

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION

ADDENDUM NO. 2

FOR

QUEEN KAAHUMANU HIGHWAY WIDENING, PHASE I,  
HENRY STREET TO KEALAKEHE PARKWAY  
FEDERAL AID PROJECT NO. NH-019-1(20)

DISTRICT OF NORTH KONA  
ISLAND OF HAWAII

FY 2005

Amend the Multi-Step Procurement Bid Documents as follows:

**I. NOTICE TO BIDDERS** - Amend the 2<sup>nd</sup> paragraph on page NB-2 with the following:

"Step One – Ten copies of the Qualification Proposal must be received at the Contracts Office, Department of Transportation, 869 Punchbowl Street, Honolulu, Hawaii 96813 or at the office of the District Engineer – Hawaii, 50 Makaala Street, Hilo, Hawaii 96720, no later than 4:30 p.m., January 12, 2005. It is the proposer's responsibility to ensure that the above offices receives the Qualification Proposal on time."

**II. QUALIFICATION PROPOSAL (STEP ONE)**

**A.** Amend the fifth paragraph on page QP-2 to read:

"Additionally, submit a completed Conflict of Interest (COI) Disclosure Form as a tabbed Appendix. A blank form is provided after the Technical Provisions. Failure to submit completed COI Disclosure Forms by the General Contractor and all of tiers of its subcontractors (i.e. engineering, environmental, or architectural consultants) will automatically designate the proposer as non responsive to this solicitation. All potential conflicts of interest must be disclosed in the COI Disclosure Form. The proposer may include a conflict mitigation plan as described in the COI disclosure form. If the proposer was aware of an organizational COI as defined in the COI form prior to award of the contract and did not disclose the conflict or

potential COI to HDOT, HDOT may automatically disqualify the proposer from further consideration, or may terminate the contract for default if discovery is made after contract execution. Attach completed COI forms as a tabbed Appendix to the Qualifications Proposal. The separately sealed financial documents, the COI forms and tabs will not count against the Qualification Proposal 100-page limitation.

The COI forms shall be used throughout the term of the contract to disclose any conflicts that may arise (i.e. new contract awards, replacement of subcontractors/subconsultants, etc.)”

- B. Amend the first paragraph on page QP-4 to read:

“The total number of pages including all introductory letters, evaluation criteria items, exhibits, and references shall not exceed 100 pages. Tabs and Conflict of Interest Forms will not be counted as a page. A penalty of one point per page will be deducted from the total score if the number of pages exceeds 100 total. If double sided pages are used, each printed face will count as one page. (Example, 2 sheets of paper with one sheet with double sided print and one sheet with single sided print will count as three pages.) All pages shall be numbered.”

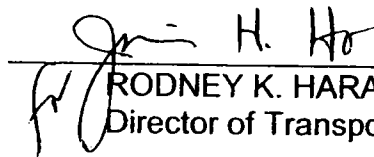
### **III. CONFLICT OF INTEREST (COI) DISCLOSURE FORM**

Amend Conflict Category nos. 3 and 4 on page 2 of 5 of the COI form to read:

- “3. Any firm who assisted HDOT or HDOT’s agent in preparing various Request for Proposal (RFP) documents, and where that same firm is also partnering on the Contractor’s Design-Build team for the project. Applicable RFP documents includes but is not limited to:
- A. Technical Provisions;
  - B. Plan Sheets;
  - C. Special Provisions;
  - D. Geotechnical Borings; and
  - E. Any environmental document where specific recommendations or mitigation items are required as part of the project scope.
4. Any firm who is currently defending HDOT against a lawsuit, claim, informal claim, or notice of claim, by a contractor or subcontractor, and where that same firm is also partnering with the same contractor for this project. Also, any firm who is currently providing post design or construction management services for HDOT for any project where the contractor is their partner;”

- IV. The attached pre-proposal meeting minutes and attendance sheet are attached for information only.

Please acknowledge receipt of this Addendum No. 2 by recording the date of its receipt in the space provided on Page P-4 of the Proposal.

  
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RODNEY K. HARAGA  
Director of Transportation

### **MANDATORY PRE-BID MEETING**

Federal Aid Project No. NH-019-1(19)  
Queen Kaahumanu Highway Widening, Phase I,  
Henry Street to Kealahou Parkway  
9:00 a.m., December 14, 2004  
Oahu District Office, Large Conference Room  
727 Kakoi Street; Honolulu, Hawaii 96819

- I. Kevin Ito, Project Manager; introduced Gerald Yanagida, DBE Officer; Jamie Ho, Contracts Officer; and Jeffrey Fujimoto, Technical Design Services Office Head, who is responsible for contracts for the Highways Division.
- II. Jamie Ho welcomed all and stated that this meeting is to clarify any questions and that any changes will be made by an addendum. In federal government, this is called design/build but actually is a two-step bid. Because this is a mandatory meeting, everyone was reminded to complete the sign-in sheet and that bids will not be accepted if you do not sign in. Intent to bid is no longer a requirement of the Department.

Step 1, the qualification step, is due on January 7, 2005. Thereafter, Kevin Ito's evaluation committee will evaluate proposals for qualification to Step 2. Step 2, a regular construction bid, is due at 2:00 p.m., February 17, 2005. Both steps may be submitted at the Hilo District Office or the Contracts Office in Honolulu. Since this is a federally funded project, the DBE goal is 13 percent. Forms have been revised slightly. There is a bid security requirement of five percent of the bid amount and you must indicate what form of security you will be providing. Acknowledgement of addendums issued by the HDOT is required. Your DBE project goal must be completed. You need to submit sub listing sheets with dollar amounts with the confirmation form five working days after bid opening with name, phone and fax numbers to Kevin Ito. All bidders are required to do this.

The bidder's A license is not required until after award of contract. All subcontractors don't have to be licensed until they start their work. List design team on page five, attach additional sheet for second tier designers. Be sure to inform the Contracts Office of address change because checks issued by the Department of Accounting and General Services cannot be forwarded. Complete your proposal on the forms provided (two pages) for sealed bid for phase two. DOT required change will be by change order. Contact person is Kevin Ito, phone no. 692-7548.

DBE specs have been also revised. You no longer need to do the monthly payment report, just the final payment report at the end of the project. This is replaced by the prompt payment certification submitted with your monthly payment, which should be much shorter. Also, no longer need to submit the statement of affirmation. The proposal and DBE plans have been modified.

- III. Kevin Ito explained for those qualified to bid will be provided with whatever information the State has along with certain assumptions by the contractor and the design team to come up with a lump sum price. The proposal schedule included in the document is intended for use in awarding the project based on a low bid. There could be situations of a change during the design or construction of the project but it would be a differing type condition or an error in the information provided, such as the topo but not that the design plans were incorrect. Some of the risks lie with the contractor.
- IV. Gerald Yanagida reviewed the DBE requirements, contract goals. During the past year or two, it was not specified regarding project goals. The Federal Highway Administration became concerned that DBE participation declined and what could be done to improve DBE participation. We have to go backwards in this situation to having contract goals. In your attempts to attain the 13 percent project goal, you need to document all efforts taken to include DBEs in this project (copies of ads, trade publication ads, solicitation letters to DBEs, including responses or non-responses to these DBEs, records of telephone contacts and followups. Also, if you encounter State contractors or subconsultants that may be eligible to become DBE certified, refer them to Melanie Martin of our DBE Office at 587-2023. She can assist in getting them certified and can provide you with the necessary certification documents. If you are the low bidder on this particular project, you will be required to meet the DBE goal of 13 percent. Start with a base estimate in terms of what your total project will be and 13 percent of that would be your base number in terms of your DBE subcontractor. This shows us that you have a game plan. For second tier subconsultant or contractor, be sure to include the dollar amount to receive credit for DBE participation.
- V. Kevin Ito explained the statement of work is to provide design and construction services, plans to be completed by the designer shall be endorsed by State of Hawaii Board of Licensed Professional Engineers, Architect and/or Landscape Architect. The construction of the improvements shall be in accordance with the plans and specifications developed by the contractor and accepted by HDOT. Need to assure compliance with all permits, conditions and requirements, with special attention directed to archaeological preservation requirements. Two outstanding permits to be obtained are CDUA permit and the Coastal Zone Management Federal Consistency Determination. Also need to acquire any typical construction grading building permits, and comply with requirements for utility relocation work which involves coordination with the major utilities, e.g., telephone, electric, cable.

There are also provisions to accommodate the Ironman Triathlon. Advance construction may be allowed according to the statement of work. During design, there may be certain items of work the Department may approve for initiating construction. In the spirit of design/build, the intent is to allow design and construction to happen simultaneously to a certain extent as allowed by the bid document.

The contract time is 600 calendar days, which includes design and construction. The information described on Info page 1 and 2 will be provided in the second step for the qualified bidders. These documents are to assist in preparation of your lump sum bid price. What is available in the first phase, Step one, is the bid document itself. All other information will be provided to the qualified bidders in step two.

## VII. Questions and Answers:

1. If the designer worked on the original project as a subconsultant, would that be considered a disqualification? As an example, preparation of some of the RFP information (drawings/ specifications)?

**Answer:** It depends on what type of work sub involved in the RFP. For instance, geological work, that you would know about but other bidders would not have that information, then that would give you an unfair advantage.

Soils report, surveys, environmental assessments, etc., would be made available to all contractors so that would not appear to be a conflict of interest. It is important to demonstrate in the conflict of interest document that there is no apparent unfair advantage.

This will be clarified as soon as possible in an addendum.

2. If the State determines a certain subconsultant is involved in a conflict of interest, would there be an opportunity to replace the subconsultant and not be disqualified?

**Answer:** Right now, as stated on the form, the contractor would be disqualified. If this is to be changed, an addendum will be issued, assuming that the committee determines a conflict of interest exists even after the mitigative measures are described and whether there will be an opportunity to replace the subconsultant as well. We don't want to discourage use of any consultant and we will alleviate the concerns in a timely manner.

3. There was mention of making plans available. Your evaluation criteria for qualifying included requirements on discussion on design approach, construction method, traffic control and also a schedule. This would be hard to do without knowing what the project involves. For a meaningful schedule, need access to drawings.

**Answer:** In the statement of work, there are descriptive items on what is required; however, we will consider the concerns and issue an addendum to make the plans available accordingly. Right now, plans are not available in step one; the intent is to get the qualification phase done. We want to minimize the preparation work; and, we did not want the designers or contractors to be concerned with details of the project plans itself. We may need to make an adjustment to the criteria or we may provide the plans.

If changes are made, we will afford a reasonable time to obtain a reasonable bid.

5. How many design/build projects? Qualification proposal, asks for past performance of similar scope projects worked on and successfully completed? Is this a fair question to pose? Knowing that this a new concept and a lot teams have not done this type of work, is there a way to delete it? You're putting that one team that did that one completed project at an unfair advantage to the rest of the teams.

**Answer:** Two in construction/design right now. One completed project. We will consider past performance on this type of project or similar, even other government or private projects. We consider past performance as a preference and not an unfair advantage.

6. How will DOT manage project?

**Answer:** Construction management to be done by State, whether by a private construction management company or State staff is still undetermined. The actual inspection work and management is overseen by the State. Construction management, material testing and sampling will be similar to the traditional design-bid-build method for this project.

VII. Kevin Ito thanked everyone for their time and reminded all to complete the sign-in sheet. You will not be allowed to bid if you have not signed in.

Meeting adjourned at 9:50 a.m.

Attachment (List of Attendees)

QUEEN KAAHUMANU HIGHWAY WIDENING, PHASE I, HENRY STREET TO KEALAKEHE PARKWAY  
FAP NO.: NH-019-1(19)

12-14-04 - 9:00 AM

PRE-PROPOSAL MEETING SIGN-IN SHEET

	Name	Company	Phone Number	FAX Number	Email address
1.	G. MANAELDA	HWY-C	587-2624		
2.	ROLLANO BADUA	DICK PACIFIC	533-5119	533-5339	rbadua@dickpacific.com
3.	HUGH T. OWO	SSFM INTERNATIONAL	959-2787	same	hono@ssfm.com
4.	JOHN ROMANOWSKI	JAS. W. GLOVER, LTD.	591-8977	591-0309	johnr@gloverltd.com
5.	JANE SESS	GOODFELLOW BROS.	882-6511	882-6522	jimf@gbi.mau.com
6.	GREG PETERSON	" "	879-5205	"	greg@goodfbi.com
7.	ED BROWN	" "	887-6511	887-6522	EDBR@GSI.MAUI.COM
8.	DENNIS HIROTA	Sam O. Hirota	237-3217	524-6313	dhirota@aloha.net
9.	CHAD MCNEALD	HIKUNAKA ASSOC.	946-7888 x156	946-7563	HIKUNAKA-CHIEF@HAWAII.PC.COM
10.	Randy Matsumoto	Grace Pacific	842-3227	842-3203	rmatsumoto@gracepacific.com
11.	STEVEN SAKAGUCHI	HAWAII. OVERSEAS	735-3267	735-3232	SSAKAGUCHI@HAWAII.COM



	Name	Company	Phone Number	FAX Number	Email address
12.	Rudy Morishita	Hawn Dredging	735-3211	735-3232	rmorishita@hdcc.com
13.	Jamie Wisenbaker	Kiewit Pacific Co.	674-1088	674-1233	jamie.wisenbaker@kpc-kiewit.com
14.	Lance Wilhelms	Kiewit Pacific	674-1088	674-1233	lance.wilhelms@kiewit.com
15.	Neal Fukumitsu	WR Seawater	536-4495	524-4466	nfukumitsu@wrsga.hi
16.	DERON SPENCER	ISEMOTO CONTRACTING	329-8051	329-3261	deron@icckona.com
17.	WONG VEE	M&E Pacific	961-2116	935, 5934	WONG.VEE@M-E.COM
18.	JOY MURAKAMI	SSPM	531-1308	521-7348	cmurakami@sspm
19.	Jamie Ho	DOT	587- <del>2132</del>	587-2132	jamie.ho@hawaii.gov
20.	ATHER DAN	HAWAII ENGG GRP	486-2092	486-9261	hego@hawaiiengineering.net
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