

**RECEIPT OF ADDENDUM ACKNOWLEDGEMENT**

**ADDENDUM NO. 1**

**TO**

**BID DOCUMENTS  
FOR  
WAIKAMOI RESERVOIRS NO. 1 & 2  
REFURBISHMENT  
DWS JOB NO. 13-05A  
OLINDA, MAUI, HAWAII  
TMK: 2-4-016:004**

Please acknowledge the receipt of the above ADDENDUM issued by the Department of Water Supply, County of Maui, by signature and recording the date of receipt below.

Bidder: \_\_\_\_\_

Authorized Signatory: \_\_\_\_\_ Date: \_\_\_\_\_

NOTE: This form may be FAXED to the Engineering Division at 270-7833.

**ADDENDUM NO. 1**  
**TO**  
**BID DOCUMENTS**  
**FOR**  
**WAIKAMOI RESERVOIRS NO. 1 & 2**  
**REFURBISHMENT**  
**DWS JOB NO. 13-05A**  
**OLINDA, MAUI, HAWAII**  
**TMK: 2-4-016:004**

The following shall be incorporated into the Contract Documents for the subject project and shall govern the work taking precedence over previously issued documents covering the items noted. All conditions not modified shall remain unchanged.

**BID OPENING DATE**

The Bid Opening date has been changed from **FRIDAY, NOVEMBER 1, 2013 to FRIDAY, NOVEMBER 8, 2013**. The time (2:00 PM-HST) and location will remain the same.

**CLARIFICATIONS**

Reservoir #2: Existing liner shall remain in place except for the areas where the liner is torn. These areas shall be trimmed and removed to allow for the new liner to lay flat.

Question: Do the products that come in contact with the water for these reservoirs need to be NSF potable water approved?

Answer: No. However, the products shall not have contaminants that are considered harmful or may be linked to cause health risks or cancer. These products and materials shall also include all field seams and associated welding techniques.

**SPECIFICATIONS**

**Section 02666 – Reservoir Lining System - 1.2B Quality Assurance**

Delete paragraph 1.2B in its entirety and replace with:

“Qualifications of Installers: All experienced workmen shall be certified by the liner manufacturer as participating and passing the required training to be qualified to install their product.”

## CONSTRUCTION PLANS

### Sheet 3 – Overflow Detail - Modification

Change notation and dimension from:

“SAWCUT ADDITIONAL 6” OF EXISTING WALL AND REMOVE-GRIND EDGES”

To: “SAWCUT ADDITIONAL 12” OF EXISTING WALL AND REMOVE-GRIND EDGES”

## PROPOSAL SCHEDULE

### B. Phase 2 – Waikamoi Reservoir No.1

1. REVISE ITEM NO. 3: Description as follows:

“Clean and repaint access ladder, replace interior handrail with aluminum Schedule 80 piping (1-1/2” nominal diameter) of similar dimensions and layout, and provide tank level indicator markings.”


### B. Phase 2 – Waikamoi Reservoir No.2

1. REVISE ITEM NO. 3: Description as follows:

“Clean and repaint access ladder, replace interior handrail with aluminum Schedule 80 piping (1-1/2” nominal diameter) of similar dimensions and layout, and provide tank level indicator markings.”

Attached is a revised PROPOSAL SCHEDULE is to be submitted as the Bidders Proposal.

### APPROVED BY:

  
\_\_\_\_\_  
Dave Taylor, P.E. Director  
Department of Water Supply

10/28/13  
\_\_\_\_\_  
Date

**ADDENDUM NO. 1**

**PROPOSAL FOR:**

**WAIKAMOI RESERVOIRS NO. 1 & 2  
REFURBISHMENT  
DWS JOB NO. 13-05A  
OLINDA, MAUI, HAWAII  
TMK: 2-4-016:004**

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 any 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 **TWO-HUNDRED SEVENTY (270) 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. **Liquidated Damages** shall be **TWO HUNDRED FIFTY DOLLARS (\$250.00)** for each calendar day the contract time is exceeded.
3. 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.
4. 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.
5. 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 the 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.
6. 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.
7. 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.
8. To furnish satisfactory performance and payment bond or security for 100% of the contract price, in accordance with Section 103D-324, Hawaii Revised Statutes, within 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.
9. 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.

10. Upon award of a contract, the bidder to whom the contract is awarded shall comply with Chapters 237 (general excise tax); 383 (employment security); 386 (workers compensation); 392 (temporary disability insurance); and 393 (pre-paid health care), Hawaii Revised Statutes.

The undersigned bidder acknowledges receipt of and certifies that it has completely examined the following listed items:

1. *Water System Standards, 2002*
2. *Hawaii Standard Specifications for Road and Bridge Construction, 2005.*
3. Other standard specifications or details referenced in the project specifications.
4. Notice to Bidders
5. Instructions to Bidders
6. Special Provisions and All Amendments
7. Proposal
8. Contract Form
9. Performance and Payment Bond Forms
10. Project Plans and Specifications

Accompanying this proposal is bid security in the amount of:

\_\_\_\_\_ DOLLARS

\$ \_\_\_\_\_), in the form checked below and in accordance with Section 103D-323, Hawaii Revised Statutes.

- |                          |                                     |   |                     |
|--------------------------|-------------------------------------|---|---------------------|
| <input type="checkbox"/> | Surety Bond*                        | ) | * Use standard form |
|                          |                                     | ) |                     |
| <input type="checkbox"/> | Cash                                | ) |                     |
|                          |                                     | ) |                     |
| <input type="checkbox"/> | Cashier's Check                     | ) |                     |
|                          |                                     | ) |                     |
| <input type="checkbox"/> | Certified Check                     | ) |                     |
|                          |                                     | ) |                     |
| <input type="checkbox"/> | _____                               | ) |                     |
|                          | (Fill in other acceptable security) | ) |                     |

The undersigned acknowledges receipt of any addendum issued by the Department of Water Supply by recording in the space below the date of receipt. **Bidders are responsible for confirming the existence of any addenda up until the day of the bid opening by calling the Purchasing Division (808) 249-2403.**

Addendum No. 1: \_\_\_\_\_ Addendum No. 2: \_\_\_\_\_

Addendum No. 3: \_\_\_\_\_ Addendum No. 4: \_\_\_\_\_

## HAWAII PRODUCT PREFERENCE

The Hawaii product preference pursuant to Act 175, SLH 2009 may be applicable to this solicitation. The current Hawaii products list is available on the SPO website at <http://hawaii.gov/spo/hawaii-public-procurement-code-chapter-103d-hrs/preferences>. To access the list, click on the "Hawaii Products" link.

Bidders offering a Hawaii Product (HP) shall identify the HP on the Hawaii Products Preference Schedules. Any person desiring a Hawaii product preference shall have the product(s) certified and qualified if not currently on the Hawaii products list, prior to the deadline for receipt of offer(s) specified in the procurement notice and solicitation. Persons wishing to certify and qualify a product not currently listed as a Hawaii Product shall submit a Certification for Hawaii Product Preference (form SPO-38) to:

County of Maui Purchasing Division  
2145 Wells Street, Suite 104  
Wailuku, HI 96793  
Attn: Purchasing Administrator

For each product being requested, one form shall be completed and submitted (i.e. 3 products should have 3 separate forms completed). The form is available on the State Procurement Office (SPO) webpage at <http://www4.hawaii.gov/StateForms/ShowForm/cfm?ID=SP>. To access the form, click on the "SPO-38" link to download the form. The responsibility for certification and qualification shall rest upon the person requesting the preference.

The deadline for submitting a completed SPO-38 is 10 days before bid opening. Late submittals for this solicitation will not be reviewed by the Country.

When a solicitation contains both HP and non-HP, then for the purpose of selecting the lowest bid or purchase price only, the price offered for a HP item shall be decreased by subtracting 10% for the class I or 15% for the class II HP items offered, respectively. The lowest total offer, taking the preference into consideration, shall be awarded the contract unless the offer provides for additional award criteria. The contract amount of any contract awarded, however, shall be the amount of the price offered, exclusive of the preferences.

Change in Availability of Hawaii product. In the event of any change that materially alters the offeror's ability to supply Hawaii products, the offeror shall immediately notify the procurement officer in writing and the parties shall enter into discussions for the purposes of revising the contract or terminating the contract for convenience.

Bidders are encouraged to review Section 103D-1002, HRS, as amended by Act 175, Session Laws of Hawaii 2009.

The Hawaii Product Preference shall not apply whenever its application will disqualify any governmental agency from receiving Federal funds or aid.

## HAWAII PRODUCTS PREFERENCE SCHEDULE

Product Description	Class	Manufacturer	Cost FOB Jobsite, Unloading, Including Applicable General Excise and Use Taxes	Preference Amount (10% for Class I or 15% for Class II)
			\$ _____	\$ _____
			\$ _____	\$ _____
			\$ _____	\$ _____
			\$ _____	\$ _____
			\$ _____	\$ _____
			\$ _____	\$ _____
			\$ _____	\$ _____
<b>TOTAL SUM OF PREFERENCE AMOUNTS</b>				\$ _____

Attach additional sheets as necessary.

**Notes:**

1. Bidders shall fill out the above schedule for each Hawaii product for which a preference is being requested. Hawaii products must be listed in the Hawaii products list at the State of Hawaii SPO website or an approved Certification for Hawaii Product Preference (form SPO-38) shall be attached to the bid proposal for items not listed on the SPO website. Pending certifications or unlisted certifications from the State or other Counties shall not be acceptable unless prior approval from the County of Maui Purchasing Division is obtained.
  
2. All Hawaii products listed are subject to verification. Any product that cannot be validated due to vague, ambiguous, illegible or unverifiable language; or incorrect manufacturer name, is subject to denial. The Purchasing Administrator's decision is final.
  
3. Bidders shall attach written quotes from manufacturers to the bid proposal for each Hawaii product for which a preference is being requested. Quotes shall be dated and shall have the manufacturer's name and contact information, product description, quantities, unit price and total price. Any Hawaii product preference without an accompanying written quote from the manufacturer will be denied.
  
4. Bidders shall provide justification for any additional loading, unloading and transportation costs, and taxes. These costs may be in the form of estimates; however, if the additional costs are deemed unreasonable by the Purchasing Administrator, such costs shall be denied and the Preference Amount adjusted accordingly. The Purchasing Administrator's decision is final.



## **HEALTH AND SAFETY PROGRAMS**

Bidders must include a signed certification with their bids that a written safety and health plan for the job will be available and implemented by the "Notice to Proceed" date of the project. Certificate form is attached to the Proposal. The health plan shall include a description of how the contractor intends to traverse the length of the existing flume without walking on the existing structure; how materials and equipment will be transported and delivered along the length of the new flume; and how injured workers will be transported for medical treatment.

### **ACT 17, SLH 2009 – APPRENTICESHIP PROGRAM (JOBS OVER \$250,000.00)**

Bidders with apprenticeship programs that are registered with the State of Hawai'i Department of Labor and Industrial Relations (DLIR) may apply for a preference of FIVE PERCENT (5%) for projects in which the County of Maui Department of Water Supply **estimates that the project cost will be \$250,000.00 or more**. Details and procedures shall be in accordance with the State of Hawai'i Comptroller's Memorandum No. 2010-29, which can be found at the following link:

<http://hawaii.gov/dags/cm/memo/CM2010-29.pdf>

Bidders applying for preference under ACT 17, SLH 2009 Apprenticeship Program shall attach a completed Certification Form 1: **CERTIFICATION OF BIDDER'S PARTICIPATION IN APPROVED APPRENTICESHIP PROGRAM UNDER ACT 17**, prepared with the State DLIR.

### **ACT 68, EMPLOYMENT OF STATE RESIDENTS ON CONSTRUCTION PROCUREMENT CONTRACTS**

Bidders are advised of the applicability of Act 68, SB 2840, Employment of State Residents on Construction Procurement Contracts, (2010) ("Act 68"). Act 68 requires the awarded contractor to ensure that Hawaii Residents (as defined in the Act) compose not less than eighty percent of the workforce employed to perform the contract. This requirement shall also apply to subcontracts of \$50,000 or more in connection with any construction contract procured under HRS Chapter 103D, but does not apply to procurements made pursuant to HRS §103D-304 (professional services), HRS § 103D-305 (small purchases), or if there is a conflict with any federal law. See Instruction to Bidders and Certification E-1 of these specifications for further information and requirements.

### **COUNTY OF MAUI GENERAL TERMS AND CONDITIONS**

The County of Maui General Terms and Conditions Construction Contracts shall be made a part of these bid documents. A copy is included in these bid documents; however, bidders shall use the latest available revision, which can be found at the following link:

<http://www.co.maui.hi.us/documents/Finance/construction102309.PDF>

## **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 joint contractor or 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 joint contractor or 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 joint contractor or subcontractor will be used.

Each bidder shall fill in contractor's and subcontractors' 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 contractor's licensing website 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 County has discretion to reject the contractor's bid on this basis.

The County will verify the license of the contractor and all of the listed subcontractors on the State Website at <http://pvl.ehawaii.gov/pvlsearch/app>, of the lowest bidder after bid opening. The County will also print out the license status for the contractors and each subcontractor listed and keep them in the bid file.

The County will also verify the license of the 2<sup>nd</sup> and 3<sup>rd</sup> 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 name listed does not match DCCA listing, or the name and license number cannot be verified through the State 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 State Website using the license holder information provided below.

If the State contractor's licensing 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.

## **RAW WATER SUPPLY / SCHEDULING**

The Contractor shall be aware at all times that these reservoirs provide raw water storage during substantial rain storms over the course of the year. Temporary diversion of inflow piping will need to be coordinated with DWS CIP Engineering Division. The Contractor shall coordinate with DWS CIP Engineering Division on available water for reservoir cleaning.

**CONTRACTOR:**

	<u>NAME</u>	<u>NATURE OF WORK</u>	<u>LICENSE CLASS</u>	<u>LICENSE NO.</u>
1.	_____	_____	_____	_____

**SUBCONTRACTOR:**

	<u>NAME</u>	<u>NATURE OF WORK</u>	<u>LICENSE CLASS</u>	<u>LICENSE NO.</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
8.	_____	_____	_____	_____
9.	_____	_____	_____	_____
10.	_____	_____	_____	_____
11.	_____	_____	_____	_____
12.	_____	_____	_____	_____

**JOINT CONTRACTOR:**

	<u>NAME</u>	<u>NATURE OF WORK</u>	<u>LICENSE CLASS</u>	<u>LICENSE NO.</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____

(Use additional sheets, if necessary)

**PROPOSAL SCHEDULE  
WAIKAMOI RESERVOIR NO.1 & 2**

**A. PHASE 1 - RESERVOIR SITE WORK**

ITEM NO.	APPROX. QTY.	UNIT	DESCRIPTION	UNIT COST	TOTAL
1	1	L.S.	Mobilization/demobilization, 50% reserved for demobilization and cleanup, maximum value not to exceed 2% of total bid.	L.S.	\$
2	3.49	AC.	Site clearing, preparation, and restoration; including tree clearing, grass-cutting and stockpiling of vegetative spoils - in place complete	_____/AC	\$
3	18,000	S.F.	Install Access Road rock base course and weed barrier geofabric	_____/S.F	\$
3	1	L.S.	Clean (power wash) and prepare concrete reservoir for application of waterproofing and installation of reservoir liners-in place, complete.	L.S.	\$
4	2	EA	Modify Overflow Wall Structure	_____/EA	\$
5	1	L.S.	Temporary Infow Pipe Diversions	L.S.	\$
<b>PHASE 1 - RESERVOIR SITE WORK – SUBTOTAL A</b>					\$

**B. PHASE 2 - WAIKAMOI RESERVOIR NO. 1**

ITEM NO.	APPROX. QTY.	UNIT	DESCRIPTION	UNIT COST	TOTAL
1	3000	S.F.	Application of waterproofing (CIM) on wall cracks, stairs, and pipe protrusions	_____/S.F.	\$
2	1	L.S.	Installation of reservoir liners (RPP), including geofabric cushion materials, and armor-block protection-in place, complete	L.S.	\$
3	1	L.S.	Clean and repaint access ladder, replace interior handrail with aluminum Schedule 80 piping (1-1/2" nominal diameter) of similar dimensions and layout, and provide tank level indicator markings	L.S.	\$
<b>PHASE 2 - WAIKAMOI RESERVOIR NO. 1 – SUBTOTAL B</b>					\$

**PROPOSAL SCHEDULE  
WAIKAMOI RESERVOIR NO.1 & 2**

**C. PHASE 2 - WAIKAMOI RESERVOIR NO. 2**

ITEM NO.	APPROX. QTY.	UNIT	DESCRIPTION	UNIT COST	TOTAL
1	3000	S.F.	Application of waterproofing (CIM) on wall cracks, stairs, and pipe protrusions	_____/S.F.	\$
2	1	L.S.	Installation of reservoir liners (RPP), including geofabric cushion materials, and armor-block protection-in place, complete	L.S.	\$
3	1	L.S.	Clean and repaint access ladder, replace interior handrail with aluminum Schedule 80 piping (1-1/2" nominal diameter) of similar dimensions and layout, and provide tank level indicator markings	L.S.	\$
<b>PHASE 2 - WAIKAMOI RESERVOIR NO. 2 – SUBTOTAL C</b>					\$

**TOTAL SUM BID (SUBTOTAL A + B + C) \$ \_\_\_\_\_**

**Act 17, SLH 2009 - Apprenticeship Program (ITEM A) \*\***

Bidders applying for preference under ACT 17, SHL 2009 Apprenticeship Program shall indicate amount of preference (Five Percent - 5% of TOTAL SUM BID) here:

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

Subject to Verification

**Act 175, SLH 2009 - Hawai'i Product Preference Program (ITEM B) \*\***

Bidders applying for the Hawai'i Product Preference under ACT 175, SHL 2009 shall indicate amount of preference here:

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

Subject to Verification

**NET TOTAL SUM BID (Total Sum Bid minus ITEM A minus ITEM B) \$ \_\_\_\_\_**

For Bid Evaluation purposes only

Note: Work for this project will be measured and paid for under the appropriate Lump Sum or Unit Price Bids in the proposal. Work for which there is no proposal item shall be considered incidental to the various contract items and will not be paid for separately, which includes, but it not limited to: removal of exposed/abandoned steel, pipes, permits, and fees.

**\*\* Credits for ACT 17 & ACT 175 will not be evaluated if the TOTAL SUM BID is less than \$ 250,000.00**

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 Facsimile

\_\_\_\_\_  
Contractor's E-mail 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 months 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 is by an agent, other than an officer of a corporation or 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 \_\_\_\_\_, 200\_\_\_\_, 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:\_\_\_\_\_

**CERTIFICATION OF COMPLIANCE  
WITH HRS 396-18, SAFETY AND HEALTH PROGRAMS  
FOR CONTRACTOR BIDDING ON COUNTY JOBS IN EXCESS OF \$100,000**

PROJECT NAME AND NUMBER \_\_\_\_\_

This is to certify that the undersigned will comply with the requirements of HRS 396-18, as follows:

- (A) Pursuant to HRS 396-18, all bids and proposals in excess of \$100,000 shall include a signed certification from the bidder that a written safety and health plan for the job will be available and implemented by the notice to proceed dates of the project. The written safety and health plan shall include:
  - (1) A safety and health policy statement reflecting management commitment;
  - (2) A description of the safety and health responsibilities of all levels of management and supervisors on the job and a statement of accountability appropriate to each;
  - (3) The details of:
    - (a) The mechanism for employee involvement in job hazard analysis;
    - (b) Hazard identification, including periodic inspections and hazard correction and control.
    - (c) Accident and "near-miss" investigations; and
    - (d) Evaluations of employee training programs;
  - (4) A plan to encourage employees to report hazards to management as soon as possible and to require management to address these hazards promptly; and
  - (5) A certification by a senior corporate or company manager that the plan is true and correct
- (B) Failure to submit the required certification may be grounds for disqualification of the bid.
- (C) Failure to have available on site or failure to implement the written safety and health plan by the project's notice to proceed date shall be considered willful noncompliance and be sufficient grounds to disqualify the award and terminate the contract.

\_\_\_\_\_  
Name of Contractor

\_\_\_\_\_  
Signature and Title

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



## **BIDDER'S CHECKLIST**

Contractors must fill out the proposal form completely, and are reminded of some of the common mistakes in submitting a bid which may result in their bid being rejected:

- a. Contractor's and subcontractor's active license numbers listed.
- b. Corporate seal on proposal and bid bond if you have a seal, otherwise indicate so on the proposal form, preferably in the space where the seal would be attached.
- c. Bid bond notarized.
- d. All addendums acknowledged.
- e. Health and safety form attached in accordance with HRS 396-18 (jobs over \$100,000).
- f. Act 52 compliance documents (tax clearance, DLIR clearance, DCCA certificate of good standing and/or Hawaii Compliance Express document) are required before award.
- g. Bidder is advised that the County of Maui General Terms and Conditions for Construction as well as HRS Chapter 103D, and HAR Title 3 rules apply to this procurement. Bidder shall read and be familiar with these documents to ensure bids are submitted properly.

**The above list is a reminder for the bidder's convenience and is not a comprehensive list of required documents, certifications and forms for this solicitation.**