

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

BID OFFER FORM FOR

**ANAHOLA STRUCTURE DEMOLITION & CLEARING
4474 KUKUIHALE ROAD, (4)4-8-017:029
ANAHOLA, ISLAND OF KAUAI, HAWAII**

RFQ No.: RFQ-23-LDD-001

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-23-LDD-001. 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-23-LDD-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 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.

Anahola Structure Demolition & Clearing
4474 Kukuihale Road, (4) 4-8-017:029

RFQ-23-LDD-001

Bid Offer Form

Date: 9/28/2022

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: LLC

Federal ID No.: 20-1638121

Hawaii General Excise Tax ID No.: 096-086-0160-01

Telephone No.: 808-696-8070

Fax No.: 808-696-5330

E-Mail Address.: dsouza@island-construction.net

Payment address (other than street address below)

PO Box 1857, Waianae, Hawaii 96792
(Street Address, City, State, Zip Code)

Business address

85-443 Waianae Valley Road, Waianae, Hawaii 96792
(Street Address, City, State, Zip Code)

Respectfully submitted:


Authorized (Original) Signature

David Souza, Member
Name and Title (Please Type or Print)

* Island Construction & Demolition, LLC
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-23-LDD-001, ANAHOLA STRUCTURE DEMOLITION & CLEARING- 4474 KUKUIHALE ROAD, (4)4-8-017:029 for the Department of Hawaiian Home Lands.

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.

ITEM	DESCRIPTION	AMOUNT
1	Demolition of Structure to include rodent control/dust control/BMP (per: Hazmat study recommendation)	\$ 113,243.00
2	Removal/Proper disposal of all waste material (per: Hazmat study recommendation)	\$ 57,999.00
3	Vegetation Clearing	\$ 13,013.00
4	Non-organic Debris Clearing	\$ 8,215.00
5	Cesspool Pumping/Backfill/ Closure (per: DOH requirements)	\$ 7,297.00
6	Allowance (As directed and approved by DHHL)	\$ 10,000.00
	TOTAL SUM BID	\$ 209,767.00

TOTAL SUM BID = Two Hundred and Nine Thousand, Seven Hundred and Sixty Seven and Zero Cents
Dollars (\$209,767.00).

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.

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
Unitek Insulation, LLC	C-11851		Abatement
Aloha Termite Kauai, Inc.	PCO-1118		Pest Control

(Add additional sheets if necessary)

Anahola Structure Demolition & Clearing
4474 Kukuihale Road, (4) 4-8-017:029

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.

Anahola Structure Demolition & Clearing
4474 Kukuihale Road, (4) 4-8-017:029

- 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>9/23/2022</u>	Addendum No. 3	<u> </u>
Addendum No. 2	<u>9/27/2022</u>	Addendum No. 4	<u> </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,

Island Construction & Demolition, LLC
Name of Company, Joint Venture or Partnership

ABC-27321
License No.

By 
Signature (*1)

Title: David Souza, Member

Date: 9/28/2022

Address: PO Box 1857

Waianae, Hawaii 96792

Telephone No.: 808-696-8070

(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.

Anahola Structure Demolition & Clearing
4474 Kukuihale Road, (4) 4-8-017:029

CERTIFICATE OF RESOLUTION

I, David Souza, Secretary of Island Construction & Demolition, LLC, 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 Island Construction & Demolition, LLC, Hawaii, on 10 day of August, 20 22, 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 Member, 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

NO CORPORATE SEAL (LLC) this 10 day of August, 20 2, 2.



Secretary

END OF BID

Anahola Structure Demolition & Clearing
4474 Kukuihale Road, (4) 4-8-017:029



Island Construction & Demolition, LLC

P.O. Box 1857 Waianae, Hawaii 96792 | ABC 27321 | Office: 808-696-8070 Fax: 808-376-4550

Resolution of Island Construction & Demolition, LLC

By unanimous consent of its Members, Island Construction and Demolition, LLC does hereby authorize Carol J. Souza, David A. Souza and David E. Souza to execute on behalf of Island Construction and Demolition, LLC any bid, proposal or contract for the sale of rental of the products of Island Construction and Demolition, LLC or for services to be performed by Island Construction and Demolition, LLC 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 Municipal Government of said State, or any department or subdivision of any of them.

Dated this: 08/10/2022

By:  'No Seal'

David. Souza, Member

David Souza, Member

Island Construction & Demolition, LLC

P.O. Box 1857

Waianae, Hawaii 96792



Island Construction & Demolition, LLC

P.O. Box 1857 Waianae, HI 96792 ♦ Office:(808)696-8070 ♦ Fax:(808)696-5330

NAMES AND RESIDENCE ADDRESSES OF ALL MEMBERS OF ISLAND CONSTRUCTION & DEMOLITION, LLC:

Carol J. & David A. Souza

86-348 Puhawai Rd

Waianae, HI 96792

David E. Souza

87-1014 Nenewai St

Waianae, HI 96792

DEPARTMENT OF HAWAIIAN HOME LANDS
STATE OF HAWAII

SEPTEMBER 23, 2022

ADDENDUM NO. 1

TO

PLANS, BID FORM, SPECIFICATIONS, CONTRACT, AND BOND

FOR

ANAHOLA STRUCTURE DEMOLITION AND CLEARING
4474 KUKUIHALE ROAD

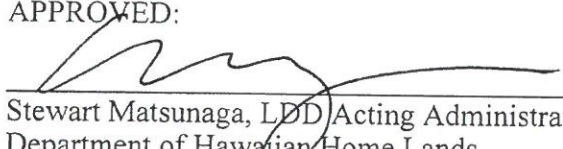
ANAHOLA, ISLAND OF KAUAI, HAWAII

RFQ NO.: RFQ-23-LDD-001

NOTICE TO ALL PROSPECTIVE BIDDERS

This addendum is hereby made a part of the PLANS, BID FORM, SPECIFICATIONS, CONTRACT, AND BOND for the ANAHOLA STRUCTURE DEMOLITION AND CLEARING – 4474 KUKUIHALE ROAD, ANAHOLA, ISLAND OF KAUAI, HAWAII, and it shall amend the said contract documents as detailed within this Addendum document.

APPROVED:


Stewart Matsunaga, LDD Acting Administrator
Department of Hawaiian Home Lands

Date: September 23, 2022

Please detach, execute, and return immediately, the receipt below, to the Department of Hawaiian Home Lands, Hale Kalanianaʻole, 91-5420 Kapolei Parkway, Kapolei, Hawaii, or transmit the facsimile to (808) 620-9299.

Receipt of Addendum No. 1 for the ANAHOLA STRUCTURE DEMOLITION AND CLEARING, ANAHOLA, ISLAND OF KAUAI, HAWAII, is hereby acknowledged.

Signed 

Title Member

Firm Island Construction & Demolition, LLC

Date 9/28/2022

ADDENDUM NO. 1
SEPTEMBER 23, 2022

TO

PLANS, BID FORM, SPECIFICATIONS, CONTRACT AND BOND

FOR

ANAHOLA STRUCTURE DEMOLITION & CLEARING- 4474 KUKUIHALE ROAD

ANAHOLA, ISLAND OF KAUAI, HAWAII

RFQ NO.: RFQ-23-LDD-001

ITEM NO. 1 PRE-BID SITE VISIT MINUTES AND SIGN IN SHEET

A Pre-bid conference was held at 4474 Kukuihale Road, TMK: (4) 4-8-017:029 on September 16, 2022 followed by a site visit. The minutes from the meeting and the sign-in sheet are attached to **ADDENDUM NO. 1 (9-23-2022)**

ITEM NO. 2 BID OFFER DUE DATE CHANGED

The bid-offer due date has been changed from 2:00 pm on September 30, 2022 to October 7, 2022, at 2:00 pm.

ITEM NO. 3 STANDARD QUALIFICATION QUESTIONNAIRE DUE DATE CHANGED

The Standard Qualification Questionnaire for Offerors (SPO Form-21) due date has been changed from September 20, 2022 to September 28, 2022 at 2:00pm.

DEPARTMENT OF HAWAIIAN HOME LANDS
STATE OF HAWAII

SEPTEMBER 27, 2022

ADDENDUM NO. 2

TO

PLANS, BID FORM, SPECIFICATIONS, CONTRACT, AND BOND

FOR

ANAHOLA STRUCTURE DEMOLITION AND CLEARING
4474 KUKUIHALE ROAD

ANAHOLA, ISLAND OF KAUAI, HAWAII

RFQ NO.: RFQ-23-LDD-001

NOTICE TO ALL PROSPECTIVE BIDDERS

This addendum is hereby made a part of the PLANS, BID FORM, SPECIFICATIONS, CONTRACT, AND BOND for the ANAHOLA STRUCTURE DEMOLITION AND CLEARING – 4474 KUKUIHALE ROAD, ANAHOLA, ISLAND OF KAUAI, HAWAII, and it shall amend the said contract documents as detailed within this Addendum document.

APPROVED:


Stewart Matsunaga, LDD Acting Administrator
Department of Hawaiian Home Lands

Date: September 27, 2022

Please detach, execute, and return immediately, the receipt below, to the Department of Hawaiian Home Lands, Hale Kalanianaʻole, 91-5420 Kapolei Parkway, Kapolei, Hawaii, or transmit the facsimile to (808) 620-9299.

Receipt of Addendum No. 2 for the ANAHOLA STRUCTURE DEMOLITION AND CLEARING, ANAHOLA, ISLAND OF KAUAI, HAWAII, is hereby acknowledged.

Signed 

Title Member

Firm Island Construction & Demolition, LLC

Date 9/27/2022

ADDENDUM NO. 2
SEPTEMBER 27, 2022

TO

PLANS, BID FORM, SPECIFICATIONS, CONTRACT AND BOND

FOR

ANAHOLA STRUCTURE DEMOLITION & CLEARING- 4474 KUKUIHALE ROAD

ANAHOLA, ISLAND OF KAUAI, HAWAII

RFQ NO.: RFQ-23-LDD-001

ITEM NO. 1 HOUSE CONTENTS

DHHL has confirmed from the Hazardous Material Testing team that the house was completely empty when the survey was conducted on February 22, 2022.

APPENDIX
(SURETY BID PROPOSAL BOND)

KNOW TO ALL BY THESE PRESENTS:

Bond No. Bid Bond

That we, Island Construction & Demolition, LLC,
as Offeror, hereinafter called Principal, and Philadelphia Indemnity Insurance Company, as Surety,
hereinafter called Surety, a corporation authorized to transact business as a Surety in the State of Hawaii, are held and
firmly bound unto the State of Hawaii, as owner, hereinafter called Owner, in the penal sum of Five Percent of
Amount Bid DOLLARS (\$ 5%), 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
RFQ-23-HHL-0001 Anahola Structure Demolition & Clearing at 4474 Kukuihale
Road
(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 5th Day of October, 2022.

(Seal) [Name of Principal (Contractor)] Island Construction & Demolition, LLC

Signature By: Paul Davis
Title Member

[Name of Surety] Philadelphia Indemnity Insurance Company

Signature By: Nicholas Tan
Title Nicholas Tan, Attorney-in-Fact

PHILADELPHIA INDEMNITY INSURANCE COMPANY
One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: That **PHILADELPHIA INDEMNITY INSURANCE COMPANY** (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint **Lisa M. Lucas, Nicholas Tan and Tanya Chinchilla of Edgewood Partners Insurance Center**, its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed **\$50,000,000**.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of **PHILADELPHIA INDEMNITY INSURANCE COMPANY** on the 14th of November, 2016.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 5TH DAY OF MARCH, 2021.



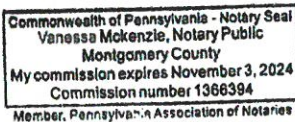
(Seal)

John Glomb
John Glomb, President & CEO
Philadelphia Indemnity Insurance Company

On this 5th day of March, 2021 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the **PHILADELPHIA INDEMNITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

Notary Public:

Vanessa McKenzie



residing at:

Bala Cynwyd, PA

My commission expires:

November 3, 2024

I, Edward Sayago, Corporate Secretary of **PHILADELPHIA INDEMNITY INSURANCE COMPANY**, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 5th day March, 2021 are true and correct and are still in full force and effect. I do further certify that John Glomb, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of **PHILADELPHIA INDEMNITY INSURANCE COMPANY**.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 5th day of October, 2022.

Edward Sayago

Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY

