

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

Land Development Division

MARCH 30, 2020

Date

ADDENDUM NO. 3

TO

INVITATION FOR BIDS

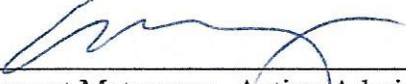
IFB-20-HHL-022

**PULEHUNUI WASTEWATER SYSTEM**

Notice to All Prospective Offerors

This addendum is hereby made a part of the contract documents for Pulehunui Wastewater System, IFB-20-HHL-022, 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. Robert Ing, Land Development Division, or scan and E-mail to: [Robert.m.ing@hawaii.gov](mailto:Robert.m.ing@hawaii.gov).**

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Receipt of Addendum No. \_\_\_ for the Pulehunui Wastewater System, Invitation for Bids No.: IFB-20-HHL-022, is hereby acknowledged.

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Title

\_\_\_\_\_  
Name of Firm/Company

\_\_\_\_\_  
Date

**ADDENDUM NO. 3**  
**IFB-20-HHL-022**  
**PULEHUNUI WASTEWATER SYSTEM**  
**MAUI, HAWAII**

**INCLUSIONS**

1. Cover Page;
2. Inclusions;
3. The deadline for Notice of Intention to Bid (NOITB) and its requirement to be illegible to submit a bid in response to this Invitation for Bids (IFB) shall be annulled. Due to changes to the Project's Scope, Offerors are no longer required to submit a NOITB for this IFB;
4. The due date and time for bids shall be changed from April 9, 2020 to no later than 10:00 A.M., April 16, 2020.

The receipt of ALL bids location and the Bid Opening shall remain the same, at SSFM International, Inc.'s Maui Office, situated at 82 Pulehu Place, Suite 201, Kahului, HI 96732; And,

5. {REVISED} BID OFFER FORM- Contractors preparing bids are hereby notified of the following revisions and additions to the bid offer form, project plans and specifications. These changes will govern the work and take precedence over the previously issued plans and specifications governing the items mentioned. Revisions were limited to narrative descriptions, where deemed sufficient.

**Noted changes to the Bid Offer Form-**

- 1.1 REPLACE Bid Offer Form for Pulehunui Wastewater System in its entirety with the attached Bid Offer Form-Addendum 3 for Pulehunui Wastewater System Addendum 3. The revisions of Addendum 3 are described below.
  - 1.1.1 PHASE B - REGIONAL WWTP has been DELETED from the project.
  - 1.1.2 Page 14, The BID will include Phases A1, A2, A3, A4 and A5.
  - 1.1.3 Page 14 REPLACE "Thirty (30) Months (900 calendar days)" with Twenty (25) Months (750 days)
  - 1.1.4 Page 23, under heading OTHER CONDITIONS, ADD line item "10) It is understood and agreed that the awarded Contractor shall hold the bid price for 365 calendar days."

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

**REVISED BID OFFER FORM-  
{ADDENDUM NO.3}**

**FOR**

**PULEHUNUI WASTEWATER SYSTEM  
MAUI, HAWAII**

**IFB NO.: IFB-20-HHL-022**

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-022. 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-022 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-022 for the Department of Hawaiian Home Lands.

**PULEHUNUI WASTEWATER SYSTEM**

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 all bid items.

Item No.	<b>PHASE A1</b>	Unit Price	Total
<b>A1.</b>	<b>DHHL NORTH PUMP STATION, SEWER LINE AND FORCE MAIN</b>		
A1-1	Mobilization / Demobilization		
	LS	LS	\$ _____
A1-2	Acres, Clearing and Grubbing, Including Debris Removal.		
	0.7 Ac	\$ _____	\$ _____
A1-3	Installation, Maintenance, Monitoring, and Removal of Erosion Control BMPs.		
	LS	LS	\$ _____
A1-4	Excavation of Site.		
	270 CY	\$ _____	\$ _____
A1-5	Embankment of Site, Including Imported Borrow.		
	4,020 CY	\$ _____	\$ _____
A1-6	2-1/2" Asphalt Concrete Pavement (Mix V), in-place complete.		
	525 SY	\$ _____	\$ _____
A1-7	8" Aggregate Base Course, including preparation of subgrade, compaction and testing, in-place complete.		
	525 SY	\$ _____	\$ _____

A1-8	350 Lin. Ft., Horizontal Directional Drilling for 15" Ductile Iron Gravity Sewer, including erosion control BMPs, pipe, entrance pits, receiving holes and permitting, in-place complete.		
	LS	LS	\$ _____
A1-9	275 Lin. Ft., Horizontal Directional Drilling for 10" Ductile Iron Force Main, including erosion control BMPs, pipe, entrance pits, receiving holes and permitting, in-place complete.		
	LS	LS	\$ _____
A1-10	Lin. Ft., 15" PVC Gravity Sewer, including trench excavation, pipe bedding and backfill, and compaction testing, in-place complete.		
	440 LF	\$ _____	\$ _____
A1-11	10" Ductile Iron Force Main, including trench excavation, pipe bedding, backfill, compaction testing, restrained joints, conc. reaction blocks, and all fittings, in-place complete		
	470 LF	\$ _____	\$ _____
A1-12	Each, 48" Dia. Eccentric Cone Concrete Sewer Manhole (14-ft to 15.99-ft Deep), including excavation, backfill, frame and cover, in-place complete		
	1 EA	\$ _____	\$ _____
A1-13	48" Dia. Eccentric Cone Concrete Sewer Manhole (16-ft to 17.99-ft Deep), Including excavation, backfill, frame and cover, in-place complete.		
	1 EA	\$ _____	\$ _____
A1-14	48" Dia. Eccentric Cone Concrete Sewer Manhole (20-ft to 21.99-ft Deep), including excavation, backfill, frame and cover, in-place complete.		
	1 EA	\$ _____	\$ _____

A1-15	48" Dia. Eccentric Cone Concrete Sewer Manhole (22-ft to 23.99-ft Deep), including excavation, backfill, frame and cover, in-place complete.		
	1 EA	\$ _____	\$ _____
A1-16	48" Dia. Eccentric Cone Concrete Sewer Manhole (28-ft to 29.99-ft Deep), including excavation, backfill, frame and cover, in-place complete.		
	1 EA	\$ _____	\$ _____
A1-17	10'x4' CRM Overflow Weir, in-place complete.		
	1 EA	\$ _____	\$ _____
A1-18	6' High Chain Link Fence, in-place complete.		
	295 LF	\$ _____	\$ _____
A1-19	12' Wide Double Chain Link Gate, in-place complete.		
	1 EA	\$ _____	\$ _____
A1-20	8' High Chain Link Fence w/ barbed wire at top, in-place complete.		
	250 LF	\$ _____	\$ _____
A1-21	14' Wide Double Chain Link Gate w/ barbed wire at top, in-place complete.		
	1 EA	\$ _____	\$ _____
A1-22	4" Pipe Bollards, in-place complete.		
	9 EA	\$ _____	\$ _____
A1-23	Structural excavation and backfill for submersible pump station.		
	LS	LS	\$ _____
A1-24	Precast concrete wet well and valve box and access hatches, in-place complete.		
	LS	LS	\$ _____

A1-25	Epoxy coating of interior of wet well.		
	LS	LS	\$ _____
A1-26	Submersible pump, controls, level elements, pump slide and electrical cables, in-place complete.		
	LS	LS	\$ _____
A1-27	Pump station piping, gate valves, ball check valves, surge valves, piping and all fittings, in-place complete.		
	LS	LS	\$ _____
A1-28	On-site electrical work, including all conduits, wires, handholes, telephone dialer, starters, onsite lighting, in-place complete.		
	LS	LS	\$ _____
A1-29	Pump Station Testing		
	LS	LS	\$ _____
A1-30	Pressure Test and CCTV Inspection for Sewer Main. Pressure/Hydro Test for Force Main.		
	LS	LS	\$ _____
A1-31	Geotechnical Testing		
	ALLOWANCE	ALLOW	\$ <u>15,000.00</u>
	<b>SUBTOTAL (A1 - A31):</b>		\$ _____

Item No.	PHASE A2	Unit Price	Total
<b>A2.</b>	<b>DLNR GRAVITY SEWER</b>		
A2-1	Mobilization / Demobilization		
	LS	LS	\$ _____

A2-2	Traffic Control for entrance/exit within Hawaii Air National Guard property.		
	LS	LS	\$ _____
A2-3	50 Lin. Ft., Horizontal Directional Drilling for 12” PVC Gravity Sewer, including erosion control BMPs, pipe, entrance pits, receiving holes and permitting, in-place complete.		
	LS	LS	\$ _____
A2-4	Lin. Ft., 8” PVC Gravity Sewer, including trench excavation, pipe bedding and backfill, compaction testing, in-place complete.		
	500 LF	\$ _____	\$ _____
A2-5	12” PVC Gravity Sewer, including trench excavation, pipe bedding and backfill, compaction testing, in-place complete.		
	3,100 LF	\$ _____	\$ _____
A2-6	48” Dia. Eccentric Cone Concrete Sewer Manhole (8-ft to 9.99-ft deep), including excavation, backfill, frame and cover, in-place complete.		
	2 EA	\$ _____	\$ _____
A2-7	48” Dia. Eccentric Cone Concrete Sewer Manhole (10-ft to 11.99-ft deep), including excavation, backfill, frame and cover, in-place complete.		
	11 EA	\$ _____	\$ _____
A2-8	48” Dia. Eccentric Cone Concrete Sewer Manhole (12-ft to 13.99-ft deep), including excavation, backfill, frame and cover, in-place complete.		
	3 EA	\$ _____	\$ _____
A2-9	Pressure Test and CCTV Inspection for Sewer.		
	LS	LS	\$ _____

A2-10	Geotechnical Testing		
	ALLOWANCE	ALLOW	\$ <u>25,000.00</u>
	<b>SUBTOTAL (A2-1 – A2-10):</b>		\$ _____

Item No.	PHASE A3	Unit Price	Total
<b>A3.</b>	<b>10" AND 4" FORCEMAINS &amp; WWTP ACCESS ROAD</b>		
A3-1	Mobilization / Demobilization		
	LS	LS	\$ _____
A3-2	Acres, Clearing and grubbing, including debris removal.		
	7.6 Ac	\$ _____	\$ _____
A3-3	Installation, Maintenance, Monitoring and Removal of Erosion Control and BMPs.		
	LS	LS	\$ _____
A3-4	Traffic Control.		
	LS	LS	\$ _____
A3-5	Excavation of Site.		
	9,230 CY	\$ _____	\$ _____
A3-6	Embankment of Site, including imported borrow.		
	2,160 CY	\$ _____	\$ _____
A3-7	120 Lin. Ft., Horizontal Directional Drilling for 10" Ductile Iron Force Main, including erosion control BMPs, pipe, entrance pits, receiving holes and permitting, in-place complete.		
	LS	LS	\$ _____

A3-8	4" Ductile Iron Force Main, including trench excavation, pipe bedding, backfill, compaction testing, restrained joints, conc. reaction blocks, and all fittings, in-place complete.		
	5,870 LF	\$ _____	\$ _____
A3-9	10" Ductile Iron Force Main, including trench excavation, pipe bedding, backfill, compaction testing, restrained joints, conc. reaction blocks, and all fittings, in-place complete.		
	9,510 LF	\$ _____	\$ _____
A3-10	2-1/2" Asphalt Concrete Pavement (Mix V), including asphalt concrete roadside swale, in-place complete.		
	17,370 SY	\$ _____	\$ _____
A3-11	8" Aggregate Base Course, including preparation of subgrade, compaction and testing, in-place complete.		
	14,930 SY	\$ _____	\$ _____
A3-12	10" Aggregate Base Course, including preparation of subgrade, compaction and testing, in-place complete.		
	2,440 SY	\$ _____	\$ _____
A3-13	6' High Chain Link Fence, in-place complete.		
	2,020 LF	\$ _____	\$ _____
A3-14	12' Wide Double Chain Link Gate, in-place complete.		
	5 EA	\$ _____	\$ _____
A3-15	Pipe Gate, in-place complete.		
	1 EA	\$ _____	\$ _____
A3-16	10' x 4' CRM Overflow Weir, in-place complete.		
	5 EA	\$ _____	\$ _____

A3-17	Pressure/Hydro Test for Force Main.		
	LS	LS	\$ _____
A3-18	Geotechnical Testing		
	ALLOWANCE	ALLOW	\$ <u>50,000.00</u>
	<b>SUBTOTAL (A3-1 – A3-18):</b>		\$ _____

Item No.	PHASE A4	Unit Price	Total
<b><u>A4.</u></b>	<b>DHHL SOUTH PUMP STATION</b>		
A4-1	Mobilization / Demobilization		
	LS	LS	\$ _____
A4-2	Clearing and Grubbing, Including Debris Removal.		
	0.3 ACRE	\$ _____	\$ _____
A4-3	Installation, Maintenance, Monitoring and Removal of Erosion Control BMPs		
	LS	LS	\$ _____
A4-4	Embankment of Site, including imported borrow.		
	1,100 CY	\$ _____	\$ _____
A4-5	2-1/2" Asphalt Concrete Pavement (Mix V), in-place complete.		
	310 SY	\$ _____	\$ _____
A4-6	8" Aggregate Base Course, including preparation of subgrade, compaction and testing, in-place complete.		
	310 SY	\$ _____	\$ _____

A4-7	8" PVC Gravity Sewer, including trench excavation, pipe bedding and backfill, compaction testing, in-place complete.		
	115 LF	\$ _____	\$ _____
A4-8	4" Ductile Iron Force Main, including trench excavation, pipe bedding, backfill, compaction testing, restrained joints, conc. reaction blocks, and all fittings, in-place complete.		
	310 LF	\$ _____	\$ _____
A4-9	48" Dia. Eccentric Cone Concrete Sewer Manhole (26-ft to 27.99-ft Deep), including excavation, backfill, frame and cover, in-place complete.		
	1 EA	\$ _____	\$ _____
A4-10	48" Dia. Eccentric Cone Concrete Sewer Manhole (32-ft to 33.99-ft Deep), including excavation, backfill, frame and cover, in-place complete.		
	1 EA	\$ _____	\$ _____
A4-11	8' High Chain Link Fence w/ barbed wire at top, in-place complete.		
	180 LF	\$ _____	\$ _____
A4-12	14' Wide Double Chain Link Gate w/ barbed wire at top, in-place complete.		
	1 EA	\$ _____	\$ _____
A4-13	4" Pipe Bollards, in-place complete.		
	12 EA	\$ _____	\$ _____
A4-14	Structural excavation and backfill for submersible pump station.		
	LS	LS	\$ _____
A4-15	Precast concrete wet well with access hatch, and concrete piping pad, in-place complete.		
	LS	LS	\$ _____

A4-16	Epoxy coating of interior of wet well.		
	LS	LS	\$ _____
A4-17	Submersible pumps, pump controls, level elements, pump slides and electrical cables, in-place complete.		
	LS	LS	\$ _____
A4-18	Pump station piping, gate valves, ball check valves, surge valves, piping and all fittings, in-place complete.		
	LS	LS	\$ _____
A4-19	On-site electrical work including all conduits, wires, handholes, telephone dialer, starters, on-site lighting, in-place complete.		
	LS	LS	\$ _____
A4-20	Pump Station Testing.		
	LS	LS	\$ _____
A4-21	Pressure Test and CCTV Inspection for Sewer Main. Pressure/Hydro Test for Force Main.		
	LS	LS	\$ _____
A4-22	Geotechnical Testing		
	ALLOWANCE	ALLOW	\$ <u>15,000.00</u>
	<b>SUBTOTAL (A4 – A4-22):</b>		\$ _____

Item No.	<b>PHASE A5</b>	Unit Price	Total
<b>A5.</b>	<b>2" WATERLINE</b>		
A5-1	Mobilization / Demobilization		
	LS	LS	\$ _____

A5-2	Connection to Existing 36" CCP Waterline, including tapping valve, sliding valve box, concrete block w/ structural strut, in-place complete.		
	LS	LS	\$ _____
A5-3	10" Ductile Iron Waterline, including blind flange and cleanout assembly, in-place complete.		
	LS	LS	\$ _____
A5-4	2" Copper Type K Waterline, including shut off valve, gate valve, bends, transition coupling, and pipe appurtenances, in-place complete.		
	LS	LS	\$ _____
A5-5	1-1/2" Meter Box Assembly, in-place complete.		
	LS	LS	\$ _____
A5-6	2" Reduced Pressure Backflow Assembly, in-place complete.		
	LS	LS	\$ _____
A5-7	2" High Density Polyethylene Pipe (HDPE) Waterline, including trench excavation, pipe bedding and backfill, in-place complete		
	9,255 LF	\$ _____	\$ _____
A5-8	Testing and Disinfecting Waterlines.		
	LS	LS	\$ _____
A5-9	Geotechnical Testing Allowance		
	ALLOWANCE	ALLOW	\$ <u>15,000.00</u>
	<b>SUBTOTAL (A5-1 – A5-9):</b>		\$ _____

Item No.	PHASE B	Unit Price	Total
B.	Regional WWTP		
	{DELETED}		

RECAPITULATION:

SUBTOTAL PHASE A1: \$ \_\_\_\_\_

SUBTOTAL PHASE A2: \$ \_\_\_\_\_

SUBTOTAL PHASE A3: \$ \_\_\_\_\_

SUBTOTAL PHASE A4: \$ \_\_\_\_\_

SUBTOTAL PHASE A5: \$ \_\_\_\_\_

**TOTAL SUM BID**  
**(A1+A2+A3+A4+A5): \$ \_\_\_\_\_**

**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.**

The CONTRACTOR shall complete all work as specified or indicated in the Contract Documents on or before Twenty Five (25) Months (750 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/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.

## APPRENTICESHIP AGREEMENT PREFERENCE

Hawaii Revised Statutes §103-55.6 (ACT 17, SLH 2009) 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 exceeds \$250,000.00. Therefore, 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 in order to qualify for the preference. 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 in order 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; 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);
3. The *Certification Form 1* shall be authorized by an apprenticeship sponsor of the DLIR list of registered apprenticeship programs. The authorization shall be an original signature by an authorized official of the apprenticeship sponsor; and
4. 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:





## 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.
- 10) It is understood and agreed that the awarded Contractor shall hold the bid price for 365 calendar days.

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