

**STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION**

ADDENDUM NO. 1

FOR

KUHIO HIGHWAY RESURFACING

KAPULE HIGHWAY TO NORTH LEHO DRIVE

FEDERAL-AID PROJECT NO. NH-056-1(058)

DISTRICT OF LIHUE

ISLAND OF KAUAI

2017

Amend the Bid Documents as follows:

A. SPECIAL PROVISIONS

- a. Replace Title Page Without Plans with the attached Title Page Without Plans.
- b. Replace Table of Contents dated 6/19/17 with the attached Table of Contents r11/21/17.

B. DISADVANTAGED BUSINESS ENTERPRISE (DBE) REQUIREMENTS

- a. The Disadvantaged Business Enterprise Requirements dated 6/13/17 shall be deleted in its entirety and replaced with the attached Disadvantaged Business Enterprise Requirements dated 11/17/17.

Bidders' (Prime Contractor and Subcontractors) attention is directed to Section XII CONTRACT COMPLIANCE. DBE participation reports and prompt payment certification shall be reported electronically in the HDOT online Certification and Contract Compliance Management System.

C. SAMPLE FORMS

- a. Delete the DBE Participation Report & Prompt Payment Certification Forms and Instruction in their entirety.

NH-056-1(058)

-1-

**Addendum No. 1
11/21/17**

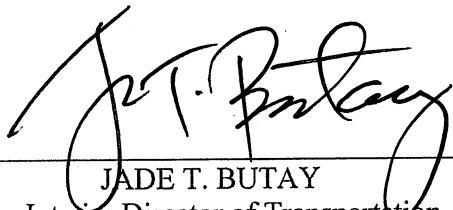
D. PLANS

- a. Replace Plan Sheet Nos. 3 and 18 with the attached Plan Sheet Nos. ADD. 3 and ADD. 18.

E. PRE-BID MEETING

- a. Attached are the November 14, 2017 Pre-Bid Meeting Minutes and Attendance Sheet for your information.

Please acknowledge receipt of this Addendum No. 1 by recording the date of its receipt in the space provided on page P-4 of the Proposal.



JADE T. BUTAY
Interim Director of Transportation



**STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
HONOLULU, HAWAII**

**SPECIAL PROVISIONS
PROPOSAL
CONTRACT AND BOND**

FOR

**KUHIO HIGHWAY RESURFACING
KAPULE HIGHWAY TO NORTH LEHO DRIVE
FEDERAL-AID PROJECT NO. NH-056-1(058)**

DISTRICT OF LIHUE

ISLAND OF KAUAI

FY 2017

TABLE OF CONTENTS

Notice To Bidders

Instructions for Contractor's Licensing

Notice of Requirement for Affirmative Action to Ensure
Equal Employment Opportunity (Executive Order 11246)

Disadvantaged Business Enterprise (DBE) Requirements

Required Federal-Aid Contract Provisions

Special Provisions Title Page

Special Provisions:

DIVISION 100 - GENERAL PROVISIONS		
Section	Description	Pages
102	Bidding Requirements and Conditions	102-1a – 102-8a
103	Award And Execution of Contract	103-1a – 103-5a
104	Scope of Work	104-1a – 104-2a
105	Control of Work	105-1a – 105-3a
106	Material Restrictions and Requirements	106-1a
107	Legal Relations and Responsibility to Public	107-1a – 107-4a
108	Prosecution and Progress	108-1a – 108-24a
109	Measurement and Payment	109-1a – 109-2a

DIVISION 200 - EARTHWORK		
Section	Description	Pages
209	Temporary Water Pollution, Dust, and Erosion Control	209-1a – 209-31a

DIVISION 300 - BASES		
Section	Description	Pages
301	Hot Mix Asphalt Base Course	301-1a – 301-2a

DIVISION 400 - PAVEMENTS		
Section	Description	Pages
401	Hot Mix Asphalt Pavement	401-1a – 401-4a
415	Cold Planing of Existing Pavement	415-1a

DIVISION 600 - INCIDENTAL CONSTRUCTION		
Section	Description	Pages
615	Milled Rumble Strip	615-1a – 615-2a
629	Pavement Markings	629-1a – 629-4a
630	Traffic Control Guide Signs	630-1a
630	Traffic Control, Regulatory, Warning and Miscellaneous Signs	631-1a
632	Markers	632-1a
645	Work Zone Traffic Control	645-1a – 645-2a
671	Protection of Seabirds	671-1a – 671-3a
699	Mobilization	699-1a

DIVISION 700 - MATERIALS		
Section	Description	Pages
702	Bituminous Materials	702-1a
717	Cullet and Cullet-Made Materials	717-1a – 717-2a
750	Traffic Control Sign and Marker Materials	750-1a – 750-2a
755	Pavement Marking Materials	755-1a

Requirement of Chapter 104, HRS
Wages and Hours of Employees on Public Works Law

Federal Wage Rates

Proposal Title Page

Proposal P-1 – P-7
Proposal Schedule P-8 - P-13

Confirmation by DBE

Surety Bid Bond

Sample Forms

Contract

Performance Bond (Surety)

Performance Bond

Labor and Material Payment Bond (Surety)

Labor and Material Payment Bond

Disclosure of Lobbying Activities
Standard Form - LLL and LLL-A

Statement of Compliance
Form WH-348

Chapter 104, HRS Compliance Certificate

END OF TABLE OF CONTENTS

MINUTES OF THE PRE-BID MEETING

PROJECT: Kuhio Highway Resurfacing
Kapule Highway to North Leho Drive
District of Lihue, Island of Kauai

PROJECT NO. NH-056-1(058)

LOCATION: 1720 Haleukana Street
Lihue, Kauai, Hawaii

DATE & TIME: November 14, 2017 at 10:00 A.M.

IN ATTENDANCE:

Raymond McCormick	HDOT – HWY-K
Bernie Vargas	HDOT – HWY-K
Fred Reyes	HDOT – HWY-K
Michael Lingaton	Maui Kupon Builders LLC
Brandon Yamabayashi	Maui Kupon Builders LLC
Christian Keao	Grace Pacific LLC.

The meeting started at 10:00 A.M. Fred Reyes began the meeting with a brief overview of the background and scope of work.

The following was raised at the meeting by HDOT:

HDOT informed that major construction activities shall be done at night and the Engineer has secured a Noise Variance Permit from the Department of Health. Refer to Section 107 - Legal Relations and Responsibility to Public of the Special Provisions regarding working hours and noise variance.

HDOT informed that there will be no more than one lane to be closed at any given time.

The following question were raised at the meeting:

Question # 1: What is the allowed time restriction for equipment usage in the Noise Variance Permit that was issued by the Department of Health?

Response: Refer to the attached “Community Noise Variance” application permit submitted by HDOT and the “Decision and Order” issued by the Department of Health.

With no further questions or comments, the pre-bid meeting was adjourned at 11:00 A.M.

The minutes of the meeting will be distributed in Addendum No. 1 to the Contract Plans. Contractors will be notified when addendum will be available for pick up.

STATE OF HAWAII
DEPARTMENT OF HEALTH

In the Matter of the Application)
For Variance for:)

STATE OF HAWAII, DEPARTMENT)
OF TRANSPORTATION, HIGHWAYS)
DIVISION, KAUAI OFFICE)
Noise – Resurface Kuhio Highway from)
Kapule Highway to Leho Drive, Kauai)

Docket No. 16-NR-VN-10
V-907

DECISION AND ORDER

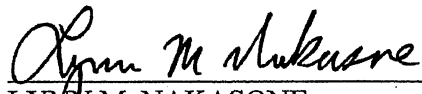
Pursuant to Chapter 342F, Hawaii Revised Statutes (H.R.S.), and Chapter 11-46, Hawaii Administrative Rules (H.A.R.), Community Noise Control; and based upon the application and review by the Indoor and Radiological Health Branch, the variance request from the provisions of Section 11-46-6(a), H.A.R., is hereby GRANTED with the following restrictions and conditions:

1. The variance is granted to perform reconstruction of weakened pavement areas, cold planing, resurfacing, removing existing pavement markers and rumble strips, install new pavement markers and milled rumble strips, cleaning existing culvert and drainage structures and dressing of shoulders.
2. The variance is granted from January 1, 2017 to June 30, 2017.
3. The variance shall be granted for the following days/times:

Sunday	6:00 p.m. to Midnight
Monday through Thursday	Midnight to 7:00 a.m. and 6:00 p.m. to Midnight
Friday	Midnight to 7:00 a.m.
Holidays	Midnight to Midnight
4. The applicant shall notify the Indoor and Radiological Health Branch as to the date and time of any variance hour activity as soon as the dates are confirmed, and also when the project is completed.
5. Residences and businesses within 500 feet radius of the project site shall be given sufficient notice regarding the project. The notification for the planned nighttime activity shall contain the name and telephone number of the job-site inspector. In addition, a copy of any notifications and a map of the distribution area; as well as progress reports, shall also be sent to the Indoor and Radiological Health Branch.
6. The applicant shall make every effort to minimize noise emanating from the project.

7. Traffic noise from heavy vehicles travelling to and from the project site shall be minimized near residences.
8. The applicant shall have a job-site inspector to whom immediate complaints can be forwarded for prompt response, and who shall have the general responsibility of monitoring quiet work procedures.
9. If the noise level is such that numerous complaints are received by the Department, the applicant shall cease operations upon receipt of an order and complete the project during hours on weekdays and weekends as directed.
10. Pursuant to Section 342F-5(d)(3), H.R.S., the applicant shall be required to perform noise sampling during the variance hours and report the results of such sampling to the Indoor and Radiological Health Branch.
11. Should the duration of the project continue beyond the expiration date, the applicant shall submit a request for extension along with an updated work schedule prior to June 30, 2017.

DATED: Honolulu, Hawaii, JUL 8 2016.


LYNN M. NAKASONE
Environmental Health Program Administrator
Environmental Health Services Division

State of Hawaii
Department of Health
Indoor and Radiological Health (IRH) Branch
Noise Section
591 Ala Moana Boulevard, Room 133
Honolulu, Hawaii 96813
(808) 586-4700

APPLICATION FOR COMMUNITY NOISE VARIANCE

Refer to "Guide to Application for Community Noise Variance" for instructions. Submit attachments if necessary. Application form and attachments must be submitted in triplicate.

1. Applicant Identification

Company Name	<u>State of Hawaii</u>	Telephone	<u>808-241-3000</u>
	<u>DOT Highways, Kauai</u>		
Authorized Individual	<u>Lawrence J. Dill</u>	Telephone	<u>808-241-3006</u>
Title	<u>District Engineer</u>		
Mailing Address	<u>1720 Haleukana Street</u>		
	<u>Lihue, HI 96766</u>		
	<u></u>		
	<u></u>		

2. Type and purpose of activity

The State of Hawaii, Department of Transportation, Highways Division, Kauai District, proposes to resurface Kuhio Highway, Kapule Highway to N. Leho Drive. In addition, the project includes reconstructing weakened pavement areas; cold planing; resurfacing; removing existing pavement markers and rumble strips; installing new pavement markers and milled rumble strips; cleaning existing culvert and drainage structures and dressing of shoulders.

3. Location of activity

The project limits are from Kapule Highway (M.P. 2.76) to N. Leho Drive (M.P. 5.62), see attachment A. Proposed improvements are confined to the Kuhio Highway right-of-way.

4. Time of activity

Requested variance work hours on all days, including holidays, are:

- Sunday 6 p.m. to Tuesday 7 a.m.
- Monday 6 p.m. to Tuesday 7 a.m.

- Tuesday 6 p.m. to Wednesday 7 a.m.
- Wednesday 6 p.m. to Thursday 7 a.m.
- Thursday 6 p.m. to Friday 7 a.m.

We are requesting the noise variance to allow work throughout all the times above, which are hours that are considered beyond normal work hours. This will allow construction to progress faster and minimize the impacts of land closures and associated congestion.

5. Estimated duration of construction activity (Specify dates)

From January 2018 To June 2018

6. Schedule of activity (Submit as attachment)

See Attachment B which provides a schedule and list of activities for over-all project construction.

7. Description of immediate impact area

Existing land uses along this portion of Kuhio Highway is primarily commercial. Attachment C illustrates designations surrounding the project area.

8. List of equipment to be utilized (attach list if necessary)

The following provides a list of equipment that is likely to be used along with the associated operational noise level of that equipment. Heavy equipment will not be used after 10:00 p.m.

Equipment	Decibels	Equipment	Decibels
<u>Standard Construction Equipment</u>			
Backhoe/Loader	72-83	Paving Machine	86-88
Cold Planer	79-88	Pneumatic Tools	85
Compressor	74-87	Pumps	77-81
Concrete Truck	75-88	Roller	63-70
Forklift	72-83	Saw	72-81
Generator	71-82	Scraper	84-85
Grader	83-85	Striping Machine	75-86
Light Tower	62-72	Truck	75-90

Light Impact Equipment

Jack Hammer	81-98	Jumping Jack	81-97
-------------	-------	--------------	-------

9. Plans and procedures for the attenuation of noise emission emanating from activity

To minimize noise impacts to those in the project area the following measures will be employed during construction:

- A public information program will be employed prior to and during construction. The program will consist of:
 - The contractor sending an informational flyer to all residents and businesses within 500 feet of the project area approximately two weeks prior to the start of construction. The flyer will include general project information and the name and phone number of a contractor representative to contact.
 - Providing information to the press on at least a monthly basis.
 - Updating of HDOT's website as needed with current information regarding the time and location of night work as well as a name and phone number to contact with questions or complaints.
- Quiet work procedures will be employed to attenuate and control noise emissions emanating from the construction site, such as:
 - Disabling back up alarms and ground guides will be used for signaling when equipment backs up at night (8:00 p.m. to 6:00 a.m.).
 - Construction activity constraints for night work, where applicable.
 - The use of temporary noise barriers for both day-time and night-time sensitive receptors, where feasible.
 - The strategic placement of stationary equipment such as compressors and generators.
 - All equipment will be maintained in good working order and with appropriate mufflers.
 - A job-site representative will be designated to whom immediate complaints can be forwarded for prompt response and who will have the general responsibility of monitoring quiet work procedures.
 - Instructional meetings will be held with construction crews and truck drivers to discuss noise abatement procedures, including the use of engine brakes, loading and unloading cargo, shouting, use of signal callers, and other practices as required.
- The Contractor will have a corrective action program in place that lays out steps and responsibilities to respond to complaints and correct deficiencies.

10. Identify specific provisions of statutes or rules for which the variance is requested (include specific sections)

This variance is requested to perform construction activities during night and morning hours, Sunday through Friday, not covered by a community noise permit for construction activities. The specified rules for which the variance is requested are:

- Hawai'i Revised Statutes (HRS) Chapter 342F, Noise Pollution;
- Hawaii Administrative Rules (HAR), Title 11, Chapter 46, Section 7-(j)-(1), which states "No permit shall allow any construction activities which emit noise... before 7 a.m. and after 6 p.m. of the same day, Monday thru Friday,";

- HAR, Title 11, Chapter 46, Section 7-(j)-(2), which states "No permit shall allow any construction activities which emit noise...before 9 a.m. and after 6 p.m., on Saturday." and
- HAR, Title 11, Chapter 46, Section 7-(j)-(3), which states "No permit shall allow any construction activities which emit noise ...on Sundays and on Holidays."

11. Description of alternatives to the proposed activity

As an alternative to the proposed night and weekend work hours, work could be constrained to normal daytime work hours. However, it should be noted that Kuhio Highway is the primary and sole access from the north side to all other areas of the Island. The lane closures will create disruptive traffic conditions and probably result in community complaints from frustrated motorists, residents and visitors. By allowing night time work, HDOT would be able to proceed with limited daytime lane closures, conducting the more disruptive lane closures at night, and expedite the necessary work.

12. Describe why the present or proposed activity cannot be altered to comply with applicable statutes or rules

Altering the proposed night and weekend work hours to daytime hours will disrupt traffic, resulting in gridlock conditions on Kuhio Highway and nearby surface streets. Access to nearby businesses and the Kauai Community Correction Center will also be impacted by construction activities.

13. Description of any adverse environmental effects which cannot be avoided

Noise emissions generated from the proposed construction activity would be inconvenient to nearby residents and businesses, located along Kuhio Highway. The principal land use along the majority of the highway where the construction activity would be the most extensive are commercial. Businesses and the Kauai County Correction Center which are along and adjacent to Kuhio Highway will be adversely affected by the nighttime construction noise.

14. Discuss the relationship between short-term (temporary) use of the environment, and the maintenance and enhance of long-term productivity.

During construction, the elevated noise emissions generated by construction of the proposed project would be bothersome and annoying to nearby receptors. While these construction effects are temporary, the long-term benefits of the proposed project include the improved safety provided by the new pavement and striping.

15. Discuss any irreversible and irretrievable commitments of resources which would be involved in the proposed activity.

The project would consume resources such as energy, construction materials, and labor.

16. Discuss any possible impact from noise created by any proposed nighttime activity which may affect the immediate surrounding area

The most common noise source during construction would be engine powered machinery,

such as earth-moving equipment, materials handling equipment, and stationary equipment. Mobile equipment (e.g. trucks) operates in a cyclic manner, and stationary equipment (generators and compressors) generate noise at fairly constant levels. However, nighttime activities will vary and be contrained depending on the construction activities and surrounding receptors.

Some residents and businesses will be affected by the proposed night work and its inconvenient noise emissions.

17. Discuss any plans or procedures for notification of people in the surrounding areas of any planned nightttime activity

As discussed in question 9, a public information program will be employed prior to and during construction. The program will consist of:

- The contractor sending an informational flyer to all residents and businesses within 500 feet of the project area roughly two weeks prior to the start of construction. The flyer will include general project information and the name and phone number of a contractor representative to contact.
- Providing information to the rpress on at least a monthly basis.
- Updating of HDOT's website as needed with current information regarding the time and location of night work as well as a name and phone number to contact with questions or complaints.

18. Describe the purpose of the project as relating to public interest

Once completed, the project will enhance service, safety, and pedestrian and cyclist mobility. The project will also provide employment to the construction industry while minimizing disruption to traffic.

CERTIFICATION OF INDIVIDUAL AUTHORIZED TO ACT FOR APPLICANT

I, Lawrence J. Dill, certify that I have
Print Name

knowledge of the facts herein set forth and that the same are true and correct to the best of my knowledge and belief.

Signature _____

Date _____

FOR DEPARTMENT OF HEALTH USE ONLY

Date received _____

Variance Appl. Number _____

Variance Docket Number _____

Fee Paid _____

Receipt No. _____

Date Issued _____

Exp. Date _____

PRE-BID CONFERENCE ATTENDANCE LIST

PROJECT : NH-056-1(058), KUHIO HIGHWAY RESURFACING, KAPULE HIGHWAY TO NORTH LEHO DRIVE

DATE: Nov. 14, 2017

TIME: 10:00 AM

LOCATION: 1720 HALEUKANA STREET, LIHUE, KAUAI, HAWAII 96766

CALLED BY: RAYMOND McCORMICK

PLEASE PRINT

PARTICIPANT	COMPANY / ORGANIZATION	ADDRESS (Including City and Zip Code)	EMAIL (Print legibly)	PHONE/FAX NUMBERS
1 BETNIE VARGAS	HDOT / KAUAI	1720 HALEUKANA ST, LIHUE, KAUAI 96766	BERNIE.P.VARGAS@HAWAII.GOV	634-0924/241-3011
2 CHRISTIAN READ	GRACE PACIFIC	P.O. BOX 787 ELEELE, HI 967	C.READ@GRACEPACIFIC.COM	645-1135
3 Kevin Yamabayashi	MKB	3375 Koapaka St. F043 Hn, HI	kevinemavikupono.com	292-6781
4 Michael Livingston	MKB	3375 Koapaka St. Hn, HI	livingstonm@gmail.com	651-3479
5 Ray McCormick	HDOT / KAUAI	1720 Haleukana St Lihue 96766	raymond.j.mccormick@hawaii.gov	241 3015
6 Fred Rayer	HDOT / KAUAI	1720 Haleukana St Lih. 96766	fred.rayer@gmail.com	241-3017
7				
8				
9				
10				
11				
12				