

**STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS**

BID OFFER FORM FOR

**WEST O'AHU SEWER IMPROVEMENTS
WAI'ANAE SUBDIVISION**

WAI'ANAE, ISLAND OF O'AHU, HAWAI'I

**TAX MAP KEY
(1) 8-5-30, 31, 32 & 33**

IFB No.: IFB-22-HHL-001

Chairman
Hawaiian Homes Commission
Department of Hawaiian Home Lands
91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707

The undersigned has carefully examined, read, and understands the terms and conditions in the Notice to Bidders, Instructions for Bid Submittal, Plans and Specifications, Special Conditions attached hereto, DHHL Construction General Conditions, and General Conditions specified in the Invitation for Bids (IFB) No. IFB-22-HHL-001. The State of Hawai'i'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-22-HHL-001 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 Hawai'i Revised Statutes (HRS) Chapter 103, Part II, regarding public works and contracts.
3. In submitting this offer, the Offeror is not in violation of HRS Chapter 84, Standards of Conduct.
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.

West O'ahu Sewer Improvements –
Wai'anae Subdivision
IFB-22-HHL-001

Date: December 13, 2022

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

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

State of incorporation: Hawaii

Offeror is:

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

Federal ID No.: 99-0155292

Hawai'i General Excise Tax ID No.: GE-167-547-6992-01

Telephone No.: (808) 845-7829

Fax No.: (808) 845-3742

E-Mail Address.: rinouye@kogaeng.com

Payment address (other than street address below)

P.O. Box 31289, Honolulu, Hawaii, 96820

(Street Address, City, State, Zip Code)

Business address

1162 Mikole Street, Honolulu, Hawaii, 96819

(Street Address, City, State, Zip Code)

Respectfully submitted:



Authorized (Original) Signature

Russell Inouye - President

Name and Title (Please Type or Print)

* Koga Engineering & Construction, Inc.

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-22-HHL-001 to the Department of Hawaiian Home Lands.

<u>WEST O'AHU SEWER IMPROVEMENTS – WAI'ANAE SUBDIVISION</u>						
<u>IFB-22-HHL-001</u>						
<u>BID PROPOSAL</u>						
ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	QUANTITY UNIT	UNIT PRICE	TOTAL	
1	Mobilization and Demobilization for all construction work (not to exceed 6% of total Basic Bid excluding the bid price.	1	Lump Sum	\$ 175,000.00	\$ 175,000.00	
2	Installation of Temporary Erosion Control, at disturbed areas, inclusive of all types of filter devices, inspection, maintenance, record keeping, reporting per ESCP, and removal of temporary BMP's.	1	Lump Sum	\$ 28,300.00	\$ 28,300.00	
3	Traffic Control Work including re-design (if necessary) of the traffic control, plans, obtainment of permits, advertisement, placement and removal of all traffic control devices (including but not limited to cones, barriers, signs, message boards, temporary bus stops, etc.), temporary pavement makings and striping, detours, cleanup, restoration, and all incidentals required to complete the work, including special duty police officers.	1	Lump Sum	\$ 411,800.00	\$ 411,800.00	
4	Pre- and Post-Construction Survey of site conditions for the entire project area, including buried sewer manholes, underground utility crossings, topographic survey as required, photo and video files and reports, and as-built drawings.	1	Lump Sum	\$ 28,800.00	\$ 28,800.00	
5	Project field office, equipment, furnishings, supplies and appurtenances, power, water, sanitary system, and construction staging areas in place complete.	1	Lump Sum	\$ 17,300.00	\$ 17,300.00	

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	QUANTITY UNIT		UNIT PRICE		TOTAL
6	Sewer Flow Control, including flow management plan, emergency procedures, installation of flow diversion pipes, pumps and stand-by pumps, road ramps, burying by-pass pipes as required, flow through plugs, odor mitigations, furnishing all materials, tools, equipment and labor, appurtenant work and incidentals necessary to install, test, monitor/maintain temporary flow diversion systems at sewer manholes and service laterals, remove flow diversion pipes, and surface restoration, in place complete.	1	Lump Sum	\$	878,000.00	\$	878,000.00
7	Unclassified water main, sewer main, sewer lateral and sewer manhole excavations including surface demolition, verification of utility locations including toning and potholing, full removal of existing sewer manholes and pipes to be replaced, sheeting and shoring, disposal of unsuitable materials, protection and support of utilities, traffic covers, temporary AC patch, in place complete.	5,110	CY	\$	335.00	\$	1,711,850.00
8	Crushed rock bedding for pipes and sewer manholes, including compaction, filter fabric, trench plug and other incidentals, in place complete.	832	CY	\$	330.00	\$	274,560.00
9	Installation of reinforced concrete jackets for water and sewer pipes, including reinforcing steel and all incidentals, in place complete.	391	LF	\$	230.00	\$	89,930.00
10	Base course including min 6-in AC base course, placing and compacting, equipment and labor, materials and incidentals, in place complete.	378	CY	\$	890.00	\$	336,420.00

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	QUANTITY UNIT		UNIT PRICE		TOTAL
11	Restoration of pavements per trench and restoration details (including AC pavement, sidewalk, curb/gutter, driveway, and landscaping, surface treatment, pavement transitions, street monuments, pavement markings and markers, materials, labor, equipment, incidentals), in place complete.	2,418	SY	\$	220.00	\$	531,960.00
12	Locating sewer laterals and cleanouts and determining if lower laterals can connect to sewer mains at a 2% minimum slope, including labor, material and equipment.	64	EA	\$	825.00	\$	52,800.00
Open Trench Installation for SL "A," "B", "C", "E", "F", "G" and "H." The following shall apply to Bid Items: 13-21							
Open Trench Installation shall include: pipe, fittings, backfill including CLSM/LWCC, crushed rock with filter fabric at soft spots, imported select borrow, root barrier, warning/ identification tape, air leakage testing, and mandrel testing as directed by the Project Manager, manhole connections, annulus grouting, required appurtenances, and all required work, in place complete.							
13	SL-A, 12-in C900 PVC DR 18 pipes	572	LF	\$	315.00	\$	180,180.00
14	SL-A, 8-in C900 PVC DR 18 pipes	667	LF	\$	260.00	\$	173,420.00
15	SL-B, 8-in C900 PVC DR 18 pipes	54	LF	\$	320.00	\$	17,280.00
16	SL-C, 8-in C900 PVC DR 18 pipes	168	LF	\$	295.00	\$	49,560.00
17	SL-E, 8-in C900 PVC DR 18 pipes	252	LF	\$	255.00	\$	64,260.00
18	SL-F, 8-in C900 PVC DR 18 pipes	271	LF	\$	410.00	\$	111,110.00
19	SL-G, 8-in C900 PVC DR 18 pipes	80	LF	\$	275.00	\$	22,000.00
20	SL-H, 8-in C900 PVC DR 18 pipes	518	LF	\$	345.00	\$	178,710.00
21	6-in C900 PVC DR 18 sewer laterals and cleanouts, including pipes and fittings, concrete jacket as required.	64	EA	\$	8,500.00	\$	544,000.00

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	QUANTITY UNIT		UNIT PRICE		TOTAL
Sewer Manholes. The following shall apply to Bid Items: 22-25							
	Sewer Manholes shall include: reinforced concrete base (and walls), precast concrete riser, cone, and epoxy coating (interior surfaces, channel, benches, wall, cone, etc.), drop connections where required, flexible pipe seals and connectors/couplings, grade adjustment ring(s), frame and cover, inflow insert, channelized inverts, installation, backfill, inspection and testing, in place complete.						
22	48-inch diameter plain reinforced concrete manhole, ≤ 6' deep	3	EA	\$	23,700.00	\$	71,100.00
23	48-inch diameter plain reinforced concrete manhole, > 6' but ≤ 10' deep	11	EA	\$	25,700.00	\$	282,700.00
24	48-inch diameter plain reinforced concrete manhole, > 10' but ≤ 16' deep	7	EA	\$	30,000.00	\$	210,000.00
25	48-inch diameter plain reinforced concrete manhole, > 16' deep	1	EA	\$	32,300.00	\$	32,300.00
26	Existing sewer laterals cut and plug, in place complete.	6	EA	\$	970.00	\$	5,820.00
27	Existing Sewer Manhole Rehabilitation as directed by the Project Manager, including uncovering and raising buried sewer manholes, cleaning and manhole preparation work, rung removal, patching, application of epoxy coatings, testing, restoration or repaving of roadways and ground surface, replacement of manhole frame & cover as required, inflow insert, and all other required work.	11	EA	\$	16,000.00	\$	176,000.00
28	Project Sign and Public Notification	1	Lump Sum	\$	11,500.00	\$	11,500.00
29	Lowerings of Existing Water Mains and Laterals at Kepauala Street and Kaneilio Street, including field verifications, new pipes and fittings, cleaning, disinfection, hydrotesting and NPDES permit, connections to existing water mains and laterals, appurtenances, removal and disposal of the existing waterlines to be replaced, trench backfill, and	1	Lump Sum	\$	91,100.00	\$	91,100.00

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	QUANTITY UNIT		UNIT PRICE		TOTAL
	all necessary work including but not being limited to approvals from and coordination with the BWS, field inspection, in place complete.						
30	Final cleaning and CCTV Inspection of all new sewer mains and laterals, including labor, equipment, supplies and materials, traffic control, and all other work required.	1	Lump Sum	\$	90,000.00	\$	90,000.00
31	Additional Special Off-Duty Police Officers as requested by the Officer-in-Charge.	1	Allowance*	\$	50,000	\$	50,000
32	Utility company invoice for temporary or permanent relocation of utilities and appurtenances not shown on plans but conflict with the installation of project improvements.	1	Allowance*	\$	50,000	\$	50,000
33	Public Relations	1	Allowance*	\$	40,000	\$	40,000
34	Additional Traffic Control Devices as requested by the Officer-in-Charge.	1	Allowance*	\$	25,000	\$	25,000
35	Utility work for repair/replacement of underground pipes not indicated in the design plans, including but not being limited to sewer laterals and cleanouts, all required work, in place complete.	1	Allowance*	\$	1,500,000	\$	1,500,000
36	Additional utility work, including excavation and backfill, crushed rock fill and filter fabric, or CLSM/LWCC, as directed by the Project Manager, pipes and materials, in place complete.	1	Allowance*	\$	50,000	\$	50,000
* The unused portions of Allowance items shall remain with DHHL upon completion of the project. The Contractor shall not make a claim in the event DHHL chooses to delete any Allowance items from the Contract.							
					TOTAL	\$	8,562,560.00

TOTAL SUM BID = EIGHT MILLION FIVE HUNDRED SIXTY-TWO THOUSAND
FIVE HUNDRED SIXTY AND NO/100 ----- Dollars (\$ 8,562,560.00).

The prices herein for the above items shall include all materials, labor, tools, equipment, machinery and all incidentals necessary, inclusive or exclusive of general excise tax to install or to construct these items in place complete and in accordance with the plans and specifications contained in this IFB.

The CONTRACTOR shall complete all work as specified or indicated in the Contract Documents on or before Three Hundred Sixty-Five (365) calendar days after receiving written Notice to Proceed, subject to extensions, as may be granted.

APPRENTICESHIP AGREEMENT PREFERENCE

Hawai'i Revised Statutes (HRS) § 103-55.6 provides for a Hawai'i Apprenticeship Preference for public works contracts having an estimated value of \$250,000.00 or more. The preference shall be in the form of a 5% bid adjustment applied to the bidder's amount for bidders that are parties to apprenticeship agreements. The estimated value of this public works contract is \$250,000.00 or more and the apprenticeship agreement preference **shall** apply.

To be eligible for the preference, the bidder shall:

1. Be a party to an apprenticeship agreement registered with the DLIR at the time the bid is made for each apprenticeable trade the bidder will employ to construct the public works project for which the bid is being made.
 - a. The apprenticeship agreement shall be registered and conform to the requirements of HRS Chapter 372.
 - b. Subcontractors do not have to be a party to an apprenticeship agreement for the bidder to obtain the preference.
 - c. The bidder is not required to have apprentices in its employ at the time the bid is submitted to qualify for the preference.
 - d. If a bidder's employee is multi-skilled and able to perform work in more than one trade (for example, a project requires a carpenter and a laborer, and the employee is a carpenter, but is also able to perform the work of a laborer), the bidder need only be a party to the carpenter's apprenticeship agreement and does not need to be a party to the laborer's apprenticeship agreement to qualify for the preference. (In the example, the bidder is not "employing" a laborer, only a carpenter, and so only needs to be a party to the carpenter's apprenticeship agreement.).
 - e. Qualification for the preference is given on a project-by-project basis and depends upon the specific offer for a specific project. A bidder's employees may vary from project to project and may qualify for the preference on one project but may not qualify on another project (For example, on one project, if the bidder only employs carpenters to perform work in the carpentry and labor trades, then the bidder only needs to be a party to the carpenter's apprenticeship agreement to qualify for the preference. However, on another project if the same bidder employs both carpenters and laborers, then the bidder will not qualify for the preference if the bidder is only a party to the carpenter's apprenticeship agreement and not the laborer's apprenticeship agreement.).
2. State the trades the bidder will employ to perform the work;

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*, 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, all applicable preferences shall be applied to the bid amount.

While the Hawai'i Apprenticeship Agreement Preference 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>
Craft Laborer	Steven Hoke
Construction Heavy Equipment Operator	Michael Akau

(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, Hawai‘i Revised Statutes (HRS), who will be engaged by the Bidder on this project to perform the nature and scope of work indicated pursuant to Section 103D-302, HRS, 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	Hawai‘i Tax ID Number	Nature and Scope of Work to be Performed
Pacific Conc. Cutting & Coring, Inc.	ABC-24013	GE-007-560-8064-01	Sawcutting
Simmons Steel Corporation	C-25707	GE-138-318-8480-01	Reinforcing Steel
Road Builders Corporation	AC-14126	GE-007-985-1776-01	A.C. Paving
GP Roadway Solutions, Inc.	AC-10998	GE-106-850-3040-01	Pavement Striping & Markings
Zelinsky Company, Inc.	C-20440	GE-163-907-9936-01	Epoxy Coating & Rehabilitation
Hawaiian Water & Chlorination, Inc.	C-2756	GE-166-238-0032-01	Chlorination
Mocon Corporation	AC-29387	GE-161-579-8272-01	CCTV Inspection
Pacific Pump & Power	C-32223	GE-092-500-3776-01	Sewer By-Pass

(Add additional sheets if necessary)

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 twenty percent (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, HRS, 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, HRS, 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 State 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 State 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	<u>11/23/2022</u>	Addendum No. 5	<u></u>
Addendum No. 2	<u>12/05/2022</u>	Addendum No. 6	<u></u>
Addendum No. 3	<u></u>	Addendum No. 7	<u></u>
Addendum No. 4	<u></u>	Addendum No. 8	<u></u>

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: 5% of Bid Amount -----
----- DOLLARS (\$ -----)

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

<input checked="" 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,

Koga Engineering & Construction, Inc.

Name of Company, Joint Venture or Partnership

ABC - 6826

License No.

By 

Signature (*4)

Title: Russell Inouye - President

Date: December 13, 2022

Address: P.O. Box 31289

Honolulu, Hawaii 96820

Telephone No.: (808) 845-7829

IF A CORPORATION, AFFIX CORPORATE SEAL TO SIGNATURE.

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.

I, Carol S. Koga, Secretary/Treasurer of Koga Engineering & Construction, Inc., 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 held at the office of the Corporation, 669 Ahua Street, Honolulu, Hawaii on the 9th day of October 1973, at which time 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 of President, Vice-President, Secretary/Treasurer be, and each of them hereby is, authorized to execute on behalf of the Corporation, any bid, proposal of contract for the sale or rental of the products of the Corporation or for 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 & County of Honolulu, or any County or Municipal Government of said State, or any department or sub-division of any of them."

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Koga Engineering & Construction, Inc., this 13th day of December, 2022.



Secretary/Treasurer

President:	Russell E. Inouye – 1356 Ala Puumalu St. – Honolulu, HI 96818
Vice President:	Lori N. H. Isara – 2736 Henry Street – Honolulu, HI 96817
Vice-President:	Gregg Ichimura – 5448 Opihi St. – Honolulu, HI 96821
Vice-President:	Garett Ichimura – 409 Kiholo St. – Honolulu, HI 96821
Sec/Treasurer:	Carol S. Koga - 1040 Lunalilo Street – Honolulu, HI 96822

O'ahu, Big Island & Maui County
MAIN OFFICE MAIL

1162 Mikole Street
Honolulu, Hawai'i 96819-4320

P.O. Box 31289
Honolulu, Hawai'i 96820-1289

Phone: 808-845-7829
Fax: 808-845-3742

Kaua'i
OFFICE & MAIL

1740 Haleukana Street
Lihu'e, Hawai'i 96766-9065

Phone: 808-245-9505
Fax: 808-245-1850

AN EQUAL
OPPORTUNITY
EMPLOYER



STATE OF HAWAII
STATE PROCUREMENT OFFICE

CERTIFICATE OF VENDOR COMPLIANCE

This document presents the compliance status of the vendor identified below on the issue date with respect to certificates required from the Hawaii Department of Taxation (DOTAX), the Internal Revenue Service, the Hawaii Department of Labor and Industrial Relations (DLIR), and the Hawaii Department of Commerce and Consumer Affairs (DCCA).

Vendor Name: KOGA ENGINEERING & CONSTRUCTION, INC.

DBA/Trade Name: KOGA ENGINEERING & CONSTRUCTION, INC.

Issue Date: 12/01/2022

Status: **Compliant**

Hawaii Tax#: 20295176-01
New Hawaii Tax#: GE-1675476992-01
FEIN/SSN#: XX-XXX5292
UI#: XXXXXX5279
DCCA FILE#: 25306

Status of Compliance for this Vendor on issue date:

Form	Department(s)	Status
A-6	Hawaii Department of Taxation	Compliant
8821	Internal Revenue Service	Compliant
COGS	Hawaii Department of Commerce & Consumer Affairs	Compliant
LIR27	Hawaii Department of Labor & Industrial Relations	Compliant

Status Legend:

Status	Description
Exempt	The entity is exempt from this requirement
Compliant	The entity is compliant with this requirement or the entity is in agreement with agency and actively working towards compliance
Pending	A status determination has not yet been made
Submitted	The entity has applied for the certificate but it is awaiting approval
Not Compliant	The entity is not in compliance with the requirement and should contact the issuing agency for more information

EXHIBIT A

SURETY [BID] [PROPOSAL] BOND
(11/17/98)

Bond No. _____

KNOW TO ALL BY THESE PRESENTS:

That we, _____ Koga Engineering & Construction, Inc.,
(Full Name or Legal Title of Offeror)

as Offeror, hereinafter called Principal, and _____ Travelers Casualty and Surety Company of America _____,
(Name of Bonding Company)

as Surety, hereinafter called Surety, a corporation authorized to transact business as a Surety
in the State of Hawai'i, are held and firmly bound unto _____ State of Hawai'i,
Department of Hawaiian Home Lands _____,
(State/County Entity)
as Owner, hereinafter called Owner, in the penal sum of _____

Five Percent (5%) of Bid Amount

(Required Amount of Bid Security)

Dollars (\$ _____), lawful money of the United States of America, for the payment of which sum well and truly to be made, the said Principal and the said Surety bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS:

The Principal has submitted an offer for _____ WEST O'AHU SEWER IMPROVEMENTS – WAI'ANAE
SUBDIVISION, WAI'ANAE, O'AHU, HAWAII, T.M.K. (1) 8-5-30:52-54, 88-99, & 111-125, (1) 8-5-31:13-25,
32-34, & 69-72, (1) 8-5-32:37-38, (1) 8-5-033:1-3, 35, 113-117, & 130-134, IFB No.: IFB-22-HHL-001 _____.
(Project by Number and Brief Description)

NOW, THEREFORE:

The condition of this obligation is such that if the Owner shall reject said offer, or in the alternate, accept the offer of the Principal and the Principal shall enter into a Contract with the Owner in accordance with the terms of such offer, and give such bond or bonds as may be specified in the solicitation or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof as specified in the solicitation then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed this 7th day of December, 2022.

(Seal)

Koga Engineering & Construction, Inc.

Name of Principal (Offeror)



Signature

Russell Inouye, President

Title

(Seal)

Travelers Casualty and Surety Company of America

Name of Surety





Signature

Roland R. Eugenio, Attorney-in-Fact

Title



Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Jason Kott, John N. Bustard, Sean K. Spencer, Roland R. Eugenio, Shirley J. Pace, and Francis Wirt, of Honolulu, Hawaii**, their true and lawful Attorney-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **3rd** day of **February, 2017**.



State of Connecticut

City of Hartford ss.

By: 
Robert L. Raney, Senior Vice President

On this the 3rd day of February, 2017, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2021




Marie C. Tetraault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or undertaking to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 7th day of December, 2022




Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney-in-Fact and the details of the bond to which the power is attached.

FORM 1

CERTIFICATION OF BIDDER'S PARTICIPATION IN APPROVED APPRENTICESHIP PROGRAM UNDER ACT 17

I. Bidder's Identifying Information

A. Legal Business Name:	KOGA ENGINEERING & CONSTRUCTION, INC.		
B. Project Bid Title & Reference No.:	WEST OAHU SEWER IMPROV. MAIANA		17B-22-HHL-001
C. Contact Person's Name:	RUSSELL INOUYE		
1. Phone No.:	(808) 845-7829	2. E-Mail:	RINOUE@KOGAENG.COM

II. Apprenticeable Trades To Be Employed*

A. (List)	B. Apprenticeship Sponsor* (One Sponsor Per Form)	C. No. Enrolled (# of apprentices currently enrolled as of bidder's request date)	D. No. Completed (# of apprentices who completed the apprenticeship program in the 12 months prior to request date)
1. Construction Equipment Operator	Hawaii Joint Apprenticeship	58	18
2. Heavy Duty Repairman & Welder	Committee for Operating Engineers	15	3
3. Truck Operator & Driver		0	0
4. Paving Equipment Operator		3	3
5.			
6.			

III. Bidder's Certification

I certify that the above information is accurate to the best of my knowledge. I understand that my willful misstatement of facts may cause forfeiture of the preference under Act 17 and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify the bidder's preference.

A. Name (Type) RUSSELL INOUYE B. Title PRESIDENT
 C. Signature (original signature required) [Signature] D. Date 12/13/2022

IV. Apprenticeship Sponsor's Contact Information

A. Training Coordinator's Name: Michael Akau
 B. Address: P.O. Box 428, 56-1160 Kamehameha Highway, Kahuku, HI 96731
 C. Phone No.: (808) 232-2001 D. E-Mail: oejac3@gmail.com E. Fax No: (808) 232-2217

V. Apprenticeship Program Sponsor's Certification

I certify that the above information is accurate to the best of my knowledge. I understand that my willful misstatement of facts may cause forfeiture of the bidder's preference and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify the bidder's preference under Act 17.

Michael Akau State Administrator
 A. Name of Authorized Official [Signature] B. Title 12/13/2022
 C. Signature (original signature required) [Signature] D. Date 12/13/2022

*Name of Apprenticeship Trade and Apprenticeship Sponsor must be the same as recorded in the List of Construction Trades in Registered Apprenticeship Programs that is posted on the State Department of Labor and Industrial Relations website.

FORM 1

CERTIFICATION OF BIDDER'S PARTICIPATION IN APPROVED APPRENTICESHIP PROGRAM UNDER ACT 17

I. Bidder's Identifying Information			
A. Legal Business Name:		Koga Engineering & Construction, Inc.	
B. Project Bid Title & Reference No.:		West Oahu Sewer Improvements, Waianae IFB-22-HHL-001	
C. Contact Person's Name:		Russell Inouye	
1. Phone No.:		808-845-7829	2. E-Mail:
			rinouye@kogaeng.com
II. Apprenticeable Trades To Be Employed*		B. Apprenticeship Sponsor* (One Sponsor Per Form)	C. No. Enrolled (# of apprentices currently enrolled as of bidder's request date)
A. (List)			
1.	Construction Craft Laborer	Hawaii Laborers' Union Local 368	124
2.			
3.			
4.			
5.			
6.			
III. Bidder's Certification			
I certify that the above information is accurate to the best of my knowledge. I understand that my willful misstatement of facts may cause forfeiture of the preference under Act 17 and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify the bidder's preference.			
A. Name (Type)		President	
Russell Inouye			
C. Signature (original signature required)		12/13/2012	
		D. Date	
IV. Apprenticeship Sponsor's Contact Information			
A. Training Coordinator's Name:		Steven Hoke	
B. Address:		96-138 Farrington Highway, Pearl City, HI 96782	
C. Phone No.:		(808) 455-7979	D. E-Mail: shoke@hiltip.org
			E. Fax No: (808) 456-8689
V. Apprenticeship Program Sponsor's Certification			
I certify that the above information is accurate to the best of my knowledge. I understand that my willful misstatement of facts may cause forfeiture of the bidder's preference and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify the bidder's preference under Act 17.			
Francis Tau'a		Director of Training	
A. Name of Authorized Official		B. Title	
		12/13/2012	
C. Signature (original signature required)		D. Date	

* Name of Apprenticeable Trade and Apprenticeship Sponsor must be the **same** as recorded in the List of Construction Trades in Registered Apprenticeship Programs that is posted on the State Department of Labor and Industrial Relations website.

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

Land Development Division

Date: 11/23/2022

Addendum No. 1

to

Invitation For Bids

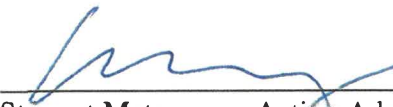
IFB-22-HHL-001

West O'ahu Sewer Improvements – Wai'anae Subdivision

Notice to All Prospective Offerors

This addendum is hereby made a part of the contract documents for West O'ahu Sewer Improvements – Wai'anae Subdivision, IFB-22-HHL-001, 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, Ms. Sara Okuda, Land Development Division, or scan and E-mail to: sara.t.okuda@hawaii.gov.**

Receipt of Addendum No. 1 for West O'ahu Sewer Improvements – Wai'anae Subdivision, IFB-22-HHL-001, is hereby acknowledged.

Signature: 

Print Name: Russell Inouye

President
Title

Koga Engineering & Construction, Inc.
Name of Firm/Company

December 13, 2022
Date

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

Land Development Division

Date: 12/05/2022

Addendum No. 2

to

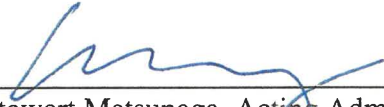
Invitation For Bids
IFB-22-HHL-001

West O'ahu Sewer Improvements – Wai'anae Subdivision

Notice to All Prospective Offerors

This addendum is hereby made a part of the contract documents for West O'ahu Sewer Improvements – Wai'anae Subdivision, IFB-22-HHL-001, 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, Ms. Sara Okuda, Land Development Division, or scan and E-mail to: sara.t.okuda@hawaii.gov.

Receipt of Addendum No. 2 for West O'ahu Sewer Improvements – Wai'anae Subdivision, IFB-22-HHL-001, is hereby acknowledged.

Signature: 

Print Name: Russell Inouye

President
Title

Koga Engineering & Construction, Inc.
Name of Firm/Company

December 13, 2022
Date