

## Questions and Responses

Solicitation No. B26002674 / Job No. B81CO71A

Pokai Bay Jetty Wall Improvements

05/21/2026

1. The timeline to bid is very short and the due date is only a few days after questions are answered. Would the State consider extending the bid due date 2 week?

No bid deadline extension will be granted.

2. Will HRS 103-55.6 apply to this solicitation providing preference to apprentice programs?

Yes. See revised bid proposal issued with Addendum No. 1 dated May 22, 2026.

3. On Page P-4 of the provided Proposal document, the following is stated under Condition of Award: "It is also understood that Notice to Proceed may be delayed up to eighteen (18) months after the bid opening date, and that no additional compensation will be provided for any claim for escalation or delay for issuance of Notice to Proceed on or before that date." This language is in conflict with the Specifications. Per Page SP-2 of the Special Provisions, Section 3- Award and Execution of the Contract states: "In the event the Notice to Proceed is not issued within 365 days after the date of bid opening, the Contractor may submit a claim for increased labor and materials costs..." Please clarify which requirement prevails and update documents accordingly.

See revised bid proposal issued with Addendum No. 1 dated May 22, 2026 replacing eighteen (18) months with 365 calendar days.

4. Specification 02274 Jetty Wall, 1.3 1. Submittals states: "Name, Location and Historical Quality Reports from Quarry" which indicates that the new armor stone shall be quarried stone from an established quarry. In addition, Specification 022474 Jetty Wall, 2.1 C. Materials states: "The greatest dimension of each stone shall not be more than three times its least dimension. The faces of individual stones shall be roughly angular, not rounded, in shape." Given the specification requirements, please confirm that rounded field stones are not allowable.

Rounded field stone are not allowed.

5. Specification 02274 Jetty Wall, 1.3 1. Submittals states: “Name, Location and Historical Quality Reports from Quarry” which indicates that the new armor stone shall be quarried stone from an established quarry. In addition, Specification 022474 Jetty Wall, 2.1 C. Materials states: “The greatest dimension of each stone shall not be more than three times its least dimension. The faces of individual stones shall be roughly angular, not rounded, in shape.” We have reviewed the project requirements with the Oahu quarries, and they have informed us that the specified armor stone size and quantity are not available on island. Please advise the bidders if DL&NR has identified any Oahu quarries that can supply the required armor stone. If yes, please provide the quarry names and contact information to the bidders.

Approved quarries have not been identified.

6. Drawing C-001, Survey Note 3 states that the hydrographic and topographic surveys were conducted on February 13, 2026 and represent the conditions that existed at the time of the surveys. Upon field inspection it appears that the jetty has degraded even further in the last 3 months; especially in the area between Site 2 and 3. Site 2 ends at STA 4+85 and Site 3 begins at STA 5+30 indicating that there should be 45 FT of jetty that does not need repairing. The jetty has experienced enough further degradation that there is not 45 FT of good jetty in this area. Further inspections down Station from this area could not be completed due to poor access. Bidders are instructed that Notice to Proceed may not be issued for 365 days after the bid date. It is not possible to predict the level of further degradation 12 months from now. Please confirm that the Material Quantity Table shown on drawing C-002 will be used as a basis for quantity variation during project execution. Alternatively, recommend revising the bid items to unit price items with measured quantity of CY based on the gross total fill volumes of each repair area.

The intent of the material quantity table is for informational purposes only. The Contractor shall not use the table for a basis of their bid. Potential bidders are encouraged to visit the work site prior to bidding to assess and estimate quantities.

7. The Proposal states, "It is understood that Notice to Proceed may be delayed up to eighteen (18) months after the bid opening date, and that no additional compensation will be provided for any claim for escalation or delay for issuance of Notice to Proceed on or before that date". Please confirm whether bidders are required to included all escalation and delayed-start risk for a possible Notice to Proceed delay of up to eighteen (18) months after bid opening, including labor, materials, equipment, fuel, trucking, subcontractors, bonding, insurance, etc.

See revised bid proposal issued with Addendum No. 1 dated May 22, 2026 replacing eighteen (18) months with 365 calendar days.

**8. Section I-3, Paragraph N states, "No work shall be done on Saturdays, Sundays, legal State holidays, and/or in excess of eight (8) hours each day without written consent of the Engineer". Will work on Saturdays, Sundays, legal State holidays, and/or in excess of eight (8) hours each day be approved?**

Yes, upon approval.

**9. If work on Saturdays, Sundays, legal State holidays, and/or in excess of eight (8) hours each day is approved by the Engineer, Section I-3, Paragraph N states, ".Contractor shall pay for all inspection administrative costs thereof". Please provide the pay rate for all inspection administrative costs that will be required to be paid by the Contractor.**

Inspection costs, if required, will be determined after contract award.

**10. Plan Sheet C-002, Environmental Note 8 states, tree clearing during the Bat Season is prohibited except for Koa Haole. Please confirm there are not trees to be removed for this project that fall within the requirements of Bat Season requirements.**

The scope of work does not include tree clearing.

**11. Plan Sheet C-002, Environmental Note 8 states, tree clearing during the Bat Season is prohibited except for Koa Haole. If there are trees to be removed on the project that require it to be outside of the Bat Season AND the project could be delayed up to 18 months after bid opening, please confirm the Contractor will be entitled to any impacts associated with clearing delays associated with the Bat Season.**

The scope of work does not include tree clearing. Contractor will be responsible for complying with Bat Season restrictions should they request to remove any trees.

**12. Plan Sheet C-001, Note 4 states, "Due to limited space at the job site, the State recognizes the need for a construction staging area for temporary storage of construction equipment and material. ...The Contractor shall be responsible to obtain all required Rights of Entry and approvals for use of their proposed laydown area, subject to approval by DOBOR." Plan Sheet C-009 illustrates a "Proposed Laydown Area" and an "Alternative Laydown Area". To maintain equal bidding between all proposers, please confirm the Contractor will have unrestricted access to utilize both laydown areas for the duration of the project.**

For bidding purposes, assume that the Contractor will have access to both laydown areas for the duration of the project. Per Sheet C-009, public access to Lualualei homestead road must be provided throughout construction. Both the proposed and alternative laydown areas have been evaluated as part of the pending environmental permit applications to account for potential temporary construction-related impacts and associated best management practices.. Contractor is required to coordinate with DOBOR prior to use.

**13. To ensure the State is getting the best price from the proposers, please extend the bid date by 1 to 2 weeks.**

No bid deadline extension will be granted.

**14. Please provide the final project-specific permit approvals, verification letters, and project-specific permit conditions for all permits and authorizations applicable to the Work, including but not limited to USACE NWP 3/33 verification, Section 401 Water Quality Certification, CDUP/OCCL requirements, NPDES Form C requirements, and any other agency-specific conditions.**

Per Specification Section 01567, permits are pending approval. For bidding purposes, Appendix A includes the standard permit conditions that the Contractor must assume will be required for this project.

**15. If final project-specific permit approvals and conditions will not be issued before bid, please confirm the binding permit assumptions that all bidders shall carry for pricing, schedule, means and methods, monitoring, BMPs, turbidity controls, work windows, reporting, and agency coordination.**

See response to RFI 14.

**16. If final permit approvals or project-specific permit conditions issued after award impose requirements more restrictive than the bid documents and Appendix A, please confirm whether those requirements will be treated as a change to the Contract and whether the Contractor will be entitled to an equitable adjustment and/or time extension, as applicable.**

Yes, if final permit conditions require additional work and associated costs, a contract change order will be issued.

**17. Section 02110 requires a final high-resolution survey of the entire jetty wall extending from land to the terminal. Please confirm whether this full-jetty final survey requirement applies if only the Base Bid Site 1 work is awarded.**

For bidding purposes, Contractors shall assume the full length of the jetty wall must be surveyed. Final survey limits will be based on the additive sites that are awarded.

**18. If the full-jetty final survey is required even when only Site 1 is awarded, please confirm that bidders shall include the full-jetty survey cost in the Base Bid. If the full-jetty survey is not required unless additive sites are awarded, please confirm the required final survey limits for Base Bid Site 1 and each additive site.**

See response to RFI 17.

**19. Please clarify the governing provision for delayed Notice to Proceed and escalation. Proposal Page P-4 states that Notice to Proceed may be delayed up to eighteen (18) months after bid opening and that no additional compensation will be provided for escalation or delay for issuance of Notice to Proceed on or before that date. However, the Special Provisions amend Section 3.9 to allow the Contractor to submit a claim for increased labor and materials costs, but not overhead, if Notice to Proceed is not issued within 365 days after bid opening.**

See revised bid proposal issued with Addendum No. 1 dated May 22, 2026 replacing eighteen (18) months with 365 calendar days.

**20. Please confirm whether the Contractor may submit a claim for increased labor and material costs after 365 days from bid opening, notwithstanding the Proposal P-4 language, and confirm whether overhead costs remain excluded as stated in the Special Provisions.**

Labor and material escalation costs (excluding overhead costs) can only be claimed after 365 calendar days after bid opening plus the contract duration noted in the Proposal, if Notice to Proceed is issued later than 365 calendar days after bid opening. 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.

**21. Please confirm the basis of award and additive bid selection mechanics. Proposal Page P-4 states that award will be made on the basis of the lowest responsible Total Base Bid for Items 1 through 3. However, the Proposal also requests bid totals for Base Bid plus Additive Bid 1 through Additive Bid 4.**

Bids will be compared for each total that is listed on the proposal schedule.

**22. Please confirm the following: Whether bid evaluation and award will be based on Total Base Bid Items 1 through 3 only, or on the Base Bid plus additive bid combination selected by the State within available funding.**

See response to RFI 21.

**23. Please confirm the following: The order in which additive bid items will be considered or awarded.**

See response to RFI 21.

**24. Please confirm the following: Whether additive bid items may be awarded after the initial contract award, and if so, the time period during which additive pricing must remain valid.**

Additive bid items are intended to be included in the initial contract award based on available funding.

**25. Please confirm the following: Whether the apparent low bidder could change depending on the additive bid combination selected.**

See response to RFI 21.