

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

Land Development Division

January 29, 2020

Date

ADDENDUM NO. 1
TO
INVITATION FOR BIDS
IFB-20-HHL-015

KAHIKINUI DRIVEWAY REPAIRS, PHASE 1

Notice to All Prospective Offerors

This addendum is hereby made a part of the contract documents for Kahikinui Driveway Repairs, Phase 1, IFB-20-HHL-015, and it shall amend the said contract documents as detailed within this Addendum document.

APPROVED:



Stewart Matsunaga, Acting Administrator
Land Development Division
Department of Hawaiian Home Lands

Please execute and immediately return the receipt below to the Department of Hawaiian Home Lands via facsimile to: **(808) 620-9299, Mr. Bryan Toda, Land Development Division, or scan and E-mail to: Bryan.toda@hawaii.gov.**

Receipt of Addendum No. 1 for Kahikinui Driveway Repairs, Phase 1, Invitation for Bids No.: IFB-20-HHL-015, is hereby acknowledged.

Signature: _____

Print Name: _____

Title

Name of Firm/Company

Date

ADDENDUM NO. 1
IFB NO.: IFB-20-HHL-015
Kahikinui Driveway Repairs, Phase 1

INCLUSIONS

This Addendum No. 1 shall incorporate the following amendments to IFB-20-HHL-015:

1. Meeting Minutes from Pre-Bid Conference on 1/17/20,
Including Pre-Bid Conference Attendance Sheets; Questions & Answers during and after
Pre-Bid Conference and Site Visit, on January 17, 2020, and those submitted to DHHL
via E-mail by the due date for 'Questions' on January 17, 2020;
2. Bid Offer Form {Revised}
This revised Bid Offer Form replaces in its entirety the original Bid Offer Form in IFB-
20-HHL-004 published on the State's HANDS website on January 7, 2020.

The Revisions for Addendum 1 are described below:

- 2.1 REMOVE Additive Alternative Section in its entirety (formerly page 6).
- 2.2 REPLACE line item "9" with "Alt. 9A." on page 4.
- 2.3 ADD line item "Alt. 9B." (Fiber Reinforced Concrete Driveway) on page 4.
- 2.4 REPLACE line item "12" with "Alt. 12A." on page 5.
- 2.5 ADD line item "Alt. 12B." (Fiber Reinforced Concrete Swale) on page 5.
- 2.6 REPLACE Pay Item Unit "Cu. Yd." with "Sq. Yd." and "Per Cu. Yd." with "Per
Sq. Yd." for line item Alt. 9A on page 4.
- 2.7 REPLACE quantity "780" with "2480" on line item Alt. 9A on page 4.
- 2.8 ADD "(Use lower of Alt 9A or Alt 9B. Use lower of Alt 12A or Alt 12B)" to
Roadway Work Bid Summary on page 5.
- 2.9 REPLACE "Three (3) Months (90 calendar days)" with "Six (6) Months (180
calendar days) for the project completion time on page 6.

**Kahikinui Driveway Repairs
Phase I, Kahikinui Kuleana Homesteads
(IFB-20-HHL-015)**

Pre-bid Conference & Site Inspection

9:00 a.m., Friday, January 17, 2020

Waiohuli Community Center

881 Lauie Drive, Kula, Maui 96790

MEETING MINUTES

1. INTRODUCTIONS

- Stewart Matsunaga, Project Manager, Dept. Hawaiian Home Lands (DHHL)
- Bryan Toda, LDD Engineer, Dept. Hawaiian Home Lands (DHHL)
- Adrienne Wong, Austin Tsutsumi & Associates, Inc. (ATA)
- Jordan Labuguen, Austin Tsutsumi & Associates, Inc. (ATA)
- Brooks Aoki, Deputy Manager/CM, SSFM International, Inc. (SSFM)
- Jason Kuraoka, SSFM International, Inc. (SSFM)
- *(See Attached Sign-In Sheet)*

2. PURPOSE OF PRE-BID CONFERENCE

- Project overview and job site visit (*4-wheel drive vehicle required)
- Review procurement requirements
- Clarify bid documents.
- Submittal Schedule (Below). (Also, Pages 1-3, 'Instructions for Bid Submittal').

3. SCOPE OF WORK (General Description)

- a. The project consists of clearing, grubbing, removal of vegetation and debris, grading, excavation, demolition and removal of existing concrete pavement, installing approximately 2,200 linear feet of reinforced concrete driveway and a concrete swale.
- b. The contractor is to provide temporary bypass access road for residents at all time during construction.
- c. In addition, no water is available on site and according to the Specifications 1.9 Temporary Utility Services – Contractor shall make his own arrangements for and pay for all temporary utilities required for his work. He shall pay all costs associated with connecting and disconnecting the temporary system. The contractor must make his own arrangements to provide for his potable water requirements.

General

- All work must be performed in accordance with the Technical Specifications and Plans included in this IFB.
- All work and responsibilities listed in the Plan's 'General Construction Notes' are incidental to the bid proposal and are made part of this contract.

4. PROCUREMENT REMINDERS

- This project is NOT exempt from the General Excise Tax (GET).

- The Apprenticeship Agreement Preference for public works projects shall be applied to this IFB, in accordance with HRS §103-55.6, concerning projects with an estimated value of more than \$250,000.
- This project is subject to Chapter 104 HRS, Department of Labor and Industrial Relations (DLIR) prevailing wages and salaries;
- After bid opening and prior to award of the contract, DHHL shall verify compliance with Sections 103D-310 and 103D-328 HRS via Hawaii Compliance Express (HCE) for the bidder and all subcontractors. Therefore, the bidder and all subcontractors should register with HCE. Instructions for registration are at the HCE website: <http://vendors.ehawaii.gov>;
- Failure by the bidder and/or any subcontractor to rectify a non-compliant status within ten business days of notification will be considered as sufficient for the disqualification of the bidder and rejection of its proposal;
- In accordance with the provisions of Chapter 104-25, Hawaii Revised Statutes, there are contractors who have been suspended from doing any work on State or County public work construction project. An updated list can be found at this web link: <http://labor.hawaii.gov/wsd/prevailing-wages-on-public-works/contractors-suspended-under-chapter-104-hawaii-revised-statutes/>

5. COMPLETION SCHEDULE AND LIQUIDATED DAMAGES

- Time to complete: Six (6) months (180 calendar days)
- Liquidated damages: \$250 per calendar day

6. QUESTIONS/ANSWERS ISSUED BY LAST ADDENDA

- A written summary of this pre-bid conference will be issued as an Addendum.
- Requests for clarifications and any questions after this meeting shall be made in writing and faxed to 808-620-9299, no later than 4:30 p.m., January 22, 2020.
- Written answers to questions will be provided to all potential bidders via addenda on the State's HANDS (Hawaii Awards Notice Data System) website; any verbal responses to questions by DHHL and its Consultant shall not be binding.
Link- <https://hands.ehawaii.gov/hands/opportunities/opportunity-details/15317>
- Interested bidders are responsible to check the HANDS website for the issuance of any addenda up until the due date for bids.

7. DEADLINES (See table below)

8. QUESTIONS AND ANSWERS

- a. *Clarification from DHHL: The time clock at the office where the bid opening shall occur is the official time stamp.*
- b. *Question: Can the temporary bypass roads be located outside of the right-of-way?*
Answer: Nothing has been confirmed regarding the exact location of the access roads. Awarded contractor shall work with DHHL and adjoining residents to determine locations.
- c. *Question: Where is the closest water source to the project site?*
Answer: There is a small volume source at Ulupalakua Ranch.
- d. *Question: Do fiber optic lines run along the roadway shoulder?*
Answer: The existing markers do indicate the approximate location of the fiber optic lines. Contractor to coordinate with Sandwich Isles Comm. to determine exact location.
- e. *Question: Are there alternate access roads through the properties?*
Answer: There are alternate access roads and gates that possibly could be used by the contractor. Exact locations and permission from the adjoining owners to be obtained. A map may also be created showing all access options.
- f. *Question: Will a key to the main gate along the highway be provided?*
Answer: A key will be provided to the awarded contractor. There is also another alternate access from the highway for larger vehicles.
- g. *Question: Does access need to be provided at all times for all residents?*
Answer: Initial response is "yes" but will be discussed further with DHHL and affected residents.
- h. *Question: Can the bypass access roads be left in place following construction?*
Answer: Although favorable, the final determination will be by the adjoining residents if it is outside of the right-of-way.
- i. *Question: An additive alternative suggested on Sheet C-4 is fiber reinforced concrete. How much lbs. of fiber per CY of concrete is required. Additionally, what kind and size of fiber can be used?*
Answer: Please refer to Section 719 – Macro-synthetic fibers for Concrete Reinforcement from the DOT/State Projects Special Provisions 2005 Standard Specifications.
- j. *Question: Spec section 3300 - 2.3B recommends using vapor barrier for below grade application. Can you please clarify where this would be used on the project?*
Answer: Vapor Barrier will not be needed in this project.

DEADLINES FOR SUBMITTALS

Kahakinui Driveway Repairs
 IFB-20-HHL-015

SUBMITTAL	DEADLINE
Notice of Intention to Bid	4:30 P.M., January 22, 2020
Standard Qualification Questionnaire (SPO Form-21) (SQQ's for previous projects are NOT valid)	4:30 P.M., January 22, 2020
Hawaii Products Preference Request (Form SPO-038)	4:30 P.M., January 22, 2020
Substitution Request (See Item H, 'Instructions for Bid Submittal')	4:30 P.M., January 22, 2020
Bidders written questions (Requests for Clarification)	4:30 P.M., January 22, 2020
Issuance of Last Addendum- * However, interested bidders are required to check the HANDS website for any Addenda issued up until the Bid Opening date.	January 29, 2020
Bid Opening <ul style="list-style-type: none"> Sealed bids due by <u>10:00 A.M., February 7, 2020</u> at the DHHL Maui District Office, at 655 Kaunualii Street, Suite 1, Wailuku, Hawaii 96793, according to its time clock. Bids <u>WILL NOT</u> be accepted at the DHHL's Main Office in Kapolei, Oahu. Bids to be submitted at DHHL Maui District Office, at 655 Kaunualii Street, Suite 1, Wailuku, Maui, HI 96793 Bids will be opened shortly after 10:00 A.M. and read aloud in a designated area to be determined. (Bidders are welcome to attend). Bids submitted after <u>10:00 A.M., February 7, 2020</u> will be time-stamped, but not accepted or opened. All the required bid forms are included in the IFB package. 	10:00 A.M, February 7, 2020

Kahikinui Driveway Repairs
Phase I, Kahikinui Kuleana Homesteads
IFB-20-HHL-015

Pre Bid Conference Sign In Sheet

JANUARY 17, 2020 at 9:00 a.m. - Waiohuli Community Center (881 Laue Drive, Kula, HI)

	Name	Organization	Phone No.	Cell No.	Email
1	Stewart Matsunaga	DHHL	620-9283	439-2124/382-1937	Stewart.T.Matsunaga@hawaii.gov
2	Bryan Toda	DHHL	620-9281	358-9976	bryan.toda@hawaii.gov
3	Brooks Aoki	SSFM International	244-7630	357-4787	baoki@ssfm.com
4	Jason Kuraoka	SSFM International			jkuraoka@ssfm.com
5	Adrienne Wong	Austin, Tsutsumi & Assoc.			awong@atahawaii.com
6	Jordan Labuguen	Austin, Tsutsumi & Assoc.			jlbuguen@atahawaii.com
7	Jeff Francis	Global Specialties	551-3351		
8	Jerry Hill	Reef Development	870-0817		jhill@reefdevelopment.com
9	Jerry Aguirre	Reef Development	760-250-9235		
10	Ryan Moura	Goodfellow Bros.	298-2431		ryanmo@goodfellowbros.com
11	Hienie Davis	West Maui Construction	392-1477		hienie@westmauiconstruction.com
12	Aaron Ringstad	Rojac Construction	986-1105		aaron@rojacmaui.com
13	Kyle Niehaus	Goodfellow Bros.	269-9483		kylen@goodfellowbros.com
14	Chad Newman	Ke Ohana O Kahikinui	760-3050	298-2118	kahikinui93@yahoo.com

Kahikinui Driveway Repairs
Phase I, Kahikinui Kuleana Homesteads
IFB-20-HHL-015

Pre Bid Conference Sign In Sheet

JANUARY 17, 2020 at 9:00 a.m. - Waiohuli Community Center (881 Lauie Drive, Kula, HI)

15	Dwight Burns	OE3	285-6343	dwight@hoeisf.com
16	Breanna Smith	Keiwi Construction	442-2274	breanna.smith@keiwi.com
17	Zach Warthan	P.B. Sullivan	269-9374	zach@pbsullivanconst.com
18	Lloyd Norquist	P.B. Sullivan	875-2833	lloyd@pbsullivanconst.com
19	Gabe Hoeffken	Tom's Backhoe	357-2727	gabe@tomsbackhoe.com
20	Rupert Suda	Site Engineering	841-8883	
21				
22				
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24				
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28				

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

BID OFFER FORM ADDENDUM 1

FOR

KAHIKINUI DRIVEWAY REPAIRS, PHASE 1

KAHIKINUI KULEANA HOMESTEADS, KULA, MAUI, HAWAII

TMK: (2) 1-9-001:003 Portion

IFB NO.: IFB-20-HHL-015

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-20-HHL-015. 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 hereby submits the following offer to perform the work for IFB No. IFB-20-HHL-015 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: _____

The undersigned 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: _____

Offeror is:

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

Federal ID No.: _____

Hawaii General Excise Tax ID No.: _____

Telephone No.: _____

Fax No.: _____

E-Mail Address.: _____

Payment address (other than street address below)

(Street Address, City, State, Zip Code)

Business address

(Street Address, City, State, Zip Code)

Respectfully submitted:

Authorized (Original) Signature

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-20-HHL-015 for the Department of Hawaiian Home Lands.

KAHIKINUI DRIVEWAY REPAIRS, PHASE 1

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. CONTRACTOR will be responsible to acquire and coordinate geotechnical and archaeological services as needed.

CONTRACTOR must complete ALL line items in the following bid document. Bids with any line item omissions will be considered incomplete and will not be considered in the selection process.

MASS GRADING

Earthwork and Erosion Control

- | | | | | |
|----|------|--|-------------|-------------------|
| 1. | L.S. | Mobilization / Demobilization | | |
| | | | L.S. | \$ _____ |
| 2. | 1.10 | Acre, Clearing and Grubbing,
Including Handling and Removal
of Vegetation and Debris from
DHHL Lands; In Place Complete | | |
| | | | Per Acre | \$ _____ \$ _____ |
| 3. | 1780 | Cu. Yds., Excavation of Site,
Including Subgrade Preparation
for Driveway | | |
| | | | Per Cu. Yd. | \$ _____ \$ _____ |
| 4. | 370 | Cu. Yds., Embankment of Site
Including Importing Borrow
Surface Preparation. | | |
| | | | Per Cu. Yd. | \$ _____ \$ _____ |
| 5. | L.S. | L.S., Installation, Maintenance,
Monitoring, and Removal of | | |

Erosion Control BMP, Excluding
Silt Fence.

L.S.

\$ _____

6. 1500 LF., Installation and Removal of
Silt Fence.

Per Lin. Ft.

\$ _____

\$ _____

7. 6765 S.F., Demolition & Removal of
Existing Concrete Driveway,
Including Disposal.

Per Sq. Ft.

\$ _____

\$ _____

8. Allowance Geotechnical testing and
Archaeological monitoring

Allowance

\$ 75,000

TOTAL (MASS GRADING)

\$ _____

ROADWAY WORK

Reinforced Concrete Driveway

- Alt. 9A. 2480 Sq. Yd., Reinforced Concrete for
10' Wide Driveway, In Place,
Complete.

Per Sq. Yd.

\$ _____

\$ _____

- Alt. 9B. 2480 Sq. Yd., Fiber Reinforced
Concrete for 10' Wide Driveway,
In Place, Complete.

Per Sq. Yd.

\$ _____

\$ _____

10. 827 Cu. Yd., Aggregate Base Course
for 10' Wide Driveway, In Place,
Complete.

Per Cu. Yd. \$ _____ \$ _____

11. 2480 Sq. Yd., Triaxial Geogrid for
Aggregate Base Course, In Place,
Complete.

Per Sq. Yd. \$ _____ \$ _____

Alt. 12A. 780 Lin. Ft., 3' Wide Portland Cement
Concrete Swale, In Place,
Complete.

Per Lin. Ft. \$ _____ \$ _____

Alt. 12B. 780 Lin. Ft., 3' Wide Fiber Reinforced
Portland Cement Concrete Swale,
In Place, Complete.

Per Lin. Ft. \$ _____ \$ _____

TOTAL (ROADWAY WORK) \$ _____

	<u>BID SUMMARY</u>		
	MASS GRADING (Base Bid)	Subtotal:	\$ _____
	ROADWAY WORK (Base Bid) (Use lower of Alt 9A and Alt 9B, Use lower of Alt 12A and Alt 12B)	Subtotal:	\$ _____
	GENERAL EXCISE TAX (4.166%)		\$ _____
	TOTAL SUM BID (Base Bid):		\$ _____

TOTAL SUM BID = _____

_____ 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 shall be inclusive of the general excise tax.

CONTRACTOR must complete ALL line items in the above bid document. Bids with any line item omissions will be considered incomplete and will not be considered in the selection process.

The CONTRACTOR shall complete all work as specified or indicated in the Contract Documents on or before Six (6) Months (180 calendar days) after receiving written Notice to Proceed, subject to extensions, as may be granted.

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.

SCHEDULE OF ACCEPTABLE HAWAII PRODUCTS AND DESIGNATION OF HAWAII PRODUCTS TO BE USED			
ACCEPTABLE HAWAII 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.

3. For each trade to be employed to perform the work, the bidder shall submit a completed signed original *CERTIFICATION OF BIDDER'S PARTICIPATION IN APPROVED APPRENTICESHIP PROGRAM UNDER ACT 17 (Certification Form 1)* verifying the participation in an apprenticeship program registered with the State Department of Labor and Industrial Relations (DLIR);
4. 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; and
5. The completed *Certification Form 1* for each trade must be submitted by the bidder with the offer. A facsimile or copy is acceptable to be submitted with the offer; however, the completed signed original must be submitted within five (5) working days of the due date of the offer. If the signed original is not received within this timeframe, the preference may be denied. Previous certifications shall not apply.

Failure to comply with ALL of the conditions noted above, without exception, shall disqualify the Bidder from qualifying for, and thus receiving, benefit of the Hawai'i Apprenticeship Preference.

The *Certification Form 1* and the List of Construction Trades in Registered Apprenticeship Programs is available on the DLIR website at: <http://labor.hawaii.gov/wdd/>.

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

If the bidder is certified to participate in an apprenticeship program for each trade which will be employed by the bidder for the project, a preference will be applied to decrease the bidder's total bid amount by five per cent (5%) for evaluation purposes.

Should the bidder qualify for other preferences (for example, Hawaii Products Preference), all applicable preferences shall be applied to the bid amount.

While preference for Hawai'i Apprenticeship will be taken into consideration to determine the low bidder, the contract awarded shall be the original bid amount, exclusive of any preferences. The preference is only for evaluation purposes.

The bidder hereby certifies that it will employ the following apprenticeable trades to perform the work for this project:

<u>LIST OF APPRENTICEABLE TRADES TO BE EMPLOYED</u>	
<u>TRADE</u>	<u>APPRENTICESHIP PROGRAM SPONSOR</u>

(Add additional sheets if necessary)

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.
- 3) 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.
- 6) 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) Certification for Safety and Health Programs for Bids in Excess of \$100,000. 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	_____

It is understood that failure to receive any such addendum shall not relieve the Contractor from any obligation under this IFB as submitted.

Bid Security in the amount of: _____

_____ DOLLARS (\$ _____)

as required by law, is enclosed herewith in the form of:

- | | |
|--|---|
| <input type="checkbox"/> Surety Bond (*1) | <input type="checkbox"/> Official Check (*3) |
| <input type="checkbox"/> Legal Tender (*2) | <input type="checkbox"/> Share Certificate (*3) |
| <input type="checkbox"/> Cashier's Check (*3) | <input type="checkbox"/> Teller's Check (*3) |
| <input type="checkbox"/> Certificate of Deposit (*3) | <input type="checkbox"/> Treasurer's Check (*3) |
| <input type="checkbox"/> Certified Check (*3) | |

Respectfully submitted,

Name of Company, Joint Venture or Partnership

License No.

By _____
Signature (*4)

Title: _____

Date: _____

Address: _____

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. BID MUST BE INTACT: MISSING PAGES MAY INVALIDATE YOUR BID.

CERTIFICATE OF RESOLUTION

I, _____, Secretary of _____, a Hawaii Corporation, do hereby certify that the following is a full, true and correct copy of a 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