

SOLICITATION, OFFER AND CONTRACT FORM  
TO THE STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION

PROJECT: MAUI DISTRICT BASEYARD OFFICE  
EXPANSION & RENOVATION, PART 2  
ISLAND OF MAUI

PROJECT NO: HWY-M-03-21, Phase 2

CONTRACT TIME: Twelve (12) months from date indicated in the  
Notice to Proceed from the Department.

LIQUIDATED DAMAGES: Refer to GENERAL CONDITIONS, Article 7 -  
Prosecution and Progress, Section 7.26, Failure  
to Complete the Work on Time, Section 7.32,  
Project Acceptance Date and Section 7.33, Final  
Settlement of Contract.

NOTE: **PERFORMANCE AND PAYMENT BONDS  
ARE REQUIRED FOR THIS PROJECT.**

Director of Transportation  
869 Punchbowl Street  
Honolulu, Hawaii 96813

Dear Sir:

The undersigned bidder declares the following:

1. It has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this proposal.
2. It 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 within the past two years.
3. It has not and will not, either directly or indirectly offered or given a gratuity (i.e., an entertainment or gift) to any State or County employee to obtain a contract or favorable treatment under a contract.

The undersigned bidder further agrees to the following:

1. If this proposal is accepted, it shall execute a contract with the Department to 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 it shall accept in full payment therefore 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 and furnish satisfactory security in accordance with Section 103D-324, Hawaii Revised Statutes, within 10 days after the award of the contract or within such time as the Director of Transportation may allow after the undersigned has received the contract documents for execution, and is fully aware that non-compliance with the aforementioned terms will result in the forfeiture of the full amount of the bid guarantee required under Section 103D-323, Hawaii Revised Statutes.
2. 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.
3. That the Department does not either 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.

4. In case of a discrepancy between unit prices and the totals in said Proposal Schedule, the unit prices shall prevail.
5. Agrees to begin work within 10 working days after the date of notification to commence with the work, which date is in the notice to proceed, and shall finish the entire project within the time prescribed.
6. The Director of Transportation reserves the right to reject any or all bids and to waive any defects when in the Director's opinion such rejections or waiver will be for the best interest of the public.

The bidder acknowledges receipt of and certifies that it has completely examined the following listed items: Interim General Conditions 1999 Edition, the Notice to Bidders, the General Conditions, the Special Conditions, the Solicitation, Offer and Contract Form, the Contract and Bond Forms, and the Project Plans.

In accordance with Section 103D-323, Hawaii Revised Statutes, this proposal is accompanied with a bid security in the amount of 5% of the total amount bid, in the form checked below. (Check applicable bid security submitted with bid.)

\_\_\_\_\_ Surety Bid Bond (Use standard form),

\_\_\_\_\_ Cash,

\_\_\_\_\_ Cashier's Check,

\_\_\_\_\_ Certified Check, or

\_\_\_\_\_  
(Fill in other acceptable security.)

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

Addendum No. 1 \_\_\_\_\_  
\_\_\_\_\_

Addendum No. \_\_\_\_\_  
\_\_\_\_\_

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

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

In accordance with Section 103D-302, Hawaii Revised Statutes, the undersigned as bidder has listed the name of each person or firm, who will be engaged by the bidder on the project as Joint Contractor or Subcontractor and the nature of work to be done by each. It is understood that failure to comply with the aforementioned requirements may be cause for rejection of the bid submitted.

|    | <u>Name of Subcontractor</u> | <u>Nature and Scope of Work</u> |
|----|------------------------------|---------------------------------|
| 1. | _____<br>_____               | _____<br>_____                  |
| 2. | _____<br>_____               | _____<br>_____                  |
| 3. | _____<br>_____               | _____<br>_____                  |
| 4. | _____<br>_____               | _____<br>_____                  |
| 5. | _____<br>_____               | _____<br>_____                  |
| 6. | _____<br>_____               | _____<br>_____                  |
| 7. | _____<br>_____               | _____<br>_____                  |
| 8. | _____<br>_____               | _____<br>_____                  |
| 9. | _____<br>_____               | _____<br>_____                  |

|    | <u>Name of Joint contractor</u> | <u>Nature and Scope of Work</u> |
|----|---------------------------------|---------------------------------|
| 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.

This declaration is made with the understanding that the undersigned is subject to the penalty of perjury under the laws of the United States and is in violation of the Hawaii Penal Code, Section 710-1063, unsworn falsification to authorities, of the Hawaii Revised Statutes, for knowingly rendering a false declaration.

\_\_\_\_\_  
Bidder

By

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Business Address

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contact Person (If different from above.)

\_\_\_\_\_

## Phone Number and Email Address

### 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 partner 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.

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PROJECT NO. HWY-M-03-21, Phase 2  
ISLAND OF MAUI

**PROPOSAL SCHEDULE**

| Bid Item No.  | Description                     | Unit Price    | Amount    |
|---|---------------------------------|---------------|-----------|
| 1   | General Requirements            | Lump Sum      | \$_____   |
| 2   | Site Preparation – Fuel Station | Lump Sum      | \$_____   |
| 3   | Repair – Fuel Station Pavement  | Lump Sum      | \$_____   |
| 4   | Repair – Fueling Systems        | Lump Sum      | \$_____   |
| 5   | Electrical Work                 | Lump Sum      | \$_____   |
| 6   | Environmental                   | Lump Sum      | \$_____   |
| 7   | Hazardous Materials Remediation | Force Account | \$ 60,000 |
| TOTAL AMOUNT FOR COMPARISON OF BIDS<br>(For comparison of bids, sum of Bid Item Nos. 1 through 7) |                                 |               | \$_____   |

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NOTES:

1. Bids shall include all Federal, State, County and other applicable taxes.
2. The TOTAL AMOUNT FOR COMPARISON OF BIDS will be used to determine the lowest responsible bidder.
3. Bidders must complete all unit prices and amounts. Failure to do so may be grounds for rejection of bid.
4. In case of a discrepancy between unit price and the total in said bid, the unit price shall prevail.
5. Completed Solicitation, Offer and Contract Form file shall be uploaded into HlePRO prior to the opening date and time. All other required confidential or proprietary documents shall be uploaded separately, with "confidential" or similar notation, somewhere in the file name.
6. Bids received after the deadline to submit bids shall not be considered.
7. Refer to pages 00410-2 and 00410-3 of the Solicitation, Offer and Contract Form for other conditions that the bidder has to agree with.



## **PREFERENCES**

Bidders agree 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.

### **A. HAWAII PRODUCTS PREFERENCE**

It is understood that certain Hawaii Products may be acceptable for use in this project and that, pursuant to Act 192, SLH 2009, which provides preference for Hawaii Products, a bidder proposing to use such Hawaii products shall so designate in the schedule provided below.

If a 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.

Persons desiring to qualify product(s) not currently on the list, shall complete form SPO-38, *Certification for Hawaii Product Preference* in accordance with the Special Provisions of these specifications.

It is 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.

**( ) Yes, I propose to use Hawaii Products and claim the Hawaii Products Preference. I have filled in the table on the following pages as applicable.**

### **B. APPRENTICESHIP PROGRAMS PREFERENCE**

In accordance with ACT 17, SLH 2009 – Apprenticeship Program, a 5% bid adjustment for bidders that are parties to apprenticeship agreements pursuant to Hawaii Revised Statutes (HRS) Section 103-55.6 may be applied to the bidder's price for evaluation purposes

Any bidder seeking this preference must be a party to an apprenticeship agreement registered with the Department of Labor and Industrial Relations at the time the offer is made for each apprenticeable trade the bidder will employ to construct the public works projects for which the offer is being made.

The bidder is responsible for complying with all submission requirements for registration of its apprenticeship program before requesting the preference.

**( ) Yes, I wish to be considered for the Apprenticeship Programs Preference. I have included Certification Form(s) 1 with my bid.**

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

Recycled product preference shall not apply to this proposal.

**DESIGNATION OF APPROVED HAWAII PRODUCTS\* TO BE USED**  
**\*CONSTRUCTION PRODUCTS AND SOIL AMENDMENTS/PRODUCTS**

| Product Category  | Product Subcategory as applicable | Manufacturer  | Cost FOB Jobsite, Unloaded Including Applicable General Excise & Use Taxes (a) | 10% (b) | Credit (a) x (b) |
|---|-----------------------------------|---|--|---------|------------------|
| Aggregates – Basaltic Termite Barrier                           |                                   | Ameron International Corporation (Oahu)(Maui)                 | \$   |         | \$               |
|   |                                   | HC&D LLC (Oahu)   | \$   |         | \$               |
| Aggregates and Sand – Basalt, Rock, Cinder, Limestone and Coral |                                   | Ameron International Corporation (Oahu)(Maui)                 | \$   |         | \$               |
|   |                                   | Delta Construction Corporation (Oahu)                         | \$   |         | \$               |
|   |                                   | Edwin Deluz Trucking & Gravel LLC (Hawaii)                    | \$   |         | \$               |
|   |                                   | Goodfellow Bros, Inc. (All Islands)                           | \$   |         | \$               |
|   |                                   | Grace Pacific (Oahu)  | \$   |         | \$               |
|   |                                   | GW Construction (Hawaii)                                      | \$   |         | \$               |
|   |                                   | Hawaiian Cement (Oahu) (Maui)                                 | \$   |         | \$               |
|   |                                   | Jas. W. Glover, Ltd. (Hawaii) (Kauai)                         | \$   |         | \$               |
|   |                                   | Kauai Aggregates (Kauai)                                      | \$   |         | \$               |
|   |                                   | HC&D LLC (Oahu) (Maui)  | \$   |         | \$               |
|   |                                   | Puna Rock Co., LTD. (Hawaii)                                  | \$   |         | \$               |
|   |                                   | Sanford's Service Center, Inc. (Oahu) (Maui) (Hawaii) (Kauai) | \$   |         | \$               |
|   |                                   | Sphere, LLC (Oahu)  | \$   |         | \$               |
|   |                                   | Tileco, Inc. (Oahu) (Hawaii) (Maui) (Kauai)                   | \$   |         | \$               |
|   |                                   | Tri-L Construction, Inc. (Molokai)                            | \$   |         | \$               |
|   |                                   | West Hawaii Concrete (Hawaii)                                 | \$   |         | \$               |
|   |                                   | Yamada and Sons, Inc. (Hawaii)                                | \$   |         | \$               |
| Aggregates – Recycled Asphalt and Concrete                      |                                   | Glover Honsador (Kauai)                                       | \$   |         | \$               |
|   |                                   | Grace Pacific (Oahu)  | \$   |         | \$               |
|   |                                   | Jas. W. Glover, Ltd. (Hawaii) (Oahu)                          | \$   |         | \$               |
|   |                                   | West Oahu Aggregate Co. Inc. (Oahu)                           | \$   |         | \$               |

|                              |  |   |    |  |    |
|------------------------------|--|---|----|--|----|
| Asphalt and Paving Materials |  | Ala Imua LLC (Oahu)   | \$ |  | \$ |
|                              |  | Black Maui Rose LLC (Maui)  | \$ |  | \$ |
|                              |  | Black Plumeria LLC (Oahu)   | \$ |  | \$ |
|                              |  | GP Roadway Solutions, Inc. (All Islands)                            | \$ |  | \$ |
|                              |  | Grace Pacific Corporation<br>(Hawaii) (Oahu) (Kauai)                | \$ |  | \$ |
|                              |  | Halawa Asphalt LLC (Oahu)   | \$ |  | \$ |
|                              |  | Hawaii Emulsion, Inc. (All Islands)                                 | \$ |  | \$ |
|                              |  | Jas. W. Glover, Ltd. (Hawaii) (Kauai)                               | \$ |  | \$ |
|                              |  | Maui Asphalt X-IV, LLC (Maui)<br>(Molokai)(Kauai)                   | \$ |  | \$ |
|                              |  | Maui Paving LLC (Maui) (Molokai)                                    | \$ |  | \$ |
|                              |  | Road and Highway Builders (Oahu)                                    | \$ |  | \$ |
|                              |  | Walker-Moody Pavement Products &<br>Equipment (All Islands)         | \$ |  | \$ |
|                              |  | Yamada and Sons, Inc. dba YS Rock and<br>Con-Agg of Hawaii (Hawaii) | \$ |  | \$ |
| Cement and Concrete Products |  | Ameron International Corporation<br>(Oahu) (Maui)                   | \$ |  | \$ |
|                              |  | BOMAT, Ltd. (All Islands)   | \$ |  | \$ |
|                              |  | Glover Honsador (Kauai)   | \$ |  | \$ |
|                              |  | Hawaiian Cement (Oahu)(Maui)  | \$ |  | \$ |
|                              |  | Island Ready Mix Concrete, Inc. (Oahu)                              | \$ |  | \$ |
|                              |  | Jas. W. Glover, Ltd. (Hawaii)(Kauai)                                | \$ |  | \$ |
|                              |  | Jensen Enterprises (All Islands)                                    | \$ |  | \$ |
|                              |  | Kiewit Infrastructure West Co. (Oahu)                               | \$ |  | \$ |
|                              |  | Kohala Coast Concrete & Precast LLC<br>(Hawaii)                     | \$ |  | \$ |
|                              |  | HC&D LLC (Oahu) (Maui)  | \$ |  | \$ |
|                              |  | O. Thronas, Inc. (Kauai)  | \$ |  | \$ |
|                              |  | Road and Highway Builders, LLC (Oahu)                               | \$ |  | \$ |
|                              |  | Tileco, Inc. (Oahu)(Hawaii)(Maui)(Kauai)                            | \$ |  | \$ |
|                              |  | Tri-L Construction, Inc. (Molokai)                                  | \$ |  | \$ |
|                              |  | West Hawaii Concrete (Hawaii)                                       | \$ |  | \$ |
|                              |  | Yamada and Sons, Inc. (Hawaii)                                      | \$ |  | \$ |

|   |               |   |    |  |    |
|---|---------------|---|----|--|----|
| Precast Concrete Products                                       |               | Aloha Precast, Inc.<br>(All Islands)  | \$ |  | \$ |
|   |               | Ameron International Corporation<br>(Oahu)                                  | \$ |  | \$ |
|   |               | GPRM Prestress LLC<br>(All Islands)   | \$ |  | \$ |
|   |               | Hawaii Concrete Products, Inc.<br>(Oahu)                                    | \$ |  | \$ |
|   |               | Hawaii Precast, Inc.<br>(All Islands)                                       | \$ |  | \$ |
|   |               | Kohala Coast Concrete & Precast LLC<br>(Hawaii)                             | \$ |  | \$ |
|   |               | Ramtek Fabrication Co., Inc.<br>(All Islands)                               | \$ |  | \$ |
|   |               | Walker Industries, Ltd.<br>(Oahu)(Hawaii)(Maui)(Kauai)                      | \$ |  | \$ |
| Environmental Sewage –<br>Treatment Innovative System<br>(ESIS) | Septic Tanks  | Ameron International Corporation<br>(Oahu)                                  | \$ |  | \$ |
|   |               | Environmental Waste Management Systems,<br>Inc. (Oahu)(Hawaii)(Maui)(Kauai) | \$ |  | \$ |
|   |               | Walker Industries, Ltd.<br>(All Islands)                                    | \$ |  | \$ |
| Hot Dip Galvanizing   |               | Universal Associates, Inc.<br>(Oahu)  | \$ |  | \$ |
| Metal Roofing and Flashing –<br>Preformed                       |               | HPM Building Supply (All Islands)   | \$ |  | \$ |
| Pipes – Aluminum and<br>Galvanized                              | Pipes – Misc. | Ameron International Corporation<br>(Oahu)                                  | \$ |  | \$ |
| Aluminum Floating Dock – Misc.                                  |               | Bluewater Marine and Dock Specialties<br>(All Islands)                      | \$ |  | \$ |
|   |               | High Seas Welding LLC dba JS Marine<br>(All Islands)                        | \$ |  | \$ |
| Signs – Traffic, Regulatory &<br>Construction                   |               | GP Roadway Solutions, Inc.<br>(All Islands)                                 | \$ |  | \$ |
|   |               | Safety Systems and Signs Hawaii, Inc.<br>(All Islands)                      | \$ |  | \$ |
| Veneer  |               | Big Rock Manufacturing<br>(All Islands)                                     | \$ |  | \$ |

|                                 |  |  |    |  |    |
|---------------------------------|--|--|----|--|----|
| Soil Amendments, Mulch, Compost |  | Eko Systems Inc. (Oahu) (Maui) (Hawaii)(Kauai)     | \$ |  | \$ |
|                                 |  | Hawaiian Earth Recycling LLC (All Islands)         | \$ |  | \$ |
|                                 |  | Island Topsoil LLC (All Islands)                   |    |  |    |
|                                 |  | Kauai Nursery & Landscaping, Inc. (All Islands)    | \$ |  | \$ |
|                                 |  | Molokai Seed Co. (All Islands)                     | \$ |  | \$ |
|                                 |  | Sanford’s Service Center, Inc. (Hawaii)            | \$ |  | \$ |
| Compost Filter                  |  | EnviroTech BioSolutions Hawaii, Inc. (All Islands) | \$ |  | \$ |
|                                 |  | Certified Erosion Control Hawaii LLC (All Islands) | \$ |  | \$ |
| TOTAL                           |  |  | \$ |  | \$ |

END OF SECTION