

Honolulu Rail Transit Project

EXHIBIT 1

SCOPE OF SERVICES

1.0 SECTION 106 PROGRAMMATIC AGREEMENT PROJECT MANAGER (KAKO'O)

1.1 CONTRACTED SERVICES

Must meet the Secretary of the Interior's Professional Qualification Standards set forth at 36 C.F.R. Pt. 61 regarding qualifications for preservation professionals in the areas of history, archaeology, architectural history, architecture or historic architecture.

1.2 DURATION

The position will provide professional services for approximately ten (10) years during the design and construction of the Honolulu Rail Transit Project ("Project").

1.3 EXPERIENCE

A minimum of ten (10) years of experience with Section 106 consultation and working with disparate groups, experience preparing the documentation required in the Programmatic Agreement ("PA"), and supervisory/reviewer experience.

This position is critical to the success of the Project.

1.4 RESPONSIBILITIES

- A) Coordinate and manage design plan reviews and other deliverables specified under the terms of the Project's Section 106 PA.
- B) Monitor, assess and report to Section 106 consulting parties on PA compliance.
- C) Establish and maintain lines of project-related communication and consultation with the consulting parties and the Project's design and construction engineers.
- D) Provide oversight and monitoring of internet sites created for the Project.
- E) Monitor and report on work performed on historic properties with respect to measures to resolve adverse effects caused by the Project.
- F) Coordinate regularly with the Federal Transit Administration ("FTA") and State Historic Preservation Division.
- G) Submit written reports concerning Project progress.
- H) Provide administrative support and technical assistance required by the consulting parties to meet the terms of the PA.
- I) Research issues and prepare a recommendation for the disposition of the request and action by the FTA.
- J) Develop a best practices manual related to historic properties and a Section 106 "lessons learned" case study on the Project that may be helpful to future Section 106 processes on this and other projects.
- K) Provide guidance regarding the implementation of the terms of this PA to all contractors, particularly those involved in construction-related activities.

H. PA Project Manager

The City shall fund an independent PA Project Manager (Kako'o) within six (6) months of the PA being signed to assist with the coordination of all reviews and deliverables required under the terms of the PA.

The Kāko'o shall meet the Secretary of the Interior's Professional Qualification Standards set forth at 36 C.F.R. pt. 61 regarding qualifications for preservation professionals in the areas of history, archaeology, architectural history, architecture or historic architecture.

Procurement

To the extent permissible by applicable state and federal procurement laws, the FTA and SHPD shall review and approve (1) the procurement request for the Kāko'o prior to the release of such request, (2) the qualifications of the final candidates under consideration by the City prior to the final selection of the Kako'o by the City, and (3) the scope of work of the Kāko'o to be included in the City's contract with the Kako'o, in order to ensure that the Kako'o duties and responsibilities are consistent with the provisions of this Stipulation.

Upon making its selection of the Kako'o, the City shall provide written notification thereof to the FTA, SHPD and other Signatory and consulting parties.

Duration

The Kāko'o shall serve during the design and construction process for the Project. The Kāko'o shall continue to perform the Kāko'o's responsibilities for the duration of this PA pursuant Stipulation XIV.D.

I. Roles and Responsibilities

The Kāko'o's principal task shall be to independently monitor, assess and report to the consulting parties on compliance by the City with this PA, specifically, the implementation of the measures to resolve adverse effects stipulated herein.

In addition, the City shall continue to engage, as part of its Project design team, consultant(s) which have professional qualifications meeting Secretary of the Interior's professional standards in the areas of history, archaeology, architectural history, architecture, or historic architecture, as appropriate, to carry out the specific provisions of this PA. The City shall also continue to be responsible for the performance of further studies, evaluations and other tasks required to meet the Stipulations set forth in this PA.

In this context and consistent with the independent monitoring, reporting and advisory role assigned to the Kako'o under this PA, the Kāko'o shall perform the following responsibilities:

1. Establish and coordinate consultation and Project status update meetings as stipulated in Stipulations III.B and IX.B. On an as needed basis, additional meetings may be held to address unforeseen effects on historic properties determined to be eligible within the APE as provided for in Appendix A.

2. Establish and maintain lines of project-related communication and consultation with the consulting parties and the design and construction engineers, including oversight and monitoring of internet sites created for the Project.
3. Monitor, assess and report, in writing, to the consulting parties on mitigation related to Phases I through IV and any associated deliverables of this PA that are to be reviewed by the consulting parties (Stipulations III through XII).
4. Monitor and report on the City's compliance during the design and construction process for the Project with the special historic preservation design guidelines referred to in Stipulation IV.A, Design Standards.
5. Monitor and report on work performed on historic properties with respect to measures to resolve adverse effects caused by the Project in accordance with Stipulations IX.C (demolition monitoring) and X.C (construction monitoring) of this PA.
6. Coordinate regularly with the FTA and SHPD in connection with the Kāko' o's observations and recommendations regarding the progress of the Project in implementing measures to resolve adverse effects called for under this PA.
7. Report to the City, the FTA and SHPD concerning the existence, if any, of previously unidentified adverse effects of the Project on historic properties within the APE (that is, adverse effects which are not otherwise materially identified in the PA).
8. Submit written reports concerning the progress of the Project in the implementation of the Stipulations set forth herein in accordance with the reporting requirements in Stipulation XIV.E., with copies available to any other interested party who so requests.
9. Address requests by consulting parties to review deliverables and documentation that are provided to concurring parties.
10. Collect any comments from the consulting parties that identify impacts different from those stated in this PA to historic properties located within the APE for City and FTA processing. The Kako'o shall research the issues presented as described in Appendix A and prepare a recommendation for the disposition of the request and action by FTA. The notification process for consulting parties to submit requests for consideration is outlined in Appendix A of this PA.
11. Provide administrative support and technical assistance required by the consulting parties to meet the terms of this PA such as the timely submission of deliverables and the issuance of regular public updates regarding historic preservation issues.
12. Develop a best practice manual related to historic properties and a Section 106 "lessons learned" case study on the Project that may be helpful to future Section 106

processes on this and other projects. The best practice manual and “lessons learned” case study will be made available to the consulting parties and other interested parties within one (1) year of the completion of Phase 1 construction. When complete, FTA will make the best practice manuals available on their public website.