

SUPPLEMENTAL SPECIAL PROVISIONS

The following additional amendments to the General Provisions and Special Provisions are applicable to this project:

B. ARTICLE II - PROPOSAL REQUIREMENTS AND CONDITIONS – is amended as follows:

Section 2.16 Preferences – is amended by deleting Paragraph (A) Preferences for Hawaii Products and replacing it in its entirety with the following:

“(A) Preferences for Hawaii Products –

1. In accordance with ACT 175, SLH 2009, the Hawaii products preference is applicable to this solicitation. Hawaii Products may be available for those items noted on the offer form.

Any person desiring a Hawaii product preference shall have the product(s) certified and qualified prior to the deadline for receipt of offer(s) specified in the procurement notice and solicitation. The responsibility for certification and qualification shall rest upon the person requesting the preference.

Bidder offering a Hawaii Product (HP) shall identify the HP on the solicitation offer page(s). Any persons desiring to qualify their product(s) shall complete form SPO-38, *Certification for Hawaii Product Preference* and submit to the Department of Transportation, Contracts Office, 869 Punchbowl Street, Honolulu, Hawaii 96813, 14 calendar days prior to bid opening and shall provide all additional information required by the Procurement Officer. For each product, one form shall be completed and submitted (i.e. 3 products should have 3 separate forms completed). Form SPO-38 is available on the SPO webpage at <http://hawaii.go/spo> under ‘Quicklinks’ menu; click on ‘Forms for Vendors, Contractors, and Service Providers’.

When a solicitation contains both HP and non-HP, then for the purpose of selecting the lowest bid or purchase price only, the price offered for a HP item shall be decreased by subtracting 10% for the class I or 15% for the class II HP items offered, respectively. The lowest total off, taking the preference into consideration shall be awarded the contract unless the offer provides for additional award criteria. The contract amount of any contract awarded, however, shall be the amount of the price offered, exclusive of the preferences.

2. Change in Availability of Hawaii Product. In the event of any change that materially alters the offeror’s ability to supply Hawaii products, the offeror shall immediately notify the procurement officer in writing and the parties shall enter into discussions for the purposes of revising the contract or terminating the contract for convenience.

This subsection shall not apply when its application will disqualify the State from receiving federal funds or aid.”