

STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE ADJUTANT GENERAL
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

September 5, 2024

ADDENDUM NO. 1

Purchase Of Atmospheric Water Generators, Oahu,
State of Hawaii, Department of Defense, Hawai'i
Emergency Management Agency, Job No. CA-202502-G

The items listed hereinafter are hereby made a part of the contract for the above-mentioned project and shall govern the work taking precedence over previously issued contract documents governing the items mentioned. Receipt of this addendum is to be acknowledged on page OF-7 of the proposer's packet.

Below are the answers to the questions submitted prior to the due date of September 4, 2024:

- A. Is this bid for an AWG at the specified production capacity that is trail mount compatible or a fully integrated trailer system?
 - a. The goal is for the final product to be trailer mounted and ready to go.
- B. Considering that we have already engineered these units for disaster management purposes and each unit is fully self-sufficient do you anticipate additional customization requests? Addition fuel cell modules and storage tank capacities are available as standard accessory upgrades to the system now.
 - a. There are no major customization options that are specified in the request. It mostly referred to accessories rather than different items within the system.
- C. Is this a one-time request or do you envision repeatable demand for more units assuming the successful completion and your satisfaction of this unit?
 - a. This is currently a one-time request. There may be more units purchased in the future but that will require another request and bid process.
- D. What percentage of funding is being provided by the State of Hawaii and the Federal Government?
 - a. HIEMA is a State government entity under the DoD so 100%.
- E. Has this project received complete funding from the State and Federal Government agencies it is being procured for?
 - a. It is being funded by EMPG grant money allotted to HIEMA.
- F. This is a standardized product that has been engineered for this purpose. It is not a custom, built to specification product. All intellectual property rights remain with both ExMachina and Aquaria as proprietary technology and cannot be transferred to the State

or Federal Governments under this contract. Any non-stock modifications to our standard production unit if it is outside of the scope of our standard unit that could be developed for your exclusive use may potentially have residual rights if funded by the State or Federal Government and would be subject to negotiations at the time an award of contract were to be made to us and the modifications requested and paid for by the purchaser.

- a. There are no major modifications being requested. If your standardized product is what you will be offering and it generally meets the specifications listed in the request, then that is fine. As far as the transfer of intellectual property rights, that would be a separate discussion depending on what you are requesting from us to accommodate that.
- G. We are assuming that under the outlined RFP terms that no payment disbursement schedule is set and that invoices would be remitted in the ten (10) day period outlined. Excluding the retainage for final delivery these payments are determined by joint agreement with the procurement office managing the project. Is this correct? We do invoice for a deposit on these units if the contract is awarded to us.
- a. Yes, everything dealing with payment for the items will be handled by HIEMA's finance branch. As far as timetable for final payment, the standard is to be paid within 30 days of receipt of invoice or receipt of goods and deposits are typically not allowed, but if awarded, can be part of the agreement negotiations.
- H. Do you foresee issues at this time with the availability of funds if we jointly accept to enter into a contract?
- a. EMPG funds have been assigned and approved for this purchase.
- I. Do you foresee the prospect of a cancellation of this project prior to completion?
- a. No, this has been an assigned purchase for several months at this point and is desired to facilitate future emergency response efforts.
- J. The system employs different air and water filter systems can you give us an idea of quantities you would want in the bid. We would suggest at minimum a single back up for each air and water filter. We will provide a chart in our bid as to unit life on these components, there are not many and we do stock them in Hawaii. HEPA air filters are suggested to be considered in quantity considering the hostile environment the units are generally to be dispatched into.
- a. With the items not being stocked in Hawaii, I would suggest at least two backups to be added in the quote. If you recommend additional units, feel free to add it into your quote documents and provide an explanation as to why.

Kenneth S. Hara
Major General
Adjutant General

Posted: September 5, 2024