



STATE OF HAWAII
SCOPE OF SERVICES

6/6/18

(Munekiyo & Hiraga, Inc., dba Munekiyo Hiraga)

- A. BASIC SERVICES. The STATE is the owner in fee simple of approximately 436 acres north of the Keawe Street Extension in Lahaina, Maui, Hawaii, Tax Map Key No. (2) 4-5-021: 003 (Property).

The Property received its Urban classification from the Land Use Commission on May 18, 1990.

The Final Environmental Impact Statement for the Property was published in the OEQC bulletin on October 23, 2012 (Final EIS). The Governor accepted the Final EIS on December 7, 2012 and the notice of Governor's acceptance was published in the OEQC's bulletin on December 23, 2012.

On December 21, 2012, the Maui County Council approved the inclusion of a portion of the Property into a revised General Plan. The Mayor signed the bill into law on December 28, 2012.

STATE's predecessor agency, the Housing Finance and Development Corporation (HFDC) executed a Letter of Guaranty (HFDC Guaranty) to the Department of Public Works County of Maui dated June 16, 1994 which includes the Property, stipulating that all subdivision improvements required by the County for road access and utility purposes shall be fully completed by STATE in accordance with the County's subdivision standards prior to the start of onsite development of the large-lots or subdivided parcels within the subject project and areas with the exception of Lots 2 and 3 (Village 1).

HFDC also executed a Subdivision Agreement dated July 19, 1994 recorded at the State of Hawaii Bureau of Conveyances as Document No. 94-130947 (Subdivision Agreement), which indicates that STATE shall have each large lot conform to the County general plan, community plans, land use ordinances, the provisions of the Maui County Code and other laws relating to the use of the land then in effect upon the actual development of the large lot, or future subdivision into lots which do not fall within the large lot definition.

HFDC also executed a Modification of Subdivision Requirements Agreement with the Board of Water Supply of the County of Maui dated July 27, 1994 recorded at the State of Hawaii Bureau of Conveyances as Document No. 96-003302 (BWS Deferred Infrastructure Restriction), which indicates that improvements for the Property must be completed prior to BWS' approval of any building permit application, any water service application, and any re-subdivision of the Property.

On January 8, 2009, STATE's Board of Directors approved For Action for a 15' easement to the



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Department of Water Supply (DWS) for a new 8" waterline between Wahikuli and Fleming Roads. The new waterline was installed, however, DWS has yet to follow-up with the creation of the easement they requested.

The STATE is exploring the possibility of developing about 200 units of rental housing at the southwest portion of the Property below the 130' elevation, where existing offsite water and sewer infrastructure may be utilized from existing Upper Kapunakea Houselots subdivision. A Site Assessment Report by Belt Collins Hawaii LLC, was completed on January 18, 2017 (Assessment Report). The Assessment Report concluded that further discussions are required with the County of Maui Department of Environmental Management (DEM) and Maui Electric Company (MECO) to determine whether the existing wastewater and electrical infrastructure, respectively, have adequate capacity or whether additional improvements are required for the proposed development. STATE subsequently received a letter from DEM dated January 27, 2017 indicating that connection to the County of Maui sewer system would not be permitted on a permanent basis (DEM Letter of 1/27/17).

CONTRACTOR's scope of work shall include the following, as described in CONTRACTOR's revised proposal dated May 23, 2018:

1. Obtain a current preliminary title report of TMK (2) 4-5-021: 003, and obtain copies of encumbrances requested by STATE that are referenced in the title report.
2. Recommend and complete any drainage report required to identify the detention basin requirements for the preferred concept that minimize offsite drainage requirements; identify any detention basin system within the project site for accepting drainage flows from the drainage basin mauka (east) of the project required by the County of Maui.
3. Develop site plan concepts for the 200-unit project to ensure access to lands beyond the infill project area, identify different phasing concepts for the site, and to study different sewage treatment plan and disposal concepts to support this phase of development. Development of the 200-unit project may be phased in 2 to 3 increments, with approximately 75-to 100-units per increment. Identify access roadways that are recommended for dedication to the County of Maui.
4. Identify the specific 10- to 14-acre areas for the 200-unit project. Prepare preliminary site plan concepts, which will include building footprints, roads, driveways and parking areas, grading concepts, low impact development strategies including bioretention and infiltration/percolation areas, an on-site STP, and a wastewater disposal area. After review with STATE, finalize the site plan concept and prepare a phasing plan that will include development in 2 to 3 increments.
5. If approved in writing by STATE, obtain community input through at least one community meeting.
6. Review comments from the State of Hawaii Department of Transportation (DOT) to the Final EIS and consult with DOT as advisable to determine whether the proposed project can be developed without triggering a revised Traffic Impact Assessment Report for the entire



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master planned project;

7. Investigate with MECO whether the existing electrical infrastructure has adequate capacity or whether additional improvements are required for the 200-unit project, and identify the MECO fee required for development of the proposed project.
8. Investigate with the Department of Water Supply whether payment of a water commitment reservation fee is an option available for the proposed project in light of the HFDC Guaranty, Subdivision Agreement and BWS Deferred Infrastructure Restriction, and if so, identify the amount of the reservation fee for the project.
9. Investigate and identify the connection point(s) to the Department of Water Supply's water system.
10. Investigate and comment upon whether the proposed project is within the Department of Health's Underground Injection Control zone for a package sewage treatment plant privately owned and operated by the proposed project, the appropriateness of the use of a package sewage treatment plant for the proposed project, and any permit or approval requirements for the use of a package treatment plant by the proposed project.
11. Review the status of archaeological studies for the Property available at the State Historic Preservation Division (SHPD) and identify any archaeological requirements for development of the proposed project, e.g., data recovery or preservation plans, or access to families visiting burial sites.
12. Identify any Department of Education school impact fee requirements for development of the proposed project, and if so, identify the amount of the impact fee for the proposed project.
13. Investigate and comment upon the applicability of the HFDC Guaranty and Subdivision Agreement to the proposed project.
14. Offsite easements shall be avoided; identify any easements that are not avoidable and required for development of the proposed project.
15. Propose bulk subdivision plans for the preferred 200-unit project, and after review with STATE, finalize the subdivision plan, process the subdivision plan for preliminary approval by the County of Maui, and if requested by STATE, coordinate satisfaction of preliminary approval requirements and process the subdivision plan for final approval by the County.
16. Provide a legal description of the subdivided parcel(s) and the remainder of the parcel.
17. Upon approval in writing by STATE, conduct an ALTA topographic survey of the recommended area of the preferred project.
18. Upon approval in writing by STATE, conduct a geotechnical soils investigation for the preferred concept.
19. Comment upon whether approvals by the Urban Design Review Board and a Shoreline Management Area are applicable to the proposed project and whether such approvals can, or should be included at this phase of planning of the development process (CONTRACTOR's scope of services).

B. **OPTIONAL SERVICES.** At the sole option and upon the express written authorization of the STATE, the CONTRACTOR's scope of services may include additional work related to the proposed project.



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- C. REGISTERED PROFESSIONALS. All persons utilized or retained by the CONTRACTOR, if any, shall be appropriately certified in accordance with Chapter 464, Professional Engineers, Architects, Surveyors and Landscape Architects, of the Hawaii Revised Statutes.
- D. REFERENCES.
1. LUC D&O of 5/18/90
 2. Final EIS
 3. Governor's Acceptance of Final EIS of 12/7/12
 4. HFDC Guaranty
 5. Subdivision Agreement
 6. BWS Deferred Infrastructure Restriction
 7. For Action of 1/8/09
 8. Assessment Report
 9. DEM Letter of 1/27/17
 10. CONTRACTOR's revised proposal dated May 23, 2018.