

NOTICE TO BIDDERS
(Chapter 103D, HRS)

SEALED BIDS for furnishing all tools, equipment, materials and labor necessary for the construction of "HILO WASTEWATER TREATMENT PLANT OUTFALL REPAIRS," Job No. WW-4160, South Hilo, Hawai'i, will be received by the Administration Office, Department of Public Works, Aupuni Center, 101 Pauahi Street, Suite 7, Hilo, Hawai'i 96720-4224 or by the Kona Building Division, West Hawai'i Civic Center, Building E, 1st Floor, 74-5044 Ane Keohokalole Highway, Kailua-Kona, Hawai'i 96740, until May 23, 2013 at 2:00 p.m., when they will be publicly opened and read aloud. Bids received after the time fixed for opening will not be considered.

This project generally consists of repairs to the Hilo Wastewater Treatment Plant Outfall to include pre-construction dye testing, repair of the pipe support using concrete fabric form mattress, repairing joint leaks and post construction dye testing in accordance with the plans and specifications. This project has an estimated cost of \$1,000,000.00 and is funded by the County of Hawai'i.

To be eligible to submit a bid, the Bidder must possess a valid State of Hawai'i, General Contractor's license. See Special Notice to Bidders for licensing requirements.

The plans and specifications may be examined by the Prospective Bidders at the Administration Office, Department of Public Works, Hilo, Hawai'i or in the Kona Engineering Division, Kailua-Kona, Hawai'i. One (1) compact disc containing the plans and specifications may be obtained from the Administration Office, Department of Public Works, Aupuni Center, 101 Pauahi Street, Suite 7, Hilo, Hawai'i 96720-4224 at no charge to the company. Any additional compact discs will be provided upon receipt of TWENTY-FIVE DOLLARS (\$25.00) per compact disc, in cash or in the form of a certified check, cashier's

check, or company check, made payable to the County of Hawai'i, Director of Finance, which will be **non-refundable**.

Prospective Bidders shall use the printed proposal provided by the Department of Public Works and submit their bid proposal in a sealed envelope.

Addendums, if issued for said project, will **only** be available on the State and County Procurement Notices website: <http://hawaii.gov/spo/notices>.

Prospective Bidders must file with the Director of Public Works their "Intent to Bid." The Prospective Bidder's Intent to Bid must be received at the Administration Office, Department of Public Works no later than 4:30 p.m., ten (10) calendar days prior to the bid opening date. If the tenth day is on Saturday, Sunday, State holiday or a Furlough day, the notice of intention is due on the next working day following the due date. The Intent to Bid form is available at the Administration Office, Department of Public Works, Phone: (808) 961-8321 and for electronic download at the Department of Public Works' website: <http://www.hawaiicounty.gov/bids-proposals-contracts>.

The original executed and notarized Standard Qualification Questionnaire for Offerors form "SQQO" must be received by the Administrative Office, Department of Public Works, no less than forty-eight (48) hours prior to the 2:00 p.m. bid opening so it may be evaluated and approved by the County of Hawai'i, Department of Public Works prior to bid opening. Please submit said form to allow for evaluation and approval by our office if such form had not been evaluated, approved and filed within the twelve (12) months, if there is any change in your previous responses as they relate to this project, or if additional information is requested. The SQQO form is available in hard copy at the Administration Office, Department of Public Works, Phone: (808) 961-8321 and for electronic download at

the Department of Public Works' website: <http://www.hawaiicounty.gov/bids-proposals-contracts>.

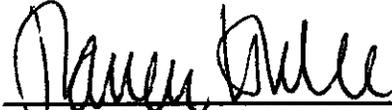
All prospective bidders/offerors are required to attend a pre-bid conference to be held on May 8, 2013, at 9:00 AM at the Department of Public Works, 101 Pauahi Street, Suite 7, Hilo, Hawai'i 96720-4224. Failure to attend the mandatory pre-bid conference may result in a disqualification of your bid. Subcontractors and union representatives are invited, but not required to attend. The conference is to provide bidders/offerors with an opportunity to ask questions about the contractual requirements and all technical aspects of the project. A site visit of the project site in Hilo, Hawai'i will follow the pre-bid conference. Attendance of the site visit is not a condition for submitting a bid, but strongly recommended. Bidders who will not visit the site after the pre-bid conference and desires to do so at a later date are advised that site visit must be arranged with the Wastewater Division at least 5 working days in advance.

The Director of Public Works reserves the right to postpone or continue the pre-bid conference to a later date, or to hold multiple pre-bid conferences, all as may be determined by the Director to be in the best interest of the County, including, but not limited to, situations where attendance does not result in adequate competition or other extenuating circumstances.

The bid opening and pre-bid meeting(s) required for this project (if any, as set forth above) are scheduled at venues that are accessible to persons with disabilities. To request an auxiliary aid or for language interpretation services, please contact the Department of Public Works at (808) 961-8321 no less than five (5) working days prior to the established meeting date(s).

The Director of Public Works reserves the right to reject any or all bids to waive informalities. No Bidder may withdraw its bid after the hour set for the opening thereof or before the award of the contract, unless said award is delayed for a period exceeding ninety (90) consecutive calendar days.

County of Hawai'i is an Equal Opportunity Provider and Employer.



Warren H. W. Lee, P.E., Director
Department of Public Works
County of Hawai'i

State of Hawai'i ~ Procurement Notice System (PNS)

Publication Date: April 19, 2013

SPECIAL NOTICE TO BIDDERS

“Reminder Note: “A” general engineering contractors and “B” general building contractors are reminded that due to the Hawai‘i 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” and “B” contractor may still bid on and act as the “prime” contractor on a “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.”

Bidders must possess a valid **“A” General Engineering license** and the specialty licenses included in the attached “Minimum Contractor Licensing Requirements for Project” have been determined by the County to be required.

1. Contractor Licensing requirements for the project will be discussed during the Mandatory Pre-Bid Meeting for the project on the date and time established by the Notice to Bidders.
 - a. Anyone who disagrees with the “Minimum Contractor Licensing Requirements for Project” shall raise objections during the Mandatory Pre-Bid Meeting or submit written comments no later than ten (10) consecutive calendar days prior to bid opening.
2. Failure to list Sub-contractors having valid licenses in accordance with the “Minimum Contractor Licensing Requirements for Project” will result in automatic disqualification of the bid as a non-responsive bid.
3. The “1% Rule” as it is commonly referred to regarding work requiring specialty licenses is a discretionary waiver mechanism and is not grounds for an automatic waiver. The County has no intention of granting discretionary waivers for bids failing to list Sub-contractors in accordance with the “Minimum Contractor Licensing Requirements for Project”.

HILO WASTEWATER TREATMENT PLANT OUTFALL REPAIRS, WW-4160
MINIMUM CONTRACTOR LICENSING REQUIREMENTS FOR PROJECT

Reference: (a) HAR Title 16, Chapter 77, Contractors
 (b) Okada Trucking Ruling

License	Description	Comment/Remarks
C-31a	Cement Concrete Contractor	<ul style="list-style-type: none"> Covered by “A” General Engineering Contractor License
C-43a	Reconditioning and Repairing Pipeline Contractor	<ul style="list-style-type: none"> Covered by “A” General Engineering Contractor License

Notes:

- The above list provides the minimum Contractor licensing requirements for the project and reflects the County’s current understanding of the relevant licensing requirements. As per the Special Notice to Bidders it is the sole responsibility of the contractor to review the requirements of the project and determine the appropriate licenses that are required to complete the project and to determine if additional specialty licenses will be required for performance of the work.
- The Contractor is advised that any disagreements with the above listing regarding Contractor Licensing Requirements required for performance of the work to complete this project shall be made during the Pre-Bid Meeting or by submitting written comments no later than ten (10) consecutive calendar days prior to bid opening.

RESPONSIBILITY OF OFFERORS

Offeror is advised that if awarded a contract under this solicitation, Offeror shall, upon award of the contract, furnish proof of compliance with the requirements of §103D-310(c), HRS:

- Chapter 237, tax clearance;
- Chapter 383, unemployment insurance;
- Chapter 386, workers' compensation;
- Chapter 392, temporary disability insurance;
- Chapter 393, prepaid health care; and
- One of the following:
 - Be registered and incorporated or organized under the laws of the State, hereinafter referred to as a “Hawai‘i business”; **or**
 - Be registered to do business in the State, hereinafter referred to as a “compliant non-Hawai‘i business.”

Refer to the Award of Contract provision herein for instructions on how to comply with the above requirements.

**CAMPAIGN CONTRIBUTIONS BY STATE AND COUNTY CONTRACTORS
PROHIBITED, PURSUANT TO HAWAI‘I REVISED STATUTES (HRS) §11-355**

If awarded a contract in response to this solicitation, offeror agrees to comply with HRS §11-355, which states that campaign contributions are prohibited from a State and County government contractor during the term of the contract if the contractor is paid with funds appropriated by the legislative body between the execution of the contract through the completion of the contract.

**HAWAI‘I REVISED STATUTES, CHAPTER 103B - EMPLOYMENT OF STATE
RESIDENTS ON CONSTRUCTION PROCUREMENT CONTRACTS, AS AMENDED**

HRS Chapter 103B, unless its application is in conflict with any federal law or will disqualify the County from receiving federal funds or aid, shall apply to this contract. It requires the Contractor and applicable subcontractor(s) to perform its contract with a workforce of which not less than eighty percent (80%) are Hawai‘i residents. Reference Special Provisions 7.1(p) for related project specific requirements

**HAWAI‘I REVISED STATUTES, SECTION 103-55.6, PREFERENCE FOR BIDDERS IN
APPRENTICESHIP PROGRAMS**

The preference for bidders in apprenticeship programs (reference Special Provisions Section 7.1, Subsection (o) and Item 10, Section (B) shall apply to this project if the estimated cost is \$250,000.00 or more, unless it is in conflict with any federal Law or if it would disqualify any county agency from receiving federal funds or aid.

FURLOUGH

The County of Hawai‘i has instituted furlough days for Fiscal Year 2011-2012 and Fiscal Year 2012-2013. Beginning on July 29, 2011 through June 30, 2013, most County offices will be closed and normal services unavailable on the first Fridays of every month except for the month of July 2011 and April 2012 when the furlough day will occur on Friday, July 29, 2011 and Monday, April 9, 2012. See attached County of Hawai‘i FY 2011-2012 and FY 2012-2013 Furlough Schedules. The Wastewater Division is currently exempted from the County Furlough Schedules and as such, this project is not directly affected by the County Furlough Schedule. In the event that work involves other Departments affected by the County Furlough Schedule, please schedule your critical work and administrative requirements around the furlough days.

CONTRACTOR’S EXPERIENCE FORM

All Bidders shall submit Contractor’s Key Staff Experience Form contained within the SECTION 01800 of the specifications **with the bid package**. Failure to submit the required form will result in a determination that the bid is a **NON-RESPONSIVE bid and rejection of the bid proposal**.

Revised: 01/23/13

**COUNTY OF HAWAII
FY 2012- 2013 FURLOUGH SCHEDULE**

July 2012						
S	M	T	W	T	F	S
1	2	3	4 H	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Holiday: Jul 4, Independence Day

August 2012						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17 H	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Holiday: Aug 17, Statehood Day

September 2012						
S	M	T	W	T	F	S
						1
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Holiday: Sep 3, Labor Day

October 2012						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Holiday: None

November 2012						
S	M	T	W	T	F	S
				1	2	3
4	5	6 H	7	8	9	10
11	12 H	13	14	15	16	17
18	19	20	21	22 H	23	24
25	26	27	28	29	30	

Holiday: Nov 6, Election Day
Nov 12, Veterans' Day
Nov 22, Thanksgiving Day

December 2012						
S	M	T	W	T	F	S
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23	24	25 H	26	27	28	29
30	31					

Holiday: Dec 25, Christmas Day

January 2013						
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20	21 H	22	23	24	25	26
27	28	29	30	31		

Holiday: Jan 1, New Year's Day
Jan 21, Dr. Martin Luther King, Jr. Day

February 2013						
S	M	T	W	T	F	S
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17	18 H	19	20	21	22	23
24	25	26	27	28		

Holiday: Feb 18, Presidents' Day

March 2013						
S	M	T	W	T	F	S
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17	18	19	20	21	22	23
24	25	26 H	27	28	29 H	30
31						

Holiday: Mar 26, Prince Kuhio Day
Mar 29, Good Friday

April 2013						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Holiday: None

May 2013						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27 H	28	29	30	31	

Holiday: May 27, Memorial Day

June 2013						
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9	10	11 H	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Holiday: Jun 11, King Kamehameha Day

 = Designated as a Furlough day
County offices will be closed

 = State Holiday