

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

**BID OFFER FORM FOR**

**KAUMANA SUBDIVISION LOT IMPROVEMENTS**

**KAUMANA, EAST HAWAII, ISLAND OF HAWAII**

**RFQ No.: RFQ-20-LDD-016**

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 Request for Quotes (RFQ) No. RFQ-20-LDD-016. The State of Hawaii's (State) Requisition and Purchase Order Form C-03, 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 RFQ No. RFQ-20-LDD-016 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: May 22, 2020

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: Hawaii

Offeror is:

- Sole Proprietor     Partnership     Corporation     Joint Venture     Other: \_\_\_\_\_

Federal ID No.: 56-2393086

Hawaii General Excise Tax ID No.: 090-328-2688-01

Telephone No.: 808-982-4444

Fax No.: 808-982-4440

E-Mail Address.: herman.t@ludwigconstructionhi.com

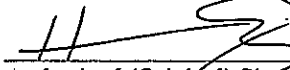
Payment address (other than street address below)

\_\_\_\_\_  
(Street Address, City, State, Zip Code)

Business address

16-211 Mikahala Street Keaau, HI 96749  
(Street Address, City, State, Zip Code)

Respectfully submitted:

  
\_\_\_\_\_  
Authorized (Original) Signature

Herman T. Ludwig, RME  
Name and Title (Please Type or Print)

\* Ludwig 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 RFQ No.: RFQ-20-LDD-016, installation of CRM wall and 4-foot chain-link fence for the Department of Hawaiian Home Lands.

ITEM	DESCRIPTION	AMOUNT
1	Clearing, demolition and grading	\$ <u>113,170.83</u>
2	Water laterals and appurtenances	\$ <u>10,431.16</u>
3	Installation of CRM wall and 4-foot chain-link fencing	\$ <u>75,667.70</u>
4	Topsoil and grassing	\$ <u>73,176.91</u>
5	Allowance	\$ <u>15,000.00</u>

TOTAL SUM BID (Item 1 & 5) \$ 128,170.83  
 TOTAL SUM BID = Two Hundred Eighty Seven Thousand, Four Hundred Forty Six and 400/100 Dollars (\$ 287,446.60).

The prices herein for the above items shall include all materials, labor, tools, equipment, machinery and all incidentals necessary, inclusive 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 RFQ.

1. Traffic Control L.S.

Lot 3-C

2. Clearing and grubbing .25 acre
3. Stabilizing CRM wall 70 cubic yard
4. 4' high chainlink fence 135 linear feet
5. 4" thick topsoil and grassing 10,900 sq. ft.
6. Erosion control L.S.

Lot 52

7. Clearing and grubbing .25 acre
8. Excavation 106 cubic yard
9. 4" thick topsoil and grassing 10,900 sq. ft.
10. Erosion control L.S.

Lot 5-A

11. Clearing and grubbing .25 acre
12. Excavation 40 cubic yard
13. Type A water service lateral 1 each
14. 4" thick topsoil and grassing 10,900 sq. ft.
15. Erosion control L.S.

**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
Ludwig Construction, Inc.	ABC-23496	090-328-2688-01	Stone Wall
Ludwig Construction, Inc.	ABC-23496	090-328-2688-01	Fencing
Hilo Landscaping	C-34543	000-833-1264-01	Landscaping

(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 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	<u>04-22-2020</u>	Addendum No. 3	<u>05-04-2020</u>
Addendum No. 2	<u>04-30-2020</u>	Addendum No. 4	<u>05-11-2020</u>

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

Respectfully submitted,

Ludwig Construction, Inc.  
Name of Company, Joint Venture or Partnership

ABC-23496  
License No.

By [Signature]  
Signature (\*1)

Title: RME

Date: May 22, 2020

Address: 16-211 Mikahala street  
Keaau, HI 96749

Telephone No.: 808-982-4444

(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. 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.
- \*2. 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, Tracy Ludwig, Secretary of Ludwig 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 duly called and held at the office of the Corporation 16-211 Mikahala Street, Hawaii, on 22 day of October, 20 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.

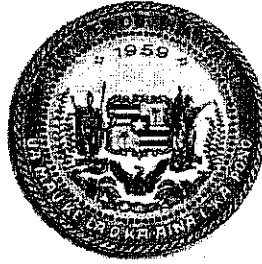
"RESOLVED that any individual at the time holding the position(s) of RME, be, and each of them hereby is, authorized to execute on behalf of the Corporation any bid, proposal or contract for the sale or rental of the products of the Corporation or for the services to be performed by the Corporation and 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

Ludwig Construction, Inc. this 3 day of January, 20 20.

Tracy Ludwig  
Secretary

END OF BID



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

**Vendor Name:** LUDWIG CONSTRUCTION, INC.

**DBA/Trade Name:** LUDWIG CONSTRUCTION, INC.

**Issue Date:** 05/22/2020

**Status:** Compliant

Hawaii Tax#: W20120570-01  
New Hawaii Tax#: GE090328268801  
FEIN/SSN#: XX-XXX3086  
UI#: XXXXXX1143  
DCCA FILE#: 205331

**Status of Compliance for this Vendor on issue date:**

Form	Department(s)	Status
A-6	Hawaii Department of Taxation	Compliant
	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	The entity is compliant with DLIR requirement
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

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

<b>I. Bidder's Identifying Information</b>			
A. Legal Business Name: Ludwig Construction, Inc.			
B. Project Bid Title & Reference No.: Kaumana Subdivision, Lot No. 3-C, Lot No. 52 & Lot No. 5-A Improvements			
C. Contact Person's Name: Herman T. Ludwig			
1. Phone No.: (808) 982-4444		2. E-Mail: herman.t@ludwigconstructionhi.com	
Job No.: RFQ-20-IDD-016			
<b>II. Apprenticeable Trades To Be Employed*</b>			
<b>A. (List)</b>		<b>B. Apprenticeship Sponsor* (One Sponsor Per Form)</b>	
1. Bricklayer Mason		Joint Apprenticeship Committee for	
2.		Bricklayer Mason	
3.			
4.			
5.			
6.			
<b>III. Bidder's Certification</b>			
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.			
Herman T. Ludwig			
A. Name (Type)		RME	
B. Title		May 22, 2020	
C. Signature (original signature required)		D. Date	
<b>IV. Apprenticeship Sponsor's Contact Information</b>			
A. Training Coordinator's Name: Patrick E. Coronas			
B. Address: 1188 Sand Island Parkway, Honolulu, HI 96819			
C. Phone No.: (808)848-0565		D. E-Mail: p.coronas@yahoo.com	
E. Fax No: (808)847-7068			
<b>V. Apprenticeship Program Sponsor's Certification</b>			
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.			
Patrick E. Coronas		Training Coordinator	
A. Name of Authorized Official		B. Title	
C. Signature (original signature required)		D. Date	
		S - 22 - 2020	

\* 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.