov/county/clerk)

August 19, 2020

Honorable Yuki Lei Sugimura, Chair  
Water, Infrastructure, and Transportation Committee  
Council of the County of Maui  
Wailuku, Hawaii 96793

Dear Chair Sugimura:

By letter dated August 7, 2020 (County Communication No. 20-404), the Director of Finance transmitted 136 contracts/grants for filing with the County Clerk.

At the August 18, 2020 Council meeting, the foregoing communication was filed; however, Contract C6776-1 was referred to your Committee at your request. Transmitted is a copy of the contract.

Respectfully,

A handwritten signature in black ink that reads "Kathy L. KaoHu". The signature is written in a cursive style.

KATHY L. KAOHU  
County Clerk

/jym

Enclosures

cc: Director of Council Services

2020 AUG 19 AM 11:08  
OFFICE OF THE  
COUNTY COUNCIL

RECEIVED

## 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>101255B</u>	<u>HWY BEAUT-ABAND VEH REV'G OPR (6112)</u>	<u>\$240,000.00</u>

Contract No. C 6776 K.S. & L.S., INC. dba MAUI TOW & TRANSPORT

Amendment No. 1 Dated:

Dated this 30 day of JULY 2020

Extension of Contract to: No Time Extension

Original Amount	\$ 271,271.00
Prior Amends/CO	\$ 0.00
This Amendment	\$ 240,000.00
Total contract	<u>\$ 511,271.00</u> ✓

fr SCOTT K. TERUYA  
Director of Finance

Providing a Storage Facility for the  
County of Maui Abandoned Vehicles  
Program on the Island of Maui for DEM  
RFP #18-19/P-85

FY 2021

jh js  
js

## AMENDMENT NO. 1 TO CONTRACT NO. C6776

Department: Environmental Management – Environmental Protection and Sustainability Division

Project Title: Providing a Storage Facility for the County of Maui Abandoned Vehicles Program on the Island of Maui

RFP No.: 18-19/P-85

Additional Certification Requested from County: \$240,000.00

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 K.S. & L.S., INC., a Hawaii corporation, dba MAUI TOW & TRANSPORT, whose mailing address is 335-A East Wakea Avenue, Kahului, Hawaii 96732, 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
C6776	7/1/2019	Not Applicable	\$271,271.00	July 1, 2019 through June 30, 2022	Two additional one-year terms

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

**AMENDMENT NO. 1 TO CONTRACT NO. C6776**

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 Parties acknowledge that the funding above relates only to the county's current fiscal year, which ends June 30, 2021, and funding for subsequent fiscal years is subject to appropriation by the County Council in its sole and absolute discretion.

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. 1 TO CONTRACT NO. C6776**

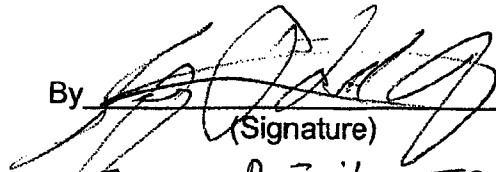
**CONTRACTOR EXECUTION PAGE**

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

CONTRACTOR:

K.S. & L.S., INC.  
dba MAUI TOW & TRANSPORT

By

  
(Signature)

Joaquin P. Freitas, JR  
(Print Name)

Its

Owner

(Title)

Date

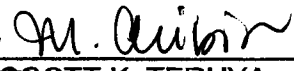
July 27, 2020

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AMENDMENT NO. 1 TO CONTRACT NO. C6776

COUNTY EXECUTION PAGE

COUNTY OF MAUI

By M. Alibin   
~~SCOTT K. TERUYA~~ MAY-ANNE A. ALIBIN  
Its ~~Director of Finance~~ Deputy Director of Finance  
Date JUL 31 2020

REVIEWED AND APPROVED:



Digitally signed by Eric Nakagawa  
DN: cn=Eric Nakagawa, o=County of Maui,  
ou=Director of Environmental Management,  
email=eric.nakagawa@co.maui.hi.us, c=US  
Date: 2020.07.28 14:25:02 -10'00'

ERIC A. NAKAGAWA, Director  
Department of Environmental  
Management

Date 7/28/2020

APPROVED AS TO FORM  
AND LEGALITY:



2020.07.29  
15:02:09 -10'00'

Deputy Corporation Counsel  
County of Maui

Date \_\_\_\_\_

LF2019-0800  
2020-07-01 C6776 AMD #1.docx

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