

INSTRUCTIONS TO BIDDERS

1. **BIDDER'S QUALIFICATION AND INTENTION TO BID.** According to Section 103D-310, Hawaii Revised Statutes, the bidder shall submit a written Notice of Intention to Bid by 4:30 P.M., 10 calendar days before the designated bid opening date (not including the bid opening date) to the Contracts Office at 869 Punchbowl Street, Honolulu, Hawaii 96813. If the tenth day is on a Saturday, Sunday or State holiday, the Notice of Intention to Bid is due on the last working day before the due date. Faxed notice is acceptable provided the Contracts Office receives the faxed notice within the time stated above. The fax number is (808) 587-2132. It is the bidder's responsibility to ensure that the Contracts Office receives the faxed notice of intent on time and in a legible condition.

In accordance with said Section 103D-310, HRS the Director may require any prospective bidder to fill out a questionnaire regarding its qualifications.

No person, firm, or corporation may bid where (1) the person, firm, or corporation, or (2) a corporation owned substantially by the person, firm, or corporation, or (3) a substantial stockholder or an officer of the corporation, or (4) a partner or substantial investor in the firm is in arrears in payments owed to the State of Hawaii or its political subdivisions or is in default as a surety or failure to do faithfully and diligently previous contracts with the State.

2. **ADDENDA.** Any addenda issued before the opening of proposals shall be binding upon the bidder and shall be made a part of the contract.

3. **BID DOCUMENTS.** The bidder shall return the borrowed bid documents in good condition within 30 calendar days after the bid opening date.

4. **BID AND TAX CLEARANCE REQUIREMENTS.**

a. The bidder's attention is directed to Section 102 - Bidding Requirements and Conditions.

b. All bidders should submit original tax clearance certificates or certified copies from the Department of Taxation and the Internal Revenue Service with their bid proposals when the bid is \$25,000 or more. Bidders are required to provide a tax clearance prior to entering into a public contract of \$25,000 or more, pursuant to ACT 352, SLH 1997. Only an original tax clearance certificate or certified copy issued by the State Department of Taxation and the Internal Revenue Service will be accepted. Bidder's attention is directed to Section 102.20 - Tax Clearance of the Special Provisions.

c. For information on Tax Clearances, contact the Department of Taxation at (808)587-4242, 587-1455 or 587-1598 or the Internal Revenue Service at (808)541-1160 or visit the Department of Taxation's Website at <http://www.hawaii.gov/tax/tax.html>. To receive forms by mail or FAX, call (808)587-7572 or 1-800-222-7572.

5. **AWARD OF CONTRACT.** The bidder's attention is directed to Section 103 - Award and Execution of Contract.

6. **EMPLOYMENT OF CONTRACTORS SUSPENDED BY THE STATE.** The bidder shall not submit a proposal on behalf of any Contractor suspended by the State. The successful bidder shall not subcontract any portion of the contract to any Contractor who has been suspended by the State; nor shall the successful bidder hire any person on the management level of a Contractor suspended by the State in order to circumvent the provisions of this paragraph 1. The State may void the award of or refuse to award a contract for violation of this paragraph.

7. **CONTRACTOR'S LICENSE.** If the contract requires the Contractor's license by law for the performance of this work, then the bidder must have the required license before the Department awards the contract for a Federal-Aid project. Subcontractors must be licensed prior to their performance of work.