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REPLY TO HAWAII

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KLLAWHAWAII.COM

SERVED VIA PERSONAL SERVICE

Nordic PCL Construction, Inc. aka Nordic PCL
c/o National Registered Agents of HI, Inc.
Agent for Service of Process for Nordic PCL Construction, Inc.
1136 Union Mall, STE 301
Honolulu, HI 96813

RE: 988 Halekauwila St., Ward Village Land Block 5, Project 1 "Ke Kilohana" (Block O)
Notice of Warranty Claims for Construction Defects

To Whom It May Concern:

The Association of Unit Owners of 988 Halekauwila ("Association"), by and through undersigned counsel, hereby provides Notice of Warranty Claims to Nordic PCL Construction, Inc. ("Nordic") for defects in material and workmanship in the Ke Kilohana building located at 988 Halekauwila St., Honolulu, HI.

The notice of warranty claims for defects in material and workmanship are specified in the list of warranty claims attached as Exhibit "A" and made a part hereof. This notice is made pursuant to the terms of Nordic's express warranty, as well as any and all other express or implied warranties, and is tendered to Nordic and all subcontractors who provided such warranties.

We hereby request that Nordic correct all construction defects and commence work within fourteen (14) days of receipt of this letter, or as otherwise agreed. Please direct your response or any questions to counsel for the Association.

Sincerely,

Kenneth S. Kasdan Esq.
Brittany Grunau Esq.
Sharla Manley Esq.
Christopher K. Hikida Esq.
for
Kasdan LippSmith LLLC

cc: Nordic PCL Construction Inc., 1099 Alakea Street, Suite 1600, Honolulu, HI 96813

* KASDAN LIPPSMITH WEBER THOMSON LLP IS
AFFILIATED WITH KASDAN LIPPSMITH
LLC

ARIZONA*	CALIFORNIA (SOUTHERN)*	CALIFORNIA (LOS ANGELES)*	CALIFORNIA (NORTHERN)*	NEW MEXICO*	HAWAII
3200 North Central Avenue Suite 2100 Phoenix, Arizona 85012 (602) 224-7800 (602) 224-7801 Fax	19900 MacArthur Boulevard Suite 850 Irvine, California 92612 (949) 851-9000 (949) 833-9455 Fax	360 East 2nd Street Suite 300 Los Angeles, California 90012 (213) 254-4800 (213) 254-4801 Fax	1990 North California Boulevard Suite 1060 Walnut Creek, California 94596 (925) 906-9220 (925) 906-9221 Fax	6301 Indian School Road NE Suite 720 Albuquerque, New Mexico 87110 (505) 219-4204 (505) 219-4205 Fax	1003 Bishop Street Suite 1180 Honolulu, Hawaii 96813 (808) 369-8393 (808) 369-8392 Fax

**Warranty Claim
February 28, 2020**

1.0 Parking Garage Accessibility

- 1.1 Inadequate size and access to “compact” parking spots
- 1.2 Blind spots in driveways
- 1.3 Inaccessible parking spots for intended and typical use
- 1.4 Intrusions into area of parking spaces in excess of applicable code regulation allowance of 6”
- 1.5 Multiple intrusions into compact parking spaces
- 1.6 Inadequate size of handicap parking stall

2.0 Parking Garage Building

- 2.1 Gaps in guard rail in excess of 4” code allowance
- 2.2 Guardrail not contiguous to edge of slab
- 2.3 Gap at slab edge hazardous condition
- 2.4 Guardrail of excessive length without intermediate support
- 2.5 Guardrail corroding. Inappropriate use of galvanized cable
- 2.6 Guardrail spacing in excess of 4”
- 2.7 Cracking of garage slabs
- 2.8 Screen attachment hardware including bolts and brackets corroding
- 2.9 Metal screen wall panels and support metal structure not primed or painted adequately, and corroding
- 2.10 Selection of metal for screen/frame/hardware - not sufficiently corrosion resistant

3 Plumbing – Cold Water Supply

- 3.1 Corrosion on copper water pipes in garage
- 3.2 Corrosion on copper water pipes in garage and pump room
- 3.3 Corrosion of Victaulic fasteners
- 3.4 Dissimilar metal corrosion at Victaulic couplers and pipe junctions
- 3.5 Use of non-corrosion resistant pipes and couplers and resulting corrosion on pipe assemblies

**Warranty Claim
February 28, 2020**

4.0 Water Lines/ Washer-Dryer Cabinets

- 4.1 Corrosion on copper pipe assemblies in units at hot water tank
- 4.2 Hydrogen Sulfide induced corrosion on copper pipes damaging pipes and connectors
- 4.3 Inaccessible shut-off valve at unit washer-dryer assembly

5.0 Plumbing Assembly

- 5.1 Defective vent system/drain systems, defective vent assemblies resulting in hydrogen sulfide – sewer gas-inside units
- 5.2 Presence of toxic hydrogen sulfide gas in units
- 5.3 Improper placement of plumbing vent lines adjacent to air intakes at roof
- 5.4 Roof ponding of water on roof
- 5.5 Excessive patching of roof material
- 5.6 Corrosion of electrical junction boxes on roof

6.0 Hallways

- 6.1 Excessive wind noise in hallways and units
- 6.2 Inadequate hallway ventilation

7.0 Staircase Assemblies

- 7.1 Improper Presence of materials in fire staircase and duct not required for stair system
- 7.2 Failure to adequately tape and seal drywall joints
- 7.3 Unsealed and untapped joints and fasteners in the fire stairway duct assemblies
- 7.4 Failure of fire stairways to comply with IBC 909.6 for pressurization, and excess door pull force
- 7.5 Failure of fire assemblies to have a Registered Professional Engineer certified full code compliance
- 7.6 Failure of obtain Fire Department approval of deficiencies

**Warranty Claim
February 28, 2020**

8.0 Lobby

8.1 Excessive cracking of lobby floor

9.0 Security System

9.1 Inadequate security cameras on building exteriors, entries and hallways for security monitoring.

10.0 Fire Control Room

10.1 Inadequate manual and plans for operation of pressurized staircase and alarm assemblies- inadequate commissioning report

11.0 Building General

11.1 Failure to provide adequate Building Commissioning Reports

11.2 Inadequate guardrails assembly at Sky Lanais on floors: 31–33 and 36-38

11.3 Excessive height of curbs causing guardrail height to be inadequate

11.4 Lack of drainage at amenity deck planters causing wet concrete and slip hazards

12.0 Drywall

12.1 Excessive drywall cracks along ceiling lids

13.0 PTAC Units

13.1 Inadequate condensate evaporation system in PTAC units

13.2 Failure to provide condensate drain

13.3 Damage to building envelope/window frame due to condensate water

13.4 Obstruction of window sight area due to PTAC condensation

13.5 Excessive operating noise of unit

13.6 Obstruction of window and floor space due to PTAC placement

13.7 Improper installation of PTAC system so as to preclude condensate drainage

14.0 Windows

14.1 Corrosion of window hinges

14.2 Inadequate design/strength of window hinge to keep window open in typical wind conditions

**Warranty Claim
February 28, 2020**

14.3 Failure of window hinges to retain windows on an open position to allow for fresh air ventilation into units

15.0 Fire Protection

15.1 Inadequate firestops at penetrations of fire rated walls and assemblies

15.2 Unidentified fire stop materials without verification of suitable material

15.3 Inadequate protection of structural steel

16.0 LEED

16.1 Failure to install appropriate high efficiency luminaire assemblies and bulbs, resulting in excessive energy consumptions and costs

16.2 Lighting not LEED appropriate

17.0 All defects and issues noted and/or described in the Site Observation Report, dated February 28, 2020, submitted by Kevin Luoma, Grant Higa, and Kawe Humel to Larry Schenk of Howard Hughes Corp., which is attached and incorporated herein by reference



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2020.02.29 - Ke Kilohana HOA Warranty Site Observation Report.r1 Form Revision: J 01/07

Site Observation Report

To	Howard Hughes Corp.	SOR No	Warranty Review
Attention	Larry Schenk	Date	Feb. 28, 2020
From	Kevin Luoma, Grant Higa Kawe Humel	Email	Kevin.luoma@wsp.com, grant.higa@wsp.com, John.humel@wsp.com
Project	Ke Kilohana HOA Warranty Review	Project No	B2013460
Copies		No. of pages	9

A site visit was conducted at 1:00pm on Feb. 21 and 24, 2020 to observe the installation of the mechanical and electrical systems within the scope of the project. A reasonable attempt has been made to make this report as complete and accurate as possible, however, the comments herein are limited to observations of readily accessible locations only.

This report aims to summarize the findings of our site observation and it has been prepared to assist the Contractor in finalizing their contractual responsibilities. It does not relieve the Contractor of any other responsibilities or actions required under the Contract Documents. Omission of an item from this report shall not be construed as a revision to the contract documents. All work shall be performed in accordance with the contract documents, governing codes, industry quality standards and manufacturer requirements.

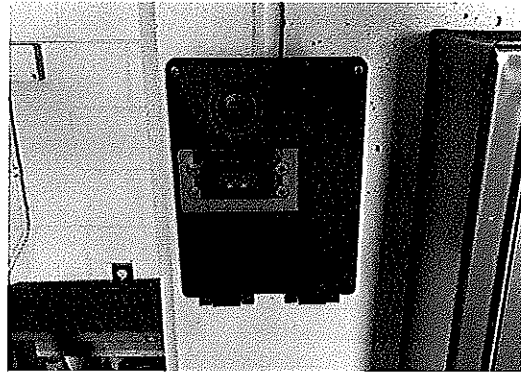
MECHANICAL SYSTEMS

1. The systems within the tenant spaces installed by the tenant spaces is not included
2. Tenant retail water meters: It is not known if these are functioning properly.
3. Many of the filters at VTAC's on Level 8 appeared to be dirty and need of replacement.
4. There are 64 insulated valves in the building. All insulated valves are missing labels and some valves are installed in the wrong position. They are hard to close. Per specifications section 230000 2.12 B Valve Tags all valves shall have valve tags with associated list. List needs to be posted under glass in appropriate mechanical room and include in maintenance manual.
5. Water-oil separators – man hole filled with construction debris.
6. Catch basins at loading dock are filled with oil.
7. The difference of PSI between the jockey pump and the fire pump control system continue to increase. Everything was reset on January 14.

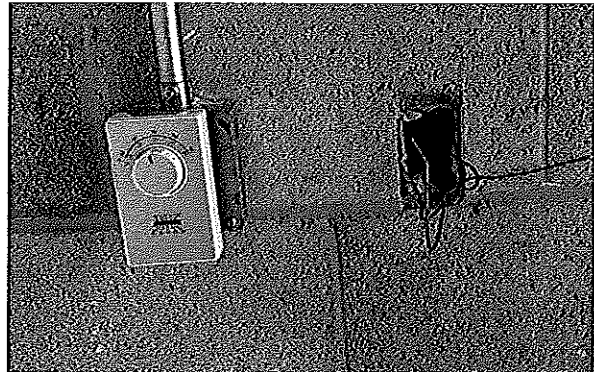
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EXHIBIT "A"

8. Unsure if CO monitors are operational within loading dock.



9. T-stat serving EF-12 in Fire Pump room and EF-11 in Level 4 display area does not seem to work properly where it turns on fan we space temperature exceeds setpoint on dial. Fan appear to turn on anytime the setpoint is set above 75F. There is also an open j-box by EF-11 thermostat.



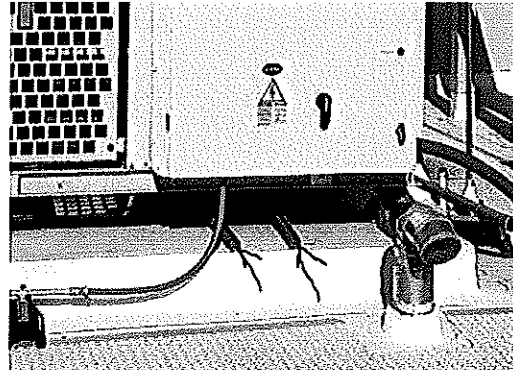
10. FCU-5 thermostat displays error code "CH35" in the residential trash room.



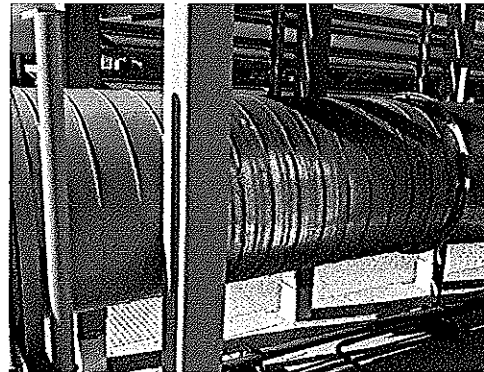
11. VTAC within Theater room had a leak from the drain pan.



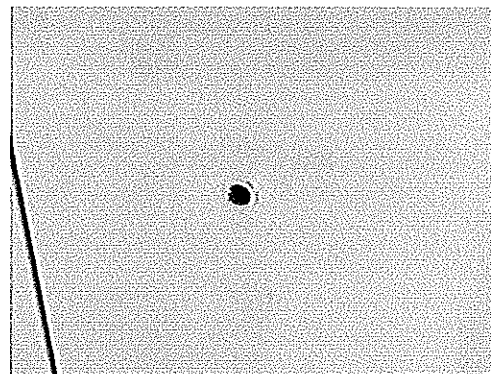
12. Abandoned material under OAU-2.



13. Portions of ductwork on roof not painted.

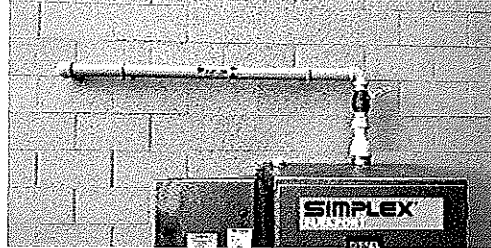


14. Fill in openings on doors of OAU-2.

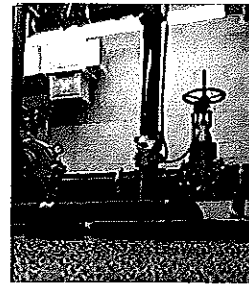


PLUMBING SYSTEMS

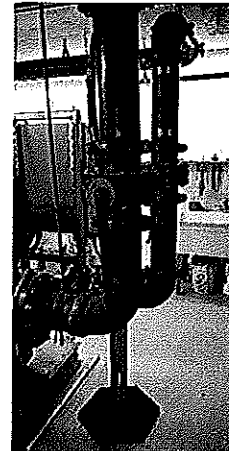
1. Generator fuel filling stating valve not locked in closed position.



2. Fire pump drains shall have 1" air gap per 2006 UPC 801.0



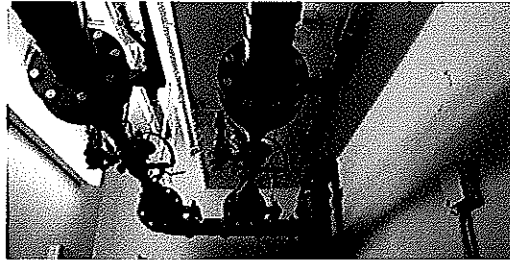
3. No exceptions taken to butterfly valves (BFV) installed on domestic water booster pump outlet. 2006 UPC section 606.0 states valves up to 2" shall be copper, copper alloy, or other approved material (bronze/brass), valves greater than 2" brass or cast iron, and gate / ball valves shall be fullway type. It does not say gate / ball valves only, or that BFV's shall not be used, only that when they are, they shall be fullway (full port).



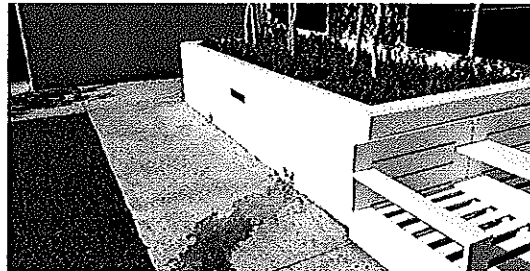
4. Domestic water booster pump (highzone - 100GPM-400TDH) schedule shown on P002 does not match the name plate on domestic water booster pumps installed (high zone - 158GPM-286TDH)



5. Level 8 pressure reducing valve (PRV) station does not appear to be calibrated per P108. Please provide manufacturer's (Cal-Val) calibration and start-up report for all PRV stations (level 8, 15, 22, 29, 36)



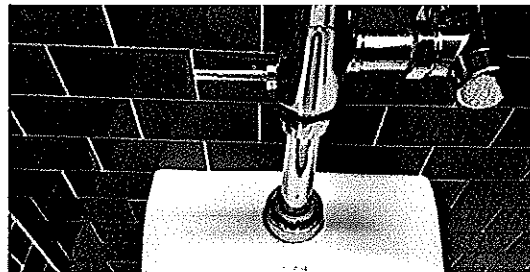
6. Planter drains on Level 8 recreational deck shall connect to storm drain system at Level 7 ceiling per P107. Planter drains shall not discharge to level 8 deck causing nuisance.



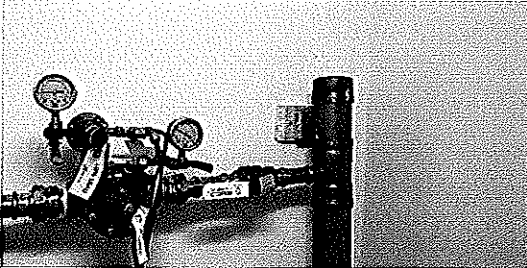
7. Provide ice maker with backflow preventer per 2006 UPC 603.4.12



8. Level 8 women's restroom flush valve leaking.



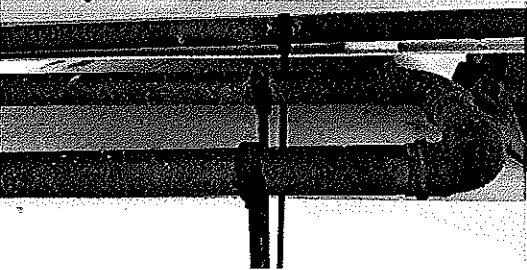
9. Provide proper pipe restraints per 2006 UPC.



10. Domestic water riser shall have neoprene pad per P502/4

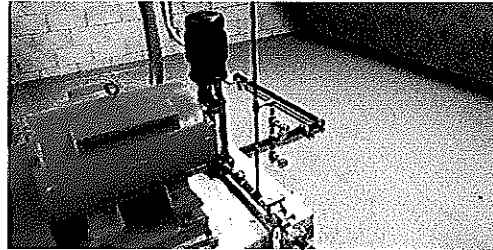


11. Steel clamps on copper piping is not allowed per 2006 UPC. Electrolysis between dissimilar metals occurring on HVAC equipment condensate piping.

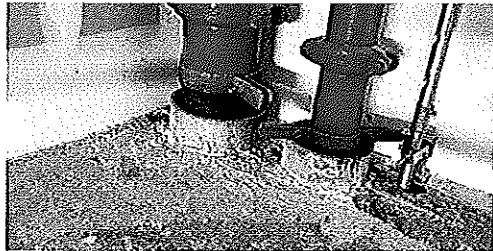


FIRE SPRINKLER SYSTEMS

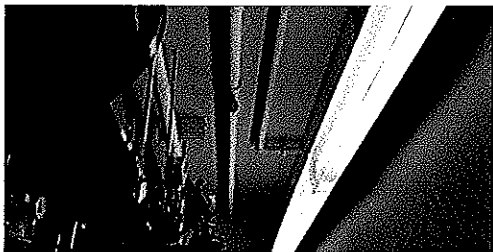
1. Jockey Pump tamper switch does not appear connected.



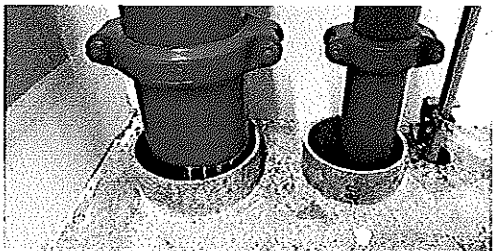
2. Automatic fire sprinkler riser and automatic standpipe riser clamps shall have neoprene pad per FS500/4.



3. Fire sprinkler within Level 8 – Trash Room not operations, shipping cover has not been removed.



4. Provide riser clamp per FS500/4.

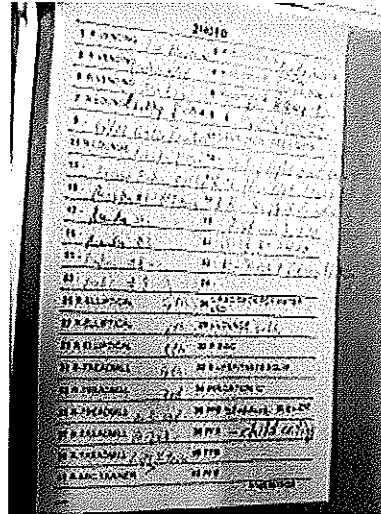


5. Paint exterior fire sprinkler piping at generator intake breezeway

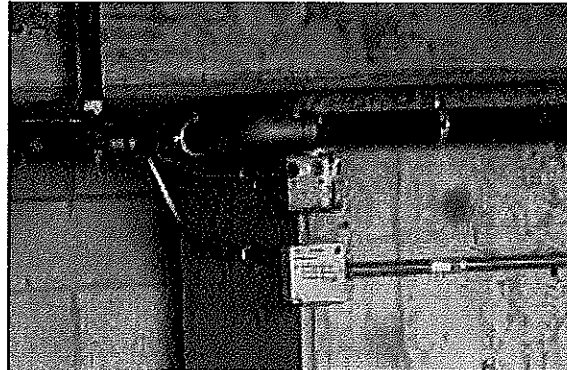


ELECTRICAL SYSTEMS

6. General Note: Confirm typewritten panelboard directories matching the as-built circuiting have been posted at all panelboards. It was noted that the directories posted in several of the panels had missing or incorrect entries, notably Panel 2H08B and 2H08L. Coordinate with building management as they have identified some of the discrepancies for panels serving common areas.



7. It was noted that junction boxes were missing covers in the Residential Trash Room, generator air discharge area, and Elevator Machine Room. Confirm and provide covers as required.



8. General Note: It was noted that the submeter for Unit 4107 maybe reading incorrectly, as they have been receiving significant billings even when the breaker to their unit was turned off. When a manual reading was performed, it was inconsistent with what was being reported by the BMS. Confirm sub-metering is properly configured and correct any programming or wiring issues responsible for incorrect readings.
9. Level 1 Loft Space Retail/Commercial 102 (Longs/CVS): It was noted that the lighting above the ceiling in the Longs/CVS space is controlled the same as the lighting in Loading Area 115. Provide separate controls for lighting above the Longs/CVS space ceiling.
10. Level 1 Fire Command Room 112: The fire alarm panel was indicating trouble status. Confirm that trouble messages are only related to the Longs/CVS space, and correct any issues related to the condo portion of the building.

Also, it was noted that the air conditioning in the room wasn't working (showing error code CH05). Repair equipment to correct issue.

11. Level 3 Main Electrical Room: Confirm whether Sheets E602 to E607 can also be posted to complete the one line diagram.
12. Level 3 Telecom CATV Room 111: It was noted that the TMGB was missing.

Also, it was noted that the GC is using the room as an office during the warranty period. Confirm the room will be cleaned up once vacated.

13. Level 8 Rec Deck: It was noted that the Type WLA step lights located on the sides of the planters could not be controlled by the lighting control system, and had to be shut off at the circuit breaker. Confirm the Type WLA fixtures are properly connected to the lighting control system and are properly programmed.
14. It was noted that periodic testing of the emergency generator has not been done and that it is not known whether the emergency generator is operating properly.