

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

**PROJECT:** KUHIO HIGHWAY  
INTERSECTION IMPROVEMENTS AT SOUTH LEHO DRIVE  
DISTRICT OF LIHUE  
ISLAND OF KAUAI

**PROJECT NO.:** HWY-K-03-00

**COMPLETION  
TIME:** One Hundred Fifty (150) Working Days from the date  
indicated in the Notice to Proceed from the Department.

Director of Transportation  
AliiAIMoku Hale  
869 Punchbowl Street  
Honolulu, Hawaii 96813

Dear Sir:

The undersigned, as bidder, declares that this proposal is made without collusion with any other person, firm or corporation; that the bidder has carefully examined the job site; and that the bidder has studied the proposed scope of work contemplated. The undersigned further declares that the bidder has not been assisted or represented on this matter by any individual who has, in a State capacity, been involved in the subject matter of this contract in the past two years.

The undersigned agrees that if this proposal is accepted, the bidder shall execute a contract with the State of Hawaii similar, to a copy of the same annexed hereto, provide all necessary labor, machinery, tools, equipment, apparatus and any other means of construction, to do all the work and to furnish all the materials specified in the contract in the manner and within the time therein prescribed in the contract, and that the bidder shall accept in full payment therefor the sum of the unit and/or lump sum prices as set forth in the attached proposal schedule for the actual quantities of work performed and materials furnished.

It is understood that the quantities given in the attached proposal schedule are approximate only and are intended principally to serve as a guide in determining and comparing the bids. It is further understood that the Department of Transportation does not, expressly or by implication, agree that the actual amount of work will correspond therewith, but reserves the right to increase or decrease the amount of any class or portion of the work, or to omit portions of the work, as may be deemed necessary or advisable by the Director of Transportation, and that all increased or decreased quantities of work shall be performed at the unit prices set forth in the attached proposal schedule except as provided for in the specifications.

It is further understood that in case of discrepancy between the unit prices and the totals in said Schedule, the unit prices shall prevail.

The undersigned further proposes to execute the contract agreement and to furnish satisfactory security according to Section 103D-324, Hawaii Revised Statutes, within 10 days after the award of contract or within such further time as the Director of Transportation may allow after the undersigned has received the contract documents for execution and is fully aware that noncompliance with the aforementioned terms will result in forfeiture of the full amount of the bid guarantee required under Section 103D-323, Hawaii Revised Statutes.

The undersigned agrees to begin the work within 10 working days after the date of notification to commence with the work which date is indicated in the notice to proceed and shall finish the entire project within the time prescribed.

It is understood that the Director of Transportation reserves the right to reject any or all bids and to waive any defects when in its opinion such rejections or waiver will be for the best interest of the public.

Receipt is now acknowledged and complete examination is now expressly guaranteed of the following listed items: Hawaii Standard Specifications for Road, Bridge, and Public Works Construction, 1994, or such other standard specifications as provided for by the Department of Transportation, the Notice to Bidders, Instruction to Bidders, Special Provisions, the amendments to special provisions, if any, the Proposal, the Contract and Bond Forms, and the Project Plans.

The undersigned further agrees that if this proposal is accepted and the contract awarded, the undersigned shall, before payment of the final estimate, execute the attached non-gratuity affidavit form.

Accompanying this proposal is (Check whichever is applicable):

<input checked="" type="checkbox"/>	Surety Bid Bond *	)	
		)	
		)	* Use standard form
		)	
<input type="checkbox"/>	Cash	)	
		)	Check Whichever
		)	is Applicable
<input type="checkbox"/>	Cashier's Check	)	
		)	
<input type="checkbox"/>	Certified Check	)	
		)	
<input type="checkbox"/>	_____	)	
	(Fill in other acceptable security)	)	

in the amount of 5% of amount bid  
\_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_), according  
to Section 103D-323, Hawaii Revised Statutes.

The undersigned acknowledges receipt of any addendum issued by the Department of Transportation by recording in the space below the date of receipt.

Addendum No. 1 6/10/02 Addendum No. 3 \_\_\_\_\_

Addendum No. 2 \_\_\_\_\_ Addendum No. 4 \_\_\_\_\_

According to Section 103D-302, Hawaii Revised Statutes, the bidder shall include in its bid the name of each person or firm to be engaged by the bidder on the project as Joint Contractor or Subcontractor. The bidder shall also show the nature and scope of work to be done by said Joint Contractor or Subcontractor.

Failure to comply with the aforementioned requirements may be cause for rejection of the bid submitted.

NAME OF SUBCONTRACTOR	NATURE AND SCOPE OF WORK
1. <i>Niu Construction, Inc.</i>	<i>A.C. Pavement</i>
2. <i>Sun Industries, Inc.</i>	<i>Guardrail, Markers, Signs</i>
3. <i>Apply-A-Line, Inc.</i>	<i>Pavement Striping &amp; Markers</i>
4. <i>Kauai Hydro-Seed &amp; Landscape</i>	<i>Hydro-Mulch</i>
5.	
6.	
7.	

NAME OF JOINT CONTRACTOR	NATURE AND SCOPE OF WORK
1.	
2.	
3.	

("None" or if left blank indicates no Subcontractor or Joint Contractor; if more space is needed, attach additional sheets.)

The undersigned hereby certifies that the bid prices contained in the attached proposal schedule have been carefully checked and are submitted as correct and final.

Koga Engineering & Construction, Inc.

Bidder

By Stenn M. Nohara

Authorized Signature

Its President

Title

Business Address P.O. Box 31289  
Honolulu, HI 96820

Business Telephone (808) 845-7829

Dated June 20, 2002  
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NOTE:

If bidder is a CORPORATION, the legal name of the corporation shall be set forth above, the corporate seal affixed, together with the signature(s) of the officer(s) authorized to sign contracts for the corporation. Please attach to this page current (not more than six months old) evidence of the authority of the officer(s) to sign for the corporation.

If bidder is a PARTNERSHIP, the true name of the partnership shall be set forth above, with the signature(s) of the general partner(s). Please attach to this page current (not more than six months old) evidence of the authority of the persons authorized to sign for the partnership.

If bidder is an INDIVIDUAL, the bidder's signature shall be placed above.

If signature is by an agent, other than an officer of a corporation or a partner of a partnership, a POWER OF ATTORNEY must be on file with the Department before opening bids or submitted with the bid. Otherwise, the Department may reject the bid as irregular and unauthorized.

# PREFERENCES

1. The bidder agrees that preferences shall be taken into consideration to determine the low bidder in accordance with said Sections and the rules promulgated, however, the award of contract will be in the amount of the bid offered exclusive of any preferences.

2. When a bidder selects and qualifies for the In-State Contractor Preference, no other preference, such as the Hawaii Product Preference, Recycle Product Preference, etc. may be used. Therefore, when a Contractor selects the In-State Contractor Preference with its bid, no other preference will be allowed and all other preference selections made by the Contractor will be ignored.

However, if the bidder selects, but does not qualify for the In-State Contractor Preference, the bidder will be given the Hawaii Products Preference for bid evaluation purposes provided that the bidder has completed the required information in the Schedule of Acceptable Hawaii Products and Designation of Hawaii Products to be used. If a bidder has designated use of a Hawaii Product and fails to provide the product, the contract will become void and no payments will be made, even though the bidder is claiming the In-State Contractor Preference.

3. It is further understood by the bidder that if the bidder elects to furnish qualified Hawaii Products, and is awarded the contract, then fails to use such products or meet the requirements of such preference, the bidder shall be subject to the statutory penalties, provided in Section 103D-1002, HRS, and such other remedies as may be available to the State.

## IN-STATE CONTRACTORS PREFERENCE.

**IMPORTANT!** To be eligible for consideration, the bidder must meet and comply with all of the requirements set forth in Subsection 102.18(A) - In-State Contractors Preference. Also, the bidder shall indicate below if the bidder wishes to be considered for this preference or not:

☒ Yes, I wish to be considered for the In-State Contractor Preference. (Attach original or certified copy of a Tax Clearance Certificate to this proposal. Only original or certified copy of a tax clearance certificate is acceptable.)

☐ No, I do not wish to be considered for In-State Contractor Preference.

If neither of the above is checked, it will be assumed that the In-State Contractor Preference is not requested.

Failure to attach the appropriate tax clearance certificate automatically voids the bidder's claim for this preference.

## HAWAII PRODUCTS PREFERENCE

It is understood that certain Hawaii products as described in the schedule below are acceptable for use in this project and that, pursuant to Sections 103D-1002, HRS, which provides preference for Hawaii Products, the bidder proposing to use such Hawaii products must fill in the schedule below.

However, where there are a number of qualifying classes of Hawaii products of a given description, the bidder must indicate on the schedule which class will be furnished by circling the class of the particular Hawaii product that will be used. Otherwise, preference will be given based on the class with the lower percentage.

If the bidder proposes to use Hawaii Products, the bidder must so designate in said schedule by entering the cost of such product in the appropriate space provided. Failure on the part of the bidder to designate the use of Hawaii products will automatically void any preference for that product.

SCHEDULE OF ACCEPTABLE HAWAII PRODUCT AND DESIGNATION OF HAWAII PRODUCTS TO BE USED					
ACCEPTABLE HAWAII PRODUCTS			HAWAII PRODUCTS TO BE USED		
DESCRIPTION	CLASS	MANUFACTURER VENDOR	Cost FOB Jobsite, Unloaded Including Applicable General Excise & Use Taxes (a)	% (b)	Credit (a) x (b)
Asphalt Concrete Mixes - Kauai	III	Niu Construction, Inc.	\$ _____	10%	\$ _____
Basalt/Aggregate and/or Basalt Rock/Sand	III	West Hawaii Concrete	\$ _____	10%	\$ _____
	II	Bromat, Ltd. dba Bonded Materials Company	\$ _____	5%	\$ _____
Hydromulch	III	INTECH	\$ _____	10%	\$ _____
Kauai Compost	III	Kauai Nursery & Landscaping, Inc.	\$ _____	10%	\$ _____
Limestone Coral Aggregates & Sand (All Islands)	III	Tileco, Inc.	\$ _____	10%	\$ _____
	II	Bromat, Ltd. dba Bonded Materials Company	\$ _____	5%	\$ _____
	III	West Hawaii Concrete	\$ _____	10%	\$ _____

Portland Cement Concrete Mixes (All Islands)	II	Bromat, Ltd. dba Bonded Materials Company	\$ _____	5%	\$ _____
	III	West Hawaii Concrete	\$ _____	10%	\$ _____
Regulatory, Warning, Traffic, Destination, Street Name, or Construction Signs	II	Safety Systems Hawaii, Inc.	\$ _____	5%	\$ _____
	II	SUN Industries Inc.	\$ _____	5%	\$ _____
<b>T O T A L</b>					\$ _____

The bidder agrees that preference for Hawaii products shall be taken into consideration to determine the low bidder according to said Sections and the rules promulgated, however, the award of contract will be in the amount of the bid offered exclusive of any preferences.

It is further understood by the bidder that if the bidder elects to furnish qualified Hawaii Products, and is awarded the contract, then fails to use such products or meet the requirements of such preference, the bidder shall be subject to the statutory penalties, provided in Section 103D-1002, Hawaii Revised Statute, and such other remedies as may be available to the State.

#### **RECYCLED PRODUCT PREFERENCE.**

Recycled product preference shall not apply to this proposal.