

Summary of Changes (v22.08):

1. Act 174 Relating to Hawaii products preference, was signed into law on 06/27/2022 by Governor David Ige. Page 2 of Act 174, amended the procurement preference for Hawaii products to only apply to the procurement of agricultural goods, value-added products, and commodities, subject to availability and policy considerations. Link to Act 174: https://www.capitol.hawaii.gov/session2022/bills/GM1275_.PDF
2. Page 00110-2, delete Specifier Note, and paragraphs referring to Hawaii Product Preference.

1. Coordination Issues:

- 1.1 The information contained in and required by this section has serious contract implications. Ensure there are no errors in the final specification section.
 - 1.2 Make sure to match the appropriate TG 00100 Solicitation Notices section to the respective section from TG 00210 Instructions to Bidders, and respective sections from TG 00410 and TG 00411 Solicitation, Offer and Contract Form. For Informal Bids (less than \$15,000), an "Instructions to Bidders" section is not required or provided.
 - 1.3 Under Act 52: On July 1, 2003, changes to the HAR Procurement Code require a prebid conference for projects exceeding \$500,000 and the deletion of In-State Contractor's Preference (§103D-1007).
 - 1.4 Under Act 52, §103D-310: Offerors (Contractors) shall be incorporated or organized under the laws of the State or be registered to do business in the State as a separate branch or division that is capable of fully performing under the contract.
 - 1.5 Pursuant to HRS §103-55.6 Public works construction; apprenticeship agreement (Act 17, SLH 2009 – Apprenticeship Agreement Preference), all public works construction projects having an estimated value of not less than \$250,000 shall be required to allow offerors to submit and request for a 5% preference if the offeror is a party to an apprenticeship agreement registered with the Department of Labor and Industrial Relations for each apprenticeable trade they will employ. Membership in a single program does not merit preference.
2. **Design Issues:** (Not Used)
 3. **Drawing Notes:** (Not Used)
 4. **Standard Drawings:** (Not Used)
 5. **Specification Notes:** (Not Used)
 6. **Guide Specification:**
 - 6.1 Use attached Section TG 00110 NOTICE TO BIDDERS with TG 00210 INSTRUCTIONS TO BIDDERS and TG 00410 or TG 00411 SOLICITATION, OFFER AND CONTRACT FORM.
 - 6.2 Use Section TG 00112 INVITATION TO BIDDERS MULTI-STEP BID with TG 00212 INSTRUCTIONS TO BIDDERS MULTI-STEP BID and TG 00412 MULTI-STEP SEALED BID FORM. **(To be developed)**
 - 6.3 Use attached Section TG 00115 INFORMAL BID SOLICITATION LETTER with TG 00415 INFORMAL BID FORM.

6.4 Use Section TG 00120 REQUEST FOR PROPOSALS with TG 00220 INSTRUCTIONS TO OFFERORS and TG 00420 SOLICITATION, OFFER AND CONTRACT FORM. (To be developed)

SPECIFIER'S NOTE: For the final submittal to Staff Services, provide electronic version of the Notice to Bidders in Word format.

SPECIFIER'S NOTE: Blue colored texts are Notes to the Specifier and should be completely deleted from the final text. Where [red colored text in brackets] is shown in this specification section, insert wording, numbers, etc. as appropriate and delete brackets. Where <Red colored text in brackets> is shown, choice is indicated, make the appropriate choice and delete the brackets. Maintain footer notation with current version used (eg. TG 00110 v20.04) in italics with the current version used.

Do not include the Project Name (etc.) line in the footer. Use the following format for the specification footer.

[XXX]

TG 00110 v20.048
DAGS Job No. 00-00-0000

Notice to Bidders
00100 - 1

End Footer Sample

TG 00110 NOTICE TO BIDDERS

SPECIFIER NOTES:

For Projects on Kaua'i District, Maui (Moloka'i & Lana'i) District, or Hawai'i District add the respective District Office. Delete remaining Neighbor Island District Offices. Verify website addresses.

NOTICE TO BIDDERS

SEALED BIDS (Chapter 103D, HRS) For:

SPECIFIER'S NOTE: List the project information. Use Bold and Capitals for the Project Name and Description.

[PROJECT NAME e.g. STATE CAPITOL]

[PROJECT TITLE e.g. REPAINT PARKING GARAGE]

DAGS JOB NO. 00-00-0000

Will be received at the Department of Accounting and General Services, Public Works Division Office, fourth floor of the Kalanimoku Building, Room 426, 1151 Punchbowl Street, Honolulu, Hawai'i, *<and at the Kaua'i District Office, Department of Accounting and General Services 1680 Haleukana Street, Lihue, Kaua'i><and at the Maui District Office, Department of Accounting and General Services, 755 Mua Street, Kahului, Maui><and at the Hawai'i District Office, Department of Accounting and General Services, State Office Building Basement, 75 Aupuni Street, Hilo, Hawai'i>*. Bidders are advised to access the solicitation documents via our website at <http://pwd.hawaii.gov/bidding/>.

Submit the Competitive SOLICITATION, OFFER AND CONTRACT FORM up to 2:00 PM, [DATE _____].

At that time, bids will be publicly opened. Bids received after the due time and date will not be considered.

SPECIFIER'S NOTE: Insert a description paragraph that will allow prospective Bidders to determine if they should take the time to obtain a set of contract documents and submit a bid. For example if an elevator or air conditioning is part of the project, it would be useful if they were included in the description.

The work generally consists of *[insert brief description such as; complete interior painting and restriping of an existing parking garage.]*

SPECIFIER'S NOTE: Fill in the estimated cost range. Adjust the limits of the range as directed by Project Coordinator.

The estimated construction cost is *[less than \$25,000] [between <\$25,000 and \$50,000><\$50,000 and \$100,000><\$100,000 and \$250,000><\$250,000 and \$500,000><\$500,000 and \$1 million><\$1 million and \$2.5 million ><\$2.5 million and \$5 million ><\$5 million and \$10 million] [over \$10 million].*

SPECIFIER'S NOTE: Projects that exceed an estimated construction cost of \$500,000 will require a pre-bid meeting. Coordinate the date and location of the meeting and site visit with the User. For convenience, meeting should be at the project site.

SPECIFIER'S NOTE: Edit the requirements for pre-bid meeting and site visit as applicable to your project when the facility is a hospital, correctional center or other complex that is sensitive to mass visitations or where Bidders will need protection or special instructions. Choose "mandatory" when Bidders must

attend a meeting or site visit at the scheduled date, and make sure the sentence is all capitalized.

<Bidders ARE REQUIRED TO ATTEND THE MANDATORY pre-bid meeting [and the State conducted site visit]. Failure to attend this meeting [and site visit] will automatically be cause for rejection of the bid.><All interested parties are invited to attend a voluntary pre-bid meeting [and the State conducted site visit]. [No other time for a site inspection will be scheduled or allowed.]

The pre-bid meeting [and the accompanying State conducted site visit] will be held at: [LOCATION, DATE and TIME (for example) STATE CAPITOL, Security Office, 415 S. Beretania Street, Honolulu, HI, May 23, 2006, at 9:00 AM.] [The site visit will immediately follow the meeting.]

[Bidders shall comply with all access requirements of the facility or the User Agency. Each Bidder shall bring their own flashlight and small tools that may be required to inspect the premises.] [Bidders and interested parties are required to sign-in [and sign out] at the meetings to confirm attendance.] Check with Project Coordinator.

See SECTION 00800 - SPECIAL CONDITIONS, for Contractor's access to site to view conditions during bidding.

SPECIFIER'S NOTE: Add the applicable sentence for the apprenticeship agreement preference. Note: the estimated cost range noted above shall correspond to the applicable paragraph added.

<The estimated value of the public works contract is less than \$250,000 and the apprenticeship agreement preference pursuant to Hawaii Revised Statutes §103-55.6 (ACT 17, SLH 2009) shall not apply.><The estimated value of the public works contract is \$250,000 or more and the apprenticeship agreement preference pursuant to Hawaii Revised Statutes §103-55.6 (ACT 17, SLH 2009) shall apply.>

~~SPECIFIER'S NOTE: Add these paragraphs for the Hawai'i Product Preference.~~

~~The Hawaii products preference pursuant to ACT 175, SLH 2009 may be applicable for items of this 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: Department of Accounting and General Services, Public Works Division, 1151 Punchbowl Street, Room 426, Honolulu, Hawaii, Attn: Jolie Yee. The product shall meet the specifications of this project. The submittal must be received by DAGS by 4:30 p.m. on [DATE _____]. View the current Hawaii Products List on the State Procurement Office (SPO) website at <http://spo.hawaii.gov/vendors/hawaii-product-preferences/>.~~

~~For each product, one form shall be completed and submitted (i.e. 3 products should have 3 separate forms completed). The form is available on the SPO webpage at <http://spo.hawaii.gov/all-forms/>.~~

~~Late submittals for this solicitation will not be reviewed by this agency.~~

Campaign Contributions by State and County Contractors Prohibited.

If awarded a contract in response to this solicitation, offeror agrees to comply with HRS section 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, at any time between the execution of the contract through the completion of the contract.

SPECIFIER'S NOTE: DAGS Contracts Engineer fills in Contractor's license.

To be eligible to submit a Bid, the Bidder must possess a valid State of Hawai'i Contractor's license classification (s) _____ .

Refer to the **GENERAL NOTICE for Department of Accounting and General Services, Public Works Division Projects**, published with the project specifications for additional information.

[COMPTROLLER'S NAME]

COMPTROLLER
State of Hawai'i

SPECIFIER'S NOTE: Insert Project Coordinator's initials at bottom left corner of all pages up to the page of the Comptroller's signature.

[XXX]

SPECIFIER'S NOTE: Start GENERAL NOTICE Paragraph on a new page
GENERAL NOTICE for Department of Accounting and General Services
Public Works Division Projects

TAX CLEARANCE AND HAWAII BUSINESS CERTIFICATES

Refer to Instructions to Bidders for information regarding tax clearance and business certificates.

OTHER INFORMATION

Bid results will be posted outside Room 422, Kalanimoku Building, 1151 Punchbowl Street, Honolulu, Hawai'i or at [<http://pwd.hawaii.gov/bidding/>]. The Contract Award notice will be posted at [<http://spo.hawaii.gov/>].

Refer to Instructions to Bidders for other conditions and requirements to award a contract.

Any protest shall be submitted to the Public Works Administrator. Bidders shall comply with the GENERAL CONDITIONS Article 2.13 Protests.

TG 00115 INFORMAL BID SOLICITATION LETTER

SPECIFIER'S NOTES: Use only for procurements less than \$15,000. Use standard DAGS letterhead. Project Coordinator is responsible for this solicitation letter.

[Contractor]

Subject: REQUEST FOR QUOTES

Project: [PROJECT NAME]
[PROJECT TITLE]
DAGS JOB NO. 00-00-0000

You are invited to submit an Informal Bid quotation. Enclosed are the bidding documents and Informal Bid form. Submit your Bid to the address indicated below, or the Informal Bid may be sent by facsimile. Bids shall be received at the Department no later than 2:00 PM [DATE] .

Deliver (or mail) Informal Bids in a sealed envelope (or send by facsimile) to:
Department of Accounting and General Services
1151 Punchbowl Street, Room [426]
Honolulu, Hawai'i 96813
Facsimile No. (808) [586-0000]

[or to District Office:
District Office address]

If the Informal Bid is sent by fax, the Bidder is required to deliver the original Informal Bid within two working days from the date of bid opening.

CAMPAIGN CONTRIBUTIONS BY STATE AND COUNTY CONTRACTORS PROHIBITED

If awarded a contract in response to this solicitation, offeror agrees to comply with HRS section 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, at any time between the execution of the contract through the completion of the contract.

Should you have any questions or need clarifications, please contact [NAME] at [phone]. Also, notify us within 5 days from the date of this letter, if you are not interested in bidding on this Project.

[NAME
Title]

Attachment

[2] sets Drawings [(24"x36") 16 pages]
[2] sets Specifications [100 pages]