

ARTICLE 6 - TIME OF COMPLETION

6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with paragraph 4.02 of the Agreement Between Owner and Contractor for Construction Contract and Section SC-03 of the DHHL Special Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

6.02 Bidder accepts the provisions of the Agreement as to liquidated damage.

ARTICLE 7 - ATTACHMENTS TO THIS BID

7.01 The following documents are attached to and made a condition of the Bid:

- A. Required Bid security in the form of a Bid Bond (EJCDC No. C-430) or Certified Check (circle type of security provided);
- B. List of Joint Contractors or Subcontractors;
- C. Hawaii Products Preference schedule.
- D. If applicable, Certification Form 1 verifying the participation in an apprenticeship program registered with the State Department of Labor and Industrial Relations (DLIR).
- E. Tax Clearance Certificate from State Department of Taxation and Internal Revenue Service.
- F. If Bid amount exceeds \$10,000, signed Compliance Statement (RD 400-6). Refer to specific equal opportunity requirements set forth in paragraph 18.10 of the General Conditions;
- G. If Bid amount exceeds \$25,000, signed Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions (AD-1048);
- H. If Bid amount exceeds \$100,000, signed RD Instruction 1940-Q, Exhibit A-1, Certification for Contracts, Grants, and Loans.

ARTICLE 8 - DEFINED TERMS

8.01 The terms used in this Bid with the initial capital letters have the meanings indicated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 - BID SUBMITTAL

9.01 This Bid is submitted by:

Exact Legal Name of Company (Bidder)

The Bidder represents that it is: (**Check one only**)

- ☐ A Hawaii business incorporated or organized under the laws of the State of Hawaii; **OR**
- ☐ A Compliant Non-Hawaii business not incorporated or organized under the laws of the State of Hawaii, is or shall be registered at the State of Hawaii Department of Commerce and Consumer Affairs Business Registration Division (DCCA-BREG) to do business in the State of Hawaii.

State of incorporation: _____

Bidder is:

☐ Sole Proprietor ☐ Partnership ☐ Corporation ☐ Joint Venture ☐ Other: _____

Federal I.D. No.: _____ Hawaii General Excise Tax ID No.: _____

State Contractor License No. _____

Business address

(Street Address, City, State, Zip Code)

Payment address (other than street address above)

(Street Address, City, State, Zip Code)

Telephone No.: () _____ Fax No.: () _____ E-Mail address: _____

If Bidder is:

An Individual

Name (typed or printed): _____

By: _____

(Individual's signature)

SEAL,
if required
by State

Doing business as:

A Partnership

Partnership Name: _____

By: _____

(Signature of general partner -- attach evidence of authority to sign)

SEAL,
if required
by State

Name (typed or printed):

A Corporation

Corporation Name:

State or Jurisdiction of Incorporation: _____

Type (General Business, Profession, Service, Limited Liability):

By: _____

(Signature -- attach evidence of authority to sign)

Name (typed or printed):

Title: _____

CORPORATE
SEAL,
if required by State

Attest _____

(Signature of Corporate Secretary)

Date of Qualification to do business in _____ [State or other jurisdiction where
Project is located] is / / _____

A Joint Venture

Name of Joint Venture:

First Joint Venture Name:

By:

SEAL,
if required
by State

(Signature of joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Second Joint Venture Name:

SEAL,
if required
by State

By: _____

(Signature of joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is party to the venture should be in the manner indicated above.)

Phone and FAX Numbers, and Address for receipt of official communications, if different from Business contact information:

9.02 Bid submitted on _____ 20 .

**ALL JOINT CONTRACTORS OR SUBCONTRACTORS TO BE
ENGAGED ON THIS PROJECT**

The Bidder certifies that the following is a complete listing of all joint Contractors or Subcontractors covered under Chapter 444, Hawaii Revised Statutes, who will be engaged by the Bidder on this project to perform the nature and scope of work indicated pursuant to Section 103D-302, Hawaii Revised Statutes, and understands that failure to comply with this requirement shall be just cause for rejection of the bid.

The Bidder further understands that only those joint Contractors or Subcontractors listed shall be allowed to perform work on this project and that all other work necessary shall be performed by the Bidder with his own employees. If no joint Contractor or Subcontractor is listed, it shall be construed that all of the work shall be performed by the Bidder with his own employees.

The Bidders must be sure that they possess and that the Subcontractors listed in the proposal possess all the necessary licenses needed to perform the work for this project. The bidder shall be solely responsible for assuring that all the specialty licenses required to perform the work are covered in his bid.

The Bidder shall include the license number of the joint Contractors or Subcontractors listed below. Failure to provide the correct names and license numbers as registered with the Contractor's Licensing Board may cause rejection of the bid submitted.

Complete Firm Name of Joint Contractor or Subcontractor for Total Sum Bid	License Number	Nature and Scope of Work to be Performed

(Add additional sheets if necessary)

HAWAII PRODUCTS PREFERENCE

Section 103D-1002, Hawaii Revised Statutes (HRS), as amended by Act 175 (Session Laws of Hawaii 2009), provides preference for Hawaii products. The previous Hawaii products list established pursuant to HRS §103D-1002 was suspended effective July 1, 2009, and a new list has been published by the State Procurement Office (SPO). DHHL will be supplementing the list with additional approved products for this solicitation.

Pursuant to HRS §103D-1002(b) (2) and Procurement Circular No. 2009-13, bidders intending to use Hawaii products should distribute the attached SPO-38, *Certification for Hawaii Product Preference*, to each of the manufacturers and producers of such products which bidders intend to use if the manufacturers and producers and their products are not listed on the SPO Hawaii Products List or in the DHHL's list below. The manufacturers and producers must complete and submit SPO-38 to DHHL. The form must be received by DHHL no later than **2:00 p.m., August 6, 2012**. Submittal by facsimile (808 620-9299) is acceptable. If DHHL receives and approves SPO-38s relating to this solicitation DHHL will issue an addendum listing the additional certified and qualified Hawaii products by **4:00 p.m., August 13, 2012**.

Bidders may claim a Hawaii product preference for products that it manufactures or produces with its own workforce and equipment. The SPO-38, *Certification for Hawaii Product Preference*, must be submitted in accordance with the procedures described above in order for Bidder to claim a Hawaii product preference for such Hawaii products Bidder intends to use in this work.

A partial list of approved products is provided below. The complete current list as compiled by the State Procurement Office is available at:

<http://www4.hawaii.gov/spoh/HiProducts/hiProducts.htm>

Preferences, Hawaii Products

CONSTRUCTION PRODUCTS AND SOIL AMENDMENTS/PRODUCTS

Aggregates — Basaltic Termite Barrier							
Product Subcategory as applicable	Effective	Revised	Manufacturer	Oahu	Maui	Hawaii	Kauai
	11/03/09		Ameron International Corporation	x	x		
Aggregates and Sand — Basalt, Rock, Cinder, Limestone and Coral							
Product Subcategory as applicable	Effective	Revised	Manufacturer	Oahu	Maui	Hawaii	Kauai
	11/03/09		Ameron International Corporation	x	x		
	10/23/09		CTS Earthmoving, Inc.			x	
	11/03/09	1/20/10	Delta Construction Corporation	x			
	12/14/09		Edwin Deluz Trucking & Gravel LLC			X	
	01/28/10		<u>Goodfellow Bros., Inc.</u>	x			

	11/02/09		Grace Pacific	x		x	x
	4/26/11		GW Construction			x	
	11/03/09		Hawaiian Cement	x	x		
	12/15/09		Jas. W. Glover, Ltd.			x	x
	06/30/10		Kauai Aggregates				x
	10/20/09	07/22/10	Sanford's Service Center, Inc.			x	
	11/05/09		Tileco, Inc.	x	x	x	X
	11/03/09		West Hawaii Concrete			x	
	11/02/09		Yamada and Sons, Inc.			x	

Aggregates — Recycled Asphalt and Concrete

Product Subcategory as applicable	Effective	Revised	Manufacturer	Oahu	Maui	Hawaii	Kauai
	12/15/09		Glover Honsador				x
	11/02/09		Grace Pacific	x			
	12/15/09		Jas. W. Glover, Ltd.	x		x	
	10/18/10		West Oahu Aggregate Co. Inc.	x			

Asphalt and Paving Materials - HI Products

Product Subcategory as applicable	Effective	Revised	Manufacturer	Oahu	Maui	Hawaii	Kauai
	06/15/10		Black Maui Rose LLC		x		
	12/22/09		Black Plumeria LLC	x			
	10/21/09	11/02/09	Grace Pacific Corporation	x		X	x
	12/05/09		Jas. W. Glover, Ltd.			x	x
	11/03/11		Maui Asphalt X-IV, LLC		x		
	10/28/09		Maui Paving LLC		x		
	11/20/09		Walker-Moody Pavement Products and Equipment	x	x	x	x
	11/22/09		Yamada and Sons, Inc. dba YS Rock and Con-Agg of Hawaii			x	

Cement and Concrete Products

Product Subcategory as applicable	Effective Date	Last Revised Date	Manufacturer	Oahu	Maui	Hawaii	Kauai
	11/03/09		Ameron International Corporation	x			
	01/19/10		BOMAT Ltd.	x	x	x	x
	12/15/09		Glover Honsador				x
	11/03/09		Hawaiian Cement	x	x		
	12/15/09		Jas. W. Glover, Ltd.			x	x
	12/15/09		Kohala Coast Concrete & Precast LLC			x	
	06/30/10		0. Thronas, Inc.				x
	11/05/09		Tileco, Inc.	x	X	x	x
	11/03/09		West Hawaii Concrete			x	

Precast Concrete Products							
Product Subcategory <i>as applicable</i>	Effective Date	Revised Date	Manufacturer	Oahu	Maui	Hawaii	Kauai
	7/12/10		Aloha Precast, Inc.	X	X	X	X
	11/03/09	04/15/10	Ameron International Corporation	X			
	08/02/10		GPRM Prestress, LLC	X	X	X	X
	11/03/09		Hawaii Concrete Products, Inc.	X			
	12/15/09		Kohala Coast Concrete & Precast LLC			X	
	11/03/09		Ramtek Fabrication Co., Inc.	X	X	X	X
	06/30/10	02/26/10	Walker Industries, Ltd.	X	X	X	X
Environmental Sewage-Treatment Innovative System (ESIS) Individual Wastewater System which utilizes anaerobic/aerobic processing to treat wastewater to R-2 quality at discharge							
Product Subcategory <i>as applicable</i>	Effective	Revised	Manufacturer	Oahu	Maui	Hawaii	Kauai
	11/20/09		Environmental Waste Management Systems, Inc.	X	X	X	X
Septic Tanks	11/03/09		Ameron International Corporation	X			
	11/05/09	02/26/10	Walker Industries, Ltd.	X	X	X	X
Hot Dip Galvanizing							
Product Subcategory <i>as applicable</i>	Effective Date	Revised Date	Manufacturer	Oahu	Maui	Hawaii	Kauai
	03/03/10		Universal Associates, Inc.	X			
Pipes-Aluminum and Galvanized							
Product Subcategory <i>as applicable</i>	Effective Date	Revised Date	Manufacturer	Oahu	Maui	Hawaii	Kauai
Pipes-Miscellaneous	11/03/09		Ameron International Corporation	X			
Aluminum Docks, Floating, etc. - Miscellaneous							
Product Subcategory <i>as applicable</i>	Effective	Revised	Manufacturer	Oahu	Maui	Hawaii	Kauai
	05/25/10	06/14/10	<u>Bluewater Marine and Dock Specialties</u>	X	X	X	X

Playground Surfaces							
Product Subcategory as applicable	Effective	Revised	Manufacturer	Oahu	Maui	Hawaii	Kauai
	01/07/10		Innovative Playgrounds and Recreation, Inc.	x	x	x	x
Signs - Traffic, Regulatory and Construction							
Product Subcategory as applicable	Effective	Revised	Manufacturer	Oahu	Maui	Hawaii	Kauai
	12/14/09		GP Roadway Solutions, Inc.	x	x	X	x
	11/20/09		Safety Systems Hawaii, Inc.	x	x	X	x
Veneer							
Product Subcategory as applicable	Effective	Revised	Manufacturer	Oahu	Maui	Hawaii	Kauai
	11/14/11		Big Rock Manufacturing	x	x	x	x
Soil Amendments, Mulch, Compost							
Product Subcategory as applicable	Effective Date	Revised Date	Manufacturer	Oahu	Maui	Hawaii	Kauai
	10/16/09		Kauai Nursery & Landscaping, Inc.	x	x	X	X
	10/20/09		Sanford's Service Center, Inc.			x	
Compost Filter							
Product Subcategory as applicable	Effective Date	Revised Date	Manufacturer	Oahu	Maui	Hawaii	Kauai
	01/25/10		EnviroTech BioSolutions Hawaii, Inc.	x	x	X	X
	6/02/11		<u>Certified Erosion Control Hawaii LLC</u>	x	x	x	x

(Add additional sheets if necessary)

It is further understood by the Bidder that if upon being granted Hawaii Products, and being awarded the contract, if the Bidder fails to use such products or meet the requirements of such preference, the Bidder shall be subject to penalties, if applicable.

APPRENTICESHIP AGREEMENTS

Section 103-55.6, Hawaii Revised Statutes (HRS), was added by Act 17 (Special Legislative Session 1, 2009), and provides the 5% bid adjustment for bidders that are parties to apprenticeship agreements. To be eligible for the preference, the bidder shall:

1. State the trades the bidder will employ to perform the work.
2. For each trade to be employed to perform the work, the bidder shall submit a completed signed original *Certification Form 1* verifying the participation in an apprenticeship program registered with the State Department of Labor and Industrial Relations (DLIR).
3. The *Certification Form 1* shall be authorized by an apprenticeship sponsor of the DLIR list of registered apprenticeship programs. The authorization shall be an original signature by an authorized official of the apprenticeship sponsor.
4. The completed *Certification Form 1* for each trade must be submitted by the bidder with the proposal. Previous certifications shall not apply.

Upon receiving *Certification Form 1*, DHHL will verify with DLIR that the apprenticeship program is on the list of apprenticeship programs registered with DLIR. If the program(s) are not confirmed by DLIR, the bidder will not qualify for the preference.