

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

BID OFFER FORM

FOR

**NANAKULI REYES WALL
89-632 & 89-642 Mokiawe Street, Nanakuli, Oahu
TMK: (1) 8-9-013:014 & 015**

RFQ No.: RFQ-17-LDD-015

Chairman
Hawaiian Homes Commission
Department of Hawaiian Home Lands (DHHL)
91-5420 Kapolei Parkway
Kapolei, Hawaii 96707

The undersigned has carefully examined, read, and understands the terms and conditions in the Plans and Specifications, Special Conditions attached hereto, DHHL Construction General Conditions, and General Conditions specified in the Request for Quotes (RFQ) No. RFQ-17-LDD-015. The State of Hawaii's (State) Requisition and Purchase Order Form C-03, AG-008 103D General Conditions, are included by reference and made part hereof and available upon written request to the Procurement Officer. The undersigned hereby submits the following offer to perform the work for RFQ No. RFQ-17-LDD-015, as specified herein, all in accordance with the true intent and meaning thereof.

The undersigned understands and agrees that:

1. The State reserves the right to reject any and all offers and to waive any items that are defective when, in the State's opinion, such rejection or waiver will be in the best interest of the State. A solicitation may be rejected in whole or part when in the best interest of the State.
2. If awarded the Contract, all services will be in accordance with Hawaii Revised Statutes (HRS) § 103-55.5.
3. In submitting this offer, the Offeror is not in violation of HRS Chapter 84, concerning prohibited State contracts.
4. By submitting this offer, the Offeror certifies that the offer was independently arrived at without collusion and the Offeror did not participate in any practices to restrict competition.
5. It is understood that the failure to receive any addendum shall not relieve the Offeror from any obligation under this RFQ.

Date: _____

The undersigned represents that it is: **(Check ✓ 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, is or shall be registered at the State of Hawaii Department of Commerce and Consumer Affairs Business Registration Division (DCCA-BREG) to do business in the State of Hawaii.

State of incorporation: _____

Offeror is:

- Sole Proprietor
- Partnership
- Corporation
- Joint Venture
- Other: _____

Federal ID No.: _____

Hawaii General Excise Tax ID No.: _____

Telephone No.: _____

Fax No.: _____

E-Mail Address.: _____

Payment address (other than street address below)

(Street Address, City, State, Zip Code)

Business address

(Street Address, City, State, Zip Code)

Respectfully submitted:

Authorized (Original) Signature

Name and Title (Please Type or Print)

* _____

Exact Legal Name of Company (Offeror)

*If Offeror shown above 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:

The following offer is hereby submitted for RFQ No.: RFQ-17-LDD-015, Nanakuli Reyes Wall, for the Department of Hawaiian Home Lands.

The prices herein for the following items shall include all materials, labor, tools, equipment, machinery and all incidentals necessary, including excavation and backfill, to install or to construct these items in place complete and in accordance with the plans and specifications.

Item # 1: WALL REPAIRS: \$ _____

Item # 2: CONTINGENCY AMOUNT (for work due to unforeseen conditions and for additional work directed by DHHL): \$ 6,000.00

TOTAL BASE OFFER AMOUNT (Item # 1 + Item # 2): \$ _____

TOTAL BASE OFFER AMOUNT: _____ Dollars (\$ _____).

The prices herein for the above items shall include all materials, labor, tools, equipment, machinery and all incidentals necessary, inclusive of general excise tax to install or to construct these items in place complete and in accordance with the plans and specifications contained in this RFQ.

METHOD OF AWARD

Offeror is required to submit his offer for the entire project. The low Offeror shall be determined by the procedures outlined in Items 1) through 3) below:

- 1) The Base Offer and Alternate, if any, of each Offeror will be adjusted to reflect the applicable preferences in accordance with Chapter 103D, HRS. The Alternate, if any, will then be added to the Base Offer and compared with the control amount.
- 2) The low Offeror shall be the Offeror having the lowest aggregate amount, within the control amount (after application of the various preferences), for the Base Offer plus the Alternate, if any.
- 3) If adding the Alternate, if any, would make the aggregate amount exceed the control amount for all Offerors, the low offer shall be the Offeror having the lowest Base Offer after application of the various preferences.

It is further understood and agreed that:

- 1) The Chairman reserves the right to reject any and/or all offers and waive any defects when, in her opinion, such rejection or waiver will be in the best interest of the State.
- 2) After determining the low offer, an award may be made either on the amount of the Base Offer alone, or including the Alternate (exclusive of preferences), if:
 - a. It is in the best interest of the State;
 - b. Funds are available at time of the award; and
 - c. The combination of the Base Offer plus Alternate does not change the apparent low Offeror.
- 3) In the event the Base Offer for all Offerors exceed the control amount, the Chairman reserves the right to negotiate with the lowest responsible and responsive offer to award a contract within available funds.
- 4) In the event the award is made for the Base Offer alone, the Chairman reserves the right to amend the contract at a later date to include the Alternate should funds subsequently become available.

OTHER CONDITIONS

- 1) The Time of Performance shall be **45** calendar days after the Notice to Proceed is issued.
- 2) The liquidated damages per calendar day for failure to complete the work on time shall be \$250.00 per calendar day.
- 3) A performance and payment bond equal to one hundred per cent of the Total Base Offer Amount will be required if the Total Base Offer Amount exceeds \$50,000.
- 4) By submitting this offer, the undersigned is declaring that his firm has not been assisted or represented on this matter by an individual who has, in a State capacity, been involved in the subject matter of this contract in the past one (1) year.
- 5) By submitting this offer, the undersigned is declaring that Offeror's own organization will perform at least 20% of the contractor's work. For the purposes of this section, the Contractor's work is defined as: direct cost labor for contractor's forces; direct cost materials installed by the contractor's direct cost labor force; direct cost equipment, either owned or leased, used by the contractor's direct cost labor force; and field overhead cost to include: field supervision, field office trailer (if any), field office equipment and supplies, etc.
- 6) Upon the acceptance of the offer by the Chairman, the undersigned must furnish a Performance and Payment Bond, as required by law. These bonds shall conform to the provisions of Sections 103D-324 and 325, Hawaii Revised Statutes, and any law applicable thereto.
- 7) The quantities given herewith are approximate only and are subject to increase or decrease.
- 8) The estimated quantities shown for items for which a UNIT PRICE is asked in this offer are only for the purpose of comparing on a uniform basis offers offered for the work under this contract. No claim shall be filed for anticipated profit or loss because of any difference between the quantities of the various classes of work done or the materials and equipment actually installed and the said estimated quantities. Payment on UNIT PRICE items will be made only for the actual number of units incorporated into the finished project at the contract UNIT PRICE.
- 9) If the product of the UNIT PRICE and the number of units does not equal the total amount stated by the undersigned in the Offer for any item, it will be assumed that the error was made in computing the total amount. For the purpose of determining the lowest Offeror, the stated UNIT PRICE alone will be considered as representing the Offeror's intention and the total offer amount on such items shall be considered to be the amount arrived at by multiplying the UNIT PRICE by the number of units.

- 10) Certification for Safety and Health Programs for Offers in Excess of \$100,000. In accordance with Sections 103D-327 and 396-18, Hawaii Revised Statutes, by submitting this offer, the undersigned certifies that his firm 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.
- 11) Any contract arising out of this offer is subject to the approval of the Department of the Attorney General as to form, and to all further approvals, including the approval of the Governor, required by statute, regulation, rule, order, or other directive.

Receipt of the following addenda issued by the Department is acknowledged by the date(s) of receipt indicated below:

	Date		Date
Addendum No. 1	_____	Addendum No. 5	_____
Addendum No. 2	_____	Addendum No. 6	_____
Addendum No. 3	_____	Addendum No. 7	_____
Addendum No. 4	_____	Addendum No. 8	_____

It is understood that failure to receive any such addendum shall not relieve the Contractor from any obligation under this RFQ as submitted.

Respectfully submitted,

Name of Company, Joint Venture or Partnership

License No.

By _____
Signature (*4)

Title: _____

Date: _____

Address: _____

Telephone No.: _____

(IF A CORPORATION, AFFIX CORPORATE SEAL TO SIGNATURE, BE SURE TO FILL IN ATTACHED LIST OF SUBCONTRACTORS. THIS OFFER FORM MAY NOT BE ALTERED AND OFFERORS MAY NOT QUALIFY OR CONDITION THEIR OFFERS IN ANY WAY.)

PLEASE FILL OUT THE ATTACHED CERTIFICATE OF RESOLUTION GIVING EVIDENCE OF THE AUTHORITY OF THIS OFFICER TO SUBMIT OFFERS ON BEHALF OF THE COMPANY.

NOTES:

- *1. Surety bond underwritten by a company licensed to issue bonds in this State;
- *2. Legal tender; or
- *3. A certificate of deposit; share certificate; or cashier's, treasurer's, teller's, or official check accepted by, and payable on demand to the State by a bank, a savings institution, or credit union insured by the Federal Deposit Insurance Corporation of the National Credit Union Administration.
 - A. These instruments may be utilized only to a maximum of \$100,000.
 - B. If the required security or bond amount totals over \$100,000, more than one instrument not exceeding \$100,000 each and issued by different financial institutions shall be accepted.
- *4. Please attach to this page evidence of the authority of this officer to submit offers on behalf of the Company, and also the names and residence addresses of all officers of the Company.
- *5. Fill in all blank spaces with information asked for or offer may be invalidated. THE OFFER MUST BE INTACT; MISSING PAGES MAY INVALIDATE YOUR OFFER.

CERTIFICATE OF RESOLUTION

I, _____, Secretary of _____, a Hawaii Corporation, do hereby certify that the following is a full, true and correct copy of a resolution duly adopted by the Board of Directors of said Corporation, at its meeting duly called and held at the office of the Corporation _____, Hawaii, on _____ day of _____, 20_____, at which a quorum was present and acting throughout; and that said resolution has not been modified, amended or rescinded and continues in full force and effect.

“RESOLVED that any individual at the time holding the position(s) of _____, be, and each of them hereby is, authorized to execute on behalf of the Corporation any offer, proposal or contract for the sale or rental of the products of the Corporation or for the services to be performed by the Corporation and to execute any bond required by any such offer, proposal or contract with the United States Government or the State of Hawaii or the City and County of Honolulu, or any County of Municipal Government of said State, or any department or subdivision of any of them.”

IN WITNESS THEREOF, I have hereunto set my hand and affixed the corporate seal of said

_____ this _____ day of _____, 20____.

Secretary

END OF OFFER