

**TG 0011X v 13.04**  
**Summary of Changes**

1. Site visit clarification
2. New apprentice preference requirement
3. Revised campaign spending language
4. Updated Hawaii Compliance Express requirement
5. Modified bid protest procedure

**Solicitation Notices**  
**TECHNICAL GUIDE**

**TG 0011X**

**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 \$2515,000), 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 ~~either Word or WordPerfect~~ 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 v~~12-0213.024~~) 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 v~~12-0213.024~~  
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, <or at the Kaua'i District Office, Department of Accounting and General Services 1680 Haleukana Street, Lihue, Kaua'i><or at the Maui District Office, Department of Accounting and General Services, 755 Mua Street, Kahului, Maui><or at the Hawai'i District Office, Department of Accounting and General Services, State Office Building Basement, 75 Aupuni Street, Hilo, Hawai'i>. A compact disk which contains the Solicitation, Offer and Contract Forms, drawings, and specifications may be obtained from the Public Works Division office, Kalanimoku Building, Room 422, [or at the District office(s) listed above.] The solicitation documents may also be available in electronic format from the Department's website at [www.hawaii.gov/pwd/pwd\\_db/construction\\_bids/](http://www.hawaii.gov/pwd/pwd_db/construction_bids/).

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

***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. ~~If Bidders are allowed to visit the site other than the scheduled visit, then the site visit is voluntary.~~**

~~<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.]

[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.

**END MEETING, SITE VISIT PARAGRAPH**

**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://hawaii.gov/spo>, click on ‘Procurement of Goods, Services, and Construction-Chapter 103D, HRS’; under ‘Procurement’, click on ‘Preferences’, ‘Hawaii Products’ and select ‘Hawaii Products List’.

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://hawaii.gov/spo> under the ‘Quicklinks’ menu; click on ‘Forms for Vendors, Contractors, and Services Providers’ to view and complete form SPO-38 online.

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

**Campaign Contributions by State and County Contractors Prohibited.**

~~Contractors are hereby notified of the applicability of Section 11-355 HRS, which states that campaign contributions are prohibited from specified State or County government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body. 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 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.

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[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.

~~As a condition of award for bids of \$25,000 or more, Bidders shall have valid tax clearance certificates from the State Department of Taxation and the Internal Revenue Service or shall have "Special Letters", that comply with the *BIDDING AND EXECUTION OF CONTRACT REQUIREMENTS* "Tax Clearance" section or be registered and compliant with Hawaii Compliance Express, <http://vendors.ehawaii.gov/hce/splash/welcome.html>. Include the tax clearance certificates or Special Letters prior to award.~~

~~As a condition for award of the contract (§3-122-112) HAR, Bidders shall be incorporated or organized as a Hawaii business or a compliant non-Hawaii Business and shall submit prior to award certificates from the Department of Taxation (DOTAX), Department of Labor and Industrial Relations (DLIR) and Department of Commerce and Consumer Affairs (DCCA), Business Registration Division (BREG) or be registered and compliant with Hawaii Compliance Express, link found at <http://vendors.ehawaii.gov/hce/splash/welcome.html>.~~

**REQUIREMENT FOR CONTRACTORS LICENSING CLASSIFICATIONS**

Refer to Notice to Bidders for contractor licensing requirements.

~~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 in which the General Contractor has no license.~~

~~Bidders are solely responsible to review the project requirements, determine the appropriate licenses required, and ensure that they possess and that the Subcontractor(s) listed in their SOLICITATION, OFFER AND CONTRACT FORM possess the necessary specialty licenses to perform the work for this project.~~

**OTHER INFORMATION**

Bid results will be posted outside Room 422, Kalanimoku Building, 1151 Punchbowl Street, Honolulu, Hawai'i or at [http://www.hawaii.gov/pwd/pwd\\_db/bid\\_results](http://www.hawaii.gov/pwd/pwd_db/bid_results). The Contract Award notice will be posted at SPO website, <http://www.hawaii.gov/spo2/source/>.

Refer to GENERAL CONDITIONS article 2.1.1.4 for instructions to complete SPO Form 21. Bidders shall complete a properly executed and notarized questionnaire (SPO Frm 21) no later than 48 hours prior to the scheduled bid opening unless they had previously filed a questionnaire with DAGS-PWD within one year of the scheduled bid opening.

- | Refer to ~~Bidders or Offerors~~ Instructions to Bidders for other conditions and requirements to award a contract.
- | Any protest shall be submitted to the ~~Comptroller~~ 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 Bidders are 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 between the execution of the contract through the completion of the contract. Contractors are hereby notified of the applicability of Section 11-355 HRS, which states that campaign contributions are prohibited from specified State or County government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body.~~

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]