STATE OF HAWAII DEPARTMENT OF HAWAIIAN HOME LANDS

BID OFFER FORM

FOR

WAIOHULI-HIKINA, LOT 29 DRAINAGE IMPROVEMENTS KULA, MAUI, HAWAII TAX MAP KEY: (2) 2-2-030:029

IFB NO.: IFB-18-HHL-012

Chairman Hawaiian Homes Commission Department of Hawaiian Home Lands 91-5420 Kapolei Parkway Kapolei, Hawaii 96707

The undersigned has carefully examined, read, and understands the terms and conditions in the Plans and Specifications, Special Conditions attached hereto, DHHL Construction General Conditions, and General Conditions specified in the Invitation for Bids (IFB) No. IFB-18-HHL-012. The State of Hawaii's (State) Contract for Goods and Services Based on Competitive Sealed Bids AG-003 Rev. 6/22/2009, AG-008 103D General Conditions, are included by reference and made part hereof and available upon written request to the Procurement Officer. The undersigned herby submits the following offer to perform the work for IFB No. IFB-18-HHL-012 as specified herein, all in accordance with the true intent and meaning thereof.

The undersigned understands and agrees that:

- 1. The State reserves the right to reject any and all offers and to waive any items that are defective when, in the State's opinion, such rejection or waiver will be in the best interest of the State. A solicitation may be rejected in whole or part when in the best interest of the State.
- 2. If awarded the contract, all services will be in accordance with Hawaii Revised Statutes (HRS) § 103-55.5.
- 3. In submitting this offer, the Offeror is not in violation of HRS Chapter 84, concerning prohibited State contracts.
- 4. By submitting this offer, the Offeror certifies that the offer was independently arrived at without collusion and the Offeror did not participate in any practices to restrict competition.
- 5. It is understood that the failure to receive any addendum shall not relieve the Offeror from any obligation under this IFB.

Date:			

	er the laws of the State of Hawaii; OR orated or organized under the laws of the State of vaii Department of Commerce and Consumer Affairs
State of incorporation:	<u> </u>
Offeror is: □ Sole Proprietor □ Partnership □ Corporation	□ Joint Venture □ Other:
Federal ID No.:	<u> </u>
Hawaii General Excise Tax ID No.:	<u> </u>
Telephone No.:	<u> </u>
Fax No.:	<u> </u>
E-Mail Address.:	<u> </u>
Payment address (other than street address below)	
(Street Address, City	, State, Zip Code)
Business address	
(Street Address, City	, State, Zip Code)
1	Respectfully submitted:
,	Authorized (Original) Signature
Ī	Name and Title (Please Type or Print)
*_	Exact Legal Name of Company (Offeror)

*If Offeror shown above is a "dba" or a "division" of a corporation, furnish the exact legal name of the corporation under which the awarded contract will be executed:

The following bid is hereby submitted for IFB-18-HHL-012 for the Department of Hawaiian Home Lands.

WAIOHULI-HIKINA, LOT 29 DRAINAGE IMPROVEMENTS

The prices herein for the following items shall include all materials, labor, tools, equipment, machinery and all incidentals necessary, including excavation and backfill, to install or to construct these items in place complete and in accordance with the plans and specifications. The general excise tax (GET) shall be inclusive in the total bid price.

Item No.		Unit Price	Total
	SITE WORK		
1.	Clearing and Grubbing, Including Handling and Removal of Vegetation and Debris from DHHL Lands; In Place Complete		
	350 S.Y.	\$	\$
2.	Installation, Maintenance, Monitoring, and Removal of Dust Screen; In Place Complete		
	270 L.F.	\$	\$
3.	Installation, Maintenance, Monitoring, and Removal of Dust Screen with Silt Fence; In Place Complete		
	295 L.F.	\$	\$
4.	Installation, Maintenance, Monitoring, and Removal of BMP (8" Thick Ingress/Egress Gravel Access); In Place Complete		
	167 S.Y.	\$	\$
5.	Installation, Maintenance, Monitoring, and Removal of Temporary Storm Grate Filtration; In Place Complete		
	1 EA	\$	\$
6.	Installation, Maintenance, Monitoring, and Removal of Sediment Filter Sock; In Place Complete		
	95 L.F.	\$	\$

7.	Permanent Erosion Control Measures for All Graded Areas, Including Hydro-Mulch Seeding and 90 Day Maintenance; In Place Complete	
	226 S.Y.	\$ \$
8.	Excavation of Grassed Swale and GRP Ditch; In Place Complete	
	140 C.Y.	\$ \$
9.	Embankment of Grassed Swale and GRP Ditch; In Place Complete	
	17 C.Y.	\$ \$
10.	12" Select Borrow for GRP Ditch; In Place Complete	
	39 C.Y.	\$ \$
11.	New Six (6) Feet Wide GRP Ditch; In Place Complete	
	42 C.Y.	\$ \$
12.	New GRP Outlet; In Place Complete	
	2 C.Y.	\$ \$
13.	New Two (2) Feet High Concrete Wall; In Place Complete	
	58 L.F.	\$ \$
14.	New 3/4" Copper Water Lateral, Including Excavation, Backfill, Pipe Bedding, and All Pertinent Work for Water Lateral Installation; In Place Complete	
	21 L.F.	\$ \$
15.	New Concrete Jacket For ¾" Copper Water Lateral; In Place Complete	
	12 L.F.	\$ \$

18.	GET (4.166%)	\$
	Allowance	\$ _10,000.00_
17.	Allowance for Varying Site Condition	
	L.S.	\$
16.	Mobilization (Not to exceed 6 percent of the Sum of All Items 1-15, excluding the bid price of this item	

Dollars (\$ The prices herein for the above items shall include all materials, labor, tools, equipment, machinery and all incidentals necessary to install or to construct these items in place

complete and in accordance with the plans and specifications contained in this IFB. The

TOTAL SUM BID =

total sum bid shall be inclusive of the general excise tax.

The CONTRACTOR shall complete all work as specified or indicated in the Contract Documents on or before Ninety (90) calendar days after receiving written Notice to Proceed,

HAWAII PRODUCTS PREFERENCE

In accordance with HRS §103D-1002, the Hawaii products preference is applicable to this solicitation. Hawaii Products [are / may be] available for those items noted on the offer form. The Hawaii products list is currently available on the SPO webpage at: http://spo.hawaii.gov/for-vendors/hawaii-product-preferences/.

Offeror submitting a Hawaii Product (HP) shall identify the HP on the solicitation offer page(s). Any person desiring a Hawaii product preference shall have the product(s) certified and qualified if not currently on the Hawaii products list, prior to the deadline for receipt of offer(s) specified in the procurement notice and solicitation. The responsibility for certification and qualification shall rest upon the person requesting the preference.

Persons desiring to qualify their product(s) not currently on the Hawaii product list shall complete form SPO-038, *Certification for Hawaii Product Preference* and submit to the Procurement Officer issuing the solicitation (IFB or RFP), and provide all additional information required by the Procurement Officer. For each product, one form shall be completed and submitted (i.e. 3 products should have 3 separate forms completed). Form SPO-038 is available on the SPO webpage at http://spo.hawaii.gov/all-forms/. The manufacturers and producers must complete and submit SPO-38 to DHHL. The form must be received no later than the date and time specified in the Instructions for Bid Submittal's 'IFB Schedule'. Submittal by facsimile to: (808) 620-9299 is acceptable. SPO-38s received and approved by DHHL in relation to this solicitation as additional certified and qualified Hawaii products will be published via addendum.

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.

When a solicitation contains both HP and non-HP, then for the purpose of selecting the lowest bid or purchase price only, the price offered for a HP item shall be decreased by subtracting 10% for the class I or 15% for the class II HP items offered, respectively. The lowest total offer, taking the preference into consideration, shall be awarded the contract unless the offer provides for additional award criteria. The contract amount of any contract awarded, however, shall be the amount of the price offered, exclusive of the preferences.

Change in Availability of Hawaii product. In the event of any change that materially alters the offeror's ability to supply Hawaii products, the offeror shall notify the procurement officer in writing no later than five working days from when the offeror knows of the change and the parties shall enter into discussions for the purposes of revising the contract or terminating the contract for convenience.

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

<u>Preferences, Hawaii Products</u> CONSTRUCTION PRODUCTS AND SOIL AMENDMENTS/PRODUCTS

Aggregates	s – Basalt	tic Termit	e Barrier				
Product Subcategory as applicable	Effective	Revised	Manufacturer	Oahu	Maui	Hawaii	Kauai
	11/03/09		Ameron International Corporation	X	X		
Aggregates	s and Sar	nd – Basa	It, Rock, Cinder, Limestone a	nd Co	ral		
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		Goodfellow Bros., Inc.	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	
Aggregate	s – Recyc	led Asph	alt and Concrete				
Product Subcategory as applicable	Effective	Revised	Manufacturer	Oahu	Maui	Hawaii	Kaua
	12/15/09		Glover Honsador		1		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		O. Thronas, Inc.				X
	11/05/09		Tileco, Inc.	X	X	X	X
	11/03/09		West Hawaii Concrete			X	

Precast Concrete Products

Product Subcategory as applicable	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

1	11/03/09		Hawaii Concrete Products, Inc.	X			
1	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 as applicable	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 as applicable	Effective Date	Revised Date	Manufacturer	Oahu	Maui	Hawaii	Kauai
	03/03/10		Universal Associates, Inc.	X			

Pipes-Aluminum and Galvanized

Product Subcategory as applicable	Effective Date	Revised Date	Manufacturer	Oahu	Maui	Hawaii	Kauai
Pipes- Miscellaneo us	11/03/09		Ameron International Corporation	X			

Aluminum Docks, Floating, etc. - Miscellaneous

Product Subcategory as applicable	Effective	Revised	Manufacturer		Maui	Hawaii	Kauai
	05/25/10	06/14/10	Bluewater Marine and Dock Specialties	X	X	X	X

Playground Surfaces

	Effective	Revised	Manufacturer	Oahu	Maui	Hawaii	Kauai
as applicable							

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	01/07/10		Innovative Playgrounds and	V	v	V	V
	01/0//10		Recreation, Inc.	X	X	X	X
Signs - Tra	ıffic, Regu	ılatory an	d 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 Amen	dments, M	lulch, Co	mpost	T	Г	T	
Product Subcategory as applicable	Effective Date	Revised Date	Manufacturer	Oahu	Maui	Hawaii	Kauai
	10/16/09		Kauai Nursery & Landscaping, Inc.	X	X	X	Х
				1			
	10/20/09		Sanford's Service Center, Inc.			X	
Compost F						X	
Compost F Product Subcategory as applicable		Revised Date		Oahu	Maui	X	Kauai
Product Subcategory	Filter Effective		Sanford's Service Center, Inc.	Oahu	Maui X		

SCHEDULE OF ACCEPTABLE HAWAII PRODUCTS AND DESIGNATION OF HAWAII PRODUCTS TO BE USED					
	AWAII PRODUCTS	HAWAII PRODUCTS TO BE USED Cost FOB Jobsite, Unloaded Including Applicable General Excise and Use Taxes			
Description	Manufacturer	Base Bid	Additive Alternate		
		\$	\$		
		\$	\$		
		\$	\$		
		\$	\$		
		\$	\$		
		\$	\$		
		\$	\$		
		\$	\$		
		\$	\$		
		\$	\$		

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.

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 bid 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	License Number	Hawaii Tax ID Number	Nature and Scope of Work to be Performed

METHOD OF AWARD

Bidder is required to bid on the entire project. The low bidder shall be determined by the procedures outlined in items 1) through 4) below:

- 1) Prior to opening of bids, the State will determine the amount of funds available for the project. This amount will be designated the "control amount". The control amount shall be announced at, and prior to the opening of bids.
- 2) The Base Bid and Alternate, if any, of each Bidder will be adjusted to reflect the applicable preferences in accordance with Chapter 103D, HRS. The Alternate, if any, will then be added to the Base Bid and compared with the control amount.
- 3) The low bidder shall be the Bidder having the lowest aggregate amount, within the control amount (after application of the various preferences), for the Base Bid plus the Alternate, if any.
- 4) If adding the Alternate, if any, would make the aggregate amount exceed the control amount for all Bidders, the low bidder shall be the Bidder having the lowest Base Bid after application of the various preferences.

It is further understood and agreed that:

- 1) The Chairman reserves the right to reject any and/or all bids and waive any defects when, in his opinion, such rejection or waiver will be in the best interest of the State.
- 2) After determining the low bidder, an award may be made either on the amount of the Base Bid alone, or including the Alternate (exclusive of preferences), if:
 - a. It is in the best interest of the State;
 - b. Funds are available at time of the award; and
 - c. The combination of the Base Bid plus Alternate does not change the apparent low bidder.
- 3) In the event the Base Bid for all Bidders exceed the control amount, the Chairman reserves the right to negotiate with the lowest responsible and responsive bidder to award a contract within available funds.
- 4) In the event the award is made for the Base Bid alone, the Chairman reserves the right to amend the contract at a later date to include the Alternate should funds subsequently become available.

OTHER CONDITIONS

- 1) The liquidated damages per working day for failure to complete the work on time have been determined and are noted in the Special Conditions of the sample contract.
- 2) By submitting this bid, the undersigned is declaring that his firm has not been assisted or represented on this matter by an individual who has, in a State capacity, been involved in the subject matter of this contract in the past one (1) year.
- By submitting this bid, the undersigned is declaring that Bidder's own organization will perform at least 20% of the contractor's work. For the purposes of this section, the Contractor's work is defined as: direct cost labor for contractor's forces; direct cost materials installed by the contractor's direct cost labor force; direct cost equipment, either owned or leased, used by the contractor's direct cost labor force; and field overhead cost to include: field supervision, field office trailer (if any), field office equipment and supplies, etc.
- 4) Upon the acceptance of the bid by the Chairman, the undersigned must enter into and execute a contract for the same and furnish a Performance and Payment Bond, as required by law. These bonds shall conform to the provisions of Sections 103D-324 and 325, Hawaii Revised Statutes, and any law applicable thereto.
- 5) The quantities given herewith are approximate only and are subject to increase or decrease.
- The estimated quantities shown for items for which a UNIT PRICE is asked in this bid are only for the purpose of comparing on a uniform basis bids offered for the work under this contract. No claim shall be filed for anticipated profit or loss because of any difference between the quantities of the various classes of work done or the materials and equipment actually installed and the said estimated quantities. Payment on UNIT PRICE items will be made only for the actual number of units incorporated into the finished project at the contract UNIT PRICE.
- 7) If the product of the UNIT PRICE BID and the number of units does not equal the total amount stated by the undersigned in the Bid for any item, it will be assumed that the error was made in computing the total amount. For the purpose of determining the lowest Bidder, the stated UNIT PRICE alone will be considered as representing the Bidder's intention and the total amount bid on such items shall be considered to be the amount arrived at by multiplying the UNIT PRICE by the number of units.
- 8) <u>Certification for Safety and Health Programs for Bids in Excess of \$100,000</u>. In accordance with Sections 103D-327 and 396-18, Hawaii Revised Statutes, by submitting this bid, the undersigned certifies that his firm will have a written Safety and Health Plan for this project that will be available and implemented by the Notice to Proceed date of

this project. Details of the requirements of this plan may be obtained from the Department of Labor and Industrial Relations, Occupational, Safety and Health Division.

9) Any contract arising out of this offer is subject to the approval of the Department of the Attorney General as to form, and to all further approvals, including the approval of the Governor, required by statute, regulation, rule, order, or other directive.

Receipt of the following addenda issued by the Department is acknowledged by the date(s) of receipt indicated below:

Date	Date
Addendum No. 1	Addendum No. 5
Addendum No. 2	Addendum No. 6
Addendum No. 3	Addendum No. 7
Addendum No. 4	Addendum No. 8
from any obligation under this IFB as	receive any such addendum shall not relieve the Contractor submitted.
	DOLLARS (\$)
as required by law, is enclosed herew	ith in the form of:
(() Official Check (*3) () Share Certificate (*3) () Teller's Check (*3) () Treasurer's Check (*3)
	Respectfully submitted,
	Name of Company, Joint Venture or Partnership
	License No.
	By
	Signature (*4)

11tte:		
Date:		
Date		
Address:		
T 1 1 N		
Telephone No ·		

(IF A CORPORATION, AFFIX CORPORATE SEAL TO SIGNATURE, BE SURE TO FILL IN ATTACHED LIST OF SUBCONTRACTORS. THIS BID FORM MAY NOT BE ALTERED AND BIDDERS MAY NOT QUALIFY OR CONDITION THEIR BIDS IN ANY WAY.)

PLEASE FILL OUT THE ATTACHED CERTIFICATE OF RESOLUTION GIVING EVIDENCE OF THE AUTHORITY OF THIS OFFICER TO SUBMIT BIDS ON BEHALF OF THE COMPANY.

NOTES:

- *1. Surety bond underwritten by a company licensed to issue bonds in this State;
- *2. Legal tender; or
- *3. A certificate of deposit; share certificate; or cashier's, treasurer's, teller's, or official check accepted by, and payable on demand to the State by a bank, a savings institution, or credit union insured by the Federal Deposit Insurance Corporation of the National Credit Union Administration.
 - A. These instruments may be utilized only to a maximum of \$100,000.
 - B. If the required security or bond amount totals over \$100,000, more than one instrument not exceeding \$100,000 each and issued by different financial institutions shall be accepted.
- *4. Please attach to this page evidence of the authority of this officer to submit bids on behalf of the Company, and also the names and residence addresses of all officers of the Company.
- *5. Fill in all blank spaces with information asked for or bid may be invalidated. <u>BID MUST</u> BE INTACT; MISSING PAGES MAY INVALIDATE YOUR BID.

CERTIFICATE OF RESOLUTION

I,, Secretary of, a
I,
resolution duly adopted by the Board of Directors of said Corporation, at its meeting duly called and
held at the office of the Corporation, Hawaii, on day of
, 20, at which a quorum was present and acting throughout; and that
said resolution has not been modified, amended or rescinded and continues in full force and effect.
"RESOLVED that any individual at the time holding the position(s) of, be, and each of them hereby is, authorized to
execute on behalf of the Corporation any bid, proposal or contract for the sale or rental of the products of the Corporation or for the services to be performed by the Corporation and to execute any bond required by any such bid, proposal or contract with the United States
Government or the State of Hawaii or the City and County of Honolulu, or any County of
Municipal Government of said State, or any department or subdivision of any of them."
IN WITNESS THEREOF, I have hereunto set my hand and affixed the corporate seal of
said this day of, 20
•
Secretary

END OF BID