



STATE OF HAWAI'I
DEPARTMENT OF HAWAIIAN HOME LANDS
91-5420 Kapolei Parkway,
Kapolei, HI. 96707

SECTION 4

SAMPLE FORMS

for

WEST O'AHU SEWER IMPROVEMENTS – PRINCESS KAHANU ESTATES SUBDIVISION

NĀNĀKULI, O'AHU, HAWAI'I

T.M.K. (1) 8-7-033:018, AND 028-033

(1) 8-7-042:001-151, AND 153-159

(1) 8-7-043:001-120

IFB No.: IFB-23-HHL-013

January 2026



NOTICE OF INTENTION TO BID

Date: _____

Mr. Kali Watson, Chairperson
Hawaiian Homes Commission
DEPARTMENT OF HAWAIIAN HOME LANDS
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

Attention: Sara T. Okuda, Land Development Division
Notice of Intention to Bid due 2:00 pm, H.S.T., February 13, 2026

In accordance with the provisions of Section 103D-310, Hawai'i Revised Statutes and Hawai'i Administrative Rules 3-122-111, it is the intention of the undersigned to bid on IFB No. IFB-23-HHL-013, West O'ahu Sewer Improvements - Princess Kahanu Estates Subdivision, Nānākuli, HI 96792, O'ahu, State of Hawai'i, for which bids are due at **2:00 pm, H.S.T., February 26, 2026.**

Name of Firm

Address

City, State and Zip Code

Contractor's License No.

Hawaii General Excise Tax No.

Telephone No. / Facsimile No.

e-mail address

Respectfully submitted,

Signature

Print Name and Title

Date: _____

The Department of Hawaiian Home Lands acknowledges on this date above, receipt of your Notice of Intention to Bid on IFB-23-HHL-013.

Sara. T. Okuda, Project Manager
Land Development Division

CORPORATE RESOLUTION
(Name of Corporation - Use Letterhead)

I, _____, Secretary of _____
Corporation, a _____ 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 located at

(address)

on the _____ 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and acting throughout; and that said resolution has not been modified, amended or rescinded and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 of
President or Vice President, 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 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 or
Municipal Government of said State, or any department or subdivision of
any of them."

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
said _____ Corporation this _____ day of
_____, 20_____.

Secretary

(Names and Addresses of:)
President
Vice President
Secretary

SAMPLE

STATE OF HAWAII STANDARD QUALIFICATION QUESTIONNAIRE FOR OFFERORS

issued by the

PROCUREMENT POLICY BOARD

STATE OF HAWAII

June 16, 2003

**To be filed with the procurement officer calling for offers
in accordance with Section 103D-310, HRS, as amended.**

Submitted By _____

Address _____

Date _____

STANDARD QUALIFICATION QUESTIONNAIRE

COVERING EXPERIENCE, EQUIPMENT AND FINANCIAL STATEMENT OF OFFERORS. THE OFFICER CALLING FOR OFFERS MAY REQUIRE THE OFFEROR TO FURNISH ADDITIONAL INFORMATION NOT SPECIFICALLY COVERED HEREIN. ALL ITEMS MUST BE ANSWERED AND OMISSIONS MAY BE CONSIDERED GOOD CAUSE FOR UNFAVORABLE CONSIDERATION.

GENERAL INFORMATION

1. The statements contained in this Questionnaire are being furnished for consideration in submitting an offer for the following project:

(a) Project Title _____

(b) Location _____

(c) Bid Opening Date _____

2. The Questionnaire is being submitted in behalf of:

(a) Name of Offeror _____

- A Corporation
- A Partnership
- An Individual
- A Joint-Venture

(b) Address _____

(c) Telephone No. _____

(d) Date Submitted _____

3. If the bid is submitted by a joint venture, composed of two or more individual firms, then each member firm comprising the joint venture must submit all information listed on pages 3 through 16, inclusive, of the Questionnaire and, in addition, answer the following:

(a) Members of joint Venture _____

(b) Date of Joint Venture Agreement _____

(c) Is agreement between members comprising the joint venture joint and several liability? _____

If not, state the terms of agreement in this respect: _____

5. Has any officer or partner of your organization in the past five (5) years been an officer or partner of some other organization that failed to complete a contract? If so, state name of individual, other organization and reason therefore _____

6. Has any officer or partner of your organization in the past five (5) years failed to complete a contract handled in his own name? _____ If so, state name of individual, name of Owner and reason therefore.

7. In what other lines of business are you financially interested? _____

8. For what corporations or individuals in the past five (5) years have you performed work, and to whom do you refer? _____

9. For what counties within the State of Hawaii have you performed work and to whom do you refer?

10. For what Bureaus or Departments of the State government have you performed work and to whom do you refer?

11. Have you performed work for the U. S. Government? _____ If so, when and to whom do you refer?

12. Have you ever performed any work for any other governmental agencies outside the State of Hawaii? _____ If so, when and to whom do you refer? _____

13. What is the [construction] experience of the principal individuals of your organization?

Individual's Name	Present Position or Office	Years of Work Experience	Magnitude and Type of Work	In What Capacity?

EQUIPMENT QUESTIONNAIRE

Submitted by _____

- A Corporation
- A Partnership
- An Individual

Principal Office _____

The signatory of this questionnaire guarantees the truth and accuracy of all statements and of all answers to interrogatories hereinafter made

1. In what manner have you inspected this proposed work? Explain in detail. _____

2. Explain your plan or layout for performing the proposed work. _____

3. The work, if awarded to you, will have the personal supervision of whom?

4. Do you intend to do the hauling on the proposed work with your own force? _____ If so, give amount and type of equipment to be used. _____

5. If you intend to sublet the hauling or perform it through an agent, state amount of sub-contract or agent's contract, and, if known, the name and address of sub-contractor or agent, amount and type of his equipment and financial responsibility _____

6. Do you intend to do grading on the proposed work with your own forces? _____ If so, give type of equipment to be used _____

FINANCIAL STATEMENT

Submitted by _____

- A Corporation
- A Partnership
- An Individual

Principal Office _____

The signatory of this questionnaire guarantees the truth and accuracy of all statements and of all answers to interrogatories hereinafter made

BALANCE SHEET

As of _____, 20_____

Assets

Current assets:

Cash and cash equivalents (1)	\$ _____
Short-term investments (2)	_____
Accounts receivable, net (3)	_____
Inventories (4)	_____
Costs and estimated earnings in excess of billings on uncompleted contracts (5)	_____
Prepaid expenses and other (6)	_____
Sub-Total Current Assets	_____

Property and equipment:

Land (7)	_____
Buildings (8)	_____
Vehicles, machinery and equipment (9)	_____
Furniture and fixtures (10)	_____
Less accumulated depreciation	(_____)
Sub-Total Net Property and Equipment	_____

Other assets:

Cash surrender value of life insurance policies (11)	_____
Deposits and other (12)	_____
Sub-Total Other Assets	_____

Total Assets: \$ _____

BALANCE SHEET (Continued)

Liabilities and Stockholder's Equity

Current liabilities:

Current portion of long-term debt (1)	\$ _____
Accounts payable (2)	_____
Billings in excess of costs and estimated earnings on uncompleted contracts (3)	_____
Accrued liabilities and other (4)	_____
Sub-Total Current Liabilities	_____

Long-term debt, net of current portion (5) _____

Sub-Total Liabilities & Long-term Debt: \$ _____

Stockholder's equity:

Capital stock (6)	_____
Additional paid-in capital (7)	_____
Retained earnings	_____
Treasury stock (8)	(_____)
Sub-Total Stockholder's Equity	\$ _____

Total Liabilities and Stockholder's Equity \$ _____

DETAILS RELATIVE TO ASSETS

(1) Cash and cash equivalents:

<u>Financial Institution</u>	<u>Type of Account</u>	<u>Amount</u>
_____	_____	\$ _____
_____	_____	_____
_____	_____	_____
		\$ _____

(2) Short-term investments:

<u>Type of Security</u>	<u>Cost</u>	<u>Unrealized Gains</u>	<u>Unrealized Losses</u>	<u>Estimated Fair Value</u>
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
	\$ _____	\$ _____	\$ _____	\$ _____

(3) Accounts receivable (list major debtors):

Completed contracts

<u>Name</u>	<u>Description</u>	<u>Completion Date</u>	<u>Contract Amount</u>	<u>Amount Receivable</u>
_____	_____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
		\$ _____	\$ _____	\$ _____

Other than completed contracts

<u>Name</u>	<u>Description</u>	<u>Due Date</u>	<u>Amount Receivable</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
	Less allowance for doubtful accounts		(_____)
			\$ _____

(4) Inventories

<u>Description</u>	<u>Cost</u>	<u>Market Value</u>	<u>Lower of Cost or Market Value</u>
_____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____
_____	_____	_____	_____
	\$ _____	\$ _____	\$ _____

DETAILS RELATIVE TO ASSETS (Continued)

(5) Costs and estimated earnings in excess of billings on uncompleted contracts

<u>Name</u>	<u>Description</u>	<u>Completion Date</u>	<u>Contract Amount</u>	<u>Costs and Estimated Earnings to Date</u>	<u>Billings to Date</u>	<u>Costs and Estimated Earnings in Excess of Billings</u>
		\$ _____	\$ _____	\$ _____	\$ _____	
_____	_____					
_____	_____					
			\$ _____	\$ _____	\$ _____	\$ _____

(6) Prepaid expenses and other

<u>Description</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____
	\$ _____

(7) Land

<u>Description</u>	<u>Location</u>	<u>Amount</u>
_____	_____	\$ _____
_____	_____	_____
_____	_____	_____
		\$ _____

(8) Buildings

<u>Description</u>	<u>Location</u>	<u>Amount</u>
_____	_____	\$ _____
_____	_____	_____
_____	_____	_____
		\$ _____

(9) Vehicles, machinery and equipment

<u>Description</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____
	\$ _____

(10) Furniture and fixtures

<u>Description</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____
	\$ _____

DETAILS RELATIVE TO ASSETS (Continued)

(11) Cash surrender value of life insurance policies

<u>Key Employee</u>	<u>Insurance Company</u>	<u>Policy Amount</u>	<u>Paid-Up Additional Insurance</u>	<u>CSV Amount</u>
_____	_____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Less loans payable		_____	_____	(_____)
		\$ _____	\$ _____	\$ _____

(12) Deposits and other

<u>Description</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____
	\$ _____

DETAILS RELATIVE TO LIABILITIES AND STOCKHOLDER'S EQUITY

(1) Current portion of long-term debt (maturing within 12 months)

<u>Lender</u>	<u>Description</u>	<u>Security Pledged</u>	<u>Due Date</u>	<u>Amount</u>
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	\$ _____

(2) Accounts payable (list major creditors)

<u>Name</u>	<u>Past Due Amount</u>	<u>Amount</u>
_____	\$ _____	\$ _____
_____	_____	_____
_____	_____	_____
_____	\$ _____	\$ _____

(3) Billings in excess of costs and estimated earnings on uncompleted contracts

<u>Name</u>	<u>Description</u>	<u>Completion Date</u>	<u>Contract Amount</u>	<u>Costs and Estimated Earnings to Date</u>	<u>Billings to Date</u>	<u>Billings in excess of costs and Estimated Earnings</u>
_____	_____	_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	\$ _____	\$ _____	\$ _____	\$ _____

(4) Accrued liabilities and other

<u>Description</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____
_____	\$ _____

(5) Long-term debt, net of current portion

<u>Lender</u>	<u>Description</u>	<u>Security Pledged</u>	<u>Due Date</u>	<u>Amount</u>
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	\$ _____

DETAILS RELATIVE TO LIABILITIES AND STOCKHOLDER'S EQUITY (Continued)

(6) Capital stock

<u>Type of Stock</u>	<u>Class</u>	<u>No. of Shares Authorized</u>	<u>No. of Shares Issued and Outstanding</u>	<u>Par Value</u>	<u>Amount</u>
_____	_____	_____	_____	\$ _____	\$ _____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
					\$ _____

(7) Additional paid-in capital

<u>Description</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____
	\$ _____

(8) Treasury stock

<u>Type of Stock</u>	<u>Class</u>	<u>No. of Shares</u>	<u>Cost</u>
_____	_____	_____	\$ _____
_____	_____	_____	_____
_____	_____	_____	_____
			\$ _____

STATEMENTS OF INCOME AND RETAINED EARNINGS

For the Years Ended _____, 20____ and 20____

	20____	20____
	_____	_____
Contract revenues	\$ _____	\$ _____
Costs of contracts	_____	_____
Gross income from contracts		
General and administrative expenses	_____	_____
Income from operations		
Other income (expense)	_____	_____
Income before income taxes		
Income taxes	_____	_____
Net income		
Retained earnings, beginning of the year	_____	_____
Retained earnings, end of the year	\$ _____	\$ _____

If a corporation, answer this: Capital paid in cash, \$ _____ When Incorporated _____ In what State _____ Date registered in Hawaii _____ President's name _____ Vice-President's name _____ Secretary's name _____ Treasurer's name _____	If a partnership, answer this: Date of organization _____ Date registered in Hawaii _____ State whether partnership is general or limited _____ <table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 80%;">Name and address of partners:</th> <th style="width: 20%;">Age</th> </tr> </thead> <tbody> <tr><td>_____</td><td>_____</td></tr> <tr><td>_____</td><td>_____</td></tr> <tr><td>_____</td><td>_____</td></tr> <tr><td>_____</td><td>_____</td></tr> <tr><td>_____</td><td>_____</td></tr> </tbody> </table>	Name and address of partners:	Age	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Name and address of partners:	Age												
_____	_____												
_____	_____												
_____	_____												
_____	_____												
_____	_____												

The undersigned hereby declares: that the foregoing is a true statement of the financial condition of the individual, partnership or corporation herein first named, as of the date herein first given; that this statement is for the express purpose of inducing the party to whom it is submitted to award the offeror a contract; and that any depository, vendor or other agency herein named is hereby authorized to supply such party with any information necessary to verify this statement.

NOTE: A partnership must give firm name and signatures of all partners. A corporation must give full corporate name, signature of official, and affix corporate seal.

Affidavit for Individual

STATE OF HAWAII
 COUNTY OF _____

_____ being duly sworn, deposes and says that the foregoing financial statement, taken from his books, is a true and accurate statement of his financial condition as of the date thereof and that the answers to the foregoing interrogatories are true.

Sworn to before me this _____ day of _____ 20____ (Applicant must also sign here)

 Notary Public

Affidavit for Partnership

STATE OF HAWAII
 COUNTY OF _____

_____ being duly sworn, deposes and says that he is a member of the firm of _____; and that he is familiar with the books of the said firm showing its financial condition; that the foregoing financial statement, taken from the books of the said firm, is a true and accurate statement of the financial condition of the said firm as of the date thereof and that the answers to the foregoing interrogatories are true.

Sworn to before me this _____ day of _____ 20____ (Members of firm must also sign here)

 Notary Public

Affidavit for Corporation

STATE OF HAWAII
 COUNTY OF _____

_____ of the _____ being duly sworn, deposes and says that he is described in and which executed the foregoing statement; that he is familiar with the books of the said corporation showing its financial condition; that the foregoing financial statement, taken from the books of the said corporation, is a true and accurate statement of the financial condition of said corporation as of the date thereof and that the answers to the foregoing interrogatories are true.

Sworn to before me this _____ day of _____ 20____ (Officer must also sign here)

 Notary Public

**OFFEROR'S STATEMENT OF QUALIFICATIONS
DHHL WEST OAHU SEWER IMPROVEMENTS
PRINCESS KAHANU ESTATES SUBDIVISION
IFB-23-HHL-013
WAIANA, OAHU, HAWAII**

The purpose of this Offeror's Statement of Qualification review is to assure the Contractor and the Department of Hawaiian Home Lands, State of Hawaii (DHHL) that full unit responsibility for the technical requirements specified within the contract documents resides in organizations that are qualified in the following categories of work:

1. Trench Excavation and Backfill (SPECIAL PROVISIONS Section 02221)

Project Scope of Work:

The work for this project includes the construction of approximately 8,760 linear feet of gravity sewer mains, 1,600 linear feet of storm drains, and 570 linear feet of water mains using open trench methods.

The project also includes the construction of about 227 sewer laterals from the properties to sewer mains, and sewer connection manholes.

The pipelines will be installed primarily along public roadways, highly congested utility corridors, and in highly variable and difficult ground conditions. Refer to the geotechnical engineering reports and Special Provisions Section 02221 for trench shoring design and groundwater dewatering requirements.

Qualification Requirements:

The DHHL requires that all General Contractors and subcontractors interested in performing services under this contract be qualified for each category of work they wish to perform for the Project by submitting a "Statement of Qualifications" (SOQ) as described in this section by the requested date indicated in the Solicitation Time Schedule. A subcontractor may qualify by submitting his own SOQ or as part of a General Contractor's SOQ. If an SOQ is submitted to the Department by the requested date specified in the Special Notice to Offerors, Solicitation Time Schedule, the General Contractor and/or subcontractors will be notified by both email and mail whether the submitted SOQ meet the qualification requirements. An addendum will be issued that will include a listing of all qualified General Contractors and subcontractors. A bidding General Contractor may then select from those subcontractors deemed qualified by the DHHL to perform services for Open Excavation whether he submitted subcontractor qualifications as part of his SOQ or not. This qualification process will benefit the DHHL in ensuring responsive bid proposals are received from qualified General Contractors and/or subcontractors that have demonstrated compliance with the minimum qualification requirements.

Interested General Contractors and/or subcontractors may submit qualifications in as many work categories as they wish. However, the General Contractor must designate the subcontractor(s) he intends to use in their Bid Proposal, Subcontractors List.

If the General Contractor elects to submit their Offeror's Statement of Qualification Form with their Bid Proposal submittal without qualifying offeror(s), companies, and subcontractor, the General Contractor runs the risk of not being selected if the offeror(s), companies and subcontractors are later deemed not qualified.

General Contractors and/or subcontractors are responsible to provide all of the requested information for each category they wish to be qualified for and answer all questions fully and explicitly. Only work experience obtained prior to the award date may be used as part of the qualifying work experience. Attach additional sheets, if necessary, and number and cross-reference each attachment. Please type or print legibly. General Contractors and/or subcontractors shall submit their SOQs both as a hard copy and an electronic copy on CD or USB. The General Contractor and/or subcontractors have the responsibility of providing correct and sufficient information for each item requested, allowing the DHHL the capability of making an evaluation. The DHHL, at its discretion, may ask for clarification or additional supporting data after the submittal date.

The General Contractor, including joint ventures, and subcontractors must be licensed in the State of Hawaii in accordance with Chapter 444 of the Hawaii Revised Statutes at the time of submission of their SOQ. The General Contractor must comply with the State's tax clearance requirements.

Fulfillment of the requirements of the SOQ does not waive the requirements of the contract documents.

Full and explicit replies to the inquiries are required. Attach additional sheets as required. Completed SOQ and required resumes shall be hand carried or mailed to:

Department of Hawaiian Home Lands
State of Hawaii
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

1.0 Qualification Requirements – General Contractor

The following information pertains to the General Contractor. Subcontractors submitting Statement of Qualifications directly for DHHL review do not have to complete this Section 1.0. Provide all information. **Underlined text indicates evaluation criteria.**

1.1. Submit the following information for the General Contractor:

Name of Organization: _____

Address: _____

Name of Contact Person: _____

Title: _____

E-mail Address: _____

Telephone Number: _____ Fax Number: _____

1.2. Does the Offeror have the ability to obtain materials, equipment, and facilities to satisfy the contractual requirements of this project (as required by Hawaii Administrative Rules, Section 3-122-109)?

Yes _____ No _____

1.3. Does the Offeror and preparer of this bid proposal have experience in preparing bids in similar subsurface and utility conditions as discussed in the Scope of Work of this section?

Yes _____ No _____

1.4. Indicate the categories of work that this organization normally performs with its own work force. (If joint venture, list each participant's categories of work separately).

1.5. On Schedule A, list major engineering construction projects completed and under construction by this organization in the past 15 years, particularly sewer projects. For projects in which the organization is a joint venture participant, list major engineering construction projects completed and under construction by this organization in the past 15 years, particularly sewer projects. (If joint venture, list each participant's project separately.) Include appropriate contact information for each project.

SCHEDULE A
(Attach additional sheets as necessary)

Name, Location, and Description of Project	Owner	Design Engineer	Date of Completion	Reference / Contact Include address & phone

1.6. Has this organization, or any of the joint venture participants ever failed to complete a construction contract awarded to it? If yes, attach a separate sheet with a detailed explanation for each.

Yes _____ No _____

1.7. Within the last 10 years, has this organization, or any of the joint venture participants ever failed to substantially complete a construction project in a timely manner? If yes, attach a separate sheet with a detailed explanation.

Yes _____ No _____

1.8. Within the last 10 years, has any corporate officer, partner, or joint venture participant ever been an officer or partner of an organization that failed to complete a construction contract awarded to it? If yes, attach a separate sheet with a detailed explanation.

Yes _____ No _____

1.9. Within the last 10 years, has any corporate officer, partner, member, joint venture participant, director, responsible managing officer, or responsible managing employee:

A. Been disqualified, disbarred, removed, or otherwise prevented from bidding on or completing a construction project anywhere in the United States because of a violation of law or safety regulation? If yes, attach a separate sheet with a detailed explanation.

Yes _____ No _____

B. Been convicted of any criminal charge of fraud, bribery, collusion, or any act in violation of Hawaii or federal antitrust law in connection with the bidding upon, award of, or performance of a construction project? If yes, attach a separate sheet with a detailed explanation.

Yes _____ No _____

C. Been found guilty of submitting a false claim under the Hawaii False Claims Act. If yes, attach a separate sheet with a detailed explanation.

Yes _____ No _____

1.10. I hereby certify that the information submitted herewith, including any attachment is true to the best of my knowledge and belief.

Organization: _____

Signature: _____

Name (print): _____

Title: _____

Date: _____

2.0 Qualification Requirements – Open Excavation Construction Experience

The following minimum qualification requirements and request for contractor experience information pertains to the general contractor (Contractor) or open excavation construction subcontractor (Subcontractor) performing the open excavation construction work. Provide all information requested. **Underlined text indicates evaluation criteria.**

2.1. Submit the following information for the proposed open excavation construction Contractor or Subcontractor:

Name of Firm: _____

Address: _____

Name of Contact Person: _____

E-mail Address: _____

Telephone Number: _____ Fax Number: _____

2.2. All open excavation construction work shall be performed by an experienced Contractor or Subcontractor meeting the project's qualification requirements. Demonstrate Contractor's or Subcontractor's successful completion of the following project types in the last 15 years from the deadline date of the SOQ.

A. Minimum three open excavation construction or deep trench projects.

1. All projects shall have involved construction of open excavation or deep trench support systems.

2. Combined projects shall demonstrate successful excavation and construction through silts, clays, sands, gravels, cobbles, and rock.

B. Minimum one project involving open excavation or deep trench located on urban roadways and utility corridor.

C. Minimum one project involving excavation and construction to at least 12 feet below the existing ground surface, construction dewatering required.

Provide the information on the following pages for each qualifying project. Qualifying projects listed on the following pages may cover one or more of the above "project types" to satisfy the requirements. Please indicate which "project type" that each qualifying project meets. Fill in as many project descriptions as necessary to satisfy the requirements. If statement is submitted on behalf of a joint venture, the joint venture sponsor must comply.

2.2.1. **Name and Description of Project #1:** _____

Project type (A, B, and/or C from Section 2.2): _____

(a) Depth of excavation below ground surface: _____

(b) Depth of excavation below groundwater table: _____

(c) Excavation dimensions: _____

(d) Excavation support system and groundwater control method used: _____

(e) Geologic conditions: _____

(f) Groundwater conditions: _____

(g) Date started: _____ (h) Date completed: _____

(i) Open Excavation Construction Project Manager: _____

(j) Open Excavation Construction Superintendent: _____

(k) Project Owner, contact person, and telephone number: _____

(l) All claims filed, litigation, or unresolved claims (if yes, attach explanation): _____

2.2.2. Name and Description of Project #2: _____

Project type (A, B, and/or C from Section 2.2): _____

(a) Depth of excavation below ground surface: _____

(b) Depth of excavation below groundwater table: _____

(c) Excavation dimensions: _____

(d) Excavation support system and groundwater control method used: _____

(e) Geologic conditions: _____

(f) Groundwater conditions: _____

(g) Date started: _____ (h) Date completed: _____

(i) Open Excavation Construction Project Manager: _____

(j) Open Excavation Construction Superintendent: _____

(k) Project Owner, contact person, and telephone number: _____

(l) All claims filed, litigation, or unresolved claims (if yes, attach explanation): _____

2.2.3. Name and Description of Project #3: _____

Project type (A, B, and/or C from Section 2.2): _____

(a) Depth of excavation below ground surface: _____

(b) Depth of excavation below groundwater table: _____

(c) Excavation dimensions: _____

(d) Excavation support system and groundwater control method used: _____

(e) Geologic conditions: _____

(f) Groundwater conditions: _____

(g) Date started: _____ (h) Date completed: _____

(i) Open Excavation Construction Project Manager: _____

(j) Open Excavation Construction Superintendent: _____

(k) Project Owner, contact person, and telephone number: _____

(l) All claims filed, litigation, or unresolved claims (if yes, attach explanation): _____

- 2.3. Submit the information on the following pages for the last three open excavation construction or deep trench projects undertaken by the Contractor. If a joint venture is formed for the project, the joint venture sponsor must comply.

2.3.1. Name and Description of Project #1: _____

(a) Depth of excavation below ground surface: _____

(b) Depth of excavation below groundwater table: _____

(c) Excavation dimensions: _____

(d) Excavation support system and groundwater control method used: _____

(e) Geologic conditions: _____

(f) Groundwater conditions: _____

(g) Date started: _____ (h) Date completed: _____

(i) Open Excavation Construction Project Manager: _____

(j) Open Excavation Construction Superintendent: _____

(k) Project Owner, contact person, and telephone number: _____

(l) All claims filed, litigation, or unresolved claims (if yes, attach explanation): _____

2.3.2. Name and Description of Project #2: _____

(a) Depth of excavation below ground surface: _____

(b) Depth of excavation below groundwater table: _____

(c) Excavation dimensions: _____

(d) Excavation support system and groundwater control method used: _____

(e) Geologic conditions: _____

(f) Groundwater conditions: _____

(g) Date started: _____ (h) Date completed: _____

(i) Open Excavation Construction Project Manager: _____

(j) Open Excavation Construction Superintendent: _____

(k) Project Owner, contact person, and telephone number: _____

(l) All claims filed, litigation, or unresolved claims (if yes, attach explanation): _____

2.3.3. Name and Description of Project #3: _____

(a) Depth of excavation below ground surface: _____

(b) Depth of excavation below groundwater table: _____

(c) Excavation dimensions: _____

(d) Excavation support system and groundwater control method used: _____

(e) Geologic conditions: _____

(f) Groundwater conditions: _____

(g) Date started: _____ (h) Date completed: _____

(i) Open Excavation Construction Project Manager: _____

(j) Open Excavation Construction Superintendent: _____

(k) Project Owner, contact person, and telephone number: _____

(l) All claims filed, litigation, or unresolved claims (if yes, attach explanation): _____

- 2.4. The Contractor's or Subcontractor's Open Excavation Construction Work Force shall include, but not limited to, Open Excavation Project Manager and Open Excavation Superintendent. The Open Excavation Construction Work Force shall meet the requirements of SPECIAL PROVISIONS Section 02221, Trench Excavation and backfill. Contractor shall submit a detailed statement of qualification of the Open Excavation Construction Work Force upon DHHL's request, prior to Notice to Proceed.
- 2.5. I hereby certify that the information submitted herewith, including any attachment is true to the best of my knowledge and belief.

Organization: _____

Signature: _____

Name (print): _____

Title: _____

Date: _____

LINDA LINGLE
GOVERNOR



PROCUREMENT POLICY BOARD
LESLIE S. CHINEN
DARYLE ANN HO
GREGORY L. KING
RUSS K. SAITO
PAMELA A. TORRES

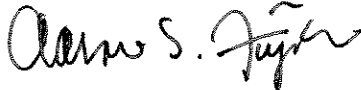
AARON S. FUJIOKA
ADMINISTRATOR

**STATE OF HAWAII
STATE PROCUREMENT OFFICE**

P.O. Box 119
Honolulu, Hawaii 96810-0119
Tel: (808) 587-4700 Fax: (808) 587-4703
www.spo.hawaii.gov

July 24, 2007

PROCUREMENT CIRCULAR NO. 2007-05

TO: Executive Department Heads
FROM: Aaron S. Fujioka 
SUBJECT: Bid Security, Contract Performance and Payment Bonds

This circular is issued to:

- 1) Rescind Procurement Circular No. 1998-09, dated November 23, 1998; and
- 2) Reissue amended bond forms Exhibits B, D, F, and includes the bond and acknowledgment forms Exhibits A, C, E, G, H, I, J, which did not require any changes. The forms are as required by HAR Subchapter 24, Chapter 3-122, and in accordance with HRS §§103D-323 to 103D-328.

Bonds are to protect against the failure or refusal of the offeror to proceed with the performance of the contract, secure the faithful performance of contract requirements, and payment of suppliers or subcontractors. Exemptions on the use of these bond forms are allowed, with the prior approval of the Administrator.

Changes made to the bond forms, effective June 21, 2007, are as follows:

1) **Exhibits B & D:**

Page 1, 2nd paragraph, is amended to read: "WHEREAS, the above-bound Principal has [entered into] signed a Contract with Oblige [dated] on _____ for the following project: _____."

~~2) **Exhibit F:**~~

~~a. Page 1, 2nd paragraph, is amended to read: "WHEREAS: The Principal has by [Not available for use in solicitations (Procurement Circular 2014-08)] _____ [entered into] signed a contract with Project:"~~

~~b. Page 2, 5th paragraph, is amended to read: ". . . the performance of the Contract who has not been paid in full therefor after [two months] ninety days from the completion"~~

~~c. Page 3, 1st sentence, is amended to read: "The amount of this bond may be reduced in accordance with and subject to section [3-122-226] 3-122-225, Hawaii Administrative Rules."~~

3) **Exhibits A, C, E, G, H, I, J:** No changes were made to these exhibits.

Purchasing agencies shall utilize bond and acknowledgment forms as provided in the exhibits listed below:

EXHIBIT A: Surety bid security titled "*Surety [Bid] [Proposal] Bond*", dated 11/17/98.

EXHIBIT B: Surety contract performance bond titled "*Performance Bond (Surety)*", dated 6/21/07.

EXHIBIT C: Contract performance bond for types of security pursuant to HAR §3-122-222(2) and (3), titled "*Performance Bond*", dated 11/17/98.

EXHIBIT D: Surety contract labor and material payment bond titled "*Labor and Material Payment Bond (Surety)*", dated 6/21/07.

EXHIBIT E: Contract labor and material payment bond for types of security pursuant to HAR §3-122-222(2) and (3), titled "*Labor and Material Payment Bond*", dated 11/17/98.

~~**EXHIBIT F:** Surety combination contract performance and p~~ Not available for use in solicitations
(Procurement Circular 2014-08)
~~*Performance and Payment Bond*", dated 6/21/07~~

EXHIBIT G: Surety contract performance bond for goods and services supplemental agreement titled "*Performance Bond (Surety) for Supplemental Agreement for Goods and Services*", dated 11/17/98.

EXHIBIT H: Contract performance bond for goods and services supplemental agreement for types of security pursuant to HAR §3-122-222(2) and (3), titled "*Performance Bond for Supplemental Agreement for Goods and Services*", dated 11/17/98.

EXHIBIT I: Contractor acknowledgement form for use with contract performance and payment bonds titled "*Contractor Acknowledgment*", dated 11/12/97.

EXHIBIT J: Surety acknowledgement form for use with contract performance and payment bonds titled "*Surety Acknowledgment*", dated 11/12/97.

The exhibit bond and related forms are available on the SPO homepage at www.spo.hawaii.gov, under the "Quick Links" section, click on "Forms for State Agencies". To view the complete listing of all current Procurement Circulars, click on "Procurement Circulars".

Questions may be directed to Justin Fo at 586-0577 or Colin Tanaka at 586-0558, or call me at 587-4700.

EXHIBIT A

SURETY [BID] [PROPOSAL] BOND

(11/17/98)

Bond No. _____

KNOW TO ALL BY THESE PRESENTS:

That we, _____,
(Full Name or Legal Title of Offeror)

as Offeror, hereinafter called Principal, and _____,
(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/County Entity)

as Owner, hereinafter called Owner, in the penal sum of _____

(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 _____

(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 _____ day of _____, _____.

(Seal)

Name of Principal (Offeror)

Signature

Title

(Seal)

Name of Surety

Signature

Title

EXHIBIT B

PERFORMANCE BOND (SURETY)

(6/21/07)

KNOW TO ALL BY THESE PRESENTS:

That _____,
(Full Legal Name and Street Address of Contractor)

as Contractor, hereinafter called Principal, and _____

(Name and Street Address of Bonding Company)

as Surety, hereinafter called Surety, a corporation(s) authorized to transact business as a surety in the State of Hawai'i, are held and firmly bound unto the _____,
(State/County Entity)

its successors and assigns, hereinafter called Obligees, in the amount of _____

DOLLARS (\$ _____), to which payment Principal and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the above-bound Principal has signed a Contract with Obligees on

_____, for the following project: _____

hereinafter called Contract, which Contract is incorporated herein by reference and made a part hereof.

NOW THEREFORE, the condition of this obligation is such that:

If the Principal shall promptly and faithfully perform, and fully complete the Contract in strict accordance with the terms of the Contract as said Contract may be modified or amended from time to time; then this obligation shall be void; otherwise to remain in full force and effect.

Surety to this Bond hereby stipulates and agrees that no changes, extensions of time, alterations, or additions to the terms of the Contract, including the work to be performed thereunder, and the specifications or drawings accompanying same, shall in any way affect its obligation on this bond, and it does hereby waive notice of any such changes, extensions of time, alterations, or additions, and agrees that they shall become part of the Contract.

In the event of Default by the Principal, of the obligations under the Contract, then after written Notice of Default from the Obligee to the Surety and the Principal and subject to the limitation of the penal sum of this bond, Surety shall remedy the Default, or take over the work to be performed under the Contract and complete such work, or pay moneys to the Obligee in satisfaction of the surety's performance obligation on this bond.

Signed this _____ day of _____, _____.

(Seal)

Name of Principal (Contractor)

* _____
Signature

Title

(Seal)

Name of Surety

* _____
Signature

Title

***ALL SIGNATURES MUST BE ACKNOWLEDGED
BY A NOTARY PUBLIC**

EXHIBIT C

PERFORMANCE BOND
(11/17/98)

KNOW TO ALL BY THESE PRESENTS:

That we, _____,
(Full Legal Name and Street Address of Contractor)

as Contractor, hereinafter called Contractor, is held and firmly bound unto the

_____, its successors and assigns, as Obligee, hereinafter called
(State/County Entity)
Obligee, in the amount of _____

(Dollar Amount of Contract)

DOLLARS (\$ _____), lawful money of the United States of America, for the payment of which to the said Obligee, well and truly to be made, Contractor binds itself, its heirs, executors, administrators, successors and assigns, firmly by these presents. Said amount is evidenced by:

- Legal tender;
- Share Certificate unconditionally assigned to or made payable at sight to
Description _____
_____;
- Certificate of Deposit, No. _____, dated _____, issued by
_____,
drawn on _____,
a bank, savings institution or credit union insured by the Federal Deposit
Insurance Corporation or the National Credit Union Administration, payable at
sight or unconditionally assigned to _____
_____;
- Cashier's Check No. _____, dated _____, issued by
_____,
drawn on _____,
a bank, savings institution or credit union insured by the Federal Deposit
Insurance Corporation or the National Credit Union Administration, payable at
sight or unconditionally assigned to _____
_____;

- Teller's Check No. _____, dated _____, issued by _____,
drawn on _____,
a bank, savings institution or credit union insured by the Federal Deposit
Insurance Corporation or the National Credit Union Administration, payable at
sight or unconditionally assigned to _____;

- Treasurer's Check No. _____, dated _____, issued by _____,
drawn on _____,
a bank, savings institution or credit union insured by the Federal Deposit
Insurance Corporation or the National Credit Union Administration, payable at
sight or unconditionally assigned to _____;

- Official Check No. _____, dated _____, issued by _____,
drawn on _____,
a bank, savings institution or credit union insured by the Federal Deposit
Insurance Corporation or the National Credit Union Administration, payable at
sight or unconditionally assigned to _____;

- Certified Check No. _____, dated _____, accepted by a
bank, savings institution or credit union insured by the Federal Deposit
Insurance Corporation or the National Credit Union Administration, payable at
sight or unconditionally assigned _____;

WHEREAS:

The Contractor has by written agreement dated _____ entered into a
contract with Oblige for the following Project: _____

hereinafter called Contract, which Contract is incorporated herein by reference and made a
part hereof.

NOW, THEREFORE,

The condition of this obligation is such that, if Contractor shall promptly and faithfully perform the Contract in accordance with, in all respects, the stipulations, agreements, covenants and conditions of the Contract as it now exists or may be modified according to its terms, and shall deliver the Project to the Obligee, or to its successors or assigns, fully completed as in the Contract specified and free from all liens and claims and without further cost, expense or charge to the Obligee, its officers, agents, successors or assigns, free and harmless from all suits or actions of every nature and kind which may be brought for or on account of any injury or damage, direct or indirect, arising or growing out of the doing of said work or the repair or maintenance thereof or the manner of doing the same or the neglect of the Contractor or its agents or servants or the improper performance of the Contract by the Contractor or its agents or servants or from any other cause, then this obligation shall be void; otherwise it shall be and remain in full force and effect.

AND IT IS HEREBY STIPULATED AND AGREED that suit on this bond may be brought before a court of competent jurisdiction without a jury, and that the sum or sums specified in the said Contract as liquidated damages, if any, shall be forfeited to the Obligee, its successors or assigns, in the event of a breach of any, or all, or any part of, the covenants, agreements, conditions, or stipulations contained in the Contract or in this bond in accordance with the terms thereof.

The amount of this bond may be reduced by and to the extent of any payment or payments made in good faith hereunder.

Signed this _____ day of _____, _____.

(Seal)

Name of Contractor

* _____
Signature

Title

***ALL SIGNATURES MUST BE ACKNOWLEDGED
BY A NOTARY PUBLIC**

EXHIBIT D

LABOR AND MATERIAL PAYMENT BOND (SURETY)
(6/21/07)

KNOW TO ALL BY THESE PRESENTS:

That _____,
(Full Legal Name and Street Address of Contractor)

as Contractor, hereinafter called Principal, and _____

(Name and Street Address of Bonding Company)

as Surety, hereinafter called Surety, a corporation(s) authorized to transact business as a surety in the State of Hawai'i, are held and firmly bound unto the _____,
(State/County Entity)

its successors and assigns, hereinafter called Obligee, in the amount of _____

_____ Dollars (\$ _____), to which payment Principal and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the above-bound Principal has signed Contract with the Obligee on _____ for the following project: _____

_____ hereinafter called Contract, which Contract is incorporated herein by reference and made a part hereof.

NOW THEREFORE, the condition of this obligation is such that if the Principal shall promptly make payment to any Claimant, as hereinafter defined, for all labor and materials supplied to the Principal for use in the performance of the Contract, then this obligation shall be void; otherwise to remain in full force and effect.

1. Surety to this Bond hereby stipulates and agrees that no changes, extensions of time, alterations, or additions to the terms of the Contract, including the work to be performed thereunder, and the specifications or drawings accompanying same, shall in any way affect its obligation on this bond, and it does hereby waive notice

of any such changes, extensions of time, alterations, or additions, and agrees that they shall become part of the Contract.

2. A "Claimant" shall be defined herein as any person who has furnished labor or materials to the Principal for the work provided in the Contract.

Every Claimant who has not been paid amounts due for labor and materials furnished for work provided in the Contract may institute an action against the Principal and its Surety on this bond at the time and in the manner prescribed in Section 103D-324, Hawai'i Revised Statutes, and have the rights and claims adjudicated in the action, and judgment rendered thereon; subject to the Obligee's priority on this bond. If the full amount of the liability of the Surety on this bond is insufficient to pay the full amount of the claims, then after paying the full amount due the Obligee, the remainder shall be distributed pro rata among the claimants.

Signed this _____ day of _____, _____.

(Seal)

Name of Principal (Contractor)

*

Signature

Title

(Seal)

Name of Surety

*

Signature

Title

***ALL SIGNATURES MUST BE ACKNOWLEDGED
BY A NOTARY PUBLIC**

EXHIBIT E

LABOR AND MATERIAL PAYMENT BOND
(11/17/98)

KNOW TO ALL BY THESE PRESENTS:

That we, _____,
(Full Legal Name and Street Address of Contractor)

as Contractor, hereinafter called Contractor, is held and firmly bound unto the

_____, its successors and assigns, as Obligee, hereinafter called
(State/County Entity)

Obligee, in the amount of _____

(Dollar Amount of Contract)

DOLLARS (\$ _____), lawful money of the United States of America, for the payment of which to the said Obligee, well and truly to be made, Contractor binds itself, its heirs, executors, administrators, successors and assigns, firmly by these presents. Said amount is evidenced by:

- Legal tender;
- Share Certificate unconditionally assigned to or made payable at sight to

Description _____
_____;

- Certificate of Deposit, No. _____, dated _____, issued by

drawn on _____,
a bank, savings institution or credit union insured by the Federal Deposit
Insurance Corporation or the National Credit Union Administration, payable at
sight or unconditionally assigned to _____
_____;

- Cashier's Check No. _____, dated _____, issued by

_____,
drawn on _____, a
bank, savings institution or credit union insured by the Federal Deposit
Insurance Corporation or the National Credit Union Administration, payable at
sight or unconditionally assigned to _____
_____;

Teller's Check No. _____, dated _____, issued by
_____,
drawn on _____,
a bank, savings institution or credit union insured by the Federal Deposit
Insurance Corporation or the National Credit Union Administration, payable at
sight or unconditionally assigned to _____
_____;

Treasurer's Check No. _____, dated _____, issued by
_____,
drawn on _____,
a bank, savings institution or credit union insured by the Federal Deposit
Insurance Corporation or the National Credit Union Administration, payable at
sight or unconditionally assigned to _____
_____;

Official Check No. _____, dated _____, issued by
_____,
drawn on _____,
a bank, savings institution or credit union insured by the Federal Deposit
Insurance Corporation or the National Credit Union Administration, payable at
sight or unconditionally assigned to _____
_____;

Certified Check No. _____, dated _____, accepted by a
bank, savings institution or credit union insured by the Federal Deposit
Insurance Corporation or the National Credit Union Administration, payable at

sight or unconditionally assigned to _____
_____;

WHEREAS:

The Contractor has by written agreement dated _____ entered into a contract with Obligee for the following Project: _____

hereinafter called Contract, which Contract is incorporated herein by reference and made a part hereof.

NOW, THEREFORE,

The condition of this obligation is such that, if Contractor shall promptly and faithfully perform the Contract in accordance with, in all respects, the stipulations, agreements, covenants and conditions of the Contract as it now exists or may be modified according to its terms, free from all liens and claims and without further cost, expense or charge to the Obligee, its officers, agents, successors or assigns, free and harmless from all suits or actions of every nature and kind which may be brought for or on account of any injury or damage, direct or indirect, arising or growing out of the doing of said work or the repair or maintenance thereof or the manner of doing the same or the neglect of the Contractor or its agents or servants or the improper performance of the Contract by the Contractor or its agents or servants or from any other cause, and shall promptly pay all persons supplying labor and materials for the performance of the Contract, then this obligation shall be void; otherwise it shall be and remain in full force and effect.

AND IT IS HEREBY STIPULATED AND AGREED that suit on this bond may be brought before a court of competent jurisdiction without a jury, and that the sum or sums specified in the said Contract as liquidated damages, if any, shall be forfeited to the Obligee, its successors or assigns, in the event of a breach of any, or all, or any part of, the covenants, agreements, conditions, or stipulations contained in the Contract or in this bond in accordance with the terms thereof.

AND IT IS HEREBY STIPULATED AND AGREED that this bond shall inure to the benefit of any and all persons entitled to file claims for labor performed or materials furnished in said work so as to give any and all such persons a right of action as contemplated by Sections 103D-324(d) and 103D-324(e), Hawai'i Revised Statutes.

The amount of this bond shall be reduced by and to the extent of any payment or payments made in good faith hereunder, inclusive of the payment of mechanics' liens which

may be filed of record against the Project, whether or not claim for the amount of such lien be presented under and against this bond.

Signed this _____ day of _____, _____.

(Seal)

Name of Contractor

* _____
Signature

Title

***ALL SIGNATURES MUST BE ACKNOWLEDGED
BY A NOTARY PUBLIC**

EXHIBIT G

**PERFORMANCE BOND (SURETY)
FOR SUPPLEMENTAL AGREEMENT
FOR GOODS AND SERVICES
(11/17/98)**

KNOW TO ALL BY THESE PRESENTS:

That _____,
(Full Legal Name and Street Address of Contractor)

as Contractor, hereinafter called Principal, and _____

(Name and Street Address of Bonding Company)

as Surety, hereinafter called Surety, a corporation(s) authorized to transact business as a surety in the State of Hawaii, are held and firmly bound unto the _____,
(State/County Entity)

its successors and assigns, hereinafter called Obligee, in the amount of

DOLLARS (\$ _____), to which payment Principal and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the above-bound Principal has entered into a Contract with Obligee dated _____ for _____

_____;

and entered into Supplemental Agreement No. _____, dated _____ for the period _____;

hereinafter collectively called Contract, which Contract is incorporated herein by reference and made a part hereof.

NOW THEREFORE, the condition of this obligation is such that:

If the Principal shall promptly and faithfully perform, and fully complete the Contract in strict accordance with the terms of the Contract as said Contract may be modified or amended from time to time; then this obligation shall be void; otherwise to remain in full force and effect.

Surety to this Bond hereby stipulates and agrees that no changes, extensions of time, alterations, or additions to the terms of the Contract, including the work to be performed thereunder, and the specifications or drawings accompanying same, shall in any way affect its obligation on this bond, and it does hereby waive notice of any such changes, extensions of time, alterations, or additions, and agrees that they shall become part of the Contract.

In the event of Default by the Principal, of the obligations under the Contract, then after written Notice of Default from the Obligee to the Surety and the Principal, Surety shall either remedy the Default, or take over the work to be performed under the Contract and complete such work, subject, however, to the limitation of the penal sum of this bond.

Signed this _____ day of _____, _____.

(Seal)

Name of Principal (Contractor)

*

Signature

Title

(Seal)

Name of Surety

*

Signature

Title

*ALL SIGNATURES MUST BE ACKNOWLEDGED
BY A NOTARY PUBLIC

EXHIBIT H

**PERFORMANCE BOND
FOR SUPPLEMENTAL AGREEMENT
FOR GOODS AND SERVICES
(11/17/98)**

KNOW TO ALL BY THESE PRESENTS:

That we, _____,
(Full Legal Name and Street Address of Contractor)
as Contractor, hereinafter called Contractor, is held and firmly bound unto the

_____, its successors and assigns, as Obligee, hereinafter called Obligee,
(State/County Entity)
in the amount of _____
(Dollar Amount of Contract)

DOLLARS (\$ _____), lawful money of the United States of America, for the payment of which to the said Obligee, well and truly to be made, Contractor binds itself, its heirs, executors, administrators, successors and assigns, firmly by these presents. Said amount is evidenced by:

- Legal tender;
- Share Certificate unconditionally assigned to or made payable at sight to _____;
Description _____;
- Certificate of Deposit, No. _____, dated _____ issued by _____,
drawn on _____,
a bank, savings institution or credit union insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration, payable at sight or unconditionally assigned to _____;
- Cashier's Check No. _____, dated _____, drawn on _____,
a bank, savings institution or credit union insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration, payable at sight or unconditionally assigned to _____;
- Teller's Check No. _____, dated _____, drawn on _____,
a bank, savings institution or credit union insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration, payable at sight or unconditionally assigned to _____;

- Treasurer's Check No. _____, dated _____, drawn on _____, a bank, savings institution or credit union insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration, payable at sight or unconditionally assigned to _____;
- Official Check No. _____, dated _____, drawn on _____, a bank, savings institution or credit union insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration, payable at sight or unconditionally assigned to _____;
- Certified Check No. _____, dated _____, accepted by a bank, savings institution or credit union insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration, payable at sight or unconditionally assigned to _____;

WHEREAS:

The Contractor has by written agreement dated _____ entered into a contract with Obligee for the following Project: _____

_____ and entered into Supplemental Agreement No. _____, dated _____ for the period _____; hereinafter collectively called Contract, which Contract is incorporated herein by reference and made a part hereof.

NOW, THEREFORE,

The condition of this obligation is such that, if Contractor shall promptly and faithfully perform the Contract in accordance with, in all respects, the stipulations, agreements, covenants and conditions of the Contract as it now exists or may be modified according to its terms, and shall deliver the Project to the Obligee, or to its successors or assigns, fully completed as in the Contract specified and free from all liens and claims and without further cost, expense or charge to the Obligee, its officers, agents, successors or assigns, free and harmless from all suits or actions of every nature and kind which may be brought for or on account of any injury or damage, direct or indirect, arising or growing out of the doing of said work or the repair or maintenance thereof or the manner of doing the same or the neglect of the Contractor or its agents or servants or the improper performance of the Contract by the Contractor or its agents or servants or from any other cause, then this obligation shall be void; otherwise it shall be and remain in full force and effect.

AND IT IS HEREBY STIPULATED AND AGREED that suit on this bond may be brought before a court of competent jurisdiction without a jury, and that the sum or sums specified in the said Contract as liquidated damages, if any, shall be forfeited to the Obligee, its successors or assigns, in the event of a breach of any, or all, or any part of, the covenants, agreements, conditions, or stipulations contained in the Contract or in this bond in accordance with the terms thereof.

The amount of this bond may be reduced by and to the extent of any payment or payments made in good faith hereunder.

Signed this _____ day of _____, _____.

(Seal)

Name of Contractor

* _____
Signature

Title

***ALL SIGNATURES MUST BE ACKNOWLEDGED
BY A NOTARY PUBLIC**

EXHIBIT I

CONTRACTOR ACKNOWLEDGMENT

[FOR USE WITH PERFORMANCE AND PAYMENT BONDS]
(11/12/97)

CONTRACTOR ACKNOWLEDGMENT:

STATE OF _____)
: SS.

_____ COUNTY OF _____)

On this _____ day of _____, 20____, before me appeared

_____ and _____
to me known to be the person(s) described in and, who, being by me duly sworn, did say
that he/she/they is/are _____ and _____ of

_____ of
the Contractor named in the foregoing instrument, and that he/she/they is/are authorized
to sign said instrument in behalf of the Contractor, and acknowledges that he/she/they
executed said instrument as the free act and deed of the Contractor.

(Notary Seal)

Notary Public

State of _____

My commission expires: _____

EXHIBIT J

SURETY ACKNOWLEDGMENT

[FOR USE WITH SURETY PERFORMANCE AND PAYMENT BONDS]
(11/12/97)

SURETY ACKNOWLEDGMENT:

STATE OF _____)
: SS.

_____ COUNTY OF _____)

On this _____ day of _____, 20____, before me personally came _____ to me known to be the person described in and, who, being by me, did depose and say that _____ resides in _____; that _____ is the Attorney-in-Fact of _____ the corporation described in and which executed the attached instrument; that _____ knows corporate seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; and that it was so affixed by order of the Board of Directors of the said corporation; and that _____ signed _____ name thereto by like order.

(Notary Seal)

Notary Public

State of _____

My commission expires: _____

FORM 1

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

I. Bidder's Identifying Information			
A. Legal Business Name: _____			
B. Project Bid Title & Reference No.: _____			
C. Contact Person's Name: _____			
1. Phone No.: _____		2. E-Mail: _____	
II. Apprenticeable Trades To Be Employed*	B. Apprenticeship Sponsor*	C. No. Enrolled	D. No. Completed
A. (List)	(One Sponsor Per Form)	(# of apprentices currently enrolled as of bidder's request date)	(# of apprentices who completed the apprenticeship program in the 12 months prior to request date)
1.			
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)		B. Title	
_____		_____	
C. Signature (original signature required)		D. Date	
IV. Apprenticeship Sponsor's Contact Information			
A. Training Coordinator's Name: _____			
B. Address: _____			
C. Phone No.: _____		D. E-Mail: _____	E. Fax No: _____
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.			
_____		_____	
A. Name of Authorized Official		B. Title	
_____		_____	
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.

FORM 2

MONTHLY REPORT OF CONTRACTOR'S PARTICIPATION IN APPROVED APPRENTICESHIP PROGRAM UNDER ACT 17

I. Contractor's Identifying Information		II. Reporting Period	
A. Legal Business Name:		A. Month:	B. Year:
B. Project Contract Title & Reference No.:			
C. Contact Person's Name:			
1. Phone No.:		2. E-Mail:	
III. Apprenticeship Program (Complete a separate form for <i>each</i> apprenticeship program in which workers are employed on the project.)			
A. Contractor was a party to an apprenticeship program or programs with the following sponsor: (Give sponsor's name.)*		B. Was the contractor a party to the program during the <i>entire</i> report month?	
		1. Yes <input type="checkbox"/>	
		2. No <input type="checkbox"/> If NO, state applicable period and why (may be subject to sanctions.)	
IV. Contractor'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)		B. Title	
_____		_____	
C. Signature (original signature required)		D. Date	
V. Apprenticeship Sponsor's Contact Information			
A. Training Coordinator's Name:			
B. Address:			
C. Phone No.:		D. E-Mail:	E. Fax No.:
VI. 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.			
_____		_____	
A. Name of Authorized Official		B. Title	
_____		_____	
C. Signature (original signature required)		D. Date	

* Name of 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.

**CERTIFICATION OF COMPLIANCE
FOR
EMPLOYMENT OF STATE RESIDENTS
HRS CHAPTER 103B, AS AMENDED BY ACT 192, SLH 2011**

Project Title: _____
Agency Project No: _____
Contract No.: _____

As required by Hawai'i Revised Statutes Chapter 103B, as amended by Act 192, Session Laws of Hawaii 2011—Employment of State Residents on Construction Procurement Contracts, I hereby certify under oath, that I am an officer of _____ and
(Name of Contractor or Subcontractor Company)
for the Project Contract indicated above, _____ was in
(Name of Contractor or Subcontractor Company)
compliance with HRS Chapter 103B, as amended by Act 192, SLH 2011, by employing a workforce of which not less than eighty percent are Hawai'i residents, as calculated according to the formula in the solicitation, to perform this Contract.

- I am an officer of the **Contractor** for this contract.
- I am an officer of a **Subcontractor** for this contract.

CORPORATE SEAL

(Name of Company)

(Signature)

(Print Name)

(Print Title)

Subscribed and sworn to me before this
____ day of _____, 2011.

Doc. Date: _____ # of Pages _____ 1st Circuit

Notary Name: _____

Doc. Description: _____

Notary Public, 1st Circuit, State of Hawai'i
My commission expires: _____

Notary Signature _____ Date

NOTARY CERTIFICATION

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
LAND DEVELOPMENT DIVISION

DAILY PROJECT REPORT

PROJECT:		REPORT NO.:	
		DATE:	
IFB / RFQ NO.:		DAY	
CONTRACTOR:		SITE INSPECTOR:	
SUPERINTENDANT:		PROJECT MANAGER:	
WEATHER:		CONDITION:	
<input type="checkbox"/> CLEAR	<input type="checkbox"/> CLOUDY	<input type="checkbox"/> RAIN	<input type="checkbox"/> WINDY
<input type="checkbox"/> DRY	<input type="checkbox"/> DAMP	<input type="checkbox"/> MUDDY	<input type="checkbox"/> DUSTY

WORKERS ON THE PROJECT

TRADE:

ENVIRONMENTAL	STRUCT. STEEL	CARPENTRY - RGH	DRYWALL	ELECTRICAL - EXT
LANDSCAPING	MASONARY	CARPENTRY - FIN	HARD TILE	ELECTRICAL - INT
GRADING	SPECIALIST	ROOFING	FLOORING CARPET	FIRE SYSTEM
FOUNDATION - PILE	OPERATORS	WATERPROOF	CEILING	SOLAR HOT WATER
FOUNDATION - REG	LABORERS	PAINTERS	AIR COND / VENT	PHOTOVOLTAIC
REINF. STEEL	JANITORS	GLASS / GLAZIERS	PLUMBER	SHEETMETAL

CLASSIFICATION:	Foreman / Operator	<u>NO. OF PEOPLE</u>	<u>TOTAL HOURS</u>
	Laborers		

WORK IN PROGRESS:

OBSERVED DEFECTIVE / CORRECTIVE WORK:

OBSERVED EQUIPMENT ON SITE:

MATERIALS DELIVERED TODAY:

TESTING DONE TODAY:

QUESTIONS OR PROBLEMS:

REMARKS:

Daily Photos

Start of day	Main activity
Material, Equipment & Truck	Misc. activity
Testing / Inspectors	Weather
Sub's activity	Sub's personnel
Site / Clean-up	End of day

Prepared By

Reviewed and Accepted

Name and Title of Authorized Representative

Name and Title of Authorized Representative

Signature and Date

Signature and Date