

**STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS**

**BID OFFER FORM FOR**

**LAIOPUA VILLAGE 4 SUBDIVISION, PHASE 2 - HEMA**

**KAILUA-KONA, ISLAND OF HAWAII, HAWAII**

**TAX MAP KEY  
( 3 ) 7-4-21:12 (PORTION)**

**IFB No.: IFB-21-HHL-007**

Chairman  
Hawaiian Homes Commission  
Department of Hawaiian Home Lands  
91-5420 Kapolei Parkway  
Kapolei, Hawaii 96707

The undersigned has carefully examined, read, and understands the terms and conditions in the Plans and Specifications, Special Conditions attached hereto, DHHL Construction General Conditions, and General Conditions specified in the Invitation for Bids (IFB) No. IFB-21-HHL-007. The State of Hawaii's (State) Contract for Goods and Services Based on Competitive Sealed Bids AG-003 Rev. 6/22/2009, AG-008 103D General Conditions, are included by reference and made part hereof and available upon written request to the Procurement Officer. The undersigned hereby submits the following offer to perform the work for IFB No. IFB-21-HHL-007, as specified herein, all in accordance with the true intent and meaning thereof.

The undersigned understands and agrees that:

1. The State reserves the right to reject any and all offers and to waive any items that are defective when, in the State's opinion, such rejection or waiver will be in the best interest of the State. A solicitation may be rejected in whole or part when in the best interest of the State.
2. If awarded the contract, all services will be in accordance with Hawaii Revised Statutes (HRS) § 103-55.5.
3. In submitting this offer, the Offeror is not in violation of HRS Chapter 84, concerning prohibited State contracts.
4. By submitting this offer, the Offeror certifies that the offer was independently arrived at without collusion and the Offeror did not participate in any practices to restrict competition.
5. It is understood that the failure to receive any addendum shall not relieve the Offeror from any obligation under this IFB.

Laiopua Village 4 Subdivision,  
Phase 2 - Hema  
IFB-21-HHL-007

Bid Offer Form  
R2/22/2021

Date: 03/04/2021

The undersigned represents that it is: (Check  one only)

- A **Hawaii business** incorporated or organized under the laws of the State of Hawaii; **OR**  
 A **Compliant Non-Hawaii business** not incorporated or organized under the laws of the State of Hawaii, is or shall be registered at the State of Hawaii Department of Commerce and Consumer Affairs Business Registration Division (DCCA-BREG) to do business in the State of Hawaii.

State of incorporation: \_\_\_\_\_

Offeror is:

- Sole Proprietor     Partnership     Corporation     Joint Venture     Other: \_\_\_\_\_

Federal ID No.: 99-0317519

Hawaii General Excise Tax ID No.: GE147839795201

Telephone No.: (808) 842-4929

Fax No.: (808) 841-8281

E-Mail Address.: estimating@nanhawaii.com

Payment address (other than street address below)

N/A  
(Street Address, City, State, Zip Code)

Business address

636 Laumaka Street, Honolulu, Hawaii 96819  
(Street Address, City, State, Zip Code)



Respectfully submitted:

[Handwritten Signature]  
Authorized (Original) Signature

Fooney Freestone, President  
Name and Title (Please Type or Print)

\* Nan, Inc.  
Exact Legal Name of Company (Offeror)

\*If Offeror shown above is a "dba" or a "division" of a corporation, furnish the exact legal name of the corporation under which the awarded contract will be executed:

The following bid is hereby submitted for           Nan, Inc.           to the Department of Hawaiian Home Lands.

Item No.	Estimated Quantity	Description	Unit Price	Total
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The prices bid herein for the following items shall include all materials, labor, tools, equipment, machinery and all incidentals necessary to install or to construct these items in place complete all in accordance with the plans and specifications, and shall constitute a lump sum bid for the performance of this work

**ROADWAYS**

1	L.S.	Mobilization, including obtaining insurance, bonds, permits, scheduling, submittals, and other activities to mobilize for project.	
		Lump Sum	\$ <u>182,870.00</u>

2	L.S.	Demobilization, including removing excess materials and equipment, clean-up, report after grading, including certification (as graded topographical survey and certification letter for grades).	
		Lump Sum	\$ <u>14,497.00</u>

3	L.S.	Temporary Erosion Control Measures and compliance with the National Pollution Discharge Elimination System (NPDES) Permit, including submittals to the State Department of Health (inclusive of, but not limited to, installation and removal of silt fences, BMP's, watering and roadway cleaning).	
		Lump Sum	\$ <u>16,112.00</u>

4	L.S.	New dust screen bordering Keanalehu Drive along lots 1 to 26, in place complete to be removed and disposed of offsite once the road subgrade is being prepared for paving. (1,600 LF)	
		Lump Sum	\$ <u>237,808.00</u>

5	L.S.	New dust screen bordering Manawalea Street along lots 26 to 45, in place complete to be removed and disposed of offsite once the road subgrade is being prepared for paving. (1,300 LF)	Lump Sum	\$ <u>192,816.00</u>
6	L.S.	New dust screen bordering Kookoolau Street along lots 46 to 125, in place complete to be removed and disposed of offsite once the road subgrade is being prepared for paving. (1,550 LF)	Lump Sum	\$ <u>232,159.00</u>
7	L.S.	Clearing and Grubbing of subdivision site including off-site disposal of all cleared and grubbed materials, including vegetative and unsuitable materials per Technical Specifications Section 02100 ( Approximately 27.3 Acres)	Lump Sum	\$ <u>353,232.00</u>
8	L.S.	Fine grading of roadway area (186,000 SF)	Lump Sum	\$ <u>120,900.00</u>
9	L.S.	6" Base course under pavement areas (13,642 SY)	Lump Sum	\$ <u>134,100.00</u>
10	L.S.	2" AC pavement (13,642 SY)	Lump Sum	\$ <u>446,230.00</u>
11	L.S.	Standard integral concrete curb and gutter. including thru gutter (8,440 LF)	Lump Sum	\$ <u>471,965.00</u>

12	L.S.	Reinforced Class "B" concrete sidewalk, 4" thick. (50,057 SF)	Lump Sum	\$ <u>445,507.00</u>
13	L.S.	4" Base Course under sidewalk area including under curb ramps and driveways, curbs and gutters (50,057 SF)	Lump Sum	\$ <u>130,649.00</u>
14	L.S.	Reinforced Class "B," including detectable warning strip, concrete curb ramp, 4" thick. (1,165 SF)	Lump Sum	\$ <u>32,107.00</u>
15	L.S.	Reinforced concrete driveway apron, 4" thick. (12,000 SF)	Lump Sum	\$ <u>172,320.00</u>
16	L.S.	Street monument. (18 EA)	Lump Sum	\$ <u>4,953.00</u>
17	L.S.	Street name sign (14 EA)	Lump Sum	\$ <u>2,862.00</u>
18	L.S.	Demolition and removal of existing concrete header and end road barrier with markers	Lump Sum	\$ <u>2,977.00</u>
19	L.S.	Smooth Riding Connection to existing pavement, curb, gutter and sidewalk at: Ohemakai St. and Ko'oko'olau St. Koai'a St. and Ko'oko'olau St. 'Ilie'e Pl. and Ko'oko'olau St. Kawelu Pl. and Ko'oko'olau St.	Lump Sum	\$ <u>8,452.00</u>

20	L.S	Privacy Vinyl Fence and Guardrail along Manawalea St. (along lots 26 to 45) (1,340 LF)	Lump Sum	\$ <u>329,238.00</u>
21	L.S	Retaining Wall (along lots 27 to 30) (295 LF)	Lump Sum	\$ <u>402,864.00</u>
22	L.S	Retaining Wall (along lots 114 to 115) (163 LF)	Lump Sum	\$ <u>240,577.00</u>
23	L.S	Retaining Wall (at lot 108) (53 LF)	Lump Sum	\$ 70,592.00
		<b>SUB-TOTAL FOR ROADWAYS (Items 1-23, inclusive)</b>		<b>\$ 4,245,787.00</b>
		<b>LOT GRADING</b>		
24	L.S	Excavation for grading including 2 foot over excavation in the lot and roadway areas as required per the Geotechnical Report, as per plans (80,980 CY)	Lump Sum	\$ <u>1,135,340.00</u>
25	L.S	Embankment including fine grading and fill to finish grade including 2" minus capping material, as per plans (70,310 CY)	Lump Sum	\$ 987,855.00
		<b>SUB-TOTAL FOR LOT GRADING (Items 24 &amp; 25, inclusive)</b>		<b>\$ 2,123,195.00</b>
		<b>SEWER SYSTEM</b>		

26	L.S	Unclassified excavation for 8" sewer lines, cradles and manholes, including backfill and manhole seals (2,828 CY)	Lump Sum	\$ <u>705,445.00</u>
27	Allow	6" minus backfill as necessary, in place complete.  Unit Price to be used for item \$ <u>91.50</u> / C.Y.	Allowance	\$ <u>20,000</u>
28	L.S	$\frac{3}{4}$ " Base Course backfill, in place complete. (623 CY)	Lump Sum	\$ <u>74,255.00</u>
29	L.S	8" Sewer Pipe. (4,109 LF)	Lump Sum	\$ <u>146,280.00</u>
30	L.S	6" Sewer Pipe including excavation and backfill (3,136 LF)	Lump Sum	\$ <u>261,072.00</u>
31	L.S	8"x6" Sewer Pipe Wye (81 EA)	Lump Sum	\$ <u>24,658.00</u>
32	L.S	6"x6" Sewer Pipe Wye (62 EA)	Lump Sum	\$ <u>20,722.00</u>
33	L.S	6" Sewer Pipe 1/8 Bend (81 EA)	Lump Sum	\$ <u>15,857.00</u>
34	L.S	6" x4" Reducer (122 EA)	Lump Sum	\$ <u>26,352.00</u>

35	L.S	Pipe marker (122 EA)	
		Lump Sum	\$ <u>6,800.00</u>
36	L.S	4-inch Sewer Pipe advance riser (485 LF)	
		Lump Sum	\$ <u>22,388.00</u>
37	L.S	4-inch long sweep bend including 12"x12" concrete block (85 EA)	
		Lump Sum	\$ <u>9,606.00</u>
38	L.S	6-inch cleanout with cap (57 EA)	
		Lump Sum	\$ <u>49,387.00</u>
39	L.S	4-inch cleanout with cap (85 EA)	
		Lump Sum	\$ <u>38,678.00</u>
40	L.S	Reinforced concrete manhole base (23 EA)	
		Lump Sum	\$ <u>40,305.00</u>
41	L.S	Manhole frame and cover (23 EA)	
		Lump Sum	\$ <u>7,022.00</u>
42	L.S	Standard plain manhole, 6' - 6.99' (6 EA)	
		Lump Sum	\$ <u>82,354.00</u>
43	L.S	Standard plain manhole, 7' - 7.99' (2 EA)	
		Lump Sum	\$ <u>30,013.00</u>
44	L.S	Standard plain manhole, 8' - 8.99' (1 EA)	

		Lump Sum	\$ <u>19,357.00</u>
45	L.S	Standard plain manhole, 9' - 9.99' (2 EA)	
		Lump Sum	\$ <u>35,922.00</u>
46	L.S	Standard plain manhole, 10' - 10.99' (2 EA)	
		Lump Sum	\$ <u>34,470.00</u>
47	L.S	Standard plain manhole, 11' - 11.99' (2 EA)	
		Lump Sum	\$ <u>39,377.00</u>
48	L.S	Standard plain manhole, 12' - 12.99' (1 EA)	
		Lump Sum	\$ <u>24,287.00</u>
49	L.S	Drop manhole G-2, 12' - 12.99'. (1 EA)	
		Lump Sum	\$ <u>43,456.00</u>
50	L.S	Drop manhole G-1, 14' - 14.99' (1 EA)	
		Lump Sum	\$ <u>41,341.00</u>
51	L.S	Shallow Drop manhole H-1, 8' - 8.99' (1 EA)	
		Lump Sum	\$ <u>43,602.00</u>
52	L.S	Shallow drop manhole H-4, 9' - 9.99' (1 EA)	
		Lump Sum	\$ <u>40,062.00</u>
53	L.S	Shallow drop manhole I-2, 10' - 10.99' (1 EA)	
		Lump Sum	\$ <u>41,631.00</u>
54	L.S	Drop manholes G-4 & F-1, 13' - 13.99' (2 EA)	
		Lump Sum	\$ <u>87,204.00</u>

55	L.S.	Connection to existing 8" sewer in Ko'oko'olau Street at Station 9+30.19±, including removing existing plug, excavation and backfilling.	Lump Sum	\$ <u>4,531.00</u>
			<b>SUB-TOTAL FOR SEWER SYSTEM (Items 26 to 55, inclusive)</b>	<u>2,036,434.00</u>
			<b>WATER SYSTEM</b>	
56	L.S	Unclassified excavation for 8" water mains, manholes and appurtenances, including backfill and pipe cushion. (940 CY)	Lump Sum	\$ <u>162,385.00</u>
57	Allow	6" minus backfill as necessary, in place complete.  Unit Price to be used for item \$ <u>91.50</u> / C.Y.	Allowance	\$ <u>10,000</u>
58	L.S	Pipe Cushion Material as required, in place complete. (550 CY)	Lump Sum	\$ <u>44,457.00</u>
59	L.S	8" Water Pipe. (3,632 LF)	Lump Sum	\$ <u>141,939.00</u>
60	L.S	6" Water Pipe (173 LF)	Lump Sum	\$ <u>8,327.00</u>
61	L.S	Water Pipe fittings. (3,950 Lbs) 1 - 12" Sleeve @ 110 1 - 12" x 8" Reducer @ 165 3 - 8" x 8" Tee @ 185		

8 - 8" x 6" Tee @ 175  
 1 - 8" x 4" Reducer @ 80  
 2 - 8" 1/4 Bend @ 125  
 2 - 8" 1/8 Bend @ 110  
 2 - 8" Sleeve @ 95  
 1 - 8" Cap @ 45  
 11 - 6" 1/4 Bend @ 85

Lump Sum \$ 21,497.00

62 L.S 8" Gate valve, Class 200. (9 EA)

Lump Sum \$ 16,330.00

63 L.S 6" Gate valve, Class 200. (8 EA)

Lump Sum \$ 9,149.00

64 L.S 1" Air relief valve including manhole and appurtenances. (2 EA)

Lump Sum \$ 5,988.00

65 L.S 8" Cap with 2" IPT (1 EA)

Lump Sum \$ 729.00

66 L.S 8" Cap (1 EA)

Lump Sum \$ 590.00

67 L.S Fire hydrant, 4.0' curb to invert. (8 EA)

Lump Sum \$ 32,645.00

68 L.S 1" Service lateral with Type A service connection and all appurtenances off main. (29 EA)

Lump Sum \$ 35,307.00

69	L.S	1-1/2" Service lateral with Type C service connection and all appurtenances off main. (48 EA)	Lump Sum	\$ <u>91,060.00</u>
70	L.S	Type "X" meter box. (125 EA)	Lump Sum	\$ <u>40,128.00</u>
71	L.S	Pipe marker. (1 EA)	Lump Sum	\$ <u>200.00</u>
72	L.S	Valve box including cast iron frame and cover, pipe sleeve and concrete anchor pad. (17 EA)	Lump Sum	\$ <u>13,752.00</u>
73	L.S	Class "B" concrete for reaction blocks, gate valve anchor blocks, etc. (11 CY)	Lump Sum	\$ <u>3,949.00</u>
74	L.S	Reinforced Concrete Jacket for Sewer (10 LF)	Lump Sum	\$ <u>4,067.00</u>
75	L.S	8" Cap with 2" C. O. (Temporary for testing.) (4 EA)	Lump Sum	\$ <u>3,318.00</u>
76	L.S	Class "B" concrete for reaction blocks, gate valve anchor blocks, etc. (Temporary for Testing) (3 CY)	Lump Sum	\$ <u>950.00</u>
77	L.S	2" Cleanout/Manhole (2 EA)	Lump Sum	\$ <u>2,366.00</u>

78	L.S.	Pressure Reducing Valve Station, in place complete (see Sheet 36 for layout and materials schedule)	Lump Sum	\$ <u>82,718.00</u>
79	L.S.	Connection to existing main. (4 EA)	Lump Sum	\$ <u>58,173.00</u>
80	L.S.	Chlorination and testing.	Lump Sum	\$ <u>18,413.00</u>

<b>SUB-TOTAL FOR WATER SYSTEM (Items 56 to 80, inclusive)</b>	<b>\$ 808,437.00</b>
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<b>STORM DRAIN SYSTEM</b>
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81	L.S.	Unclassified excavation for drain lines, catch basins, and drywells, including backfill and pipe cushion. (1,360 CY)	Unit Price to be used for item \$ <u>6,000/</u> C.Y for added excavation as needed	Lump Sum	\$ <u>490,634.00</u>
82	Allow	6" minus backfill 12" thick if necessary, below the pipe cushion as required in the Geotech Report, in place complete.	Unit Price to be used for item \$ <u>91.50/</u> C.Y.	Allowance	\$ <u>8,000.00</u>
83	L.S.	Standard reinforced concrete catch basin, Type A complete, including top slab and gutter. (13 EA)		Lump Sum	\$ <u>237,342.00</u>

84	L.S	Standard reinforced concrete catch basin over drywells, Modified Type A complete, including top slab and gutter. (20 EA)	Lump Sum	\$ <u>362,345.00</u>
85	L.S	Drywells (5 ft Diameter) (20 ft Deep, minimum), including concrete pipe rings, crushed rocks, footings for concrete pipe rings, backfill, in place complete (20 EA)	Lump Sum	\$ <u>284,410.00</u>
86	L.S	18" Storm Drain Pipe, Reinforced Concrete Pipe, Class III (501 LF)	Lump Sum	\$ <u>68,662.00</u>
87	L.S	Assistance in testing drywells including providing 4000 gallon tanker trucks, water for testing, hoses and operators for discharging water into drywells (for testing by others) (20 EA)	Lump Sum	\$ <u>10,042.00</u>
88	L.S	Assistance in re-testing drywells including providing 4000 gallon tanker trucks, water for testing, hoses and operators for discharging water into drywells (for testing by others) (20 EA)	Lump Sum	\$ <u>10,042.00</u>
<b>SUB-TOTAL FOR STORM DRAIN SYSTEM (Items 81 to 88 inclusive)</b>				<b>\$ 1,471,477.00</b>

**TRAFFIC SIGNAGE AND STRIPING**

89	L.S	R1-1 "STOP" sign with street name signs and post (7 EA)
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		Lump Sum	\$ <u>3,721.00</u>
90	L.S.	R7-1 "NO PARKING ANYTIME" sign and post (6 EA)	
		Lump Sum	\$ <u>3,189.00</u>
91	L.S.	R2-1 (25) "SPEED LIMIT 25" sign and post (9 EA)	
		Lump Sum	\$ <u>4,784.00</u>
92	L.S.	W14-1 "DEAD END" sign and post (1 EA)	
		Lump Sum	\$ <u>532.00</u>
93	L.S.	W1-1L "LEFT TURN ARROW" sign and post (1 EA)	
		Lump Sum	\$ <u>532.00</u>
94	L.S.	W1-1R "RIGHT TURN ARROW" sign and post (1 EA)	
		Lump Sum	\$ <u>532.00</u>
95	L.S.	Type "DB" two way blue reflector for F.H. (7 EA)	
		Lump Sum	\$ <u>245.00</u>
96	L.S.	Double 4-inch wide, yellow center line (1,700 LF)	
		Lump Sum	\$ <u>12,410.00</u>
97	L.S.	12-inch wide, solid wide stop bar (70 LF)	
		Lump Sum	\$ <u>1,022.00</u>
98	L.S.	12-inch wide, solid white crosswalk line (275 LF)	

Lump Sum \$ 18,634.00

**SUB-TOTAL FOR TRAFFIC SIGNAGE  
AND STRIPING  
(Items 89 to 98 inclusive)**

\$ 45,601.00

**MISCELLANEOUS ITEMS**

99 L.S. Fire Contingency Plan, including preparation, submittal and processing for DHHL acceptance, and all labor, materials and equipment necessary for its implementation throughout the duration of the entire contract

Lump Sum \$ 2,500.00

100 L.S. Project sign for Department of Hawaiian Home Lands (DHHL), in place complete (1 EA)

Lump Sum \$ 2,570.00

101 L.S. Project sign for United States Department of Agriculture (USDA), in place complete (1 EA)

Lump Sum \$ 2,570.00

102 Allow Additional work to backfill large lava tubes inadvertently encountered that extend greater than 25 feet in either direction beyond the end points of the surface opening and exceed 5 feet in its smallest diameter as measured through the 25-foot length and/or show obvious evidence of transmitting water

Allowance \$ 150,000.00

103 L.S. Temporary traffic control inclusive of, but not limited to preparing and processing a traffic control plan for County approval and all work that may be required by the County as a condition of approval to work in the County right-of-way

Lump Sum \$ 26,508.00

104 Allow DHHL field directed changes

Allowance \$ 250,000.00

**SUB-TOTAL FOR MISCELLANEOUS ITEMS**  
**(Items 99 to 104 inclusive)**

**\$ 434,148.00**

**EXTERIOR ELECTRICAL IMPROVEMENTS**

105 L.S. Furnish and Install One 2-Inch Concrete Encased HELCO Conduits. Work shall consist of excavation and providing 2" diameter conduits, with spacers, couplings, appurtenances, and concrete jacket, backfilled per HELCO requirements, complete and in place. (2,600 LF)

Lump Sum \$ 135,850.00

106 L.S. Furnish and Install Two 2-Inch Concrete Encased HELCO Conduits. Work shall consist of excavation and providing 2" diameter conduits, with spacers, couplings, appurtenances, and concrete jacket, backfilled per HELCO requirements, complete and in place. (2,000 LF)

Lump Sum \$ 144,080.00

107	L.S	Furnish and Install Three 2-Inch Concrete Encased HELCO Conduits. Work shall consist of excavation and providing 2" diameter conduits, with spacers, couplings, appurtenances, and concrete jacket, backfilled per HELCO requirements, complete and in place. (200 LF)	Lump Sum	\$ <u>19,916.00</u>
108	L.S	Furnish and Install One 3-Inch Concrete Encased HELCO Conduits. Work shall consist of excavation and providing 3" diameter conduits, with spacers, couplings, appurtenances, and concrete jacket, backfilled per HELCO requirements, complete and in place. (3,300 LF)	Lump Sum	\$ <u>242,880.00</u>
109	L.S	Furnish and Install One 3-Inch Direct Buried HELCO Conduit. Work shall consist of excavation and providing 3" diameter conduit, with spacers, couplings and appurtenances, backfilled per HELCO requirements, complete and in place. (1,500 LF)	Lump Sum	\$ <u>81,660.00</u>
110	L.S	Furnish and Install Two 3-Inch Concrete Encased HELCO Conduits. Work shall consist of excavation and providing 3" diameter conduits, with spacers, couplings, appurtenances, and concrete jacket, backfilled per HELCO requirements, complete and in place. (850 LF)	Lump Sum	\$ <u>75,769.00</u>
111	L.S	Furnish and Install Three 3-Inch Concrete Encased HELCO Conduits. Work shall consist of excavation and providing 3" diameter conduits, with spacers, couplings, appurtenances, and concrete jacket, backfilled per HELCO requirements, complete and in place. (350 LF)		

		Lump Sum	\$ <u>40,271.00</u>
112	L.S	Furnish and Install Four 3-Inch Direct Buried HELCO Conduits. Work shall consist of excavation and providing 3" diameter conduits, with spacers, couplings and appurtenances, backfilled per HELCO requirements, complete and in place. (50 LF)	
		Lump Sum	\$ <u>7,439.00</u>
113	L.S	Furnish and Install Two 2-Inch Concrete Encased Street Light PVC Schedule 40 Type Conduit. Work shall consist of excavation and providing 2" diameter conduit, with spacers, couplings, appurtenances, and concrete jacket, backfilled as required, complete and in place. (1,300 LF)	
		Lump Sum	\$ <u>102,739.00</u>
114	L.S	Furnish and Install Two 2-Inch Direct Buried Street Light PVC Schedule 80 Type Conduit. Work shall consist of excavation and providing 2" diameter conduit, with spacers, couplings and appurtenances, backfilled as required, complete and in place. (3,350 LF)	
		Lump Sum	\$ <u>271,183.00</u>
115	L.S	Furnish and Install 2'x 3' Reinforced Concrete Pullbox with precast concrete covers, provided in accordance with HELCO standard drawing No. 30-2006, complete and in place. (47 EA)	
		Lump Sum	\$ <u>92,187.00</u>
116	L.S	Furnish and Install 3'x 5' Reinforced Concrete Handhole with precast concrete covers, provided in accordance with HELCO standard drawing No. 15501, complete and in place. (8 EA)	
		Lump Sum	\$ <u>81,630.00</u>

117	L.S	Furnish and Install 4'x 6' Reinforced Concrete Handhole with precast concrete covers, provided in accordance with HELCO standard drawing No. 15501, complete and in place. (16 EA)	Lump Sum	\$ <u>133,223.00</u>
118	L.S	6'x 7' Transformer Pad Lot. Work shall consist of reinforced concrete transformer pad and ground rod, provided as indicated on the drawings and in accordance with HELCO standard drawing. (16 EA)	Lump Sum	\$ <u>41,095.00</u>
119	L.S	Furnish and Install Street Lighting Standard (30W LED). Work shall consist of excavating, constructing reinforced concrete foundation, backfilling, and providing street lighting standard, luminaire and bracket arm in accordance with the County of Hawaii's Department of Public Works Standards and as indicated on the drawings, complete and in place. (36 EA)	Lump Sum	\$ <u>318,056.00</u>
120	L.S	Furnish and Install 17"x30" Quazite Tier 22 Pullbox with precast covers, in accordance with the County of Hawaii's Department of Public Works Standards and as indicated on the drawings, complete and in place. (36 EA)	Lump Sum	\$ <u>34,956.00</u>
121	L.S	Street Lighting Circuit(s) (Multiple System). Work shall consist of providing cables and accessories from street lighting standard to nearest HELCo secondary cable, complete and in place. (4,650 LF)	Lump Sum	\$ <u>43,803.00</u>

**TOTAL FOR EXTERIOR ELECTRICAL IMPROVEMENTS**

**(Items 105 to 121, Inclusive)**

**\$ 1,866,737.00**

**TELECOMMUNICATION WORK**

122	L.S	Furnish and Install Two 1-Inch Direct Buried Telecom Conduits (Tel/CATV) - UD(1X2-1"). Work shall consist of excavation and providing 1" diameter conduits, with spacers, couplings and appurtenances, backfilled per Telecom requirements, complete and in place. (1,400 LF)	Lump Sum	\$ <u>67,970.00</u>
123	L.S	Furnish and Install Two 1-Inch Concrete Encased Telecom Conduits (Tel/CATV) - UD(1X2-1")E. Work shall consist of excavation and providing 1" diameter conduits, with spacers, couplings, appurtenances, and concrete jacket, backfilled per Telecom requirements, complete and in place. (600 LF)	Lump Sum	\$ <u>37,086.00</u>
124	L.S	Furnish and Install Four 1-Inch Concrete Encased Telecom Conduits (Tel/CATV) - UD(2X2-1")E. Work shall consist of excavation and providing 1" diameter conduits, with spacers, couplings, appurtenances, and concrete jacket, backfilled per Telecom requirements, complete and in place. (1,300 LF)	Lump Sum	\$ <u>97,500.00</u>
125	L.S	Furnish and Install Six 1-Inch Direct Buried Telecom Conduits (Tel/CATV) - UD(3X2-1"). Work shall consist of excavation and providing 1" diameter conduits, with spacers, couplings, and appurtenances, backfilled per Telecom requirements, complete and in place. (50 LF)	Lump Sum	\$ <u>4,147.00</u>

126	L.S	Furnish and Install Four 4-Inch Direct Buried Telecom Conduits (Tel/CATV) - UD(2X2-4"). Work shall consist of excavation and providing 4" diameter conduits, with spacers, couplings, and appurtenances, backfilled per Telecom requirements, complete and in place. (100 LF)	
		Lump Sum	\$ <u>13,739.00</u>
127	L.S	Furnish and Install Two 4-Inch Concrete Encased Telecom Conduits - UD(1X2-4")E. Work shall consist of excavation and providing 4" diameter conduits, with spacers, couplings, appurtenances, and concrete jacket, backfilled per Telecom requirements, complete and in place. (550 LF)	
		Lump Sum	\$ <u>56,419.00</u>
128	L.S	Furnish and Install Two 4-Inch & Two 1-Inch Direct Buried Telecom Conduits - UD(1x2-4") & UD(1x2-1")D. Work shall consist of excavation and providing 4" & 1" diameter conduits, with spacers, couplings, and appurtenances, backfilled per Telecom requirements, complete and in place. (500 LF)	
		Lump Sum	\$ <u>50,370.00</u>
129	L.S	Furnish and Install Two 4-Inch & Four 1-Inch Direct Buried Telecom Conduits - UD(1x2-4") & UD(2x2-1")D. Work shall consist of excavation and providing 4" & 1" diameter conduits, with spacers, couplings, and appurtenances, backfilled per Telecom requirements, complete and in place. (1,000 LF)	
		Lump Sum	\$ <u>117,060.00</u>

130	L.S	Furnish and Install Two 4-Inch & Six 1-Inch Direct Buried Telecom Conduits - UD(1x2-4") & UD(2x3-1")D. Work shall consist of excavation and providing 4" & 1" diameter conduits, with spacers, couplings, and appurtenances, backfilled per Telecom requirements, complete and in place. (150 LF)	Lump Sum	\$ <u>20,142.00</u>
131	L.S	Furnish and Install Two 4-Inch & Eight 1-Inch Direct Buried Telecom Conduits - UD(1x2-4") & UD(2x4-1")D. Work shall consist of excavation and providing 4" & 1" diameter conduits, with spacers, couplings, and appurtenances, backfilled per Telecom requirements, complete and in place. (150 LF)	Lump Sum	\$ <u>22,209.00</u>
132	L.S	Furnish and Install Two 4-Inch & Ten 1-Inch Direct Buried Telecom Conduits - UD(1x2-4") & UD(2x5-1")D. Work shall consist of excavation and providing 4" & 1" diameter conduits, with spacers, couplings, and appurtenances, backfilled per Telecom requirements, complete and in place. (50 LF)	Lump Sum	\$ <u>8,545.00</u>
133	L.S	Furnish and Install Two 4-Inch Direct Buried Telecom Conduits - UD(1x2-4")D. Work shall consist of excavation and providing 4" diameter conduits, with spacers, couplings, and appurtenances, backfilled per Telecom requirements, complete and in place. (2,300 LF)	Lump Sum	\$ <u>197,409.00</u>

134	L.S	Furnish and Install Four 4-Inch & Four 1-Inch Direct Buried Telecom Conduits - UD(2x2-4") & UD(2x2-1")D. Work shall consist of excavation and providing 4" & 1" diameter conduits, with spacers, couplings, and appurtenances, backfilled per Telecom requirements, complete and in place. (50 LF)	Lump Sum	\$ <u>8,995.00</u>
135	L.S	Furnish and Install Six 1-Inch Concrete Encased Telecom Conduits - UD(2X3-1")E. Work shall consist of excavation and providing 1" diameter conduits, with spacers, couplings, appurtenances, and concrete jacket, backfilled per Telecom requirements, complete and in place. (100 LF)	Lump Sum	\$ <u>22,288.00</u>
136	L.S	Furnish and Install 13"x 24" x 30" Type UHC 13x24x30 Polymer Concrete Pullbox with polymer concrete covers, cable racks, and ground rod, provided in accordance with Telecom standard requirements, complete and in place. (2 EA)	Lump Sum	\$ <u>4,635.00</u>
137	L.S	Furnish and Install 30"x 48" x 36" Type UHC 30x48 Polymer Concrete Pullbox with 20K "traffic" rated polymer concrete covers, cable racks, and ground rod, provided in accordance with Telecom standard requirements, complete and in place. (23 EA)	Lump Sum	\$ <u>98,346.00</u>
138	L.S	Furnish and Install 3'x 5' Type UH-35 reinforced concrete handhole with galvanized slip-not covers, "Telecom" inscribed on covers. Provided in accordance with Telecommunication System requirements, Type UH-3x5. (2 EA)		

		Lump Sum	\$ <u>27,660.00</u>
139	L.S	Furnish and Install Housing Ground Assembly Unit BM 2(5/8)(8), with copper clad ground rod clamp and the required length of bare #6 AWG tinned copper ground wire connected to an auxiliary grounding connector within the housing, provided in accordance with Telecom standard requirements, complete and in place. (2 EA)	

	Lump Sum	\$ <u>913.00</u>
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<b>TOTAL FOR TELECOMMUNICATION WORK</b> (Items 122 to 139, Inclusive)	<b>\$ 855,433.00</b>
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**BASE BID COST ANALYSIS DATA  
RECAPITULATION**

I. ROADWAY	(Items 1 to 23, inclusive)	\$ <u>4,245,787.00</u>
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II. LOT GRADING	(Item 24 & 25, inclusive)	\$ <u>2,123,195.00</u>
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Laiopua Village 4 Subdivision,  
Phase 2 - Hema  
IFB-21-HHL-007

Bid Offer Form  
R2/22/2021

III. SEWER SYSTEM	(Items 26 to 55, inclusive)	\$ <u>2,036,434.00</u>
IV. WATER SYSTEM	(Items 56 to 80 inclusive)	\$ <u>808,437.00</u>
V. STORM DRAIN SYSTEM	(Items 81 to 88, inclusive)	\$ <u>1,471,477.00</u>
VI. TRAFFIC SIGNAGE AND STRIPING	(Items 89 to 98, inclusive)	\$ <u>45,601.00</u>
VII. MISCELLANEOUS ITEMS	(Items 99 to 104, inclusive)	\$ <u>434,148.00</u>
VIII. EXTERIOR ELECTRICAL WORK	(Items 105 to 121, inclusive)	\$ <u>1,866,737.00</u>
IX. TELECOMMUNICATION WORK	(Items 122 to 139, inclusive)	\$ <u>855,433.00</u>
<b>TOTAL BASE BID</b>		
<b>(Items 1 to 139)</b>		<b>\$ <u>13,887,249.00</u></b>

**TOTAL SUM BID = thirteen million eight hundred eighty seven thousand two hundred forty nine and no/100-----Dollars(\$ 13,887,249.00 ).**

**The prices herein for the above items shall include all materials, labor, tools, equipment, machinery and all incidentals necessary, inclusive of general excise tax to install or to construct these items in place complete and in accordance with the plans and specifications contained in this IFB.**

The CONTRACTOR shall complete all work as specified or indicated in the Contract Documents on or before Four Hundred And Twenty Six ( 426 ) calendar days after receiving written Notice to Proceed, subject to extensions, as may be granted.

## APPRENTICESHIP AGREEMENT PREFERENCE

Hawaii Revised Statutes §103-55.6 (ACT 17, SLH 2009) provides for a Hawai'i Apprenticeship Preference for public works contracts having an estimated value of \$250,000.00 or more. The preference shall be in the form of a 5% bid adjustment applied to the bidder's amount for bidders that are parties to apprenticeship agreements. The estimated value of this public works contract is \$250,000.00 or more and the apprenticeship agreement preference **shall** apply.

To be eligible for the preference, the bidder shall:

1. Be a party to an apprenticeship agreement registered with the DLIR at the time the bid is made for each apprenticeable trade the bidder will employ to construct the public works project for which the bid is being made.
  - a. The apprenticeship agreement shall be registered and conform to the requirements of HRS Chapter 372.
  - b. Subcontractors do not have to be a party to an apprenticeship agreement for the bidder to obtain the preference.
  - c. The bidder is not required to have apprentices in its employ at the time the bid is submitted to qualify for the preference.
  - d. If a bidder's employee is multi-skilled and able to perform work in more than one trade (for example, a project requires a carpenter and a laborer, and the employee is a carpenter, but is also able to perform the work of a laborer), the bidder need only be a party to the carpenter's apprenticeship agreement and does not need to be a party to the laborer's apprenticeship agreement in order to qualify for the preference. The bidder is not "employing" a laborer, only a carpenter, and so only needs to be a party to the carpenter's apprenticeship agreement.
  - e. Qualification for the preference is given on a project-by-project basis and depends upon the specific offer for a specific project. A bidder's employees may vary from project to project and may qualify for the preference on one project but may not qualify on another project. For example, on one project, if the bidder only employs carpenters to perform work in the carpentry and labor trades, then the bidder only needs to be a party to the carpenter's apprenticeship agreement in order to qualify for the preference. However, on another project if the same bidder employs both carpenters and laborers, then the bidder will not qualify for the preference if the bidder is only a party to the carpenter's apprenticeship agreement and not the laborer's apprenticeship agreement.
2. State the trades the bidder will employ to perform the work;
3. For each trade to be employed to perform the work, the bidder shall submit a completed signed original CERTIFICATION OF BIDDER'S PARTICIPATION IN APPROVED

*APPRENTICESHIP PROGRAM UNDER ACT 17 (Certification Form 1)* verifying the participation in an apprenticeship program registered with the State Department of Labor and Industrial Relations (DLIR);

4. The *Certification Form 1* shall be authorized by an apprenticeship sponsor of the DLIR list of registered apprenticeship programs. The authorization shall be an original signature by an authorized official of the apprenticeship sponsor; and
5. The completed *Certification Form 1* for each trade must be submitted by the bidder with the offer. A facsimile or copy is acceptable to be submitted with the offer; however, the completed **signed original** must be submitted within five (5) working days of the due date of the offer. If the signed original is not received within this timeframe, the preference may be denied. Previous certifications shall not apply.

Failure to comply with ALL of the conditions noted above, without exception, shall disqualify the Bidder from qualifying for, and thus receiving, benefit of the Hawai'i Apprenticeship Preference.

The *Certification Form 1* and the List of Construction Trades in Registered Apprenticeship Programs is available on the DLIR website at: <http://labor.hawaii.gov/wdd/>.

Upon receiving *Certification Form 1*, the DHHL will verify with DLIR that the apprenticeship program is on the list of apprenticeship programs registered with the DLIR. If the program(s) are not confirmed by the DLIR, the bidder will not qualify for the preference.

If the bidder is certified to participate in an apprenticeship program for each trade which will be employed by the bidder for the project, a preference will be applied to decrease the bidder's total bid amount by five per cent (5%) for evaluation purposes.

Should the bidder qualify for other preferences (for example, Hawaii Products Preference), all applicable preferences shall be applied to the bid amount.

While preference for Hawai'i Apprenticeship will be taken into consideration to determine the low bidder, the contract awarded shall be the original bid amount, exclusive of any preferences. The preference is only for evaluation purposes.

The bidder hereby certifies that it will employ the following apprenticeable trades to perform the work for this project:

LIST OF APPRENTICEABLE TRADES TO BE EMPLOYED

<u>TRADE</u>	<u>APPRENTICESHIP PROGRAM SPONSOR</u>
Bricklayer Mason	Patrick E. Coronas
Carpenter	Edmund C. Aczon
Cement Finisher	Peter H. M. Lee
Construction Craft Laborer	Francis Tau'a / Lawrence DeRego
Construction Equipment Operator	Michael Akau
Heavy Duty Repairman & Welder	Michael Akau
Truck Operator & Driver	Michael Akau
Paving Equipment Operator	Michael Akau
Stone Mason	Patrick E. Coronas

(Add additional sheets if necessary)

**ALL JOINT CONTRACTORS OR SUBCONTRACTORS TO BE ENGAGED ON THIS PROJECT**

The Bidder certifies that the following is a complete listing of all joint Contractors or Subcontractors covered under Chapter 444, Hawaii Revised Statutes, who will be engaged by the Bidder on this project to perform the nature and scope of work indicated pursuant to Section 103D-302, Hawaii Revised Statutes, and understands that failure to comply with this requirement shall be just cause for rejection of the bid.

The Bidder further understands that only those joint Contractors or Subcontractors listed shall be allowed to perform work on this project and that all other work necessary shall be performed by the Bidder with his own employees. If no joint Contractor or Subcontractor is listed, it shall be construed that all of the work shall be performed by the Bidder with his own employees.

The Bidders must be sure that they possess and that the Subcontractors listed in the bid possess all the necessary licenses needed to perform the work for this project. The bidder shall be solely responsible for assuring that all the specialty licenses required to perform the work are covered in his bid.

The Bidder shall include the license number of the joint Contractors or Subcontractors listed below. Failure to provide the correct names and license numbers as registered with the Contractor’s Licensing Board may cause rejection of the bid submitted.

Complete Firm Name of Joint Contractor or Subcontractor	License Number	Hawaii Tax ID Number	Nature and Scope of Work to be Performed
Hawaii Water & Chlorination, Inc.	C-2756	GE-166-238-0032-01	Chlorination
Delima's Drilling, Inc.	C-21828	GE-169-413-8368-01	Drilling
Islandwide Fencing, Inc.	C-23220	GE-145-103-2576-01	Fencing
GP Roadway Solutions	AC-10998	GE-106-850-3040-01	Signage and Guardrails
Harry Asato Painting, Inc.	ABC-3814	GE-009-849-0368-01	Pavement Markings
Grace Pacific, LLC.	ABC-6887	GE-142-841-4464-01	AC Paving
A-1 A-Lectrican, Inc.	C-941	GE-212-501-2992-01	Electrical
Harris Rebar South Pacific, Inc.	C-16621	GE-116-726-5792-01	Rebar

(Add additional sheets if necessary)

## **METHOD OF AWARD**

Bidder is required to bid on the entire project. The low bidder shall be determined by the procedures outlined in items 1) through 4) below:

- 1) Prior to opening of bids, the State will determine the amount of funds available for the project. This amount will be designated the "control amount". The control amount shall be announced at, and prior to the opening of bids.
- 2) The Base Bid and Alternate, if any, of each Bidder will be adjusted to reflect the applicable preferences in accordance with Chapter 103D, HRS. The Alternate, if any, will then be added to the Base Bid and compared with the control amount.
- 3) The low bidder shall be the Bidder having the lowest aggregate amount, within the control amount (after application of the various preferences), for the Base Bid plus the Alternate, if any.
- 4) If adding the Alternate, if any, would make the aggregate amount exceed the control amount for all Bidders, the low bidder shall be the Bidder having the lowest Base Bid after application of the various preferences.

It is further understood and agreed that:

- 1) The Chairman reserves the right to reject any and/or all bids and waive any defects when, in his opinion, such rejection or waiver will be in the best interest of the State.
- 2) After determining the low bidder, an award may be made either on the amount of the Base Bid alone, or including the Alternate (exclusive of preferences), if:
  - a. It is in the best interest of the State;
  - b. Funds are available at time of the award; and
  - c. The combination of the Base Bid plus Alternate does not change the apparent low bidder.
- 3) In the event the Base Bid for all Bidders exceed the control amount, the Chairman reserves the right to negotiate with the lowest responsible and responsive bidder to award a contract within available funds.
- 4) In the event the award is made for the Base Bid alone, the Chairman reserves the right to amend the contract at a later date to include the Alternate should funds subsequently become available.

### **OTHER CONDITIONS**

- 1) The liquidated damages per working day for failure to complete the work on time have been determined and are noted in the Special Conditions of the sample contract.
- 2) By submitting this bid, the undersigned is declaring that his firm has not been assisted or represented on this matter by an individual who has, in a State capacity, been involved in the subject matter of this contract in the past one (1) year.
- 3) By submitting this bid, the undersigned is declaring that Bidder's own organization will perform at least 20% of the contractor's work. For the purposes of this section, the Contractor's work is defined as: direct cost labor for contractor's forces; direct cost materials installed by the contractor's direct cost labor force; direct cost equipment, either owned or leased, used by the contractor's direct cost labor force; and field overhead cost to include: field supervision, field office trailer (if any), field office equipment and supplies, etc.
- 4) Upon the acceptance of the bid by the Chairman, the undersigned must enter into and execute a contract for the same and furnish a Performance and Payment Bond, as required by law. These bonds shall conform to the provisions of Sections 103D-324 and 325, Hawaii Revised Statutes, and any law applicable thereto.
- 5) The quantities given herewith are approximate only and are subject to increase or decrease.
- 6) The estimated quantities shown for items for which a UNIT PRICE is asked in this bid are only for the purpose of comparing on a uniform basis bids offered for the work under this contract. No claim shall be filed for anticipated profit or loss because of any difference between the quantities of the various classes of work done or the materials and equipment actually installed and the said estimated quantities. Payment on UNIT PRICE items will be made only for the actual number of units incorporated into the finished project at the contract UNIT PRICE.
- 7) If the product of the UNIT PRICE BID and the number of units does not equal the total amount stated by the undersigned in the Bid for any item, it will be assumed that the error was made in computing the total amount. For the purpose of determining the lowest Bidder, the stated UNIT PRICE alone will be considered as representing the Bidder's intention and the total amount bid on such items shall be considered to be the amount arrived at by multiplying the UNIT PRICE by the number of units.
- 8) Certification for Safety and Health Programs for Bids in Excess of \$100,000. In accordance with Sections 103D-327 and 396-18, Hawaii Revised Statutes, by submitting this bid, the undersigned certifies that his firm will have a written Safety and Health Plan for this project that will be available and implemented by the Notice to Proceed date of

this project. Details of the requirements of this plan may be obtained from the Department of Labor and Industrial Relations, Occupational, Safety and Health Division.

- 9) Any contract arising out of this offer is subject to the approval of the Department of the Attorney General as to form, and to all further approvals, including the approval of the Governor, required by statute, regulation, rule, order, or other directive.



(IF A CORPORATION, AFFIX CORPORATE SEAL TO SIGNATURE, BE SURE TO FILL IN ATTACHED LIST OF SUBCONTRACTORS. THIS BID FORM MAY NOT BE ALTERED AND BIDDERS MAY NOT QUALIFY OR CONDITION THEIR BIDS IN ANY WAY.)

PLEASE FILL OUT THE ATTACHED CERTIFICATE OF RESOLUTION GIVING EVIDENCE OF THE AUTHORITY OF THIS OFFICER TO SUBMIT BIDS ON BEHALF OF THE COMPANY.

NOTES:

- \*1. Surety bond underwritten by a company licensed to issue bonds in this State;
- \*2. Legal tender; or
- \*3. A certificate of deposit; share certificate; or cashier's, treasurer's, teller's, or official check accepted by, and payable on demand to the State by a bank, a savings institution, or credit union insured by the Federal Deposit Insurance Corporation of the National Credit Union Administration.
  - A. These instruments may be utilized only to a maximum of \$100,000.
  - B. If the required security or bond amount totals over \$100,000, more than one instrument not exceeding \$100,000 each and issued by different financial institutions shall be accepted.
- \*4. Please attach to this page evidence of the authority of this officer to submit bids on behalf of the Company, and also the names and residence addresses of all officers of the Company.
- \*5. Fill in all blank spaces with information asked for or bid may be invalidated. **BID MUST BE INTACT; MISSING PAGES MAY INVALIDATE YOUR BID.**

CERTIFICATE OF RESOLUTION

I, Ryan Nakaima, Secretary of Nan, Inc., a Hawaii Corporation, do hereby certify that the following is a full, true and correct copy of a resolution duly adopted by the Board of Directors of said Corporation, at its meeting duly called and held at the office of the Corporation 636 Laumaka Street, Honolulu, Hawaii, on 5th day of March, 2020, at which a quorum was present and acting throughout; and that said resolution has not been modified, amended or rescinded and continues in full force and effect.

“RESOLVED that any individual at the time holding the position(s) of President or Vice President, be, and each of them hereby is, authorized to execute on behalf of the Corporation any bid, proposal or contract for the sale or rental of the products of the Corporation or for the services to be performed by the Corporation and to execute any bond required by any such bid, proposal or contract with the United States Government or the State of Hawaii or the City and County of Honolulu, or any County of Municipal Government of said State, or any department or subdivision of any of them.”

IN WITNESS THEREOF, I have hereunto set my hand and affixed the corporate seal of said Nan, Inc. this 4th day of March, 2021.

  
\_\_\_\_\_  
Secretary



END OF BID

- |                             |                     |                                             |
|-----------------------------|---------------------|---------------------------------------------|
| PRESIDENT & TREASURER:      | Fooney E. Freestone | 1445 Laamia Street, Honolulu, HI 96821      |
| VICE PRESIDENT & SECRETARY: | Ryan Y. Nakaima     | 1108 Awahi Street #3001, Honolulu, HI 96814 |
| VICE PRESIDENT:             | Frank H. Okimoto    | 98-1748 Kupukupu Street, Aiea, HI 96701     |
| VICE PRESIDENT:             | Wyeth M. Matsubara  | 849 Kii Street, Honolulu, HI 96825          |

EXHIBIT A

SURETY [BID] [PROPOSAL] BOND  
(11/17/98)

Bond No. N/A

KNOW TO ALL BY THESE PRESENTS:

That we, NAN, INC.  
*(Full Name or Legal Title of Offeror)*

as Offeror, hereinafter called Principal, and THE CONTINENTAL INSURANCE COMPANY  
*(Name of Bonding Company)*

as Surety, hereinafter called Surety, a corporation authorized to transact business as a Surety  
STATE OF HAWAII, DEPARTMENT OF HAWAIIAN HOME LANDS  
*(State/County Entity)*

in the State of Hawaii, are held and firmly bound unto OF HAWAIIAN HOME LANDS  
*(State/County Entity)*  
as Owner, hereinafter called Owner, in the penal sum of FIVE PERCENT (5%)  
OF THE LUMP SUM BID  
*(Required Amount of Bid Security)*

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 Laiopua Village 4 Subdivision  
Phase 2-HEMA, Kailua-Kona, North Kona, County of Hawaii,  
*(Project by Number and Brief Description)*  
State of Hawaii, IFB No. IFB-21-HHL-007

NOW, THEREFORE:

The condition of this obligation is such that if the Owner shall reject said offer, or in the alternate, accept the offer of the Principal and the Principal shall enter into a Contract with the Owner 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 2nd day of March, 2021.

(Seal)

NAN, INC.

Name of Principal (Offeror)

Signature

Fooney Freestone, President

Title

THE CONTINENTAL INSURANCE  
COMPANY

(Seal)

Name of Surety

Signature

Michael Grossi, Attorney-in-fact

Title

**POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT**

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Michael Grossi, Arlene A Tanaka, Clarence Regalado, Chad W Karasaki, Matthew Liew, Individually**

of Honolulu, HI, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

**- In Unlimited Amounts -**

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 23rd day of April, 2020.

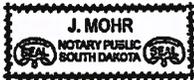


The Continental Insurance Company

*Paul T. Bruflat*  
\_\_\_\_\_  
Paul T. Bruflat Vice President

State of South Dakota, County of Minnehaha, ss:

On this 23rd day of April, 2020, before me personally came Paul T. Bruflat to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that he knows the seal of said insurance company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said insurance company and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.



My Commission Expires June 23, 2021

*J. Mohr*  
\_\_\_\_\_  
J. Mohr Notary Public

**CERTIFICATE**

I, D. Johnson, Assistant Secretary of The Continental Insurance Company, a Pennsylvania insurance company, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance company printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance company this 2nd day of March, 2021.



The Continental Insurance Company

*D. Johnson*  
\_\_\_\_\_  
D. Johnson Assistant Secretary

Form F6850-4/2012

## Authorizing By-Laws and Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF THE CONTINENTAL INSURANCE COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the Board of Directors of the Company at a meeting held on May 10, 1995.

**“RESOLVED:** That any Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Group Vice President to the Secretary of the Company prior to such execution becoming effective.

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execution power of attorneys on behalf of The Continental Insurance Company.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25<sup>th</sup> day of April, 2012.

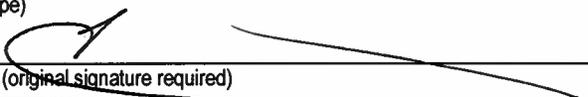
“Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the “Authorized Officers”) to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, “Electronic Signatures”), Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company.”



# FORM 1

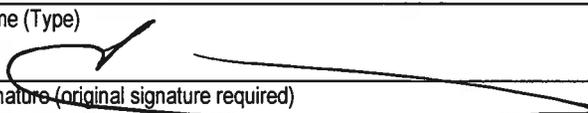
## CERTIFICATION OF BIDDER'S PARTICIPATION IN APPROVED APPRENTICESHIP PROGRAM UNDER ACT 17

<b>I. Bidder's Identifying Information</b>			
A. Legal Business Name: <u>Nan, Inc.</u>			
B. Project Bid Title & Reference No.: <u>Laiopua Village 4 Subdivision, Ph2-HEMA, IFB-21-HHL-007</u>			
C. Contact Person's Name: <u>Fooney Freestone</u>			
1. Phone No.: <u>(808) 842-4929</u>		2. E-Mail: <u>estimating@nanhawaii.com</u>	
<b>II. Apprenticeable Trades To Be Employed*</b>	<b>B. Apprenticeship Sponsor*</b>	<b>C. No. Enrolled</b>	<b>D. No. Completed</b>
A. (List)	(One Sponsor Per Form)	(# of apprentices currently enrolled as of bidder's request date)	(# of apprentices who completed the apprenticeship program in the 12 months prior to request date)
1. <u>Bricklayer Mason</u>	<u>Joint Apprenticeship Committee for</u>	<u>52</u>	<u>2</u>
2.	<u>Bricklayer Mason</u>		
3.			
4.			
5.			
6.			
<b>III. Bidder's Certification</b>			
I certify that the above information is accurate to the best of my knowledge. I understand that my willful misstatement of facts may cause forfeiture of the preference under Act 17 and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify the bidder's preference.			
<u>Fooney Freestone</u>		<u>President</u>	
A. Name (Type)		B. Title	
		<u>03/04/2021</u>	
C. Signature (original signature required)		D. Date	
<b>IV. Apprenticeship Sponsor's Contact Information</b>			
A. Training Coordinator's Name: <u>Patrick E. Coronas</u>			
B. Address: <u>1188 Sand Island Parkway, Honolulu, HI. 96819</u>			
C. Phone No.: <u>(808)848-0565</u>		D. E-Mail: <u>p.coronas@yahoo.com</u>	
		E. Fax No.: <u>(808)847-7068</u>	
<b>V. Apprenticeship Program Sponsor's Certification</b>			
I certify that the above information is accurate to the best of my knowledge. I understand that my willful misstatement of facts may cause forfeiture of the bidder's preference and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify the bidder's preference under Act 17.			
<u>Patrick E. Coronas</u>		<u>Training Coordinator</u>	
A. Name of Authorized Official		B. Title	
		<u>03/04/2021</u>	
C. Signature (original signature required)		D. Date	

\* Name of Apprenticeable Trade and Apprenticeship Sponsor must be the *same* as recorded in the List of Construction Trades in Registered Apprenticeship Programs that is posted on the State Department of Labor and Industrial Relations website.

# FORM 1

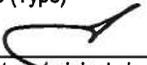
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B. Project Bid Title & Reference No.: <u>Laiopua Village 4 Subdivision, Ph2-HEMA, IFB-21-HHL-007</u>			
C. Contact Person's Name: <u>Fooney Freestone</u>			
1. Phone No.: <u>(808) 842-4929</u>		2. E-Mail: <u>estimating@nanhawaii.com</u>	
<b>II. Apprenticeable Trades To Be Employed*</b>	<b>B. Apprenticeship Sponsor*</b>	<b>C. No. Enrolled</b>	<b>D. No. Completed</b>
A. (List)	(One Sponsor Per Form)	(# of apprentices currently enrolled as of bidder's request date)	(# of apprentices who completed the apprenticeship program in the 12 months prior to request date)
1. <u>Carpenter</u>	<u>Hawaii Carpenters Apprenticeship and Training Program</u>	1593	115
2.			
3.			
4.			
5.			
6.			
<b>III. Bidder's Certification</b>			
I certify that the above information is accurate to the best of my knowledge. I understand that my willful misstatement of facts may cause forfeiture of the preference under Act 17 and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify the bidder's preference.			
<u>Fooney Freestone</u>		<u>President</u>	
A. Name (Type)		B. Title	
		<u>03/04/2021</u>	
C. Signature (original signature required)		D. Date	
<b>IV. Apprenticeship Sponsor's Contact Information</b>			
A. Training Coordinator's Name: <u>Edmund C. Aczon</u>			
B. Address: <u>1311 Houghtailing Street, Suite 201, Honolulu, HI 96817</u>			
C. Phone No.: <u>(808) 848-0794, x5</u>		D. E-Mail: <u>hcatfhelpdesk@hicarpenterstraining.com</u>	
E. Fax No: <u>(808) 841-5961</u>			
<b>V. Apprenticeship Program Sponsor's Certification</b>			
I certify that the above information is accurate to the best of my knowledge. I understand that my willful misstatement of facts may cause forfeiture of the bidder's preference and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify the bidder's preference under Act 17.			
<u>Edmund C. Aczon</u>		<u>Director of Apprenticeship &amp; Training</u>	
A. Name of Authorized Official		B. Title	
		<u>03/04/2021</u>	
C. Signature (original signature required)		D. Date	

\* Name of Apprenticeable Trade and Apprenticeship Sponsor must be the *same* as recorded in the List of Construction Trades in Registered Apprenticeship Programs that is posted on the State Department of Labor and Industrial Relations website.

# FORM 1

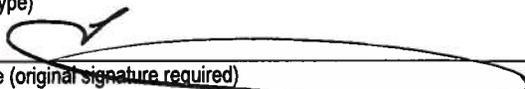
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<b>I. Bidder's Identifying Information</b>			
A. Legal Business Name: <u>Nan, Inc.</u>			
B. Project Bid Title & Reference No.: <u>Laiopua Village 4 Subdivision, Ph2-HEMA, IFB-21-HHL-007</u>			
C. Contact Person's Name: <u>Fooney Freestone</u>			
1. Phone No.: <u>(808) 842-4929</u>		2. E-Mail: <u>estimating@nanhawaii.com</u>	
<b>II. Apprenticeable Trades To Be Employed*</b>	<b>B. Apprenticeship Sponsor*</b>	<b>C. No. Enrolled</b>	<b>D. No. Completed</b>
A. (List)	(One Sponsor Per Form)	(# of apprentices currently enrolled as of bidder's request date)	(# of apprentices who completed the apprenticeship program in the 12 months prior to request date)
1. <u>Cement Finisher</u>	<u>J.A.T.C. For Cement Finishers</u>	<u>95</u>	<u>6</u>
2.			
3.			
4.			
5.			
6.			
<b>III. Bidder's Certification</b>			
I certify that the above information is accurate to the best of my knowledge. I understand that my willful misstatement of facts may cause forfeiture of the preference under Act 17 and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify the bidder's preference.			
<u>Fooney Freestone</u>		<u>President</u>	
A. Name (Type)		B. Title	
		<u>03/04/2021</u>	
C. Signature (original signature required)		D. Date	
<b>IV. Apprenticeship Sponsor's Contact Information</b>			
A. Training Coordinator's Name: <u>Peter H. M. Lee</u>			
B. Address: <u>1188 Sand Island Parkway, Honolulu, Hi. 96819</u>			
C. Phone No.: <u>(808) 782-5783</u>		D. E-Mail: <u>pleetraining@gmail.com</u>	
		E. Fax No: <u>(808)847-7068</u>	
<b>V. Apprenticeship Program Sponsor's Certification</b>			
I certify that the above information is accurate to the best of my knowledge. I understand that my willful misstatement of facts may cause forfeiture of the bidder's preference and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify the bidder's preference under Act 17.			
<u>Peter H. M. Lee</u>		<u>Training Coordinator</u>	
A. Name of Authorized Official		B. Title	
		<u>03/04/2021</u>	
C. Signature (original signature required)		D. Date	

\* Name of Apprenticeable Trade and Apprenticeship Sponsor must be the **same** as recorded in the List of Construction Trades in Registered Apprenticeship Programs that is posted on the State Department of Labor and Industrial Relations website.

# FORM 1

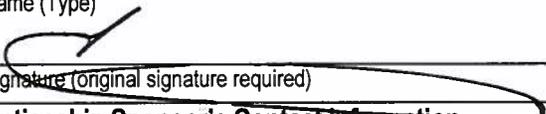
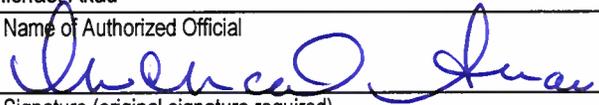
## CERTIFICATION OF BIDDER'S PARTICIPATION IN APPROVED APPRENTICESHIP PROGRAM UNDER ACT 17

<b>I. Bidder's Identifying Information</b>			
A. Legal Business Name: Nan, Inc.			
B. Project Bid Title & Reference No.: Laiopua Village 4 Subdivision, Ph2 - HEMA, IFB-21-HHL-007			
C. Contact Person's Name: Fooney Freestone			
1. Phone No.: (808) 842-4929		2. E-Mail: <a href="mailto:estimating@nanhawaii.com">estimating@nanhawaii.com</a>	
<b>II. Apprenticeable Trades To Be Employed*</b>	<b>B. Apprenticeship Sponsor*</b>	<b>C. No. Enrolled</b>	<b>D. No. Completed</b>
<b>A. (List)</b>	<b>(One Sponsor Per Form)</b>	(# of apprentices currently enrolled as of bidder's request date)	(# of apprentices who completed the apprenticeship program in the 12 months prior to request date)
1. Construction Craft Laborer	Hawaii Laborers' Joint Apprenticeship Committee	113	47
2.			
3.			
4.			
5.			
6.			
<b>III. Bidder's Certification</b>			
I certify that the above information is accurate to the best of my knowledge. I understand that my willful misstatement of facts may cause forfeiture of the preference under Act 17 and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify the bidder's preference.			
<u>Fooney Freestone</u> A. Name (Type)		<u>President</u> B. Title	
 C. Signature (original signature required)		<u>03/04/2021</u> D. Date	
<b>IV. Apprenticeship Sponsor's Contact Information</b>			
A. Training Coordinator's Name: <u>Lawrence DeRego</u>			
B. Address: <u>73-4171 Hulikoa Drive, Kona, HI 96740</u>			
C. Phone No.: <u>(808) 329-1590</u>		D. E-Mail: <u>lderego@hiltp.org</u>	
E. Fax No: <u>(808) 329-1591</u>			
<b>V. Apprenticeship Program Sponsor's Certification</b>			
I certify that the above information is accurate to the best of my knowledge. I understand that my willful misstatement of facts may cause forfeiture of the bidder's preference and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify the bidder's preference under Act 17.			
<u>Francis Tau'a</u> A. Name of Authorized Official		<u>Director of Training</u> B. Title	
 C. Signature (original signature required)		<u>03/04/2021</u> D. Date	

\* Name of Apprenticeable Trade and Apprenticeship Sponsor must be the **same** as recorded in the List of Construction Trades in Registered Apprenticeship Programs that is posted on the State Department of Labor and Industrial Relations website.

# FORM 1

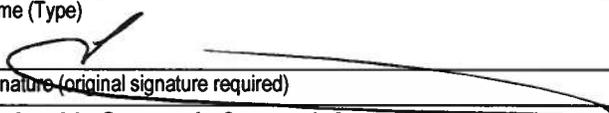
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C. Contact Person's Name: <u>Fooney Freestone</u>			
1. Phone No.: <u>(808) 842-4929</u>		2. E-Mail: <u>estimating@nanhawaii.com</u>	
<b>II. Apprenticeable Trades To Be Employed*</b>	<b>B. Apprenticeship Sponsor*</b>	<b>C. No. Enrolled</b>	<b>D. No. Completed</b>
<b>A. (List)</b>	<b>(One Sponsor Per Form)</b>	<small>(# of apprentices currently enrolled as of bidder's request date)</small>	<small>(# of apprentices who completed the apprenticeship program in the 12 months prior to request date)</small>
1. Construction Equipment Operator	Hawaii Joint Apprenticeship	49	13
2. Heavy Duty Repairman & Welder	Committee for Operating Engineers	12	0
3. Truck Operator & Driver		0	0
4. Paving Equipment Operator		8	0
5.			
6.			
<b>III. Bidder's Certification</b>			
I certify that the above information is accurate to the best of my knowledge. I understand that my willful misstatement of facts may cause forfeiture of the preference under Act 17 and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify the bidder's preference.			
<u>Fooney Freestone</u>		<u>President</u>	
A. Name (Type)		B. Title	
		<u>03/04/2021</u>	
C. Signature (original signature required)		D. Date	
<b>IV. Apprenticeship Sponsor's Contact Information</b>			
A. Training Coordinator's Name: <u>Michael Akau</u>			
B. Address: <u>P.O. Box 428, 56-1160 Kamehameha Highway, Kahuku, HI 96731</u>			
C. Phone No.: <u>(808) 232-2001</u>		D. E-Mail: <u>oejac3@gmail.com</u>	
E. Fax No: <u>(808) 232-2217</u>			
<b>V. Apprenticeship Program Sponsor's Certification</b>			
I certify that the above information is accurate to the best of my knowledge. I understand that my willful misstatement of facts may cause forfeiture of the bidder's preference and may result in criminal action. I give permission for outside sources to be contacted and for them to disclose any information necessary to verify the bidder's preference under Act 17.			
<u>Michael Akau</u>		<u>State Administrator</u>	
A. Name of Authorized Official		B. Title	
		<u>03/04/2021</u>	
C. Signature (original signature required)		D. Date	

\* Name of Apprenticeable Trade and Apprenticeship Sponsor must be the **same** as recorded in the List of Construction Trades in Registered Apprenticeship Programs that is posted on the State Department of Labor and Industrial Relations website.

# FORM 1

## CERTIFICATION OF BIDDER'S PARTICIPATION IN APPROVED APPRENTICESHIP PROGRAM UNDER ACT 17

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A. Legal Business Name: <u>Nan, Inc.</u>			
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C. Contact Person's Name: <u>Fooney Freestone</u>			
1. Phone No.: <u>(808) 842-4929</u>		2. E-Mail: <u>estimating@nanhawaii.com</u>	
<b>II. Apprenticeable Trades To Be Employed*</b>	<b>B. Apprenticeship Sponsor*</b> (One Sponsor Per Form)	<b>C. No. Enrolled</b> (# of apprentices currently enrolled as of bidder's request date)	<b>D. No. Completed</b> (# of apprentices who completed the apprenticeship program in the 12 months prior to request date)
A. (List)			
1. Stone Mason	Joint Apprenticeship Committee for	3	0
2.	Stone Mason		
3.			
4.			
5.			
6.			
<b>III. Bidder's Certification</b>			
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<u>Fooney Freestone</u>		<u>President</u>	
A. Name (Type)		B. Title	
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A. Training Coordinator's Name: <u>Patrick E. Coronas</u>			
B. Address: <u>1188 Sand Island Parkway, Honolulu, HI. 96819</u>			
C. Phone No.: <u>(808)848-0565</u>		D. E-Mail: <u>p.coronas@yahoo.com</u>	
E. Fax No.: <u>(808)847-7068</u>			
<b>V. Apprenticeship Program Sponsor's Certification</b>			
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<u>Patrick E. Coronas</u>		<u>Training Coordinator</u>	
A. Name of Authorized Official		B. Title	
		<u>03/04/2021</u>	
C. Signature (original signature required)		D. Date	

\* Name of Apprenticeable Trade and Apprenticeship Sponsor must be the *same* as recorded in the List of Construction Trades in Registered Apprenticeship Programs that is posted on the State Department of Labor and Industrial Relations website.

COMPLIANCE STATEMENT

This statement relates to a proposed contract with Department of Hawaiian Home Lands

*(Name of borrower or grantee)*

who expects to finance the contract with assistance from either the Rural Housing Service (RHS), Rural Business-Cooperative Service (RBS), or the Rural Utilities Service (RUS) or their successor agencies, United States Department of Agriculture (whether by a loan, grant, loan insurance, guarantee, or other form of financial assistance). I am the undersigned bidder or prospective contractor, I represent that:

1. I  have,  have not, participated in a previous contract or subcontract subject to Executive Order 11246 (regarding equal employment opportunity) or a preceding similar Executive Order.
2. If I have participated in such a contract or subcontract, I  have,  have not, filed all compliance reports that have been required to file in connection with the contract or subcontract.  
 If the proposed contract is for \$50,000 or more: or  If the proposed nonconstruction contract is for \$50,000 or more and I have 50 or more employees, I also represent that:
3. I  have,  have not previously had contracts subject to the written affirmative action programs requirements of the Secretary of Labor.
4. If I have participated in such a contract or subcontract,  I have,  have not developed and placed on file at each establishment affirmative action programs as required by the rules and regulations of the Secretary of Labor.

I understand that if I have failed to file any compliance reports that have been required of me, I am not eligible and will not be eligible to have my bid considered or to enter into the proposed contract unless and until I make an arrangement regarding such reports that is satisfactory to either the RHS, RBS or RUS, or to the office where the reports are required to be filed.

I also certify that I do not maintain or provide for my employees any segregated facilities at any of my establishments, and that I do not permit my employees to perform their services at any location, under my control, where segregated facilities are maintained. I certify further that I will not maintain or provide for my employees any segregated facilities at any of my establishments, and that I will not permit my employees to perform their services at any location, under my control, where segregated facilities are maintained. I agree that a breach of this certification is a violation of the Equal Opportunity clause in my contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, restrooms and wash rooms, restaurants and other eating areas time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. I further agree that (except where I have obtained identical certifications for proposed subcontractors for specific time periods) I will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause; that I will retain such certifications in my files; and that I will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods):

---

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays the valid OMB control number. The valid OMB control number for this information collection is 0575-0018. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.*

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**NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENTS FOR  
CERTIFICATIONS OF NON-SEGREGATED FACILITIES**

A certification of Nonsegregated Facilities, as required by the May 9, 1967, order (32F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted prior to the award of a subcontract exceeding \$ 10,000 which is not exempt from the provisions of the Equal Opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semiannually, or annually).

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

DATE 03-04-2021



Fooney Freestone, President

*(Signature of Bidder or Prospective Contractor)*

636 Laumaka Street, Honolulu, HI 96819

*Address (including Zip Code)*



United States Department of Agriculture

AD 1048

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion  
Lower Tier Covered Transactions

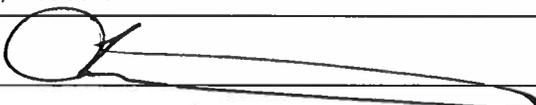
The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. § 552(a), as amended). This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, and 2 C.F.R. §§ 180.300, 180.355, Participants' responsibilities. The regulations were amended and published on August 31, 2005, in 70 Fed. Reg. 51865-51880. Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed covered transaction.

According to the Paperwork Reduction Act of 1995 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0505-0027. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal and civil fraud privacy, and other statutes may be applicable to the information provided.

(Read Instructions On Page Two Before Completing Certification)

- A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency;
- B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

N/A

ORGANIZATION NAME Nan, Inc.	PR/AWARD NUMBER OR PROJECT NAME Laipoua Village 4 Subdivision, Phase 2 -
NAME(S) AND TITLE(S) OF AUTHORIZED REPRESENTATIVE(S) Fooney Freestone, President	HEMA, IFB-21-HHL-007
SIGNATURE(S) 	DATE 03/04/2021

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

### *Instructions for Certification*

- (1) By signing and submitting this form, the prospective lower tier participant is providing the certification set out on page 1 in accordance with these instructions.
- (2) The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- (3) The prospective lower tier participant shall provide immediate written notice to the person(s) to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- (4) The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549, at 2 C.F.R. Parts 180 and 417. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- (5) The prospective lower tier participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
- (6) The prospective lower tier participant further agrees by submitting this form that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- (7) A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the System for Award Management (SAM) database.
- (8) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- (9) Except for transactions authorized under paragraph (5) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**CERTIFICATION FOR CONTRACTS, GRANTS AND LOANS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant or Federal loan, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant or loan.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant or loan, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including contracts, subcontracts, and subgrants under grants and loans) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

  
\_\_\_\_\_  
(Signature)

Fooney Freestone  
\_\_\_\_\_  
(Name)

President  
\_\_\_\_\_  
(Title)

Nan, Inc.  
\_\_\_\_\_  
(Name of Organization)

03/04/2021  
\_\_\_\_\_  
(Date)

## DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB  
0348-0046

(See reverse for public burden disclosure.)

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:  Nan, Inc. 636 Laumaka Street Honolulu, HI 96819  Congressional District, if known: 4c	<b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b>   Congressional District, if known:	
<b>6. Federal Department/Agency:</b>	<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable: _____	
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b> \$	
<b>10. a. Name and Address of Lobbying Registrant</b> <i>(if individual, last name, first name, MI):</i>	<b>b. Individuals Performing Services</b> <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>	
<b>11.</b> Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature:  Print Name: <u>Fooney Freestone</u> Title: <u>President</u> Telephone No.: <u>(808) 842-4929</u> Date: <u>03/04/2021</u>	
<b>Federal Use Only:</b>		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

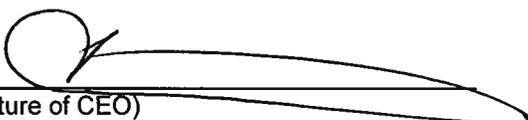
According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

## EEO POLICY STATEMENT

Nan, Inc.

\_\_\_\_\_ is an equal opportunity employer and will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, handicap, or veteran status. We will take affirmative action to ensure applicants are employed and employees are treated during employment without regard to race, color, religion, sex, national origin, handicap, or veteran status. Such action will include, but not be limited to; employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training.

Jocelyn Soriano, Office Manager \_\_\_\_\_ has been designated as the Equal Opportunity Officer and will be available during the hours of 8:00am-5:00pm, Monday-Friday \_\_\_\_\_ to discuss employment-related problems and to review our Affirmative Action Programs with you. He / She has the responsibility to monitor all employment related activity to ensure the Equal Opportunity Policy is being carried out, to submit reports relating to employment required by the Government, and to keep records.

  
\_\_\_\_\_  
(Signature of CEO)

03/04/2021  
\_\_\_\_\_  
Date

Fooney Freestone, President  
\_\_\_\_\_  
Print Name



**STATE OF HAWAII  
STATE PROCUREMENT OFFICE**

**CERTIFICATE OF VENDOR COMPLIANCE**

This document presents the compliance status of the vendor identified below on the issue date with respect to certificates required from the Hawaii Department of Taxation (DOTAX), the Internal Revenue Service, the Hawaii Department of Labor and Industrial Relations (DLIR), and the Hawaii Department of Commerce and Consumer

**Vendor Name:** **NAN, INC.**

**DBA/Trade Name:** **NAN, INC.**

**Issue Date:** **03/04/2021**

**Status:** **Compliant**

Hawaii Tax#: W20491010-01  
New Hawaii Tax#: GE-1478397952-01  
FEIN/SSN#: XX-XXX7519  
UI#: XXXXXX3495  
DCCA FILE#: 98419

**Status of Compliance for this Vendor on issue date:**

<b>Form</b>	<b>Department(s)</b>	<b>Status</b>
A-6	Hawaii Department of Taxation	Compliant
	Internal Revenue Service	Compliant
COGS	Hawaii Department of Commerce & Consumer Affairs	Compliant
LIR27	Hawaii Department of Labor & Industrial Relations	Compliant

**Status Legend:**

<b>Status</b>	<b>Description</b>
Exempt	The entity is exempt from this requirement
Compliant	The entity is compliant with this requirement or the entity is in agreement with agency and actively working towards compliance
Pending	The entity is compliant with DLIR requirement
Submitted	The entity has applied for the certificate but it is awaiting approval
Not Compliant	The entity is not in compliance with the requirement and should contact the issuing agency for more information