

STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE ADJUTANT GENERAL
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

May 17, 2024

ADDENDUM NO. 1

Construction Services, Repair/Reroute Water Distribution Line Building 300,
FT. Ruger, Oahu, State of Hawai'i, Department of Defense,
Hawai'i Army National Guard, Job No. CA-202311-C

The items listed hereinafter are hereby made a part of the contract for the above-mentioned project and shall govern the work taking precedence over previously issued contract documents governing the items mentioned. Receipt of this addendum is to be acknowledged on page OF-7 of the proposer's packet.

The following documents have been modified and/or added to the bid packet of April 30, 2024:

- A. Notice to Bidders has been amended in Requirement for Contractors Licensing Classifications by adding classification "A" (ATTACHMENT A).
- B. Offer Form has been amended in Requirement for Contractors Licensing Classifications by adding classification "A" (ATTACHMENT B).

Below are the answers to the questions submitted prior to the due date of May 14, 2024:

- A. Does the Federal Davis Bacon wage rates and benefits such as the Paid Leave Act apply to this project?
 - a. State of Hawaii wage rate schedule applies.
- B. What are the costs for Overtime Inspection or Construction Managers which are expected when scheduling outages & connections?
 - a. Whenever the Contractor's operations require the State's inspection and staff personnel to work overtime or at night, the Contractor shall reimburse the State for the cost of such services unless otherwise instructed in the Contract.
- C. Can the waterline be rerouted to avoid the loop detector at the gate?
 - a. Recommend not to reroute waterline if possible. Rerouting of waterline would need to be analyzed to ensure there is sufficient residual pressure in the proposed alignment. Rerouting of waterline may result in decrease in residual pressure, which the system already does not have much pressure.
- D. Will the contractor be able to work on Saturdays and Sundays to perform water connections?
 - a. Contractor will need to submit a request to State PM to work on Saturdays and Sundays.

- E. What is the total Overtime (OT) costs for an Inspector to come out on a Saturday or Sunday?
- a. The cost of salaries which are determined by the State and includes over time and night time differential for the Department's staff and inspection personnel. In addition to the cost of the salaries, the Contractor shall reimburse the State's share of contributions to the employee's retirement, medical plan, social security, vacation, sick leave, worker's compensation funds, per diem, and other applicable fringe benefits and overhead expenses.
- F. If water connections are performed during the Bldg's normal hours of operation, How many portable toilets, handwashing stations will be needed?
- a. Two (2) portable toilets, a hand wash station, and potable drinking water will be required for the personnels of Bldg 300. Another two (2) portable toilets, and hand wash station, and potable drinking water is needed for the Honolulu Police Dept located at the north end of Bldg 300.
- G. What is the total cost of the Bldg Permit Fees?
- a. Estimated Building Permit Fee is \$3,590, but will be finalized by DPP Building Department.
- H. Please advise of the location and type of ground loop sensors (brand,etc) for the automated gate.
- a. Location and type of ground loop sensors are unknown due to lack of record drawings. Contractor shall locate and investigate type of ground loop sensors by field verification.
- I. Please clarify the Contractor License Requirement for this project. The specifications call for a Contractor License "B" but there is no building work. The scope of work is trenching and installation of exterior water lines which is covered under a Contractor License "A".
- a. Added "A" General Engineering Contractor license to Requirement for Contractors Licensing Classifications, see following.

REQUIREMENT FOR CONTRACTORS LICENSING CLASSIFICATIONS

Due to the nature of the work contemplated bidder must possess a valid State of Hawaii Contractor's license in the appropriate classification A, B, and C.

Kenneth S. Hara
Major General
Adjutant General

Posted: May 17, 2024

ATTACHMENT A

STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE ADJUTANT GENERAL
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

NOTICE TO BIDDERS - AMENDED

SEALED BIDS for furnishing labor, materials, tools and equipment for "CONSTRUCTION SERVICES, REPAIR/REROUTE WATER DISTRIBUTION LINE BUILDNG 300, RUGER, STATE OF HAWAII, DEPARTMENT OF DEFENSE, FMO, JOB NO. CA-202311-C" will be received in the Engineering Office, State of Hawaii, Department of Defense, located in Building 306-A, Room 228, 3949 Diamond Head Road, Honolulu, Hawaii, up to 2:00 P.M. on Wednesday, May 22, 2024 and will then and there be publicly opened and read aloud. Bids may also be mailed to State of Hawaii, Department of Defense, 3949 Diamond Head Road, Honolulu, HI, 96816-4495, ATTN: HIENG, Room 228. Bids must be received in the Engineering Office, Room 228, prior to the time and date fixed for opening to be considered. All bids received in the Engineering Office after the time and date fixed for opening will not be considered.

Bidders are advised that the Department of Defense facility at 3949 Diamond Head Road is a secure facility. In order to access the property, Bidders and/or their authorized personnel shall present a current driver's license or other form of official identification (with photograph) to the security personnel at the entry gate, and shall inform the security personnel of the building and room number they require access to (State Contracting Section 369-3491). Lack of official identification or knowledge of the building and room to which access is needed are grounds for denial of access onto the property.

Bidders should be aware and allow for security screening and random vehicle inspections. The state will not be responsible for late bids due to the afore mentioned reasons.

Proposed work consists of, but not limited to, the following: Install a new backflow preventer to BWS standards and replacing old existing distribution water line with rerouting new distribution water line around Bldg 300 for connection in the courtyard of Bldg 300.

The estimated cost is between \$250,000.00 and \$325,000.00.

A Site Visit/Pre-bid meeting will be held on **May 10, 2024 at 9:00 am**. Project site is at the corner of 22nd AVE and Diamond Head Road. Address to site is 424 22nd Ave. Honolulu, HI 96816. Contractors are to meet Mr. Virgil Cadiente at the entrance to BUILDING 300 PARKING LOT prior to 9:00 am. Please call Mr. Cadiente at (808) 844-6555 before **3:00 pm on May 9, 2024** to register for the site visit. If no answer, please leave your company information, attendees names and a contact number, you may assume that you are registered for the site visit. All interested bidders and sub-contractors are welcome, but not required to attend.

All documents can be downloaded from the State Procurement Office website at <http://spo.hawaii.gov/> and at the State Department of Defense website at <http://dod.hawaii.gov/hieng/>. If prospective bidders obtain copies of the bid documents from sources other than the Contracting and Engineering Office address listed above, then bidders are responsible for registering by sending their company name, address, telephone and facsimile number, and email address via email to jesper.h.andersen@hawaii.gov with the subject line "CA-202311-C CONSTRUCTION SERVICES, REPAIR/REROUTE WATER DISTRIBUTION LINE BUILDING 300, RUGER".

All requests for substitution, clarification of bidding documents, specifications and/or questions must be received via email to jesper.h.andersen@hawaii.gov with the subject line "CA-202311-C Questions" via email, prior to **Tuesday, May 14, 2024, 2:00 pm**.

Late submittals for this solicitation will not be reviewed by this agency.

An Intent to Bid is NOT required to be submitted for this project.

Bidders are required to register on the Hawaii Compliance Express web site for all tax clearances by going to <http://spo.hawaii.gov/> click on "HCE" and registering there.

Bidders are responsible for checking for any addenda for this project. The addenda will be posted on the State Procurement Office web site under the project name at <http://spo.hawaii.gov/>

HAWAII PRODUCTS' PREFERENCE. In accordance with ACT 174, SLH 2022, effective June 27, 2022, Hawaii Products Preference shall not apply to solicitations for public works construction. Therefore, the Hawaii Products Preference shall not apply to this project.

CAMPAIGN CONTRIBUTIONS BY STATE AND COUNTY CONTRACTORS PROHIBITED. If awarded a contract in response to this solicitation, offeror agrees to comply with HRS §11-355, which states that campaign contributions are prohibited from a State and County government contractor during the term of the contract if the contractor is paid with funds appropriated by the legislative body between the execution of the contract through the completion of the contract.

REQUIREMENT FOR CONTRACTORS LICENSING CLASSIFICATIONS

Due to the nature of the work contemplated bidder must possess a valid State of Hawaii Contractor's license in the appropriate classification **A**, B and C.

General Engineering Contractors holding an 'A' license and General Building Contractors holding a 'B' license are reminded that due to the Hawaii Supreme Court's January 28, 2002 decision in Okada Trucking Co., Ltd. v. Board of Water Supply, et al., 97 Haw. 450 (2002), they are prohibited from undertaking any work, solely or as part of a larger project, which would require the General Contractor to act as a specialty Contractor in any area in which the General Contractor has no license.

Bidders are solely responsible to review the project requirements, determine the appropriate licenses required, and ensure that they possess and that the Subcontractor(s) listed in their OFFER FORM possess the necessary specialty licenses to perform the work for this project.

Kenneth S. Hara
Major General
Adjutant General

Posted on: April 30, 2024. **Amended on: 5/17/2024.**

ATTACHMENT B

CONSTRUCTION SERVICES, REPAIR/REROUTE WATER DISTRIBUTION LINE BLDG 300, RUGER, STATE OF HAWAII, DEPARTMENT OF DEFENSE, FMO, JOB NO. CA-202311-C / PN15H00031

Adjutant General
State Department of Defense
3949 Diamond Head Road
Honolulu, Hawaii 96816-4495

Dear Sir:

The undersigned has carefully read and understands the terms and conditions specified in the Specifications, and all documents attached hereto, and hereby submits the following offer to perform the work specified herein, all in accordance with the true intent and meaning thereof. The undersigned further understands and agrees that by submitting this offer, 1) he/she is declaring his/her offer is not in violation of Chapter 84, Hawaii Revised Statutes, concerning prohibited State contracts, and 2) he/she is certifying that the price(s) submitted was (were) independently arrived at without collusion.

The undersigned represents: **(Check \checkmark one only)**

- A **Hawaii business** incorporated or organized under the laws of the State of Hawaii; **OR**
- A **Compliant Non-Hawaii business** not incorporated or organized under the laws of the State of Hawaii. Business shall be registered prior to award at the State of Hawaii Department of Commerce and Consumer Affairs Business Registration Division to do business in the State of Hawaii. State of incorporation: _____

Offeror is:

- Sole Proprietor Partnership Corporation Joint Venture
- Other _____

Federal I.D. No.: _____

Hawaii General Excise Tax License I.D. No.: _____

Payment address (other than street address below): _____
City, State, Zip Code: _____

Business address (street address): _____
City, State, Zip Code: _____

Respectfully submitted:

(x) _____
Authorized (Original) Signature (*1)

Date: _____

Telephone No.: _____
Name and Title (Please Type or Print)

*
Exact Legal Name of Company (Offeror) (*2)

Fax No.: _____

(*2) If Offeror is a "dba" or a "division" of a corporation, furnish the exact legal name of the corporation under which the awarded contract will be executed:

E-mail Address: _____

(*1)
Original signature in ink. If unsigned or the affixed signature is a facsimile or a photocopy, the offer shall be automatically rejected unless accompanied by other material, containing an original signature, indicating the Offeror's intent to be bound.

The undersigned has carefully examined the attached plans and specifications and hereby proposes to furnish at his own expense all labor, materials, tools and equipment necessary to construct

all work as shown and called for, in strict accordance with the specifications, schedules and drawings pertaining thereto, all for the LUMP SUM of:

_____ DOLLARS (\$_____).

(Including the cost of delivery, unloading, freight charges, all applicable taxes, and other cost involved) and will fully complete all the work under this contract within 365 consecutive calendar days from the date of commencement specified by the written order of the Adjutant General including the date of said order.

a.

NOTE:

1. This project falls under the requirement of the "Buy American Act".
2. Davis-Bacon Act prevailing wage rate or State wage rates apply to this contract.
3. Contract will be awarded based on the total lump sum bid.
4. A Site Visit/Pre-bid meeting will be held on **May 10, 2024 at 9:00 am**. Project site is at the corner of 22nd AVE and Diamond Head Road. Address to site is 424 22nd Ave. Honolulu, HI 96816. Contractors are to meet Mr. Virgil Cadiente at the entrance to BUILDING 300 PARKING LOT prior to 9:00 am. Please call Mr. Cadiente at (808) 844-6555 before **3:00 pm on May 9, 2024** to register for the site visit. If no answer, please leave your company information, attendees names and a contact number, you may assume that you are registered for the site visit. All interested bidders and sub-contractors are welcome, but not required to attend.

All requests for substitution, clarification of bidding documents, specifications and/or questions must be received via email to jesper.h.andersen@hawaii.gov with the subject line "CA-202311-C Questions" via email, prior to Tuesday, May 14, 2024, 2:00 pm.

5. The State reserves the right to determine the extent of the contract by selecting and/or omitting bid items (not necessarily in sequence) to the extent required to come within the funds available for the project. The award of the contract shall be made to the responsible bidder whose total bid is the lowest.
6. **CAMPAIGN CONTRIBUTIONS BY STATE AND COUNTY CONTRACTORS PROHIBITED**. If awarded a contract in response to this solicitation, offeror agrees to comply with HRS §11-355, which states that campaign contributions are prohibited from a State and County government contractor during the term of the contract if the contractor is paid with funds appropriated by the legislative body between the execution of the contract through the completion of the contract.
7. The Surety shall not be held liable beyond two (2) years of the project acceptance date.

HAWAII PRODUCTS' PREFERENCE

In accordance with ACT 174, SLH 2022, effective June 27, 2022, Hawaii Products Preference shall not apply to solicitations for public works construction. Therefore, the Hawaii Products Preference shall not apply to this project.

APPRENTICESHIP AGREEMENT PREFERENCE

The estimated value of the public works contract is \$250,000 or more and the apprenticeship agreement preference pursuant to Hawaii Revised Statutes §103-55.6 (Act 17, SLH 2009) **shall apply**.

1. If applicable to this project, any bidder seeking the preference must be a party to an apprenticeship agreement registered with the State Department of Labor and Industrial Relations (DLIR) at the time the bid is submitted for each apprenticeable trade the bidder will employ to construct the project. "Employ" means the employment of a person in an employer-employee relationship.
 - a. The apprenticeship agreement shall be registered with the DLIR and conform to the requirements of Hawaii Revised Statutes Chapter 372.
 - b. Subcontractors do not have to be a party to an apprenticeship agreement for the bidder to obtain the preference.
 - c. The bidder is not required to have apprentices in its employ at the time the bid is submitted to qualify for the preference.
2. A bidder seeking the preference must state the apprenticeable trade the bidder will employ for each trade to be employed to perform the work by submitting a completed **signed original** *Certification of Bidder's Participation – Form 1* verifying participation in an apprenticeship program registered with the DLIR. "Apprenticeable trade" shall have the same meaning as "apprenticeable occupation" pursuant to Hawaii Administrative Rules (HAR) §12-30-5.
 - a. The *Certification of Bidder's Participation – Form 1* shall be authorized by an apprenticeship sponsor listed on the DLIR list of registered apprenticeship programs. "Sponsor" means an operator of an apprenticeship program and in whose name the program is approved and registered with the DLIR pursuant to HAR §12-30-1.
 - b. The authorization shall be an original signature by an authorized official of the apprenticeship sponsor.
 - c. The completed *Certification of Bidder's Participation – Form 1* for each trade must be submitted with the bid. A facsimile or copy is acceptable to be submitted with the bid, however the signed original must be submitted within five (5) working days of the bid open date. If the signed original is not received within this timeframe, the preference may be denied. Previous certifications shall not apply.
 - d. When filling out the *Certification of Bidder's Participation – Form 1*, the name of Apprenticeable Trade and Apprenticeship Sponsor must be the same as recorded in the List of Construction Trades in Registered Apprenticeship Programs that is posted on the State Department of Labor and Industrial Relations website. "Registered

apprenticeship program” means a construction trade program approved by and registered with the DLIR pursuant to HAR § 12-30-1 and §12-30-4.

- e. The *Certification of Bidder’s Participation – Form 1* and the List of Construction Trades in Registered Apprenticeship Programs is available on the DLIR website at: <http://hawaii.gov/labor/wdd>
3. Upon receiving the *Certification of Bidder’s participation – Form 1*, the Procurement Officer will verify that the apprenticeship program is on the List of Construction Trades in Registered Apprenticeship Programs and that the form is signed by an authorized official of the Apprenticeship Program Sponsor. If the programs and signature are not confirmed by the DLIR, the bidder will not qualify for the preference.
 4. If the bidder is certified to participate in an apprenticeship program for each trade which will be employed by the bidder for the project, a preference will be applied to decrease the bidder’s bid amount by five (5) percent for evaluation purposes.
 5. Should the bidder qualify for other preferences (for example, Hawaii Products), all applicable preference shall be applied to the bid price.
 6. If the winning bidder has submitted Form 1 with his bid packet, the Form 2 will be required the first week of each month for the prior month beginning with the month of the start of work.

CHARACTER OF WORKERS OR EQUIPMENT

The Contractor shall perform with his own organization, work amounting to not less than twenty percent (20%) of the total contract cost. The Engineer may require the Contractor to verify the percentage of work he will be providing with his own organization by furnishing pertinent information such as all of the actual subcontractor(s)' quotations he received for the bid. If requested, the Contractor shall provide such verification within 5 working days of the request.

CERTIFICATION FOR SAFETY AND HEALTH PROGRAM FOR BIDS IN EXCESS OF \$100,000

In accordance with HRS 396-18, by submitting this proposal, the undersigned certifies that his company will have a written safety and health plan for this project that will be available and implemented by the Notice to Proceed date of this project. Details of the requirements of this plan may be obtained from the Department of Labor and Industrial Relations, Occupational Safety and Health Division (HIOSH).

TAX CLEARANCES FROM THE STATE DIRECTOR OF TAXATION AND INTERNAL REVENUE SERVICE

Contractors are required to provide a state and federal tax clearance as a prerequisite to entering into a public contract of \$2,500 or more. To meet this requirement, all bidders shall submit valid tax clearances with their bid proposals when the bid is \$2,500 or more.

Failure to submit the required tax clearance may be sufficient grounds for the State to refuse to receive or consider the prospective bidder's proposal.

In accordance with Act 190 Amendment to HRS 103D-310(c), required as a prerequisite to entering into a contract, the contractor shall register on the Hawaii Compliance Express web site for all tax clearances by going to <http://vendors.ehawaii.gov> and registering there.

A Certificate of Vendor Compliance generated from this website should be included with their bid proposal. A Compliant status is required prior to awarding the contract.

LICENSE

Due to the nature of the work contemplated, bidder must possess a valid State of Hawaii Contractor's license in the appropriate classification A, B and C.

1. The Adjutant General or his designated representative reserves the right to reject any and/or all bids and waive any defects when, in his opinion, such rejection or waiver will be in the best interest of the State.
2. The award of the contract shall be conditioned upon funds being made available for these projects and further upon the right of the Adjutant General or his designated

ALL JOINT CONTRACTORS & SUBCONTRACTORS TO ENGAGE ON THIS PROJECT

The bidder certifies that the following is a complete listing of all joint contractors or subcontractors covered under Chapter 444, Hawaii Revised Statutes, who will be engaged by the bidder on this project to perform the nature and scope of work indicated pursuant to Section 103D-302, Hawaii Revised Statutes, and understands that failure to comply with this requirement shall be just cause for rejection of the bid.

The bidder further certifies that only those joint contractors or subcontractors listed shall be allowed to perform work on this project and that all other work necessary shall be performed by the bidder with his own employees. If no joint contractor or subcontractor is listed, it shall be construed that all of the work shall be performed by the bidder with his own employees.

All bidders must be sure that they possess and that the subcontractors listed in the proposal possess all the necessary specialty licenses needed to perform the work for this project. The bidder shall be solely responsible for assuring that all of the specialty licenses required to perform the work is covered in his bid.

The bidder shall include the license number of the joint contractors or subcontractors listed below. Failure to provide the correct names and license numbers as registered with the Contractor's Licensing Board may cause rejection of the bid submitted.

Complete Firm Name of Joint Contractor or Subcontractor for Lump Sum Bid	License Number	Nature and Scope of Work to be performed
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Enclosed herewith as required by law:
Surety Bond
Certificate of Deposit
Certified Check
Cashier's Check
Share Certificate
Legal Tender
(Cross Out Those Not Applicable)

_____ DOLLARS (\$ _____).

*Signature

HAWAII GENERAL EXCISE TAX

Title _____

I.D. NO. _____

Name of Company

Address

LICENSE CLASSIFICATION
AND/OR SUBCLASSIFICATION
NO.

Telephone _____

Date _____

(CORPORATE SEAL)

*Please attach to this page evidence of the authority of this officer to submit bids on behalf of the Company, and also the names and residence addresses of all officers of the Company.

NOTE: Fill in all blank spaces with the information asked for or bid may be invalidated.
PROPOSAL PAGES MUST BE INTACT; MISSING PAGES MAY INVALIDATE YOUR BID.