STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION

ADDENDUM NO. 3

REQUEST FOR PROPOSALS
FOR
QUEEN KAAHUMANU HIGHWAY WIDENING
PHASE 2
KEALAKEHE PARKWAY TO KEAHOLE AIRPORT ROAD
FEDERAL-AID PROJECT NO. NH-019-1(38)R
DISTRICT OF NORTH KONA
ISLAND OF HAWAII
2009

Amend the bid documents as follows:

1. REQUEST FOR PROPOSALS

a. The Phase II deadline has been rescheduled. Replace the 11th paragraph of the Request for Proposals notice with the following:

"**Phase II** – The top three proposers shall submit proposals (design concept documents and price) to the Contracts Office no later than 2:00 p.m., **February 22, 2010**. Additionally, the HDOT may conduct interviews with each proposer to provide the proposer an opportunity to present their design concept and to answer any questions the HDOT may have."

2. TECHNICAL PROVISIONS

a. Replace the Typical Section after page TP-70 dated March 2008 with the attached Typical Section dated September 2008.

3. CONFLICT OF INTEREST (COI) DISCLOSURE FORM

a. Replace pages 1 thru 5 of the CONFLICT OF INTEREST (COI) DISCLOSURE FORM dated 2/19/08 with the attached CONFLICT OF INTEREST (COI) DISCLOSURE FORM pages 1 thru 5 dated 1/07/10. All respondents shall re-submit their CONFLICT OF INTEREST (COI) DISCLOSURE FORM by email to the following address: henry.kennedy@hawaii.gov; or FAX to the following number: 692-7555, attention: Henry Kennedy by **February 22, 2010**.

4. FEDERAL WAGE RATES

a. Replace the Federal Wage Rates dated September 25, 2009 with the attached Federal Wage Rates dated January 8, 2010.

5. QUESTIONS

a. The following questions were submitted for clarification, the answer shall be considered a part of the bid documents:

Q1: Is there any chance of postponing the bid date?
A1: Yes, the Design Concept Document submittal deadline has been changed to Feb. 22, 2010.

Q2: The DBE solicitation and subcontractor listing rules seem to better apply to the more traditional design-bid-build approach? with confidential design concepts it is very hard to solicit to a large number of DBE firms who resitde in a pool equally shared by our competitors. The design is at a schematic level at best and a rebid/clarification pricing round will be required to make sure the process is fare, meaning how can we accurately list DBE subcontractors this early in the process? we did originally but it was a very confusing and ambiguous decision process and we would like to eliminate all doubt this time around? Most DBE contractors are very small and should not be added so early in the process before the details of their work can be properly communicated to them? We need much clarification on this issue so it does not become an area of potential protest?
A2: There is no specific DBE goal, however, HDOT would like to encourage the use of DBEs. The Contractor is only required to make a good faith effort.

Q3: Do we need to list all subcontractors that will ultimately be used on the project up front? does this include professional service providers?
A3: Yes, the bidder shall list all subcontractors that will be used on the project. Please divide this list between design and construction.

Q4: If we need to make additions to our team how do we handle the Conflict of Interest form that was required during the qualification phase of the project? and where do we draw the line between professional services providers (engineering firms, archeologist, testing, inspection) and more traditional subcontractors (paving, concrete, signage, etc.)?
A4: The bidder is directed to include any amendments to their Conflict of Interest declarations with their Design Concept submittal or, if selected, as needed when additions are made to your team.

Q5: We plan to submit 3 physical volumes representing the "Design Concept Documents" (Volume 1 - 8 1/2" x 11" three ring binder:

calculations, anticipated permits/clearances, proposed materials list, draft QC plan, CD's)/(Volume 2 - 11" x 17" spiral bound "renderings")/(Volume 3 - 11" x 17" normally bound "schematic" drawings). We will submit (15) sets (3 volumes each) as per the RFP. Will this be acceptable?
A5: Yes, provided that the bidder complies with the Design Concept Document submittal requirements as set forth on page TP-66.

Q6: What suppliers, manufactures, etc. are required to be listed on page P-6 of the price proposal documents? (there will be many such companies involved in this project, many of which can be identified prior to bid).
A6: The primary purpose of page P-6 is to provide documentation of DBE participation. Please keep in mind that there is no specific DBE goal, however, HDOT would like to encourage the use of DBEs. The Contractor is only required to make a good faith effort.

Q7: What if the subcontractor/supplier is a federally certified DBE, but not a HDOT certified DBE? will they count towards the ultimate goal? or do we only include HDOT certified DBE's in the calculation?
A7: The DBE status must be HDOT certified. Please keep in mind that there is no specific DBE goal, however, HDOT would like to encourage the use of DBEs. The Contractor is only required to make a good faith effort.

Q8: Please explain the 1. --- 1a. relationship found on pages P-5 and P-6 of the price proposal?
A8: The first number is for the first tiered subcontractor, and the "a" designation is for the subcontractor's subcontractor (second tier subcontractor) if applicable. The second tier subs must be listed when the General Contractor needs to use their DBE percent contributions to meet a DBE goal. Please keep in mind that there is no specific DBE goal, however, HDOT would like to encourage the use of DBEs. The Contractor is only required to make a good faith effort.

Q9: On page 8 of the price proposal it breaks out Roadway Pavement for Part B - however page TP-3, item 3... creates some confusion please clarify the definition of the terms "all necessary traffic control and/or other features required for phasing operation and safety pertaining to this work shall be considered incidental to the Roadway Pavement (Part B) cost." Since price is an evaluation factor this is an important detail. Many items can be placed in this section (such as signage, striping, signalization, base aggregate, etc.), which will make future budget discussions with the successful low bidder very difficult since all these items are also represented in the individual items on the proposal schedule.
A9: The bidder's basis of bid must be detailed in his calculations.

Q10: Can we show Hulikoa and "Part B" and the associated time savings all on the same schedule as long as it is clear? this will save having to create 15 sets of 3 different schedules?
A10: Yes.

Q11: Please clearly define the limits for all the F.A. (especially 401.1000, 401.3000, 626.0100 - 0300) items included in the proposal schedule? these items, if loosely interpreted, could arguably absorb many costs that should rightfully be included in other items on the proposal schedule?
A11: Please note that Bid Item No. 401.1000 is a lump sum item and is not force account. Also, there is no Bid Item Nos. 626.0100 – 0300, we assume that you are referring to Bid Item Nos. 627.0100 - 0300. The intention of paying items as force account as opposed to lump sum or per measurement is because of the indefinite scope nature of the bid item. Because of this, it is difficult to define the limits of work for these items. It is the intent of this RFP to limit the work covered under these items to strictly what is defined under the 'Description' portion of the Special Provisions for each respective section.

Q12: Please better explain the submittal of short supply letters? do we need to submit short supply letters for all suppliers that would potentially supply oil, fuel, steel, cement, etc.?
A12: The bidder is referred to sheet P-12 which identifies the short supply materials for this project. The purpose of the short supply letters are to protect against price fluctuations of these short supply materials. Short supply documentation should be submitted corresponding to the bidder's bid price for these materials.

Q13: At the Hulikoa Intersection, should there be double or single left turns?
A13: Attached for clarification is Figure 2 – Revised Interim Intersection Configuration (Tab A). This figure replaces Figure 6 – Short-Term Intersection Configuration of the bid documents. The attached sketch shows the interim condition to which the bidder is required to construct. Please note that both the westbound and eastbound lanes should have an exclusive right turn lane as opposed to the shared right/ thru lanes shown. In addition, the long-term intersection, shown in cross-hatch, shows the ultimate build-out which the bidder must grade for. The intent is to make sure that the area is constructed to meet the full build-out condition while configuring to the current need.

Q14: The diagram shown in RFP for that intersection shows double lefts on the south side, but not on the Mauka Side?
A14: Please follow the attached Figure 2 – Revised Interim Intersection Configuration (Tab A) with the exception that both the westbound and eastbound lanes should provide for an exclusive

right-turn lane as opposed to the shared right/ thru lanes shown. There are no double lefts required in the interim configuration. (please see question no. 13 regarding the grading of the ultimate build-out condition for the double left turns on the South leg.)

Q15: Where in the RFP does it reference double left turns off of Hina Lani to Queen Kaahumanu Highway?
A15: Double left turns off of Hina Lani to Queen Kaahumanu Highway are a condition of an existing Traffic Impact Assessment Report (TIAR) for the Kaloko Industrial Park, Phases III & IV. At this time, HDOT has determined that the double left turns both onto and off of Hina Lani are required. For further reference, the TIAR summary and confirmation are attached (Tab B).

Q16: Does the Lanihau EA apply to this project when not referenced in the RFP?
A16: The bidder is advised to bid accordingly. For reference purposes, attached is the current intersection configuration for the South Access, new Lanihau intersection, (Tab C) which is pending review.

Q17: Do we have the freedom to openly meet with other stakeholders on this project prior to bid, such as HELCO, County of Hawaii Public Works, Department of Water Supply, etc. to discuss all the design details and preferences that should be addressed?
A17: Yes.

Q18: Please define "travel lane miles" clearly for all parties so we know which travel lanes to include in the calculation (example: do we include Queen-K through lanes only or all cross streets, aux lanes, etc.?)
A18: 'Travel lane miles', within this context, shall be defined as Queen K through lanes. This definition only applies to the computation of lane miles and does not apply to other requirements such as highway drainage.

Q19: When evaluating the construction schedule will there be a process by which "unrealistic schedules" loose point value, if not any duration could be proposed simply to win the highest number of points?
A19: We will consider the basis for the Contractor's production estimate when reviewing their project schedule. Where inadequate justification or rationale is provided to support the Contractor's estimated production, the schedule will be scored accordingly.

Q20: Can we be provided with a more detailed evaluation criteria scoring sheet so we understand the metrics being used to assign point values? The ranges presented can be very subjective if there are not a sound metrics by which to govern point assignment?

A20: The scoring criteria has been revised to specify the different areas within each category. We felt that this would be a more meaningful way to define the metrics by which the determination would be made.

Q21: Page TP-65 items 2a and 2b are very difficult to understand, the sure number of items that should appear on this list (to make sure a protest founded on design "intent" can not be made) will be extremely long and ultimately full of holes because the number of regulations, design standards, etc. included by reference with in the RFP fills volumes upon volumes of documents. Can HDOT provide the contractors with an itemized list for them to "check" off? Otherwise we will need guidance on where to draw the line with regard to the definition of the term "an itemized"?
A21: The bidder is advised to bid accordingly.

Q22: Can we please have a clear definition of and context for the term "Work process is collaborative" used on page TP-68 within the evaluation criteria?
A22: HDOT defines a collaborative work process as one that ensures that HDOT will be afforded ample opportunities to participate in the decision-making process as a partner with the Design-Builder's team as opposed to having to respond to decisions made by the Design-Builder's team.

Q23: As previously mentioned, the typical section included at the end of the technical provisions is not depicting the same information communicated in the narrative on page TP-2 and TP-3, please clarify?
A23: The typical section is incorrect and will be replaced with the proper typical section as part of this addendum.

Q24: What is HDOT's intent for the final surface treatment in the median area?
A24: This is a design element that should be addressed within the Contractor's Design Concept.

Q25: The County of Hawaii's latest list of luminaires shows the Visionaire Ltg RDW series is to be used in the Kona and Kohala Districts. Will this be the required street light luminaire for this project?
A25: Yes. If you find a product that you feel may be superior to the one specified, please feel free to submit such product directly to the County of Hawaii, Department of Public Works, Traffic Division for review. If it meets their needs, the product may be officially approved by the State via the contract change order process (post-award).

Q26: County of Hawaii Traffic Division standard for aluminum poles is a minimum of .188" wall thickness and fully galvanized anchor bolts. According to Section 760 of the Hawaii Standard Specifications for Road and Bridge Construction, 2005, pole wall thickness is to be a minimum of .250" and anchor bolts are to be stainless steel. If the poles for this project will be maintained by the County of Hawaii Traffic Division, will the County's standard prevail?

A26: The County standard for poles and anchor bolts applies as a minimum. However, please note that the poles must be designed according to the current AASHTO "Standard Specifications for Structural Supports for Highway Signs, Luminaries and Traffic Signals" with a wind load factor of 105 MPH. The pole wall thickness could very well end up being thicker than 0.188", depending on the application.

Please acknowledge receipt of this addendum by recording the date of its receipt in the space provided on page P-4 of the Proposal.

BRENNON T. MORIOKA, Ph.D., P.E.
Director of Transportation

CONFLICT OF INTEREST (COI) DISCLOSURE FORM

Potential organizational conflict must be disclosed by offerors to the project owner as stated in 23 CFR 636.116. This form is to be completed by the General Contractor and all of its engineering, environmental, or architectural consultants hired for this project.

The Federal Highway Administration has defined "organizational conflict of interest" in 23 CFR Section 636.116 as follows:

> Organizational COI means that because of other activities or relationships with other persons, a person is unable to render impartial assistance or advice to the owner, or the person's objectivity in performing the contract work is or might be otherwise impaired, or a person has an unfair competitive advantage.

These regulations also apply to "improper business practices and personal conflicts of interest" of the project owner's selection team members. 23 CFR Section 636.117 indicates that Federal Acquisition Regulations will apply to the state's selection team members in absence of relevant state laws and procedures. These regulations require government business to be "above reproach," conducted "with complete impartiality and with preferential treatment for none" and with "the highest degree of public trust and an impeccable standard of conduct" to avoid "even the appearance of a conflict of interest."

The identification, assessment, and management of real or potential COI is a joint task between the Department and the private sector. It requires both parties to work together in an atmosphere of candor and accountability.

The Department's determination will be based on a number of factors including;

1. Situational facts – description of the situation and all known facts specific to the actual or potential COI;
2. Type of work – specific product or service involved;
3. Relationship to Management – specific interactions with the Department's decision managers; and
4. Timing and availability of project or service.

It is important to understand that specific facts disclosed in any COI situation will be unique to that situation. Therefore, the decisions and conclusions reached in one situation may or may not be directly applicable to another.

If an organizational COI is determined to exist, The State of Hawaii, Department of Transportation, Highways Division may, at its sole discretion, disqualify the proposer from further participation in the procurement, cancel this procurement, or if award has already occurred, cancel the contract. If the proposer was aware of an organizational COI prior to award of the contract and did not disclose the conflict or potential conflict to the Department, the Department may terminate the contract for default.

Some examples of conflict of interest as seen by the Department are:

Conflict Category	Description
1.	An employee of the Contractor, who has a spouse or immediate relative that is a key Department personnel working on the project;
2.	Any employee of the Contractor's engineering or environmental consultant who has a spouse or immediate relative that is a key Department personnel working on the project;
3.	Any firm who assisted the Department or the Department's agent in preparing various Requests 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 include but are 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 the Department 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 to the Department on a project where his Design-Build partner is the contractor.

HDOT Key Project Personnel List:

Edwin Sniffen, Technical Design Engineer
Scot Urada, Design Branch, Engineering Program Manager
Jamie Ho, Construction & Maintenance Branch, Engineering Program Mgr.
Alvin Takeshita, Traffic Branch, Engineering Program Manager
Stanley Tamura, Hawaii District, District Engineer
Henry Kennedy, Technical Design Services Section, Project Manager

Failure to submit a complete Conflict of Interest Disclosure Form by the contractor and all of its engineering, environmental, or architectural consultants will automatically designate the proposer as non-responsive to this solicitation.

Failure to disclose conflict of interest information and any unsatisfactory performance of the contract as a result of the conflict, as perceived by the Department, may result in commencement of debarment or suspension action defined in Section 103D-702, Hawaii Revised Statutes and Section 3-126, Hawaii Administrative Rules.

PART I

Date:	
Contractor, Engineering, Environmental, or Architectural firm name:	
Would any of the four conflict categories shown on page 2 be applicable to your business or any employee or employees of your firm? [ ] – NO If your answer is "no", endorse this form in the signature line provided below and skip Part II of this form [ ] – YES If your answer is "yes", continue to Part II of this form.	
My signature certifies that this firm has no business or personal relationships with any other companies, agencies or persons that could be considered as a conflict interest or potential conflict of interest to the Department, and that no principals, officers, agents, employees, or representatives of this firm that may have business or personal relationship with any other companies, agencies or persons that could be considered as a conflict of interest or potential conflict of interest to the Department, pertaining to any and all work or services to be performed as a result of this request and any resulting contract with the Department. _____ Date _____ Name and Title (please print) _____ Signature	

PART II

Applicable Conflict Category (1 to 5):
Name(s) of Employee (if applicable and/or specific to one individual or individuals):
Provide details of the potential conflict. Include project name, project owner and current applicable contact(s), litigation or claim amount, employee or business relationship with respect to conflict, and other information as applicable (attach other sheets as necessary):
Proposed action by Contractor or its Engineering, Environmental, or Architectural form to mitigate conflict or potential conflict (attach other sheets as necessary). If the Department has determined that a conflict exists and the Department accepts the proposed mitigative action by the Contractor in this block, the Qualifications proposal will be scored using the information contained in the mitigation proposal.

I certify that information provided in Part II is true and correct and to the best of my knowledge.

Date

Name and Title (please print)

Signature

FOR THE DEPARTMENT's REVIEW COMMITTEE'S USE:

1. ___ A conflict does not exist
2. ___ A conflict does exist
3. ___ The proposed mitigative action by the Contractor or its professional service consultant(s) is/are adequate to mitigate the conflict.
4. ___ The proposed mitigative action by the Contractor or its professional service consultant(s) is/are not adequate to mitigate the conflict.

Date

Department's Review Committee Member Signatures

Attach this completed form as a tabbed Appendix to the QUALIFICATIONS PROPOSAL. This will not count against the QUALIFICATION PROPOSAL100 page limitation.

GENERAL DECISION: HI20080001 01/08/2010 HI1

Date: January 8, 2010
General Decision Number: HI20080001 01/08/2010

Superseded General Decision Number: HI20070001

State: Hawaii

Construction Types: Building, Heavy (Heavy and Dredging), Highway and Residential

Counties: Hawaii Statewide.

BUILDING CONSTRUCTION PROJECTS; RESIDENTIAL CONSTRUCTION PROJECTS (consisting of single family homes and apartments up to and including 4 stories); HEAVY AND HIGHWAY CONSTRUCTION PROJECTS AND DREDGING

Modification Number	Publication Date
0	02/08/2008
1	02/15/2008
2	02/22/2008
3	02/29/2008
4	03/07/2008
5	04/18/2008
6	05/30/2008
7	06/20/2008
8	07/04/2008
9	07/11/2008
10	07/18/2008
11	07/25/2008
12	08/01/2008
13	09/05/2008
14	09/12/2008
15	09/19/2008
16	10/03/2008
17	10/31/2008
18	01/09/2009
19	02/06/2009
20	02/13/2009
21	02/27/2009
22	03/06/2009
23	04/24/2009
24	07/03/2009
25	07/10/2009
26	08/21/2009
27	09/04/2009
28	09/11/2009
29	09/25/2009
30	10/23/2009
31	11/06/2009
32	11/13/2009
33	11/27/2009
34	01/08/2010

ASBE0132-001 08/30/2009

Power Saw Operators (2 h.p. and over)	$ 36.35	19.22

CARP0745-002 08/31/2009

	Rates	Fringes
Drywall and Acoustical Workers and Lathers	$ 36.45	19.22

ELEC1186-001 03/01/2009

	Rates	Fringes
Electricians:		
Cable Splicers	$ 42.68	30.6%+11.65
Electricians	$ 38.80	30.6%+11.65
Technicians	$ 39.96	30.6%+11.65

ELEC1186-002 08/23/2009

	Rates	Fringes
Line Construction:		
Cable Splicers	$ 42.68	3%+15.82
Groundmen/Truck Drivers	$ 29.10	3%+16.70
Heavy Equipment Operators	$ 34.92	3%+17.61
Linemen	$ 38.80	3%+18.21
Technicians	$ 39.96	30.6%+11.65

* ELEV0126-001 01/01/2010

	Rates	Fringes
ELEVATOR MECHANIC	$ 48.23	20.24

a. VACATION: Employer contributes 8% of basic hourly rate for 5 years service and 6% of basic hourly rate for 6 months to 5 years service as vacation pay credit.

b. PAID HOLIDAYS: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, the Friday after Thanksgiving Day and Christmas Day.

ENGI0003-002 08/31/2009

	Rates	Fringes
Diver (Aqua Lung) (Scuba)		
Diver (Aqua Lung) (Scuba) (over a depth of 30 feet)	$ 56.80	22.83
Diver (Aqua Lung) (Scuba) (up to a depth of 30 feet)	$ 47.43	22.83
Stand-by Diver (Aqua Lung) (Scuba)	$ 38.05	22.83
Diver (Other than Aqua Lung)		
Diver (Other than Aqua		

GROUP 3: Brakeman; Deckhand; Fireman; Oiler; Oiler/Gradechecker; Signalman; Switchman; Highline Cableway Signalman; Bargeman; Bunkerman; Concrete Curing Machine (self-propelled, automatically applied unit on streets, highways, airports and canals); Leveeman; Roller (5 tons and under); Tugger Hoist.

GROUP 4: Boom Truck or dual purpose "A" Frame Truck (5 tons or less); Concrete Placing Boom (Building Construction); Dinky Operator; Elevator Operator; Hoist and/or Winch (one drum); Straddle Truck (Ross Carrier, Hyster and similar).

GROUP 5: Asphalt Plant Fireman; Compressors, Pumps, Generators and Welding Machines ("Bank" of 9 or more, individually or collectively); Concrete Pumps or Pumpcrete Guns; Lubrication and Service Engineer (Grease Rack); Screedman.

GROUP 6: Boom Truck or Dual Purpose "A"Frame Truck (over 5 tons); Combination Loader/Backhoe (up to and including 3/4 cu. yd.); Concrete Batch Plants (wet or dry); Concrete Cutter, Groover and/or Grinder (self-propelled unit on streets, highways, airports, and canals); Conveyor or Concrete Pump (Truck or Equipment Mounted); Drilling Machinery (not to apply to waterliners, wagon drills or jack hammers); Fork Lift (over 10 tons); Loader (up to and including 3 and 1/2 cu. yds); Lull High Lift (under 40 feet); Lubrication and Service Engineer (Mobile); Maginnis Internal Full Slab Vibrator (on airports, highways, canals and warehouses); Man or Material Hoist; Mechanical Concrete Finisher (Large Clary, Johnson Bidwell, Bridge Deck and similar); Mobile Truck Crane Driver; Portable Shotblast Concrete Cleaning Machine; Portable Boring Machine (under streets, highways, etc.); Portable Crusher; Power Jumbo Operator (setting slip forms, etc., in tunnels); Rollers (over 5 tons); Self-propelled Compactor (single engine); Self-propelled Pavement Breaker; Skidsteer Loader with attachments; Slip Form Pumps (Power driven by hydraulic, electric, air, gas, etc., lifting device for concrete forms); Small Rubber Tired Tractors; Trencher (up to and including 6 feet); Underbridge Personnel Aerial Platform (50 feet of platform or less).

GROUP 7: Crusher Plant Engineer, Dozer (D-4, Case 450, John Deere 450, and similar); Dual Drum Mixer, Extend Lift; Hoist and/or Winch (2 drums); Loader (over 3 and 1/2 cu. yds. up to and including 6 yards.); Mechanical Finisher or Spreader Machine (asphalt), (Barber Greene and similar) (Screedman required); Mine or Shaft Hoist; Mobile Concrete Mixer (over 5 tons); Pipe Bending Machine (pipelines only); Pipe Cleaning Machine (tractor propelled and supported); Pipe Wrapping Machine (tractor propelled and supported); Roller Operator (Asphalt); Self-Propelled Elevating Grade Plane; Slusher Operator; Tractor (with boom) (D-6, or similar); Trencher (over 6 feet and less than 200 h.p.); Water Tanker (pulled by Euclids, T-Pulls, DW-10, 20 or 21,

Cable-operated Crawler Cranes (over 25 tons but less than 50 tons); Cable-operated Power Shovel, Clamshell, Dragline and Backhoe (over 1 cu. yd. up to 7 cu. yds.); Gradall (over 1 cu. yds. up to 7 cu. yds.); DW-10, 20, etc. (Tandem); Earthmoving Machines (multiple propulsion power units and 2 or more Scrapers) (up to and including 35 cu. yds.," struck" m.r.c.); Highline Cableway; Hydraulic Backhoe (over 2 cu. yds. up to and including 4 cu. yds.); Leverman; Lift Slab Machine; Loader (over 12 cu. yds); Master Boat Operator; Mobile Truck Crane Operator (over 25 tons but less than 50 tons); (Mobile Truck Crane Driver required); Pre-stress Wire Wrapping Machine; Self-propelled Boom-type Lifting Device (Center Mount) (over 25 tons m.r.c); Self-propelled Compactor (with multiple-propulsion power units); Single Engine Rubber Tired Earthmoving Machine (with Tandem Scraper); Tandem Cats; Trencher (pulling attached shield).

GROUP 12: Clamshell or Dipper Operator; Derricks; Drill Rigs; Multi-Propulsion Earthmoving Machines (2 or more Scrapers) (over 35 cu. yds "struck"m.r.c.); Operators (Derricks, Piledrivers and Cranes); Power Shovels and Draglines (7 cu. yds. m.r.c. and over); Self-propelled rubber-tired Earthmoving equipment (over 31 cu. yds.) (657B and similar); Wheel Excavator (up to and including 750 cu. yds. per hour); Wheel Excavator (over 750 cu. yds. per hour).

GROUP 12A: Dozer (D-11 or similar or larger); Hydraulic Excavators (over 4 cu. yds.); Lifting cranes (50 tons and over); Pioneering Dozer/Backhoe (initial clearing and excavation for the purpose of providing access for other equipment where the terrain worked involves 1-to-1 slopes that are 50 feet in height or depth, the scope of this work does not include normal clearing and grubbing on usual hilly terrain nor the excavation work once the access is provided); Power Blade Operator (Cat 12 or equivalent or over); Straddle Lifts (over 50 tons); Tower Crane, Mobile; Traveling Truss Cranes; Universal, Liebher, Linden, and similar types of Tower Cranes (in the erection, dismantling, and moving of equipment there shall be an additional Operating Engineer or Heavy Duty Repairman); Yo-Yo Cat or Dozer.

GROUP 13: Truck Driver (Utility, Flatbed, etc.)

GROUP 13A: Dump Truck, 8 cu.yds. and under (water level); Water Truck (up to and including 2,000 gallons).

GROUP 13B: Water Truck (over 2,000 gallons); Tandem Dump Truck, over 8 cu. yds. (water level).

GROUP 13C: Truck Driver (Semi-trailer. Rock Cans, Semi-Dump or Roll-Offs).

GROUP 13D: Truck Driver (Slip-In or Pup).

GROUP 13E: End Dumps, Unlicensed (Euclid, Mack, Caterpillar

GROUP 6.....$ 34.57 22.83
GROUP 7.....$ 33.02 22.83

CLAMSHELL OR DIPPER DREDGING CLASSIFICATIONS

GROUP 1: Clamshell or Dipper Operator.
GROUP 2: Mechanic or Welder; Watch Engineer.
GROUP 3: Barge Mate; Deckmate.
GROUP 4: Bargeman; Deckhand; Fireman; Oiler.

HYDRAULIC SUCTION DREDGING CLASSIFICATIONS

GROUP 1: Leverman.
GROUP 2: Watch Engineer (steam or electric).
GROUP 3: Mechanic or Welder.
GROUP 4: Dozer Operator.
GROUP 5: Deckmate.
GROUP 6: Winchman (Stern Winch on Dredge)
GROUP 7: Deckhand (can operate anchor scow under direction of Deckmate); Fireman; Leveeman; Oiler.

DERRICK CLASSIFICATIONS

GROUP 1: Operators (Derricks, Piledrivers and Cranes).
GROUP 2: Saurman Type Dragline (over 5 cubic yards).
GROUP 3: Deckmate; Saurman Type Dragline (up to and including 5 yards).
GROUP 4: Deckhand, Fireman, Oiler.

ENGI0003-044 08/31/2009

	Rates	Fringes
Power Equipment Operators (PAVING)		
Asphalt Concrete Material Transfer	$ 34.87	23.18
Asphalt Plant Operator	$ 35.30	23.18
Asphalt Raker	$ 33.91	23.18
Asphalt Spreader Operator	$ 35.39	23.18
Cold Planer	$ 34.70	23.18
Combination Loader/Backhoe (over 3/4 cu.yd.)	$ 33.91	23.18
Combination Loader/Backhoe (up to 3/4 cu.yd.)	$ 32.93	23.18
Concrete Saws and/or Grinder (self-propelled unit on streets, highways, airports and canals)	$ 34.87	23.18
Grader	$ 35.70	23.18
Laborer, Hand Roller	$ 33.41	23.18
Loader (2 1/2 cu. yds. and under)	$ 34.87	23.18
Loader (over 2 1/2 cu. yds. to and including 5 cu. yds.)	$ 35.19	23.18
Roller Operator (five tons		

Concrete and/or Asphalt Saw (Walking or Handtype) (cutting walls or flatwork) (scoring old or new concrete and/or asphalt) (cutting for expansion joints) (streets and ways for laying of pipe, cable or conduit for all purposes); Concrete Shovelers/Laborers (Wet or Dry); Concrete Screeding for Rough Strike-Off: Rodding or striking-off, by hand or mechanical means prior to finishing; Concrete Vibrator Operator; Coring Holes: Walls, footings, piers or other obstructions for passage of pipes or conduits for any purpose and the pouring of concrete to secure the hole; Curbing (Concrete and Asphalt); Curing of Concrete (impervious membrane and form oiler) mortar and other materials by any mode or method; Cut Granite Curb Setter (setting, leveling and grouting of all precast concrete or stone curbs); Cutting and Burning Torch (demolition); Dri Pak-It Machine; Falling, bucking, yarding, loading or burning of all trees or timber on construction site; Fence and/or Guardrail Erector; Forklift (9 ft. and under); Grating and Grill work for drains or other purposes; Green Cutter of concrete or aggregate in any form, by hand, mechanical means, grindstone or air and/or water; Grout: Spreading for any purpose; Guinea Chaser (Grade Checker) for general utility trenches, sitework, and excavation; Headerboard Man (Asphalt or Concrete); Heat Welder of Plastic (Laborers' AGC certified workers) (when work involves waterproofing for waterponds, artificial lakes and reservoir, or heat welding for sewer pipes); Heavy Highway Laborer (Rigging, signaling, handling, and installation of pre-cast catch basins, manholes, curbs and gutters); High Pressure Nozzleman - Hydraulic Monitor (over 100# pressure); Installation of lightweight backfill; Jackhammer Operator; Jacking of slip forms: All semi and unskilled work connected therewithin; Laying of all multi-cell conduit or multi-purpose pipe; Lead base paint abatement laborers (EPA certified workers); Magnesite and Mastic Workers (Wet or Dry)(including mixer operator); Mason Tender,Mortar Man; Mortar Mixer (Block, Brick, Masonry, and Plastering); Nozzleman (Sandblasting and/or Water Blasting): handling, placing and opertion of nozzle; Operation, Manual or Hydraulic jacking of shields and the use of such other mechanical equipment as may be necessary; Pavement Breakers; Paving, curbing and surfacing of streets, ways, courts, under and overpasses, bridges, approaches, slope walls, and all other labor connected therewith; Pilecutters; Pipe Accessment in place, bolting and lining up of sectional metal or other pipe including corrugated pipe; Pipelayer performing all services in the laying and installation of pipe from the point of receiving pipe in the ditch until completion of operation, including any and all forms of tubular material, whether pipe, metallic or non-metallic, conduit, and any other stationary-type of tubular device used for conveying of any substance or element, whether water, sewage, solid, gas, air, or other product whatsoever and without regard to the nature of material from which tubular material is fabricated; No-joint pipe and stripping of same, Pipewrapper, Caulker, Bander, Kettlemen, and men applying

(Janitorial Laborer); Clean-up of right-of-way; Clearing and slashing of brush or trees by hand or mechanical cutting; Concrete Bucket Tender (Groundman) hooking and unhooking of bucket; Concrete Forms; moving, cleaning, oiling and carrying to the next point of erection of all forms; Concrete Products Plant Laborers; Conveyor Tender (conveying of building materials); Cribbers, Shorer, Lagging, Sheeting, and Trench Jacking and Bracing, Hand-Guided Lagging Hammer Whaling Bracing; Crushed Stone Yards and Gravel and Sand Pit Laborers and all other similar plants; Demolition, Wrecking and Salvage Laborers: Wrecking and dismantling of buildings and all structures, with use of cutting or wrecking tools, burning or cutting, breaking away, cleaning and removal of all masonry, wood or metal fixtures for salvage or scrap, All hooking, unhooking, signaling of materials for salvage or scrap removed by crane or derrick; Digging under streets, roadways, aprons or other paved surfaces; Chuck Tender, Outside Nipper; Dry-packing of concrete (plugging and filling of she-bolt holes); Excavation, Preparation of street ways and bridges; Fence and/or Guardrail Erector: Dismantling and/or re-installation of all fence; Finegrader; Firewatcher; Flagman (Coning, preparing, stablishing and removing portable roadway barricade devices); Signal Men on all construction work defined herein, including Traffic Control Signal Men at construction site; Garbage and Debris Handlers and Cleaners; Gas, Pneumatic, and Electric Tools, not listed Group 1 (except Rototiller); General Clean-up: sweeeping, cleaning, washdown, wiping of construction facility, and equipment (other than "Light Clean-up" [Janitorial] Laborer); General Excavation and Grading (all labor connected therewith); Digging of trenches, ditches and manholes and the leveling, grading and other preparation prior to laying pipe or conduit for any purpose; Excavations and foundations for buildings, piers, foundations and holes, and all other construction; General Laborer; Ground and Soil Treatment Work (Pest Control); Junk Yard Laborers (same as Salvage Yard); Landscape Nursery Laborers; Laser Beam "Target Man" in connection with Laborers' work; Layout Person for Plastic (when work involves waterproofing for waterponds, artificial lakes and reservoirs); Limbers, Brush Loaders, and Pilers; Loading, Unloading, carrying, distributing and handling of all rods and material for use in reinforcing concrete construction (except when a derrick or outrigger operated by other than hand power is used); Loading, unloading, sorting, stockpiling, handling and distribution of water mains, gas mains and all pipes; Loading and unloading of all materials, fixtures, furnishings and appliances from point of delivery to stockkpile to point of installation; hooking and signalling from truck, conveyance or stockpile; Material Yard Laborers; Pipelayer Tender; Pipewrapper, Caulker, Bander, Kettlemen, and men applying asphalt, Laykold, Creosote, and similar-type materials (pipe under 6 inches); Plasterer Laborer (including Hod Carrier); Preparation, construction and maintenance of roadbeds and

SCH2500/SCH3500 BV Furukawa HCR-C300, Tamrock Drilltech CHA 800/DHH 850/Tamrock Commando, Pantera 900, 1100 and 1500, Ranger 700, Super Tiger 700), (similar and replacement equipment thereof); Drilling (Mechanical) on the site or along the right-of-way as well as access roads, reservoirs, including areas adjacent or pertinent to construction sites.

GROUP 4: Gunnite Operator; High Scaler (working suspended), Pipelaying.

GROUP 5: Window Washer (Outside) (Working from bosun's chair and/or cable-suspended scaffold or work platform).

GROUP 6: Light/Final Clean-Up.

LABO0368-002 08/31/2009

	Rates	Fringes
Landscape & Irrigation Laborers		
GROUP 1	$ 20.96	8.37
GROUP 2	$ 21.46	8.37
GROUP 3	$ 17.46	8.37

LABORERS CLASSIFICATIONS

GROUP 1: Installation of non-potable permanent or temporary irrigation water systems performed for the purposes of Landscaping and Irrigation architectural horticultural work; the installation of drinking fountains and permanent or temporary irrigation systems using potable water for Landscaping and Irrigation architectural horticultural purposes only. This work includes (a) the installation of all heads, risers, valves, valve boxes, vacuum breakers (pressure and non-pressure), low voltage electrical lines and, provided such work involves electrical wiring that will carry 24 volts or less, the installation of sensors, master control panels, display boards, junction boxes, conductors, including all other components for controllers, (b) and metallic (copper, brass, galvanized, or similar) pipe, as well as PVC or other plastic pipe including all work incidental thereto, i.e., unloading, handling and distribution of all pipes fittings, tools, materials and equipment, (c) all soldering work in connection with the above whether done by torch, soldering iron, or other means; (d) tie-in to main lines, thrust blocks (both precast and poured in place), pipe hangers and supports incidental to installation of the entire irrigation system, (e) making of pressure tests, start-up testing, flushing, purging, water balancing, placing into operation all irrigation equipment, fixtures and appurtenances installed under this agreement, and (f) the fabrication, replacement, repair and servicing oflandscaping and irrigation systems. Operation of hand-held gas, air, electric, or self-powered tools and equipment used in the performance of Landscape and Irrigation work in connection with architectural

Group 2); Guywiring, staking, propping, and supporting trees; Fertilizing, Chemical spraying using spray equipment with less than 200 gallon capacity, Maintaining irrigation and sprinkler systems, including the staking, clamping, and adjustment of risers, and the adjustment and/or replacement of sprinkler heads, (Note: the cleaning and gluing of pipe and fittings shall be paid for at the rate of pay specified under Landscape & Irrigation Laborer(Group 1); Watering by hand or sprinkler system and the peformance of other types of gardening, yardman, and horticultural-related work.

LABO0368-003 08/31/2009

	Rates	Fringes
Underground Laborer		
GROUP 1	$ 28.90	15.15
GROUP 2	$ 30.40	15.15
GROUP 3	$ 30.90	15.15
GROUP 4	$ 31.90	15.15
GROUP 5	$ 32.25	15.15
GROUP 6	$ 32.50	15.15
GROUP 7	$ 32.95	15.15

GROUP 1: Watchmen; Change House Attendant.

GROUP 2: Swamper; Brakeman; Bull Gang-Muckers, Trackmen; Dumpmen (any method); Concrete Crew (includes rodding and spreading); Grout Crew; Reboundmen

GROUP 3: Chucktenders and Cabletenders; Powderman (Prime House); Vibratorman, Pavement Breakers

GROUP 4: Miners - Tunnel (including top and bottom man on shaft and raise work); Timberman, Retimberman (wood or steel or substitute materials thereof); Blasters, Drillers, Powderman (in heading); Microtunnel Laborer; Headman; Cherry Pickerman (where car is lifted); Nipper; Grout Gunmen; Grout Pumpman & Potman; Gunite, Shotcrete Gunmen & Potmen; Concrete Finisher (in tunnel); Concrete Screed Man; Bit Grinder; Steel Form Raisers & Setters; High Pressure Nozzleman; Nozzleman (on slick line); Sandblaster-Potman (combination work assignment interchangeable); Tugger

GROUP 5: Shaft Work & Raise (below actual or excavated ground level); Diamond Driller; Gunite or Shotcrete Nozzleman; Rodman; Groundman

GROUP 6: Shifter

GROUP 7: Shifter (Shaft Work & Raiser)

PAIN1791-001 07/01/2009

	Rates	Fringes
Painters:		

	Rates	Fringes
Drapery Installer	$ 13.60	1.20
FENCE ERECTOR (Chain Link Fence)	$ 9.33	1.65

RIGGERS; WELDERS - Receive rate prescribed for craft performing operation to which rigging or welding is incidental.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5 (a) (1) (ii)).

In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

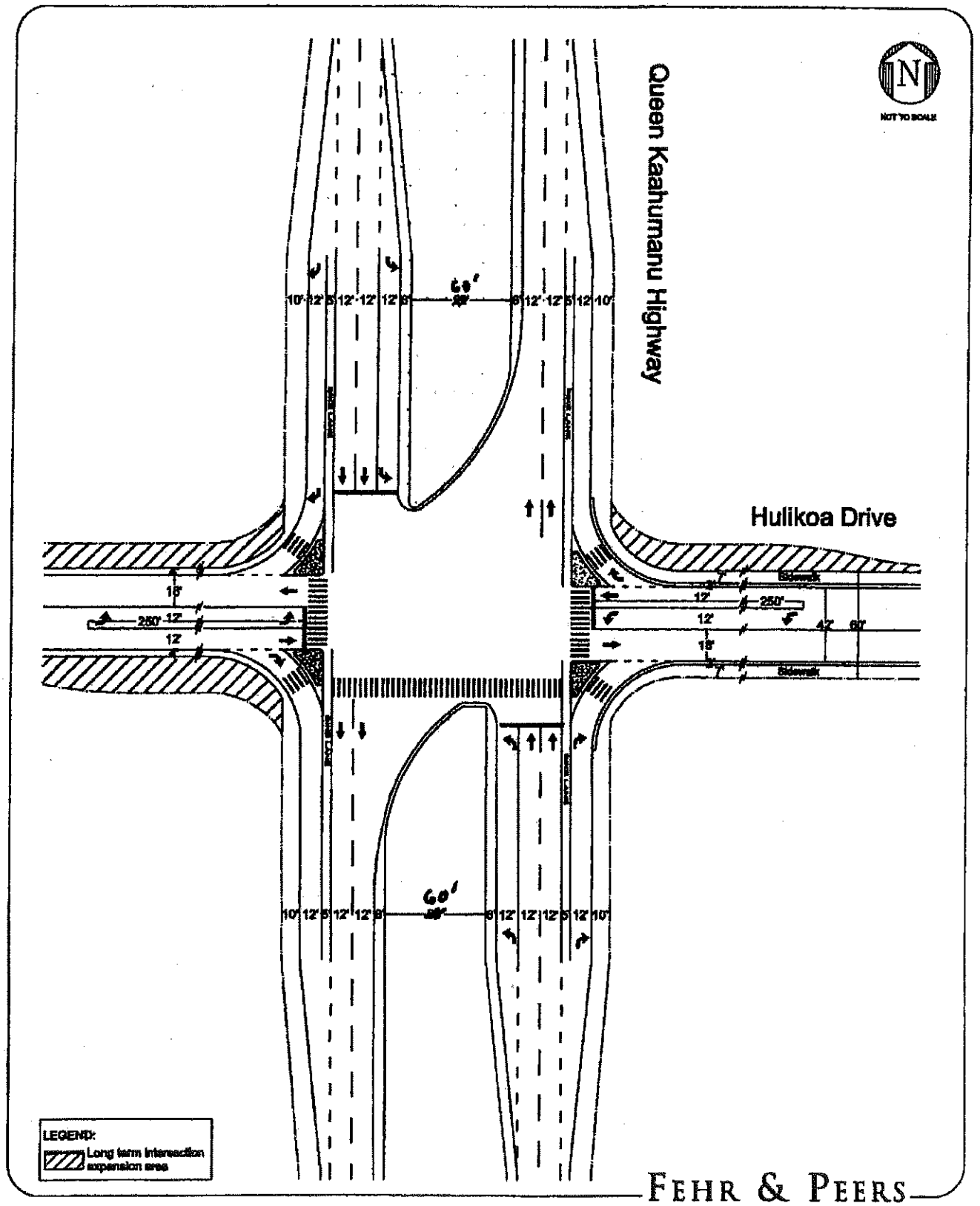
* an existing published wage determination
* a survey underlying a wage determination
* a Wage and Hour Division letter setting forth a position on a wage determination matter
* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an



FEHR & PEERS
TRANSPORTATION CONSULTANTS

FIGURE 2
REVISED INTERIM INTERSECTION CONFIGURATION

Tab A

-TO

1.7.04
HWY-PS
2.2940

JAN 2 0 2004

Mr. Christopher J. Yuen, Director
County of Hawaii
Planning Department
25 Aupuni Street, Room 109
Hilo, Hawaii 96720-4252

Dear Mr. Yuen:

Subject: Traffic Impact Analysis Report, Kaloko Industrial Park, Phase III & IV, Kaloko, North Kona, Hawaii

In discussions with the applicant's consultants, we find that they have satisfactorily addressed our concerns regarding this development. TSA Corporation has agreed to provide certain traffic improvements and/or undertake certain measures or studies, which are outlined in the attached letter from TSA to DOT, dated December 31, 2003.

If you have any questions regarding the improvement or other measures that TSA agreed to provide, please contact Ronald F. Tsuzuki, Head Planning Engineer, Highways Division, at 587-1830. Please reference file review number: 03-181(A).

Very truly yours,

RODNEY K. HARAGA
Director of Transportation

Enclosure

RI: mt

bc: STP, HWY-T, -PS

RECEIVED
2004 JAN 21 A 10:14
TRAFFIC BRANCH
HIGHWAYS DIVISION
DEPT OF TRANSPORTATION

Tab B

T5A

REAL ESTATE INVESTMENTS
DEVELOPMENT
MANAGEMENT

T5A CORPORATION
1585 KAPIOLANI BLVD, SUITE 910
HONOLULU, HAWAII 96814-4527
PH: (808) 955-1123
FAX: (808) 955-1192

December 31, 2003

Mr. Ronald Tsuzuki
Department of Transportation
Highways Division
Planning Branch
869 Punchbowl Street, 3rd Floor
Honolulu, Hawaii 96813

Subject: Kaloko Industrial Park, Phases III and IV, Traffic Impact Analysis Report

Dear Mr. Tsuzuki:

Thank you for your review of the subject Traffic Impact Analysis Report ("Traffic Report") dated June 2003. As requested, this letter responds to your request for a description of improvements that the developer is prepared to undertake in mitigating the impacts of traffic generated by the proposed development. Please note that this letter supercedes our letter of October 30, 2003.

Traffic Report (June 2003) proposed improvements:

The following are the improvements described in the Traffic Report which we intend to implement. These improvements exclude proposed improvements to the Queen Kaahumanu Highway, which your Department has agreed will be undertaken as needed without participation from the developer of the subject project.

A. By Year 2007 with Phase III:

1. Restripe Kamanu Street/Hina Lani Street Intersection – Left turn and right-turn lanes on Kamanu approach

B. By Year 2010 with Phase IV:

1. Verify signal warrant at Kamanu Street/Hina Lani Street intersection; install traffic signal system if warranted.
2. Restripe or widen Hina Lani Street/Kanalani Street intersection.
3. Restripe or widen Hina Lani Street/Kamanu Street intersection.
4. Widen Mamalahoa Highway/Hina Lani Street intersection (northbound left turn from Mamalahoa to Hina Lani)

C. Additional Improvements Recommended by DOT-HWY and STP

Your staff has also recommended that additional improvements be undertaken in the project vicinity. As agreed to, we will fully fund the improvements to the Mamalahoa Highway/Hina Lani Street intersection as follows:

a) Monitor traffic volumes and conduct signal warrant study for submittal to the Department of Transportation Highways Division as follows: 1) in year 2004 and 2) within 6 months of the submittal for preliminary subdivision approval for Phase IV. If traffic signals are warranted or if safety considerations require it, construct the signal system prior to the final subdivision approval of Phase IV.

b) If an additional left-turn lane is determined to be required at the Hina Lani Street approach to Mamalahoa Highway at the time of monitoring in a) above, construct the additional lane and appropriate transitions on Mamalahoa Highway in conjunction with the signal system prior to the final subdivision approval of Phase IV.

As also agreed to, the developer will not be required to participate in the implementation of improvements to the Queen Kaahumanu/Hina Lani Street intersection (items 1 and 2 below):

1. At the Queen Kaahumanu Highway/Hina Lani Street intersection:

   a) Lengthen the existing left turn lane on Queen Kaahumanu Highway,
   b) If it is determined that a dual left turn lane from southbound Queen Kaahumanu Highway into Hina Lani Street is needed, construct an additional left turn lane and widening Hina Lani Street to provide two mauka-bound lanes on Hina Lani Street up to Kanalani Street, with transition to one lane beyond Kanalani Street.

2. At the Hina Lani Street approach to the Queen Kaahumanu Highway/Hina Lani Street Intersection:

   a) Widen and stripe the Hina Lani Street approach to separate left-turn and right-turn lanes by extending the existing right-turn bay by approximately 300 feet. Existing drainage facilities may require modification.
   b) Develop an additional left turn lane, with limited widening of Queen Kaahumanu Highway to accept the dual left-turn lanes from makai-bound Hina Lani Street to southbound Queen Kaahumanu Highway.

We appreciate the time and efforts of your staff in meeting with us and reviewing and commenting on the Traffic Report. If you should have any questions regarding the above, please contact Mr. Pete Pascua, P.E., or Mr. Rodney Funakoshi, A.I.C.P., of Wilson Okamoto Corporation at 946-2277.

Sincerely,

Hideki Hayashi
TSA Corporation

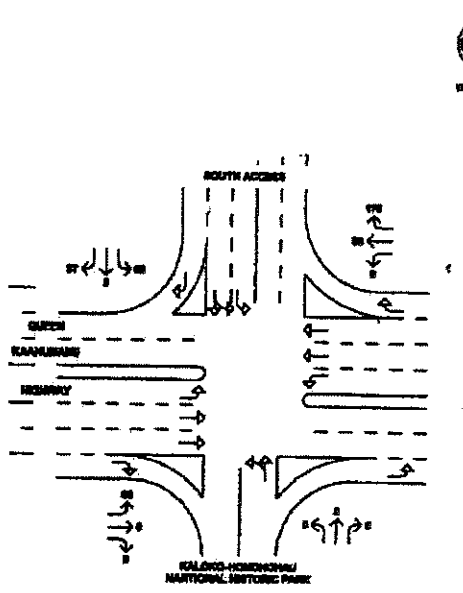
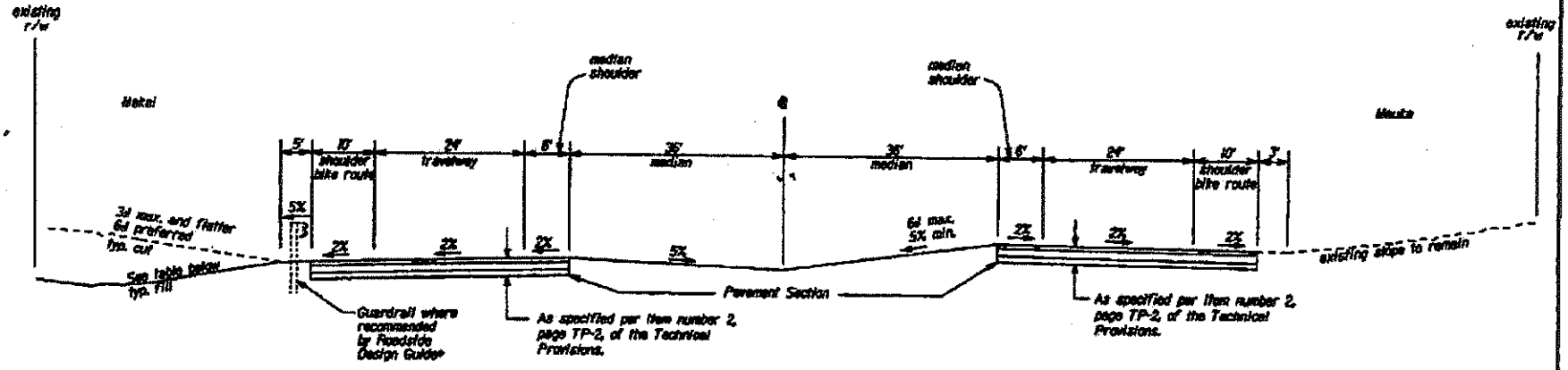


Figure 7. AM Peak Hour Site Traffic Assignment

Tab C



* Pave shoulders under and behind guardrails per current DOT guardrail plan details, approved by State Highways Traffic Branch.

TYPICAL SECTION

Not to Scale

FILL SLOPES
3:1 max. typical fill slope (no guardrails)
2:1 max. with guardrails
1:1 max. with guardrails and slope protection (e.g., grouted rubble pavement)
Steeper than 1:1, provide retaining structure.

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION

TYPICAL SECTION

QUEEN KAAHUMANU HIGHWAY WIDENING PHASE 2
Kaiholena Parkway to Keahole Airport Road
Federal-Aid Project No. HH-083-1(39)

Scale: NTS Date: Sept., 2008

SHEET No. 2 OF 2 SHEETS