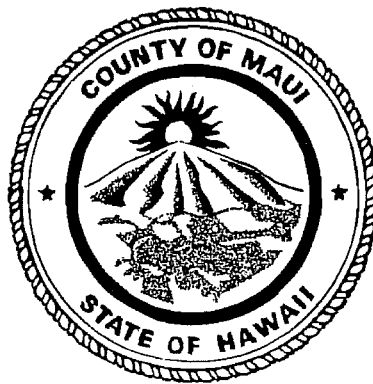


BID DOCUMENTS
FOR
PAVEMENT RESTORATION AT
SOUTH KIHEI ROAD NEAR WAIMAHAIHAI STREET
AND
WAILEA IKE DRIVE NEAR WAILEA IKE PLACE
JOB NO. IFB# DWSP 2017-03



DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
WAILUKU, MAUI, HAWAII

NOVEMBER 2016

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NOTICE TO BIDDERS

Pursuant to Chapter 103D, Hawaii Revised Statutes (HRS), the Director of the Department of Water Supply, County of Maui, 5th Floor, 200 South High Street, Wailuku, Maui, Hawaii 96793 will receive sealed bids for Pavement Restoration until **2:00 P.M. on November 10, 2016**, at which time and place all bids will be publicly opened and read aloud.

The project involves furnishing all labor, tools, materials and equipment as specified in the Bid Documents necessary for pavement restoration at South Kihei Road near Waimahaihai Street and Wailea Ike Drive near Wailea Ike Place, including adjusting utilities, installing pavement markings, and other incidentals.

The Bid Documents are on file in the Engineering Division office of said department located at 200 South High Street, Wailuku, Maui, Hawaii 96793 and also on the County of Maui website, www.mauicounty.gov under "Bid Postings".

To be eligible to bid, bidders must possess applicable and valid State of Hawaii contractor licenses to perform the work.

A handwritten signature in black ink, appearing to read 'DANILLO F. AGSALOG', written over a horizontal line.

DANILO F. AGSALOG, Director
Department of Finance
County of Maui

INSTRUCTIONS TO BIDDERS

1. **Receipt of Bid Documents:** Bid documents are on file in the Engineering Division office of said department located at 200 South High Street, Wailuku, Maui, Hawaii 96793 and also on the County of Maui website, www.mauicounty.gov under "Bid Postings".
2. **Bid Submittal:** Upon receipt, each bid shall be time-stamped and held by the Director until the time and date set forth in the Notice to Bidders. Bids will be publicly opened and the time, date and place designated in the Notice to Bidders.

Bid proposals must be made on the proposal form provided by the Department and must be fully completed, executed and notarized upon submittal. Bidders shall submit original bids only.

All bids shall be submitted in a sealed envelope clearly marked as follows:

Name of Company
Address of Company
Phone Number
Job No. IFB# DWSP 2017-03
"Pavement Restoration at South Kihei Road near Waimahaihai Street and Wailea Ike Drive near Wailea Ike Place"

Deliver sealed bids to:

Office of the Director
Department of Water Supply, County of Maui
5th Floor, 200 South High Street
Wailuku, HI 96793

FAXED BIDS WILL NOT BE ACCEPTED. The Department will reject any bid if FAXED in whole or in part.

3. **Requirement for Award:** In accordance with Section 3-122-112, as amended, of the Hawaii Administrative Rules, the successful bidder must produce the following documents:
 - a. Tax Clearance Certificate
 - b. DLIR Certificate of Compliance

c. Certificate of Good Standing from the DCCA

The awarded bidder is encouraged to use the Hawaii Compliance Express (HCE) website, <http://vendors.ehawaii.gov> to assist them in obtaining the above certificates.

4. **Tax Clearance Certificate:** Pursuant to 103D-328, HRS, the successful bidder shall be required to submit a tax clearance certificate issued by the Hawaii State Department of Taxation (DOTAX) and the Internal Revenue Service (IRS). The certificate is valid for six (6) months from the most recent approval stamp date on the certificate and must be valid on the date it is received by the purchasing agency.

The tax clearance certificate shall be obtained on the State of Hawaii, DOTAX Tax Clearance Application Form A-6 (rev 2009) which is available at the DOTAX and IRS offices in the State of Hawaii or the DOTAX website and by mail or fax.

Completed tax clearance applications may be mailed to one of the district tax offices listed on the application or faxed to one of the following numbers. If mailed, out of state bidders should send their application to DOTAX Oahu District Office.

IRS	(808) 541-1976
DOTAX	
Oahu	(808) 587-1720 or (808) 587-1488
Maui	(808) 984-8522
Kauai	(808) 274-3461
Hawaii	(808) 974-6300

The application for the clearance is the responsibility of the Bidder, and must be submitted directly to the DOTAX or IRS and not to the purchasing agency.

5. **DLIR Certificate of Compliance:** Pursuant to 103D-310(c), HRS, the successful bidder shall be required to submit an approved certificate of compliance issued by the Hawaii State Department of Labor and Industrial Relations (DLIR). The certificate is valid for six (6) months from the date of issue and must be valid on the date it is received by the purchasing agency.

The certificate of compliance shall be obtained on the State of Hawaii, DLIR website, www.hawaii.gov/labor, Form LIR#27 or at the neighbor island DLIR District Offices. The DLIR will return the form to the Bidder who in turn shall submit it to the purchasing agency.

The application for the certificate is the responsibility of the Bidder, and must be submitted directly to the DLIR and not to the purchasing agency.

6. **Certificate of Good Standing from the DCCA:** Bidders are advised that there are costs associated with registering and obtaining a “Certificate of Good Standing” from the Department of Commerce & Consumer Affairs.
7. **Timely Submission of all Certificates:** The above certificates should be applied for and submitted to the purchasing agency as soon as possible. If a valid certificate is not submitted on a timely basis for award of a contract, an offer otherwise responsive and responsible may not receive the award.
8. **Contractor’s License:** 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 where the general contractor has no license. Although the “A” contractor may still bid on and act as the “prime” contractor on an “A” or “B” project, (see HRS 444-7 for the definitions of an “A” and “B” project), respectively, the “A” and “B” contractor may only perform work in the areas in which they have the appropriate contractor’s license (an “A” or “B” contractor obtains “C” specialty contractor’s licenses either on its own, or automatically under HAR 16-77-32). The remaining work must be performed by appropriately licensed entities. It is the sole responsibility of the contractor to review the requirements of this project and determine the appropriate licenses that are required to complete the project.

Each bidder shall fill in contractor’s and subcontractor’s license numbers in the Proposal. Bidders must list not only their name and all subcontractor’s name, but also a valid license number for each contractor and subcontractor as indicated on the State of Hawaii, Department of Commerce & Consumer Affairs (DCCA) Professional & Vocational Licensing website located at <http://pvl.ehawaii.gov/pvlsearch/app>. It is the bidder’s responsibility to only work with contractors and subcontractors that are in good standing with the State of Hawaii DCCA contractor’s licensing office and are represented as such on the DCCA website. If contractor’s license cannot be verified as being in good standing on the DCCA website at the time of bid opening, then the Department has discretion to reject the contractor’s bid on this basis.

The Department will verify the licenses of the contractor and all of the listed subcontractors on the DCCA website after the bid opening. The Department will also print out the license status for the contractor and each subcontractor listed and keep them in the bid file.

If a subcontractor is listed, and the license number is listed but not listed accurately, or numbers are transposed, or the subcontractor name listed does not match DCCA listing, or the name and license number cannot be verified through the website, etc. the Department will have the sole discretion to accept or reject the contractor's bid based on the ability to quickly locate the license number on the website using the license holder information provided in the Proposal.

9. **Site Conditions:** Each bidder, upon submittal of bid, accepts the conditions at the project site, such as disposal, handling of materials, availability of labor, uncertainties of weather, and other physical conditions, as they eventually may be found to exist and warrants and represents that the contractor can and will be performed under such conditions, and that all materials, equipment, labor, etc. required because of unforeseen conditions (physical or otherwise) shall be wholly at the contractor's own cost and expense, anything in the contract to the contrary withstanding.
10. **Prevailing Wages:** The contractor shall comply with the schedule of wage rates published by the State of Hawaii DLIR recognized by the Director of Labor and Industrial Relations to be prevailing on public construction work for the purposes of Chapter 104, HRS. The schedule of wage rates is applicable only to those laborers and mechanics employed at the site of work.

The wage rate schedules are issued on or about February 15 and September 15 of each year. Whenever the Director of Labor and Industrial Relations determines that the prevailing wage has increased as shown in the wage rate schedule, the contractor must increase the wages accordingly during the performance of the contract. Addenda or additional wage rate schedules will be posted on the DLIR website, <http://hawaii.gov/labor/rs/WRS/WRS.htm>.

11. **Performance and Payment Bond:** Bidders must use the most updated state/county approved performance and payment bond forms which can be found at <http://www.4.hawaii.gov/StateForms/SPOInt/ShowInternal.cfm>. Please note that the '07 versions of the performance and payment have been modified, and the new performance and payment bonds are now separate and must be used.

PROPOSAL

PAVEMENT RESTORATION AT SOUTH KIHEI ROAD NEAR WAIMAHAIHAI STREET
AND WAILEA IKE DRIVE NEAR WAILEA IKE PLACE
JOB NO. IFB# DWSP 2017-03

BIDDER'S NAME: _____

Director
Department of Water Supply
County of Maui
200 South High Street
Wailuku, Maui, Hawaii 96793

Dear Sir:

The undersigned bidder, agrees to furnish and pay for all labor, materials, tools, and equipment, necessary to complete in place, the work called for in the bid documents in accordance with their intent and meaning for the **TOTAL SUM BID** of:

_____ DOLLARS

(\$ _____), as itemized in the attached Proposal Schedule.

The undersigned bidder declares the following:

1. It is incorporated or organized under the laws of the State of Hawaii, or is registered to do business in the State of Hawaii as a separate branch or division that is capable of fully performing under the contract and shall submit documents to the Department to demonstrate compliance.
2. It has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this proposal.
3. It has not been assisted or represented on this matter by an individual who has, in a County capacity, been involved in the subject matter of this contract within the past two years.

4. It has not and will not, either directly or indirectly offered or given a gratuity (i.e., an entertainment or gift) to any State or County employee to obtain a contract or favorable treatment under a contract.
5. It will not maintain for its employees any segregated facilities at any of its establishments.
6. It does not and will not permit its employees to perform their services at any location under its control, where segregated facilities are maintained.

The undersigned bidder further agrees to the following:

1. Contract Time shall not exceed **THIRTY (30) CALENDAR DAYS**. The contract time shall commence on the date of notification to begin work, which date will be issued in the notice to proceed.
2. Bids shall be compared on the basis of total sum bid and award made to the lowest responsible bidder, subject to the availability of funds.
3. That the quantities given in the attached Proposal Schedule are approximate only and are intended principally to serve as a guide in determining and comparing the bids.
4. The County does not, expressly or by implication, agree that the actual amount of work will correspond therewith, but reserves the right to increase or decrease the amount of any class or portion of work, or to omit portions of the work as may be deemed necessary or advisable by the Director of Water Supply, and that all increased or decreased quantities of work shall be performed at the unit prices set forth in the attached Proposal Schedule except as provided for in the specifications.
5. In case of a discrepancy between unit prices and the totals in the attached Proposal Schedule, the unit prices shall prevail. If the addition of the totals is incorrect, the total sum bid shall be corrected.
6. If this proposal is accepted, it shall execute a contract with the County to provide all necessary labor, machinery, tools, equipment, apparatus and any other means of construction, to do all the work and to furnish all the materials specified in the contract in the manner and within the contract time, and that it shall accept in full payment therefore the sum of the unit price bid and/or lump sum bid prices as set

forth in the attached Proposal Schedule for the actual quantities of work performed and materials furnished.

7. To furnish satisfactory performance and payment bond for one hundred percent (100%) of the contract price, in accordance with Section 103D-324, Hawaii Revised Statutes, within ten (10) days after the award of the contract or within such time as the Director of Finance may allow after the undersigned has received the contract documents for execution, and is fully aware that non-compliance with the aforementioned terms will result in the forfeiture of the full amount of the bid guarantee required under Section 103D-323, Hawaii Revised Statutes.
8. The County reserves the right to reject any or all bids and to waive any defects when in the Director's opinion such rejections or waiver will be for the best interest of the public.

SUBCONTRACTOR AND JOINT CONTRACTOR LISTING

In accordance with Section 103D-302, Hawaii Revised Statutes, the undersigned as bidder has listed below the name of each person or firm, who will be engaged by the bidder on the project as subcontractor and the nature of work to be done by each. It is understood that failure to comply with these requirements may be cause for rejection of the bid submitted.

If no subcontractor is to be engaged, the bidder must complete the form by writing "NONE". If left blank, the Department will interpret the blank as no subcontractor will be used.

Each bidder shall fill in contractor's and subcontractor's license numbers. Bidders must list not only their name and all subcontractor's names, but also a valid license number for each contractor and subcontractor as indicated on the DCCA licensing website located at <http://pvl.ehawaii.gov/pvlsearch/app>. It is the bidder's responsibility to only work with contractors and subcontractors that are in good standing with the DCCA licensing office and are represented as such on the DCCA website. If contractor's license cannot be verified as being in good standing on the DCCA website at the time of bid opening, then the County has discretion to reject the contractor's bid on this basis.

The Department will verify the licenses of the lowest bid contractor and all of the listed subcontractors on the DCCA website after the bid opening. The Department will also print out the license status for the contractor and each subcontractor listed and keep them in the bid file.

The County will also verify the licenses of the 2nd and 3rd contractor and their subcontractors in case the low bidder does not end up with the contract. If, for whatever reason, the County does not end up contracting with one of the three lowest bidders, the County will check the licenses of the other bidders, on a later date, and that verification date will be at the sole discretion of the County.

If a subcontractor is listed, and the license number is listed but not listed accurately, or numbers are transposed, or the subcontractor listed does not match DCCA listing, or the name and license number cannot be verified through the DCCA website, etc., the County will have the sole discretion to accept or reject that contractor's bid based on the ability to quickly locate that license number on the DCCA website using the license holder information provided below.

If the DCCA website is unavailable after the bid opening, or if the County internet service is down, etc., the County has the sole discretion to verify licenses as soon as possible at a later date, but prior to the award of contract.

CONTRACTOR:

	NAME	NATURE OF WORK	LICENSE CLASS	LICENSE NO.
1.	_____	_____	_____	_____

SUBCONTRACTOR:

	NAME	NATURE OF WORK	LICENSE CLASS	LICENSE NO.
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____

PROPOSAL SCHEDULE

PAVEMENT RESTORATION AT SOUTH KIHEI ROAD NEAR WAIMAHAIHAI STREET
AND WAILEA IKE DRIVE NEAR WAILEA IKE PLACE
JOB NO. IFB# DWSP 2017-03

ITEM NO.	<u>DESCRIPTION</u>	<u>APPROX. QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL</u>
1.	Apply for and obtain a Work to Perform on County Highways Permit	LUMP SUM	L.S.	L.S.	\$ _____
2.	South Kihei Road 365 square-foot pavement restoration, including demolition, subbase, base course, AC Mix V, pavement markings and striping	LUMP SUM	L.S.	L.S.	\$ _____
3.	Wailea Ike Drive 40 square-foot pavement restoration, including demolition, separator, geogrid, base course, HMA Mix V, pavement markings and striping	LUMP SUM	L.S.	L.S.	\$ _____
4.	Traffic Control	LUMP SUM	L.S.	L.S.	\$ _____
TOTAL SUM BID					\$ _____

Low Bid Determination: The low bid shall be determined by the lowest 'TOTAL SUM BID'.

Note: Payment for items of work called for in the bid documents which payment is not specified in the Proposal Schedule shall be considered incidental to the various items in the Proposal Schedule and no additional compensation shall be made to the Contractor. Incidental items include but are not limited to, trench excavation and backfill, site restoration, permits and associated fees.

The undersigned hereby certifies that the bid prices contained in the attached Proposal Schedule have been carefully checked and are submitted as correct and final.

This declaration is made with the understanding that the undersigned is subject to the penalty of perjury under the laws of the United States and violation of the Hawaii Penal Code, Section 710-1063, unsworn falsification to authorize, of the Hawaii Revised Statutes, for knowingly rendering a false declaration.

Bidder

By _____
Authorized Signature

Title

Business Address

Business Telephone / Business Fax

Contractor's Email Address (Optional)

Contractor's License No.

Date

NOTE:

If bidder is a CORPORATION, the legal name of the corporation shall be set forth above, the corporate seal affixed, together with the signature(s) of the officer(s) authorized to sign contracts for the corporation. Please attach to this page current (not more than six months old) evidence of the authority of the officer(s) to sign for the corporation.

If bidder is a PARTNERSHIP, the true name of the partnership shall be set forth above, with the signature(s) of the general partner(s). Please attach to this page current (not more than six month old) evidence of the authority of the partner authorized to sign for the partnership.

If bidder is an INDIVIDUAL, the bidder's signature shall be placed above.

If signature if by an agent, other than an officer of a corporation of a partner of a partnership, a POWER OF ATTORNEY must be on file with the Department before opening bids or submitted with the bid. Otherwise, the Department may reject the bid as irregular and unauthorized.

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

On this _____ day of _____, 20_____, before me personally appeared _____, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public, State of Hawaii

Print Name:
My commission expires:_____

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

On this _____ day of _____, 20_____, before me personally appeared _____, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

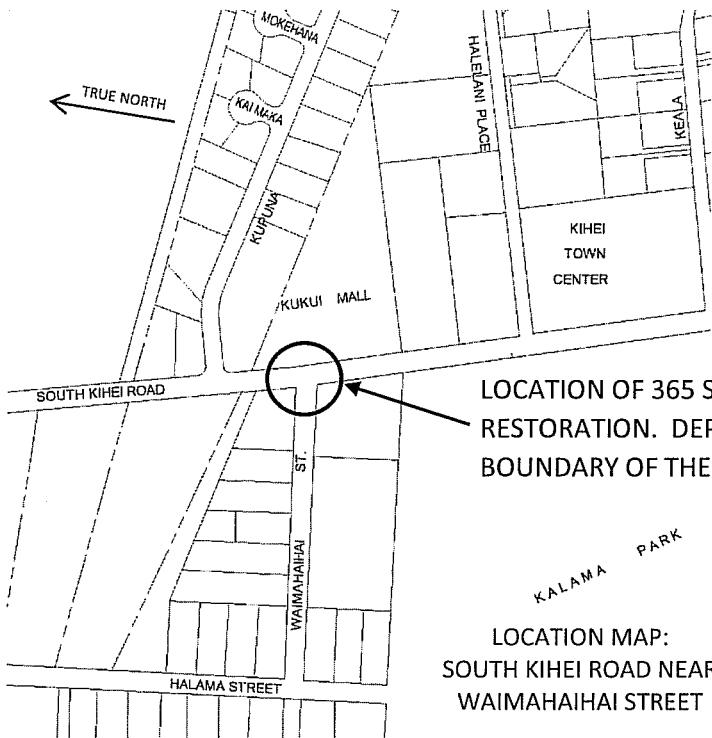
Notary Public, State of Hawaii

Print Name:
My commission expires:_____

SPECIFICATIONS

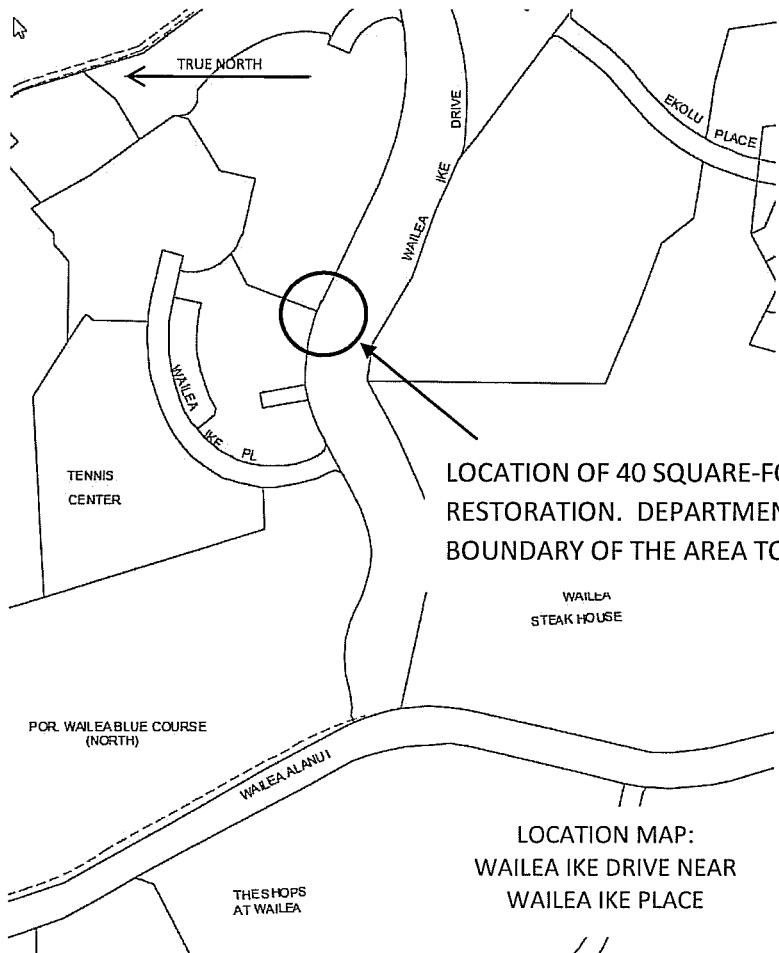
1. **Project Description:** The project involves furnishing all labor, tools, materials and equipment as specified in the Bid Documents necessary for pavement restoration of a 365 square-foot area on South Kihei Road near Waimahaihai Street and a 40 square-foot area on Wailea Ike Drive near Wailea Ike Place, including adjusting utilities, installing pavement markings, and other incidentals.
2. **Standards:** All work shall conform to the specifications and details referenced in this Bid Document, and applicable portions of the 2005 Hawaii Standard Specifications and Special Provisions. When reference is made to this standard, the most recently adopted and published edition of these specifications on the date of the notice to bidders shall apply to this project, unless otherwise specified herein.
3. **Preparation:** Costs for pre-asphalt preparation work, including grade preparation, compaction, pavement milling, etc. shall be the responsibility of the contractor. Department will mark the boundary of the area to be resurfaced.
4. **Permits:** Contractor is responsible for obtaining any permits necessary to complete work, including but not limited to Work to Perform on County Highways Permit.
5. **Inspection:** Contractor is responsible for the resurfaced area to pass inspections conducted by governmental agencies/departments.
6. **Warranty:** Provide written warranty for the work completed.
7. **Location:** See **Attachment A** for location maps.
8. **Details:** See **Attachment B** for pavement restoration details.
9. **Department of Water Supply Contact Information:**

Tammy T. Yeh, P.E.
Department of Water Supply, Engineering Division
5th Floor, 200 South High Street
Wailuku, HI 96793
(808) 270-7835



LOCATION OF 365 SQUARE-FOOT PAVEMENT RESTORATION. DEPARTMENT WILL MARK THE BOUNDARY OF THE AREA TO BE RESURFACED.

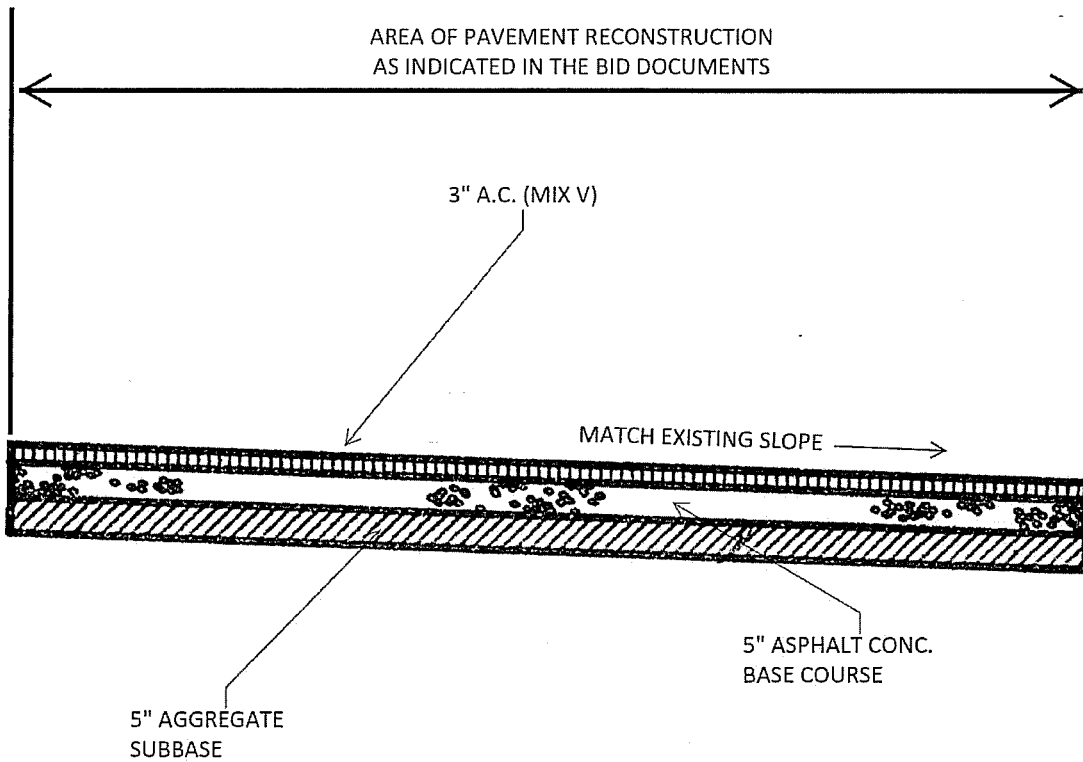
LOCATION MAP:
SOUTH KIHAI ROAD NEAR
WAIMAHAIHAI STREET



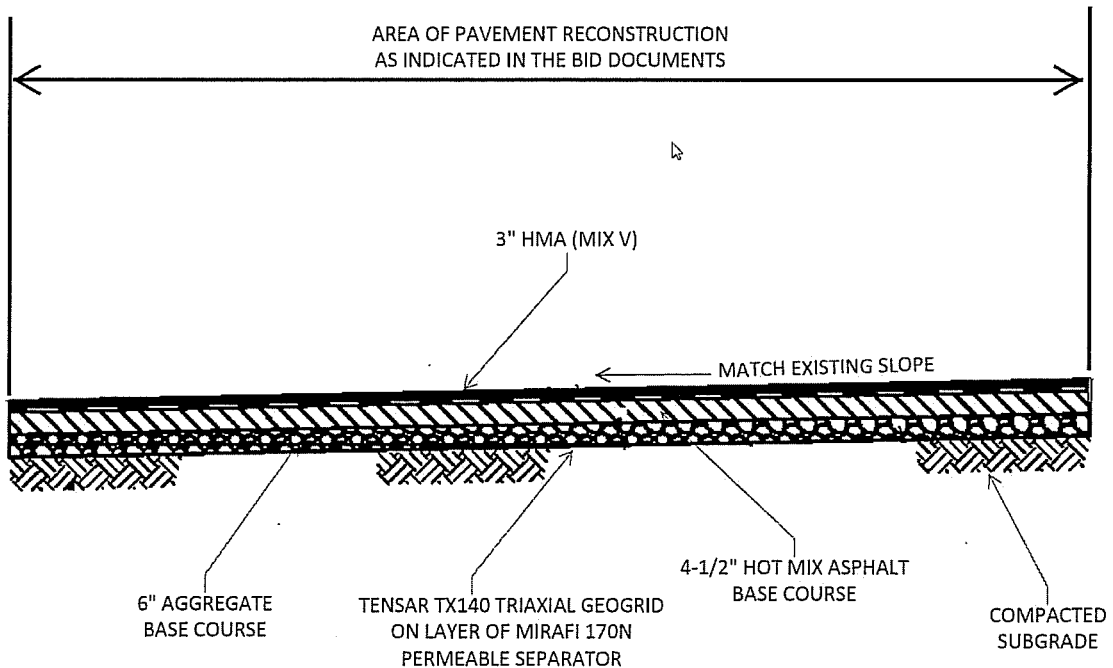
LOCATION OF 40 SQUARE-FOOT PAVEMENT RESTORATION. DEPARTMENT WILL MARK THE BOUNDARY OF THE AREA TO BE RESURFACED.

LOCATION MAP:
WAILEA IKE DRIVE NEAR
WAILEA IKE PLACE

ATTACHMENT A: LOCATION MAPS



TYPICAL ROADWAY SECTION
SOUTH KIHAI ROAD



TYPICAL ROADWAY SECTION
WALEA IKE DRIVE

ATTACHMENT B: PAVEMENT RESTORATION DETAILS