

**PROPOSAL TO THE  
STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION**

**PROJECT: KULA HIGHWAY RESURFACING  
HAAKAKAI BRIDGE TO OLD LOWER KULA ROAD AND  
HONOAPIILANI HIGHWAY RESURFACING,  
KAPOLI STREET TO KAHEAWA WIND FARM ACCESS ROAD  
DISTRICTS OF MAKAWAO AND WAILUKU  
ISLAND OF MAUI**

**PROJECT NO.: FEDERAL-AID PROJECT NO. STP-0900(073)**

**COMPLETION TIME: SIXTY (60) Working days from the date indicated in  
the Notice to Proceed from the Department.**

**DBE PROJECT GOAL: None Specified**

**DESIGN PROJECT MANAGER:**

|                   |                                                 |
|-------------------|-------------------------------------------------|
| <b>NAME:</b>      | <b>Ferdinand Cajigal</b>                        |
| <b>ADDRESS:</b>   | <b>650 Palapala Drive<br/>Kahului, HI 96732</b> |
| <b>PHONE NO.:</b> | <b>(808)873-3538</b>                            |
| <b>EMAIL:</b>     | <b>ferdinand.cajigal@hawaii.gov</b>             |
| <b>FAX NO.:</b>   | <b>(808)873-3544</b>                            |

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.
4. It will not maintain for its employees any segregated facilities at any of its establishments.
5. Does not and will not permit its employees to perform their services at any location under its control, where segregated facilities are maintained.

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: Hawaii Standard Specifications for Road and Bridge Construction, 2005, the Notice to Bidders, the Special Provisions, the Technical Provisions, 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 bidder shall, prior to payment of the final estimate, execute the attached Certification of Compliance for Final Payment form (SPO Form-22).

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. 3 \_\_\_\_\_

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.

The undersigned bidder asserts that affirmative action has been taken to seek out and consider Disadvantaged Business Enterprises (DBE) for portions of the work which can be subcontracted, and the affirmative actions of the bidder are fully documented in it's records and are available upon request by the Department. It is also understood that it must meet or exceed the DBE contract goal listed on page P-1, or demonstrate that it made good faith efforts to meet the DBE project goal. The undersigned as bidder, together with the joint contractors, subcontractors, suppliers and manufacturers listed on the following pages P-5 and P-6 will have a DBE contract goal of \_\_\_\_\_ % (percentage to be completed by bidder) DBE participation if the contract is awarded to it, and shall maintain such DBE participation during the construction of this project.

## SUBCONTRACTOR LISTING

(Attach additional sheets if necessary.)

|     | NAME OF FIRM | NATURE OF WORK | DBE (Y/N) |
|-----|--------------|----------------|-----------|
| 1.  | _____        | _____          | _____     |
| 1a. | _____        | _____          | _____     |
| 2.  | _____        | _____          | _____     |
| 2a. | _____        | _____          | _____     |
| 3.  | _____        | _____          | _____     |
| 3a. | _____        | _____          | _____     |
| 4.  | _____        | _____          | _____     |
| 4a. | _____        | _____          | _____     |
| 5.  | _____        | _____          | _____     |
| 5a. | _____        | _____          | _____     |
| 6.  | _____        | _____          | _____     |
| 6a. | _____        | _____          | _____     |
| 7.  | _____        | _____          | _____     |
| 7a. | _____        | _____          | _____     |

### NOTES:

Firms claiming DBE Status must be certified with HDOT prior to the bid opening date. Prime Bidder must reasonably assure itself that the listed firms claiming DBE status are certified with HDOT as of the bid opening date.

The Name of Firm and Nature of Work shall be indicated for all firms.

# JOINT CONTRACTOR, SUPPLIER AND MANUFACTURER LISTING

(Attach additional sheets if necessary.)

| NAME OF FIRM             | NATURE OF<br>WORK | DBE<br>(Y/N) |
|--------------------------|-------------------|--------------|
| <b>JOINT CONTRACTOR:</b> |                   |              |
| 1. _____                 | _____             | _____        |
| 1a. _____                | _____             | _____        |
| <b>SUPPLIER:</b>         |                   |              |
| 1. _____                 | _____             | _____        |
| 1a. _____                | _____             | _____        |
| 2. _____                 | _____             | _____        |
| 2a. _____                | _____             | _____        |
| <b>MANUFACTURER:</b>     |                   |              |
| 1. _____                 | _____             | _____        |
| 1a. _____                | _____             | _____        |
| 2. _____                 | _____             | _____        |
| 2a. _____                | _____             | _____        |

**NOTE:**

Firms claiming DBE Status must be certified with HDOT prior to the bid opening date. Prime Bidder must reasonably assure itself that the listed firms claiming DBE status are certified with HDOT as of the bid opening date.

The Name of Firm and Nature of Work shall be indicated for all firms.

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

\_\_\_\_\_  
Business Telephone

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contact Person and Phone Number  
(If different from above.)

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.