

Honolulu Authority for Rapid Transportation
AGREEMENT FOR CONSTRUCTION SERVICES
CONTRACT No. CT-HRT-1500309

This Contract for construction services dated MAY 18 2015 [to be completed by HART] (the "Contract") is entered into by and between the HONOLULU AUTHORITY FOR RAPID TRANSPORTATION ("HART"), a semi-autonomous agency of the City and County of Honolulu, whose principal place of business and mailing address is Ali'i Place, 17th Floor, 1099 Alakea Street, Honolulu, Hawaii 96813 and Royal Contracting Co., Ltd. (the "Contractor"), a corporation, whose principal place of business and mailing address is 677 Ahua Street, Honolulu, HI 96819,

WITNESSETH:

WHEREAS, HART issued RFB-HRT-837903 January 30, 2015 for Ramp H2R2 Construction Contract for the Honolulu Rail Transit Project ("HRTP"); and

WHEREAS, the Contractor was selected pursuant to Hawaii Revised Statutes ("HRS") Section 103D-302, as amended, and related Hawaii Administrative Rules ("HAR"), relating to competitive sealed bids;

NOW, THEREFORE, HART and the Contractor, in consideration of the foregoing and of the mutual promises hereinafter set forth, and intending to be legally bound, hereby mutually agree as follows:

1. The Contractor shall provide all services, including labor, materials, and equipment, to complete the Work required and as set forth in the Contract Documents. The following documents comprise the Contract Documents, which are listed in the order of precedence, and are also referred to as the "Contract" or "Agreement":

- Agreement Form/Coverleaf Agreement; Contract Amendments; Change Orders, with the latest issued taking precedence over any preceding conflicting term;
- Addenda with the most recent Addenda governing over previously-issued addenda and solicitation documents, including specifications and drawings;
- Special Provisions;
- HART's General Conditions of Construction Contracts (v. 12/2014) ("GCCC" or "GC");
- Technical Specifications;
- Drawings and Plans;
- Engineering Data and Reports; and
- The Contractor's bid proposal and required submissions.

HART-12 (11/11)

Certificate

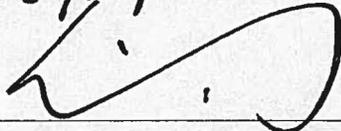
The attached contract for Ramp H2R2 Construction Contract

(\$5,203,646.00)

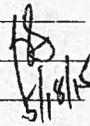
is hereby approved as to availability and designation of funds, and certification is hereby made that there is a valid appropriation from which expenditures to be made under said contract may be made and that sufficient unencumbered funds will be available in the Treasury of the City and County of Honolulu to the credit of such appropriation to pay the amounts of such expenditures when the same become due and payable.

CONTRACT NO. CT-HRT-1500309
FUND Transit Fund (690)

HONOLULU, HAWAII

Date: 5/14/15


ACCOUNT NO.
690/7790 - 15 = \$ 5,203,646.00 (4064)
TOTAL = \$ 5,203,646.00



Daniel A. Grabauskas
Executive Director and CEO
Honolulu Authority for Rapid Transportation

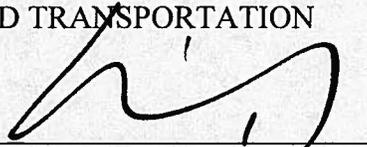
2. Work under the Contract shall not proceed until HART has issued a written Notice to Proceed ("NTP"). Any work undertaken by the Contractor prior to issuance of the NTP will be the sole responsibility of and will be undertaken at the sole risk of the Contractor, without any obligation on the part of HART.

3. This is a firm fixed-price contract, and HART agrees to pay the Contractor for the satisfactory completion of the Work in accordance with the terms of the Contract in the amount not to exceed FIVE MILLION TWO HUNDRED THREE THOUSAND SIX HUNDRED FORTY SIX and 00/100 DOLLARS (\$5,203,646.00). The lump sum payments for Work performed under the Contract are all inclusive of, but not limited to, labor, overhead, general and administrative expenses, other direct costs, subcontractor costs, fixed fees, and all applicable taxes, State general excise and use tax (GET) and county one-half percent (0.5%) GET surcharge. The Contractor shall not pass through any future increases in tax to HART.

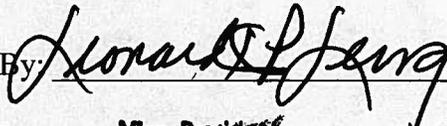
4. Unless otherwise agreed in writing when formal notice is to be given to or service served on the parties, it shall be to the respective addresses stated above.

IN WITNESS WHEREOF, HART and the Contractor have executed this Contract by their duly authorized officers or agents on the day and year first above written.

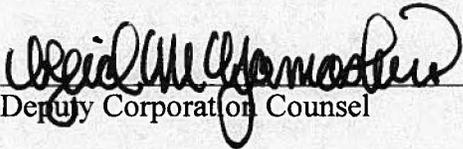
HONOLULU AUTHORITY FOR
RAPID TRANSPORTATION

By: 
Its Executive Director and CEO
MAY 18 2015

ROYAL CONTRACTING CO.,
LTD.

By: 
Its **Vice President**

APPROVED AS TO FORM AND
LEGALITY:


Deputy Corporation Counsel

STATE OF HAWAII]
] SS.
CITY AND COUNTY OF HONOLULU]

On this 6th day of May, 2015 before me appeared
Leonard K. P. Leong to me known, to be the person(s) described in and, who, being by me duly
sworn, did say that he is the Vice President of ROYAL CONTRACTING CO., LTD. the
CONTRACTOR named in the foregoing instrument, and that he is authorized to sign said instrument on
behalf of the CONTRACTOR, and acknowledges that he executed said instrument as the free act and deed
of the CONTRACTOR.

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(Notary Seal)

Cynthia C. Endo
Notary Public, State of Hawaii

My commission expires:

November 15, 2017

NOTARY CERTIFICATE (Hawaii Administrative Rules 5-11-B)	
Doc Date: <u>May 6, 2015</u>	# Pages: <u>2</u>
Notary Name: <u>Cynthia C. Endo</u>	<u>First</u> Circuit
Doc. Description: <u>Contract for</u> <u>Ramp H2R2 Construction for HART</u>	<i>CS</i>
<u>Cynthia C. Endo</u> Notary Signature	<u>6-May-15</u> Date
Notary Certification	