

State of Hawaii  
DEPARTMENT OF AGRICULTURE  
1428 South King Street  
Honolulu, Hawaii

ADDENDUM NO. 1

TO

Job No. DOAK07  
Kainahola Stream Clearing  
Kapaa, Kauai, Hawaii


February 14, 2023

The items listed hereinafter are hereby made a part of the contract for the above project and shall govern the work, taking precedence over previously issued plans and specifications governing the items mentioned.

**PROPOSAL**

1. Delete the Proposal, pages P-1 to P-5, in their entirety and replace with the attached Proposal Addendum No. 1. Archaeological monitoring allowance item added to proposal.

DEPARTMENT OF AGRICULTURE

  
\_\_\_\_\_  
BRIAN KAU, P.E.  
Administrator and Chief Engineer  
Agricultural Resource Management Division

PROPOSAL

FOR

State of Hawaii  
DEPARTMENT OF AGRICULTURE  
AGRICULTURAL RESOURCE MANAGEMENT DIVISION

Job No. DOAK07  
Kainahola Stream Clearing  
Kapaa, Kauai, Hawaii

Date: \_\_\_\_\_

Chief Engineer  
Agricultural Resource Management Division  
Department of Agriculture  
State of Hawaii  
Honolulu, Hawaii

Dear Sir:

The undersigned, having carefully examined the local conditions and all available records and information covering conditions which may affect the cost of the work to be performed, and having carefully examined the Plans and Specifications, and other contract documents, hereby proposes to furnish and pay for all materials, tools, equipment, labor and other incidental work necessary to clear Kainahola Stream, and perform related work as required or called for in this Proposal, all according to the true intent and meaning of the Notice to Bidders, Information and Instructions to Bidders, Proposal, Detailed Specifications, Interim General Conditions, Plans, and any and all addenda for:

Job No. DOAK07  
Kainahola Stream Clearing  
Kapaa, Kauai, Hawaii

on file in the office of the Agricultural Resource Management Division for the TOTAL BASE BID (Items 1 to 6) of:

\_\_\_\_\_ Dollars (\$\_\_\_\_\_)

and will fully complete all work under this contract within **365** consecutive calendar days from the date of written notice to proceed, including date of said order, said total sum being itemized on the following pages.

PROPOSAL  
Kainahola Stream Clearing

<b><u>BASE BID</u></b>					
<b>Item No.</b>	<b>Estimated Quantity</b>	<b>Unit</b>	<b>Description</b>	<b>Unit Price</b>	<b>Total</b>
1.	1	LS	Mobilization/Demobilization. Not to exceed 6% of the Total – Base Bid minus this line item	LS	\$ _____
2.	1	LS	Boundary Survey, Zone 1; inclusive of a Professional Surveyor’s services to survey and stake the boundaries of the project site.	LS	\$ _____
3.	1	LS	Permits; inclusive of a Professional Engineer’s services, permit fees, and supplies needed to obtain all necessary permits.	LS	\$ _____
4.	6.9	Acre	Vegetation removal and disposal, Zone 1, approximately 6.9 acres, installation and maintenance of Best Management Practices (BMPs).	\$ _____	\$ _____
5.	1	LS	Botanical and Bird Survey; survey and report of the plant life and water birds in the project site by a qualified botanist.	LS	\$ _____
6.	1	Allow.	Archaeological monitoring; to be used only as directed by the Officer-in-Charge.	Allow.	\$80,000.00
<b><u>Additive Alternate #1</u></b>					
7.	8.5	Acre	Vegetation removal and disposal, Zone 2, approximately 8.5 acres, installation and maintenance of Best Management Practices (BMPs).	\$ _____	\$ _____
8.	1	LS	Boundary Survey, Zone 2;	LS	\$ _____

PROPOSAL  
Kainahola Stream Clearing

<b><u>Additive Alternate #2</u></b>					
9.	4.5	Acre	Vegetation removal and disposal, Zone 3, approximately 4.5 acres, installation and maintenance of Best Management Practices (BMPs).	\$ _____	\$ _____
10.	1	LS	Boundary Survey, Zone 3;	LS	\$ _____
<b><u>Additive Alternate #3</u></b>					
11.	5.9	Acre	Vegetation removal and disposal, Zone 4, approximately 5.9 acres, installation and maintenance of Best Management Practices (BMPs).	\$ _____	\$ _____
12.	1	LS	Boundary Survey, Zone 4;	LS	\$ _____

RECAPITULATION

Total Base Bid (Items 1 to 6)	\$ _____
Additive Alternate #1 (Items 7 and 8)	\$ _____
Additive Alternate #2 (Item 9 and 10)	\$ _____
Additive Alternate #3 (Items 11 and 12)	\$ _____
<b>TOTAL SUM BID (Items 1 to 12)</b>	<b>\$ _____</b>

## APPRENTICESHIP AGREEMENT PREFERENCE

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 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 Form 1 verifying participation in an apprenticeship program registered with DLIR. “Apprenticeable trade” shall have the same meaning as “apprenticeable occupation” pursuant to Hawaii Administrative Rules (HAR) § 12-30-5.
  - a. The Certification 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 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 signed original Certification Form 1 for each trade must be submitted with the bid. Previous certifications shall not apply.
  - d. When filling out the Certification 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 DLIR website. “Registered apprenticeship program” means a construction trade program approved by DLIR pursuant to HAR § 12-301 and § 12-30-4.
  - e. The Certification 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 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 percent (5%) for evaluation purposes.
5. Should the bidder qualify for other preferences (e.g. Hawaii Products), all applicable preference shall be applied to the bid price.

#### CONTRIBUTIONS BY STATE AND COUNTY CONTRACTORS PROHIBITED

Contractors are hereby notified of the applicability of Section 11-355, HRS, which states that campaign contributions are prohibited from specified State of county government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body.

#### CONDITION OF AWARD

It is understood that the award of the contract will be made on the basis of the lowest responsible Base Bid (Items 1 to 6). Write the total of bid items 1 to 6 on page P-1.

In the event the low bid is below the available funds certified by the appropriate fiscal officer, the head of the purchasing agency responsible for the procurement in question is authorized to award Additives to the lowest bidder. The award of Additives may be in any order or combination such that the Base Bid plus Additives do not exceed the available funds.

It is understood and agreed that the Department of Agriculture reserves the right to reject any and/or all bids and waive any defects when, in the Board's opinion, such rejection or waiver will be for the best interest of the State of Hawaii.

In the event all bids exceed available funds certified by the appropriate fiscal officer, the head of the purchasing agency responsible for the procurement in question is authorized in situations where time or economic considerations preclude resolicitation of work of a reduced scope to negotiate an adjustment of the bid price, including changes in the bid requirements, with the low responsible and responsive bidder, in order to bring the bid within the amount of available funds. It is understood and agreed upon that the head of the purchasing agency may delete a portion or all of any item(s) in the proposal at the stated unit or lump sum price as necessary to stay within the available funding. The bidder is responsible to make an earnest effort to represent the actual cost of each item, including all materials, labor, equipment, overhead and profit in their bid proposal to preclude claims of anticipated profit or loss of profit because of an unbalanced bid proposal.

It is also understood that if a mutually agreeable cost for the reduced scope of work necessitated by a lack of available funds cannot be agreed upon between the bidder and the head of the purchasing agency within 14 calendar days after the bid opening, then the bid may be rejected in the best interest of the purchasing agency, and the head of the purchasing agency may negotiate in progressive order (lowest to highest) with the next lowest responsible and responsive bidder.

It is also understood and agreed that the award of the contract shall be conditioned upon funds being made available for this project and further upon the right of the Department of Agriculture to hold all