CONTRACT

WITNESSETH: That for and in consideration of the payments hereinafter mentioned, the CONTRACTOR hereby covenants and agrees with STATE to complete in place, furnish and pay for all labor and materials necessary for "GUARDRAIL REPAIRS AT VARIOUS LOCATIONS, ISLAND OF OAHU, PROJECT NO. HWY-OM-27-04 " or such a part thereof as shall be required by STATE.

For and in consideration of the covenants, undertakings and agreements of CONTRACTOR herein set forth and upon the full and faithful performance thereof by CONTRACTOR, STATE hereby agrees to pay CONTRACTOR in lawful money a sum computed on the basis of the unit prices set forth in the attached proposal schedule for:

AREAS 1, 2, 3 AND 4

but not more than such sum as is actually earned according to STATE's determination of the actual quantities of work performed and materials furnished by CONTRACTOR at the unit prices set forth in said attached proposal schedule which payment shall be by purchase orders issued from time to time by STATE during the term of this contract since Section 103D-309, Hawaii Revised Statutes, as amended, does not require the State of Hawaii Comptroller's certificate for price-term, open-end, or requirements

contract under which the total amount to be paid CONTRACTOR cannot be accurately estimated at the time the contract is awarded.

All work to be performed and materials to be furnished shall be in accordance with the specifications, the special provisions and plans, if any, the notice to bidders, the instructions to bidders and proposal for https://www.hwy-om-27-04, on file in the office of the Director of Transportation. These documents, together with all alterations, amendments, additions thereto and deductions therefrom, are attached hereto or incorporated herein by reference and made a part of this contract.

The CONTRACTOR hereby covenants and agrees to complete each job within the time set forth in each job order issued to CONTRACTOR by STATE for a period of TWELVE (12) MONTHS from the date indicated in hte Notice to Proceed from the STATE with options to extend for two (2) additional twelve (12) month periods.

The CONTRACTOR further agrees to execute the attached Certification of Compliance for Final Payment form prior to payment of the final payment by the STATE.

All words used herein in the singular number shall extend to and include the plural.

All words used in the plural number shall extend to and include the singular. The use of any gender shall extend to and include all genders.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed the day and year first above written.

STATE OF HAWAII

By N: Mo Its Director of Transportation

SUN INDUSTRIES, INC.

Its Robert Creps - Presiden