

INVITATION FOR BID (IFB) NO. 98028

TO

REPLACE EXISTING PLAYGROUND EQUIPMENT

FOR

‘ALANI CHILDREN’S CENTER

DECEMBER 14, 2021

RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAI‘I (RCUH)

HONOLULU, HAWAI‘I

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IT IS THE RESPONSIBILITY OF ALL BIDDERS TO CHECK THE TABLE OF CONTENTS TO CONFIRM THAT ALL PAGES LISTED THEREIN ARE CONTAINED IN THEIR BID PACKAGE. BIDDERS MUST SUBMIT THE FULLY COMPLETED BID FORM ALONG WITH THEIR BID BOND BY THE DUE DATE.

NOTICE TO BIDDERS

BID FORMS AND PLANS for IFB No. 98028 will be available at the SuperQUOTE website (www.commercepoint.com). Bidders are solely responsible to check this website for any modifications to the IFB. To view the details of this solicitation and submit a bid, your company must be registered on SuperQUOTE.

The project in general consists of excavation of existing sand materials, demolition of existing playground structure, concrete forming and installation of new playground structure with backfilling with existing sand materials and new as necessary to match existing conditions.

To be eligible to bid, bidders must possess a valid State of Hawai'i contractor's license B or C-25.

Requests for Substitution/Clarification must be submitted to the Technical Representative, Sean Nathan no later than 4:00 PM on December 15, 2021, Hawai'i Standard Time. All questions must be received no later than 4:00 PM on December 15, 2021, Hawai'i Standard Time. Responses will be posted to the SuperQUOTE website (www.commercepoint.com) by 4:30 PM on December 16, 2021, Hawai'i Standard Time.

Bids must be submitted on the SuperQUOTE system (www.commercepoint.com) no later than 12:00 PM on December 17, 2021, Hawai'i Standard Time.

Bids received after the due date and time fixed above will not be considered.

Direct all questions to the Technical Representative, Sean Nathan (smnathan@hawaii.edu).

Leonard R. Gouveia, Jr., Executive Director
Research Corporation of the University of Hawai'i

Advertised: SuperQUOTE system (www.commercepoint.com)
Issue of: December 14, 2021

BUSINESS CLASSIFICATION CERTIFICATION STATEMENT

CONTRACTORS: Please complete the information below. Terms used are taken from the U.S. Small Business Administration (SBA) Rules and Regulations (<https://www.sba.gov/>) and the U.S. Code of Federal Regulations (CFR). The term “controlled” refers to the management and daily operation of the business concern.

The company identified below (check all that apply):

1. _____
_____ **IS NOT a small business concern** as defined in the regulations
(If you checked here, **STOP. GO TO CERTIFICATION BELOW.**)
2. _____
_____ **IS a small business concern**, defined as one that is independently owned and operated,
is organized for profit, is not dominant in its field, meets the SBA size standard eligibility
(see reverse side of this form for examples of size standards), is registered and has its
status represented in the U.S. Government's System for Award Management (SAM)
database. See <http://www.sba.gov/content/what-sbas-definition-small-business-concern>.
3. _____
_____ **IS a small disadvantaged business concern** of which at least 51% is unconditionally and
directly owned and controlled by one or more socially disadvantaged and economically
disadvantaged persons who are U.S. citizens. See [13 CFR 124.105](#) for exceptions.
4. _____
_____ **IS a women-owned small business concern** of which at least 51% is unconditionally and
directly owned and controlled by one or more women who are U.S. citizens. See [13 CFR
127](#).
5. _____
_____ **IS a HUBZone small business concern** that meets the certification eligibility
requirements set by the U.S. SBA. See [13 CFR 126](#).
6. _____
_____ **IS a veteran-owned small business concern** of which at least at least 51% is
unconditionally and directly owned by one or more veterans or service-disabled veterans.
See [38 CFR 74](#).
7. _____
_____ **IS a service-disabled veteran-owned small business concern** of which at least 51% is
unconditionally and directly owned by one or more service-disabled veterans. In the case
of any publicly owned business, not less than 51% of the stock of which is owned by one or
more service-disabled veterans. The management and daily business operations of which
are controlled by one or more service-disabled veterans, or in the case of a veteran with a
permanent and severe disability, a spouse or permanent caregiver of such veteran. See [13
CFR 125.11 et al.](#)

CERTIFICATION

I hereby certify the information supplied herein to be true and correct. (Any misrepresentation shall be subject to the provisions stated in item B on the reverse side.)

Company Name: _____

Signature of Company Officer

Company Address: _____

Print Name: _____

Title: _____

Date: _____

Type of Goods/Services: _____

North American Industry Classification System (NAICS) Code: _____

A. A small business concern is one that is independently owned and operated, is organized for profit, is not dominant in its field, has a place of business in the U.S., and operates primarily within the U.S. or makes a significant contribution to the U.S. economy. Size standard eligibility is based on the average number of employees for the preceding 12 months or on sales volume averaged over a 3-year period. See [13 CFR 121.201](#) for size standards identified by NAICS codes. The size standards for a few industries are shown below and are subject to change at any time.

1. SPECIALTY TRADE CONTRACTORS – “Small” if average annual receipts for preceding 3 years do not exceed \$15 million.
2. CONSTRUCTION, GENERAL CONTRACTORS – “Small” if average annual receipts for preceding 3 years do not exceed \$36.5 million.
3. MANUFACTURING – “Small” if 500 employees or less, except for some specific products which will increase the complement of employees to 750 or 1,000.
4. TRANSPORTATION – “Small” if average annual receipts for preceding 3 years do not exceed the amount shown for specific services.

\$27.5 million – general freight trucking, local.
5. WHOLESALE TRADE, DURABLE AND NON-DURABLE GOODS – “Small” if 100 employees or less.
6. RETAIL TRADE – “Small” if average annual receipts for preceding 3 years do not exceed the amount shown for specific products.

\$7.5 million –hardware stores.
7. SERVICES – “Small” if average annual receipts for preceding 3 years do not exceed the amount shown for specific services:
 - a) \$27.5 million – computer systems design services, custom computer programming services \$20.5 million – security guards and patrol services
 - b) \$18 million – janitorial services
 - c) \$38.5 million – passenger car rental
 - d) \$32.5 million – office machinery and equipment rental & leasing
 - e) \$7.5 million – general automotive repair

Annual receipts of a concern which has been in business for less than 3 complete fiscal years means the total receipts for the period the concern has been in business divided by the number of weeks in business, multiplied by 52. See [13 CFR 121.104](#).

B. Notice. Under [15 U.S.C. 645\(d\)](#), any person who misrepresents a firm’s status as a small business concern, a qualified HUBZone small business concern, a small business concern owned and controlled by socially and economically disadvantaged individuals, or a small business concern owned and controlled by women in order to obtain a contract to be awarded under the preference programs established pursuant to 15 U.S.C. sections 637(a), 637(d), 638, 644, or 657(a), shall:

1. Be punished by imposition of fine, imprisonment, or both;
2. Be subject to administrative remedies including suspension and debarment; and
3. Be ineligible for participation in a program conducted under the authority of the Small Business Investment Act of 1958.

BID FORM

FOR

IFB NO. 98028 REPLACE EXISTING PLAYGROUND EQUIPMENT

Kapi'olani Community College
Attn: Sean Nathan
Email: smnathan@hawaii.edu

To Sean Nathan:

The undersigned has carefully examined the INVITATION FOR BID for IFB No. 98028 REPLACE EXISTING PLAYGROUND EQUIPMENT, and offers to furnish all labor, materials, tools, and equipment necessary to complete all work as specified, in strict accordance with the true intent and meaning of the plans and Invitation for Bid and shall complete all work within 90 consecutive calendar days from the date designated in the Notice to Proceed.

BASIC BID:

The project shall in general consist of excavation of existing sand materials, demolition of existing playground structure, concrete forming and installation of new playground structure with backfilling with existing sand materials and new as necessary to match existing conditions.

For the sum of _____
_____ DOLLARS (\$ _____),

including all material and non-material costs, labor costs, equipment costs, foreign taxes, transportation costs, vehicle costs, air freight costs, shipping costs, supply costs, mobilization costs, insurance premiums, warranty costs, administrative support costs, rental costs, overhead costs, building and special permit fees, utilities service fees, expediting fees and all applicable taxes (Federal and State).

TO BE ELIGIBLE TO BID, BIDDERS MUST POSSESS A VALID STATE OF HAWAII CONTRACTOR'S LICENSE B or C-25. IN ADDITION, BIDDERS MUST LIST ALL SUBCONTRACTORS INCLUDING THOSE WHO POSSESS SPECIALTY CONTRACTOR LICENSES.

THE BIDDER SHALL BE SOLELY RESPONSIBLE FOR INSURING THAT ALL THE SPECIALTY LICENSES REQUIRED TO PERFORM THE WORK ARE COVERED IN ITS BID, AND THAT ALL SUBCONTRACTORS ARE LISTED. **FAILURE TO LIST ALL REQUIRED SUBCONTRACTORS MAY BE GROUNDS FOR DISQUALIFICATION.**

SITE VISIT(S)

Bidders shall arrange for an appointment by calling the Technical Representative, Sean Nathan at (808-357-0828).

INTERPRETATION OF PLANS AND SPECIFICATIONS

Bidders are cautioned to review the Plans and Technical Specifications carefully and thoroughly. **In instances where conflicts occur within the Plans and/or between the Plans and Technical Specifications and/or within the Technical Specifications, the more stringent requirement(s) shall be applied by the bidder when formulating its bid amount. Failure by the bidder to apply/adhere to the more stringent requirement(s) shall not constitute the basis for price adjustment(s).** Objections to or requests for clarification of the Plans and/or Technical Specifications shall be made in writing to the Technical Representative, Sean Nathan at smnathan@hawaii.edu, no later than TWO (2) calendar days prior to the scheduled bid due date. Responses will be posted to the SuperQUOTE website (www.commercepoint.com) **by 4:30 PM on December 16, 2021, Hawai'i Standard Time.** The submittal of a bid shall be considered as acceptance of the specifications as published. Protest concerning the technical specifications lodged after bid opening shall not be considered.

PATENTED DEVICES, MATERIALS AND PROCESSES

If the Contractor is required or desires to use any design, device, material or process covered by letters of patent or copyright, the right for such use shall be procured by the Contractor from the patentee or owner. The Contractor and surety shall indemnify and save harmless the State and its Departments and Agencies, any affected third party, or political subdivision from any and all claims for infringement by reason of the use of any such patented design, device, material or process, or any trademark or copyright in connection with the work to be performed under the contract, shall indemnify the State and its Departments and Agencies for any costs, expenses and damages which it may be obliged to pay by reason of any such infringement at any time during the prosecution or after the completion of the work.

PERIODIC INCREASES OF MINIMUM WAGES FOR PUBLIC WORKS CONSTRUCTION CONTRACTS

Section 104-2, Hawaii Revised Statutes, provides that laborers and mechanics employed on State construction contracts exceeding \$2,000 shall be entitled to any increases in prevailing wage rates as determined by the Director of the Department of Labor and Industrial Relations (DLIR), and as published in the wage rate bulletins, regardless of the prevailing wage rates in effect at the time of contracting. It is the responsibility of the Contractor to keep current of all changes to the prevailing wage rates. Pursuant to Section 12-22-6 (1), Hawaii Administrative Rules, the Apprentice Schedule is applicable only to apprentices who are parties to apprenticeship agreements registered with or recognized by the DLIR.

Wage rate bulletins are issued periodically by the Research and Statistics Office, Department of Labor and Industrial Relations and may be found at: <http://labor.hawaii.gov/rs/home/wages/72-2/>.

THE RCUH WILL NOT CONSIDER CHANGES TO THE WAGE RATE BULLETIN AS A BASIS FOR AN INCREASE IN CONTRACT PRICE. CONTRACTORS ARE ALSO CAUTIONED THAT FAILURE TO COMPLY WITH THE REQUIREMENTS OF SECTION 104-2, HAWAII REVISED STATUTES, MAY BE PUNISHABLE BY A FINE OF \$1,000 PER OFFENSE BEING ASSESSED AGAINST A CONTRACTOR FOR A FIRST VIOLATION.

FEDERAL WAGE RATES

This is a federal funded contract subject to the Davis-Bacon Act.

Federal law (40 U.S.C. 276a to a-7) provides that laborers and mechanics employed on federal funded construction contracts exceeding \$2,000 shall be entitled to any increases in minimum wages specified in a wage determination made by the Secretary of the U.S. Department of Labor. It is the responsibility of the Contractors to ensure that their bids reflect payment of minimum wages pursuant to federal law, and to keep current of all changes to the prevailing wage rates.

Wage determinations are issued periodically by the U.S. Department of Labor and can be viewed on the Internet at:

<https://www.wdol.gov/>

THE RCUH WILL NOT CONSIDER CHANGES TO THE MINIMUM WAGES AS A BASIS FOR AN INCREASE IN CONTRACT PRICE.

TAX LIABILITY

Both out-of-state and Hawai'i bidders are advised that the amount bid on this solicitation is subject to the general excise tax imposed by Chapter 237, Hawaii Revised Statutes (HRS) and,

if tangible property is being imported into the State of Hawai'i for resale, the use tax (currently 1/2%) imposed by Chapter 238, HRS. (Refer to TAXES in the GENERAL PROVISIONS.) Bidders are therefore cautioned to consider such taxes in formulating their bids, as no adjustments to the prices bid shall be allowed.

TAX CLEARANCE (CERTIFICATE OF VENDOR COMPLIANCE)

In accordance with Hawaii Revised Statutes § 103-53, the RCUH requires vendors to provide a valid tax clearance from the Hawaii Department of Taxation and the U.S. Internal Revenue Service, as a prerequisite to entering into any contract, agreement, or purchase order of \$25,000 or more, **and** prior to releasing a final payment for such purchases. A Certificate of Vendor Compliance that reflects a "Compliant" status from Hawaii Compliance Express (HCE), <https://vendors.ehawaii.gov/hce/splash/faq.html> is acceptable in satisfying the tax clearance requirement.

BID DISQUALIFICATION

An acceptable bid must conform in all material respects to this INVITATION FOR BID (IFB). Any of the following may be grounds for disqualification:

1. Taking exception to any of the specifications' terms or conditions contained in the IFB.
2. Placing conditions on the furnishing of solicited goods or services.
3. Inclusion of a quotation or order form containing additional specifications, terms or conditions.
4. Referencing external documents containing additional specifications, terms or conditions.
5. Evidence of collusion among bidders.
6. Lack of responsibility and cooperation as shown by past work such as failing to complete all of the requirements to close the project within a reasonable time or engaging in a pattern of unreasonable or frivolous claims for extra compensation.
7. More than one bid for the same project from an individual, firm, partnership, corporation or joint venture under the same or different name.
8. Lack of responsibility including, but not limited to, arrearages on existing contracts in litigation with the Research Corporation of the University of Hawai'i, University, State of Hawai'i, or defaults on a previous contract.
9. Being in arrears on existing contracts with the Research Corporation of the University of Hawai'i, University, or State of Hawai'i, or having defaulted on a previous contract with the University or the State of Hawai'i.

10. Submission of bids after the deadline.
11. Failure to follow directions and instructions in the invitation.
12. Failure to pay, or satisfactorily settle, all bills overdue for labor and materials of former contracts in force at the time of issuance of bid forms.
13. Debarment or suspension consistent with the provisions of Chapters 103D, 104 and 444, Hawaii Revised Statutes, as amended, or federal statutes.

Bidders are advised that bids are evaluated as submitted and requests by bidders to delete conditions contained in their bids after bid opening cannot be considered.

Attention of the bidders is directed to the contract performance bond, contract payment bond and insurance requirements of this IFB, which should be carefully considered before submitting a bid. Failure to provide a contract performance bond and contract payment bond will result in forfeiture of your bid security and failure to comply with the insurance requirements will result in forfeiture of your bid security or your contract performance bond.

BASIS FOR AWARD

The award of contract, if awarded, shall be made to the responsible bidder submitting the responsive bid with the lowest evaluated BASIC BID.

LISTING OF JOINT CONTRACTOR AND/OR SUBCONTRACTORS

(Page 1 of 2)

The following information shall be submitted, on this form, by each bidder as a bid requirement.

It is the sole responsibility of the bidder to review the requirements of this project and determine the appropriate specialty Contractor's licenses that are required to complete the project.

Each bidder shall include the name, license number and classification code of each person or firm to be engaged by the bidder as a joint contractor or subcontractor(s) for performance of this contract. Failure to provide correct names and active license numbers as registered with the Contractor's License Board may be grounds for rejection of the bid submitted. The bid shall also indicate the nature and scope of work to be performed by such joint contractor or subcontractor(s).

The bidder acknowledges that as a general contractor ('A' or 'B' license) the bidder is prohibited from undertaking any work solely or as part of a larger project, which would require the bidder ('A' or 'B' general contractor) to act as a specialty ('C' license) contractor in any area in which the bidder ('A' or 'B' general Contractor) has no specialty Contractor's license. The bidder ('A' or 'B' general Contractor) must have the appropriate 'C' specialty Contractor's licenses either obtained on its own, or obtained automatically under the rules and regulations of the Contractor's License Board, Department of Commerce and Consumer Affairs. This list shall not be changed or altered without the written consent of the Procurement Officer.

All bids which do not comply with this requirement may be rejected.

Name of Joint Contractor and/or Subcontractor(s) (specify which)	*License Number	Classification Code	Nature and Scope of Work

CERTIFICATION REQUIRED ON PAGE 2 OF OPRPM FORM 54

LISTING OF JOINT CONTRACTOR AND/OR SUBCONTRACTORS
(Page 2 of 2)

Name of Joint Contractor and/or Subcontractor(s) (specify which)	*License Number	Classification Code	Nature and Scope of Work

The PRIME CONTRACTOR shall indicate its principal contractor's license number and classification code(s) it possesses.

_____	_____
*License Number	Classification Code(s)

The contractor hereby certifies that the information provided is accurate and that itself and the joint contractor/ subcontractor(s) listed meet all license or permit requirements for the State of Hawai'i for this contract.

By _____
Title: _____ Date _____

*License number in compliance with Chapter 444-9, HRS and the Rules and Regulations of the Contractors License Board, Department of Commerce and Consumer Affairs.

AUTHORITY TO SUBMIT BID

NOTE: FILL IN ALL BLANK SPACES WITH INFORMATION ASKED FOR OR BID MAY BE INVALIDATED

(IF BY INDIVIDUAL)

NAME (Signature) TYPED NAME

D.B.A.

SOCIAL SECURITY NUMBER

ADDRESS

FEDERAL TAXPAYER
IDENTIFICATION NUMBER

CITY STATE ZIP CODE

TELEPHONE NUMBER EMAIL ADDRESS

(IF BY PARTNERSHIP)

OFFICIAL/LEGAL NAME OF FIRM

NAME (Signature) TYPED NAME

FEDERAL TAXPAYER
IDENTIFICATION NUMBER

PARTNER

ADDRESS

CITY STATE ZIP CODE

TELEPHONE NUMBER EMAIL ADDRESS

(IF BY CORPORATION)

OFFICIAL/LEGAL NAME OF COMPANY

FEDERAL TAXPAYER
IDENTIFICATION NUMBER

*OFFICER (Signature) TYPED NAME

TITLE

ADDRESS OF COMPANY

CITY STATE ZIP CODE

(SEAL)

TELEPHONE NUMBER EMAIL ADDRESS

IF LICENSED OR INCORPORATED TO DO BUSINESS WITHIN THE STATE OF HAWAII AND SUBJECT TO THE PROVISIONS OF THE HAWAII GENERAL EXCISE TAX LAWS, INDICATE GENERAL EXCISE TAX LICENSE NUMBER ____.

*Please attach to this page evidence of the authority of this officer to submit a bid on behalf of the corporation.

Bid Security made payable to the Research Corporation of the University of Hawaii must accompany the bid, if the total amount of the item(s) bid is \$50,000 or more. (See **GENERAL PROVISION 8, BID SECURITY**, for acceptable forms of Bid Security.)

In the event that the undersigned is awarded this contract and its remittance address differs from the address shown on page BID - 9 please indicate remittance address below:

Street Address or P. O. Box

City State Zip Code

SURETY BID BOND

Bond No. _____

KNOW ALL MEN BY THESE PRESENTS:

That we, _____, as Offeror, hereinafter called the Principal, and _____, as Surety, hereinafter called Surety, a corporation authorized to transact business as a Surety in the State of Hawai'i, are held and firmly bound unto the Research Corporation of the University of Hawai'i, as Owner, in the penal sum of _____ Dollars (\$_____) lawful money of the United States of America, for the payment of which sum well and truly to be made, the said Principal and the said Surety bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS:

The Principal has submitted an offer for _____
_____.

NOW, THEREFORE:

The condition of this obligation is such that if the Research Corporation of the University of Hawai'i shall reject said offer, or in the alternate, accept the offer of the Principal and the Principal shall enter into a Contract with the Research Corporation of the University of Hawai'i in accordance with the terms of such offer, and give such bond or bonds as may be specified in the solicitation or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof as specified in the solicitation then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed this _____ day of _____, _____.

(Seal) _____
Name of Principal (Offeror)

Signature

Title

(Seal) _____
Name of Surety

Signature

Title