

Provide Prepared Meals for the Hawaii National Guard, Youth Challenge Academy, Hilo, Hawaii,
State of Hawaii, Department of Defense, Hawaii Youth Challenge Academy,
Job No. CA-202312

Adjutant General
State Department of Defense
3949 Diamond Head Road
Honolulu, Hawaii 96816-4495

Dear Sir:

The undersigned has carefully read and understands the terms and conditions specified in the Specifications, and all documents attached hereto, and hereby submits the following offer to perform the work specified herein, all in accordance with the true intent and meaning thereof. The undersigned further understands and agrees that by submitting this offer, 1) he/she is declaring his/her offer is not in violation of Chapter 84, Hawaii Revised Statutes, concerning prohibited State contracts, and 2) he/she is certifying that the price(s) submitted was (were) independently arrived at without collusion.

The undersigned represents: **(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. Business shall be registered prior to award at the State of Hawaii Department of Commerce and Consumer Affairs Business Registration Division to do business in the State of Hawaii.

State of incorporation: _____

Offeror is:

- Sole Proprietor Partnership Corporation Joint Venture
 Other _____

Federal I.D. No.: _____

Hawaii General Excise Tax License I.D. No.: _____

Payment address (if other than street address below): _____

City, State, Zip Code: _____

Business address (street address): _____

City, State, Zip Code: _____

Respectfully submitted:

Date: _____

(x) _____
Authorized (Original) Signature (*1)

Telephone No.: _____

Fax No.: _____

Name and Title (Please Type or Print)

E-mail Address: _____

Exact Legal Name of Company (Offeror) (*2)

(*1) Original signature in ink. If unsigned or the affixed signature is a facsimile or a photocopy, the offer shall be automatically rejected unless accompanied by other material, containing an original signature, indicating the Offeror's intent to be bound.

(*2) If Offeror 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 undersigned has carefully examined the attached specifications and hereby proposes to furnish at his own expense all labor, materials, and equipment necessary as shown and called for, in strict accordance with the specifications pertaining thereto, all for the BID PRICE of (Including all applicable taxes, delivery, unloading, freight charges and other costs involved.):

BASIC BID:

<u>ITEM</u>	<u>UNIT COST</u>	<u>MONTHLY COST +</u>
Breakfast	\$ _____	\$ _____
Entree	\$ _____	
Juice	\$ _____	
Milk	\$ _____	
Lunch	\$ _____	\$ _____
Entree	\$ _____	
Juice	\$ _____	
Milk	\$ _____	
Dinner	\$ _____	\$ _____
Entree	\$ _____	
Juice	\$ _____	
Milk	\$ _____	
TOTAL	\$ _____ *	\$ _____

TOTAL COST OF BASIC BID (TOTAL OF UNIT COSTS *):

_____ DOLLARS (\$ _____)

+ Monthly Cost is for comparison Purposes only. Calculate Monthly Total Cost of Meals as (Approximate Maximum – Breakfast 2,240 meals per month, Lunch 2,240 meals per month, Dinner 2,240 meals per month)

* Award Determination will be made by total of unit costs i.e. Breakfast Unit Cost + Lunch Unit Cost + Dinner Unit Cost.

Traditionally there are two classes per year. Each class runs approximately 22 weeks. There will be a break between each class of approximately 4 weeks of which no meals will be needed during that time.

NOTE:

1. The prices listed in this Offer Form are firm and fixed for a minimum of 365 days from the date set for opening of the bids for this project unless otherwise noted above.

2. In order to execute the contract, the contractor will need to provide all documents required in the Special Provisions, Responsibility of Offerors (Page SP-1-3) within seven (7) calendar days of notification of intent to award.
3. The State reserves the right to determine the extent of the contract by selecting and/or omitting bid items (not necessarily in numerical sequence or all of the bid items in the bid schedule) to the extent required to come within the funds available for the project. The award of the contract shall be made to the responsible bidder whose aggregate total on any combination or all of the bid items are the lowest.
4. Failure to submit complete item bids will cause the rejection of this proposal.
5. All requests for substitution, clarification of bidding documents and/or specifications must be received in the office listed above, via email at wade.t.ishii@hawaii.gov prior to 4:30 pm on November 15, 2023.
6. Term of contract shall be for one year from date of contract execution. The contract is anticipated to be executed in late December 2023 or early January 2024.
7. **OPTION TO RENEW:** Contract may be renewed by mutual agreement for no more than four one-year renewal periods.
9. **CAMPAIGN CONTRIBUTIONS BY STATE AND COUNTY CONTRACTORS PROHIBITED.** If awarded a contract in response to this solicitation, offeror agrees to comply with HRS §11-355, which states that campaign contributions are prohibited from a State and County government contractor during the term of the contract if the contractor is paid with funds appropriated by the legislative body between the execution of the contract through the completion of the contract.

TAX CLEARANCES FROM THE STATE DIRECTOR OF TAXATION AND INTERNAL REVENUE SERVICE

Contractors are required to provide a state and federal tax clearance as a prerequisite to entering into a public contract of \$2,500 or more. To meet this requirement, all bidders shall submit valid tax clearances with their bid proposals when the bid is \$2,500 or more.

In accordance with Act 190 Amendment to HRS 103D-310(c), required as a prerequisite to entering into a contract, the contractor shall register on the Hawaii Compliance Express web site for all tax clearances by going to <http://spo.hawaii.gov> and registering there.

A Certificate of Vendor Compliance generated from this website should be included with their bid proposal. A Compliant status is required prior to awarding the contract.

HAWAII PRODUCTS PREFERENCE

In accordance with ACT 175, SLH 2009 the Hawaii Products preference is applicable to this solicitation. Hawaii products may be available for those items noted on the offer form. The Hawaii Products List is available on the State Procurement Office (SPO) website at <http://spo.hawaii.gov/> search for "Hawaii Product Preferences".

Offeror offering a Hawaii Product (HP) shall identify the HP on the solicitation offer pages. Any person desiring a Hawaii product preference shall have the product(s) certified and qualified if not currently on the Hawaii Products list, prior to the deadline for receipt of offer(s) specified in the procurement notice and solicitation. The responsibility for certification and qualification shall rest upon the person requesting the preference.

Persons desiring to qualify their product(s) not currently on the Hawaii Product list shall complete form SPO-38, *Certification for Hawaii Product Preference*, and submit to the Department of Defense, Contracting Officer, and provide all additional information required by the Contracting Officer no later than 4:30pm, fifteen (15) calendar days prior to the bid opening date. For each product, one form shall be completed and submitted (i.e. 3 products should have 3 separate forms completed). The form is available on the SPO webpage at <http://spo.hawaii.gov/> search for "Forms" and select form SPO-38.

Late submittals for this project will not be reviewed by the Department.

Change in Availability of Hawaii Product

In the event of any change that materially alters the offeror's ability to supply Hawaii Products, the offeror shall immediately notify the Contracting Officer in writing and the parties shall enter into discussions for the purposes of revising the contract or terminating the contract for convenience.

Offerors shall indicate in the Hawaii Product Schedule below whether the pre-approved Hawaii Products are offered. Offerors offering a Hawaii Product shall fill-in the quantity, unit measure, unit price and total price for the Hawaii Product they desire to be considered for preference. Products not pre-approved shall not be considered. Hawaii Products not meeting the requirements of the specification shall not be considered.

Offerors selecting the Hawaii Product preference may be required to submit additional information on the cost basis of their selected Hawaii Product preference items when requested after the bid opening to verify cost of the Hawaii Products, including the computations for the estimated quantities, manufacturer's or supplier's quotations, and delivered material cost Free on Board (FOB) at the jobsite. The Hawaii Product Cost shall not include installation costs.

Hawaii Products, if available for this project, are as follows (attach additional sheets if required):

Product Description	Class I, II or III	Manufacturer	Cost
			\$
			\$

It is further understood and agreed that:

1. The Adjutant General or his designated representative 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.
3. The award of the contract shall be conditioned upon funds being made available for these projects and further upon the right of the Adjutant General or his designated representative to hold all bids received for a period of ninety (90) days from the date of the opening thereof, unless otherwise required by law, during which time no bid may be withdrawn.
4. By submitting this proposal, the undersigned is declaring 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 two years.
6. Upon the acceptance of the proposal by the Adjutant General or his designated representative, the undersigned must enter into and execute a contract for the same as required by law.
7. If the lowest bid received by the State exceeds the funds available for this project, the State reserves the right to negotiate with the lowest responsible bidder as permitted under Section 103D-302, Hawaii Revised Statutes, as amended, to reduce the scope of work and award a contract therefore.
8. This contract may be awarded as an informal contract as determined by the Adjutant General or his designated representative in accordance with the applicable Hawaii Revised Statutes as amended, whereby a purchase order will be executed and used as the formal contract.
9. It is further agreed by the parties that any portion of the Contract price payable to the Contractor out of federal funds shall be paid to the Contractor only when such federal funds are received, and this contract shall not be construed as binding the State to pay said portion out of any fund other than those which are received from the Federal government.

Receipt of the following addenda issued by the Department is acknowledged by the day(s) of the receipt indicated below:

Addendum No. 1 _____ Addendum No. 2 _____
Date
Addendum No. 3 _____ Addendum No. 4 _____

It is understood that failure to receive any such addendum shall not relieve the Contractor from any obligation under this Proposal as submitted. (See Special Notice to Bidders for information regarding addenda.)

Respectfully submitted,

HAWAII GENERAL EXCISE TAX

Name of Company

I.D. NO. _____

By _____
*Signature

LICENSE CLASSIFICATION
AND/OR SUBCLASSIFICATION
NO. _____

Print Name

Title _____

Date _____

Address _____

Telephone _____

(CORPORATE SEAL)

*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.

NOTE: Fill in all blank spaces with the information asked for or bid may be invalidated.
PROPOSAL PAGES MUST BE INTACT; MISSING PAGES MAY INVALIDATE YOUR BID.

(Name of Corporation)
Corporate Resolution

I, _____, Secretary of _____
Corporation,
a _____ 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 _____
Street, _____, on the _____ day of _____, 20__, 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 of President, Vice
President, Secretary or Treasurer 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 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 or Municipal Government of said
State, or any department or subdivision of any of them.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said
_____ Corporation this _____ day of
_____, 20__.

Secretary

(Names and Address of:)

President:

Vice President:

Secretary:

Treasurer: