

**Procurement of Professional Services for  
Cesspool Conversion Technology Research  
Solicitation No. WWB 19-01**

**April 29, 2019**

**Proposals Due on or Before June 4, 2019**

**Department of Health  
Wastewater Branch  
2827 Waimano Home Road, Room 207  
Pearl City, Hawai'i 96782**

## **RELEVANT DATES AND DEADLINES**

Solicitation Date	April 29, 2019
Deadline to Submit Written Questions (by 4 pm HST)	May 9, 2019
Public Posting of Responses to Questions	May 21, 2019
Proposal Submittal Deadline	June 4, 2019
Best and Final Offer Discussions (if applicable)*	June 14, 2019
Best and Final Offer Submittal Deadline (if applicable)**	June 20, 2019**
Award Notification	July 12, 2019
Contract Commencement (estimated)	January 14, 2020***

**\* Best and Final Offer discussions and submissions are optional and at the discretion of the RFP Evaluation Committee. Award notification may occur earlier if the evaluation committee does not hold Best and Final Offer discussions and submissions.**

**\*\* Offerors are encouraged to be available to meet (in person or via teleconference) during the Best and Final Offer discussions, should the RFP Evaluation Committee deem a Best and Final Offer discussion is necessary.**

**\*\*\*The contract commencement date will depend on developing and executing a contract with the awardee and may be affected by a lengthy administrative review process from multiple State agencies.**

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## **SECTION ONE: INTRODUCTION**

### **1.1 Background and Purpose**

Act 132, approved by the Governor on July 5, 2018, establishes a cesspool conversion working group to develop a long-range, comprehensive plan for cesspool conversion statewide of all cesspools by 2050. The cesspool conversion working group is established with the Department of Health for administrative purposes. The working group has the following objectives:

- (1) Develop a long-range, comprehensive plan for cesspool conversion statewide of all cesspools by 2050, to be known as the cesspool conversion plan;
- (2) Consider and recommend means by which the Department of Health can ensure that cesspools are converted to more environmentally-responsible waste treatment systems or connected to sewer systems;
- (3) Identify areas where data is insufficient to determine a priority classification of cesspools for conversion and determine methods and resources needed to collect that data and conduct analysis of those areas;
- (4) Modify, amend, and develop definitions and criteria for priority upgrade areas, as identified in the Department's report conducted pursuant to Act 125, Session Laws of Hawaii 2017, identify the preferred alternative waste treatment systems or sewerage connections for these priority areas, and consider and make recommendations on whether cesspools in these priority areas should be required to convert sooner than 2050;
- (5) Examine financing issues and the feasibility of various mechanisms, including grants, loans, tax credits, fees, special assessment districts, requirements for conversion at point of sale, and any other appropriate mechanisms for accomplishing and funding cesspool conversion, or any combination of these mechanisms;
- (6) Consider owners' ability to pay for cesspool conversions, and, especially how assistance can be provided for lower-income homeowners;
- (7) Consider the most cost-effective approach to cesspool conversion;
- (8) Identify physical, practical, and financial impediments that may be encountered by land owners who are required to connect pre-existing cesspools to a sewer system or convert cesspools to individual waste treatment system and recommend solutions to those impediments;
- (9) Consider best policies, practices, and laws from other jurisdictions related to cesspool conversions, including but not limited to Rhode Island and New Jersey that have undertaken large efforts to phase-out cesspools in their jurisdictions;
- (10) Include feedback from each county's community members, wastewater divisions, and boards of water supply;
- (11) Consider alternative wastewater equipment and technologies appropriate to the various areas where cesspools are located that may better protect the environment at lower or comparable cost and how the equipment or technologies can be incorporated as part of the long-term solution to wastewater treatment issues. These alternatives may include, without limitation, graywater systems, constructed wetlands, and other available technologies;
- (12) Research and recommend measures to encourage and stimulate research and innovation for new wastewater technologies, including systems that treat waste not only for bacteria but also to remove nutrients and contaminants that impact the environment;
- (13) Evaluate mandatory versus voluntary participation in the cesspool conversion plan;

- (14) Consider whether exemptions should be granted for some mandatory conversions based upon geology, topography, soil type, availability of land, or other relevant factors and make recommendations to the department relating to establishing rules for those exemptions; and
- (15) Consider any other information deemed necessary or appropriate by the department, the cesspool conversion working group, or any third-party consultants.

Act 132 also specifies that a working group may arrange the services of a contractor to provide any assistance required in establishing a cesspool conversion plan or otherwise fulfill its responsibilities. Any contract executed pursuant to Act 132 shall be exempt from chapter 103D, Hawaii Revised Statutes.

After deliberations within the Cesspool Conversion Working Group it was found that a contractor will be required to further research potential conversion technologies to be included in the final long-range cesspool conversion plan. This request for proposals is seeking contractor assistance in researching and understanding the technologies that will help Hawaii reach the 2050 conversion target.

1.2 Dates and Deadlines

Solicitation Date	April 29, 2019
Deadline to Submit Written Questions (by 4 pm HST)	May 9, 2019
Public Posting of Responses to Questions	May 21, 2019
Proposal Submittal Deadline	<b>June 4, 2019 4:00 p.m., HST</b> Hawai'i State Department of Health Wastewater Branch 2827 Waimano Home Road, Room 207 Pearl City, Hawai'i 96782
Best and Final Offer Discussions (if applicable)*	June 14, 2019
Best and Final Offer Submittal Deadline (if applicable)**	June 20, 2019**
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**\* Best and Final Offer discussions and submissions are optional and at the discretion of the RFP Evaluation Committee. Award notification may occur earlier if the evaluation committee does not hold Best and Final Offer discussions and submissions.**

**\*\* Offerors are encouraged to be available to meet (in person or via teleconference) during the Best and Final Offer discussions, should the RFP Evaluation Committee deem a Best and Final Offer discussion is necessary.**

**\*\*\*The contract commencement date will depend on developing and executing a contract with the awardee and may be affected by a lengthy administrative review process from multiple State agencies.**

### 1.3 Written Questions

The Wastewater Branch shall accept written questions regarding this Professional Services RFP. Inquires shall be made in writing by email to Ms. Sina Pruder ([sina.pruder@doh.hawaii.gov](mailto:sina.pruder@doh.hawaii.gov)) by the close of business on May 9, 2019 (telephone calls will not be acknowledged). In order to facilitate a meaningful response, questions should reference the page and section number to which the questions relate. Responses to properly submitted questions shall be posted on the WWB website (<http://health.hawaii.gov/wwb>) by the close of business on May 21, 2019. Inquires received after the deadline will not be reviewed. The WWB will not be responsible for delays or non-receipt of responses.

### 1.4 Procurement Officer and Contact Information

The Procurement Officer is responsible for overseeing the RFP process. The State's WWB Procurement Officer is:

Ms. Sina Pruder  
Hawai'i State Department of Health  
Wastewater Branch  
2827 Waimano Home Road, Room 207  
Pearl City, Hawai'i 96782

Phone: (808) 586-4294

Email: [sina.pruder@doh.hawaii.gov](mailto:sina.pruder@doh.hawaii.gov)

All communication and mail for this RFP shall be addressed to the Procurement Officer, except in the specific instances noted in this RFP. After this RF is awarded, the WWB will provide the awardee with contact information of the Contract Administrator, who will oversee the awarded Contractor's performance, manage deliverables, and process payments.

### 1.5 Confidentiality

All information, data, or other material provided by the applicant or the awarded Contractor to the State shall be subject to the Uniform Information Practices Act, Chapter 92F, HRS (UIPA). The applicant shall designate in writing to the Procurement Officer the portions of its proposal or any subsequent submittals that are trade secrets or other proprietary data that the applicant desires to keep confidential, subject to Hawai'i Administrative Rules Chapter 3-122-58. The applicant shall state in its communication to the Procurement Officer, the reason(s) for designating the material as confidential. The applicant shall submit the material designated as confidential in such manner that the material is readily separable from the proposal in order to facilitate inspection of the non-confidential proportion of the submission.

Pursuant to Chapter 3-122-30, HAR, the head of the purchasing agency or designee shall consult with the State's Attorney Genal and make a written determination in accordance with UIPA. If the request for confidentiality is denied, such information shall be disclosed as public information, unless the applicant appeals the denial to the Office of Information Practices in accordance with Section 92F-15.5, HRS.

Unless identified as confidential, the information submitted under the RFP may be used by the State for informational purposes and will also be open for public inspection once the RFP process is concluded.

## 1.6 Notification of RFP Amendments or Cancellation

The State reserves the right to amend this RFP at any time prior to the closing date. Furthermore, the State reserves the right to cancel this RFP and to reject any and all proposals in whole or in part, when it is in the best interests of the State. The State shall not be liable for any expenses, loss of profits, or damages incurred by an applicant in the event that this RFP is cancelled, or a proposal is rejected. Amendments or cancellation will be communicated through an Addendum to the RFP and uploaded to HANDS and WWB websites.

## **SECTION TWO: PERIOD OF PERFORMANCE**

The initial period of the contract shall be for twelve (12) months. Requests for extensions of up to an addition six (6) months from the original contract termination date may be approved at the sole discretion of the State, subject to availability of funding, satisfactory performance, and on-going need. The maximum contract period shall not exceed 1.5 years total. The WWB may terminate the contract or formally modify the contract at any time per the contract's General Conditions (Form AG-008 103D General Conditions). Modifications may include extending the term of the contract, revising the contract's scope of work, and/or increasing or decreasing the amount of funding, subject to the allotment and availability of funds.

## **SECTION THREE: SOURCE OF FUNDING, CONTRACT TYPE, AND PAYMENT**

Funding is provided through the State's General Fund. The award shall be based on negotiated rates, the number of hours to be worked in each labor category, and other associated expenses necessary to complete the work. Furthermore, payments shall be made in accordance with the rates, hours, and expenses negotiated on a reimbursement basis (i.e., the awarded contractor, will be reimbursed by the State for eligible costs expended on the project on a monthly basis). The WWB anticipates that this RFP will result in a "time and materials" contract and not a "fixed-price" contract. The WWB reserves the right to structure the contract in any manner it believes to be in the best interest of the State as consistent with the State's procurement law.

## **SECTION FOUR: SCOPE OF SERVICES**

### 4.1 Introduction

The legislature has found that public health and the quality of Hawaii's drinking water, streams, ground waters, nearshore marine areas, and ocean are being harmed by water pollution from cesspools. Act 125 of July 2017 requires that all cesspools in Hawaii are to be upgraded, converted to a septic system, or connected to a sewer system by January 1<sup>st</sup>, 2050. The Cesspool Conversion Working Group was developed to help create a plan for these conversions while taking into consideration the financial burden that converting cesspools will have on local residences.

This Request for Proposal is designed to acquire assistance on researching potential technologies for converting cesspools in Hawaii. The awarded Offeror shall not have a conflict of interest with the WWB and will assist the Cesspool Conversion Technology Working Group in understanding what resources related to innovative and advanced treatment technologies are currently available as well as information gaps and opportunities for collaboration. The Offeror will be required to evaluate cesspool technologies which will result in a better understanding of what's

available and what the parameters of each technology are. Central to this research will be considering what other states have done to understand challenges, lessons learned, and solutions relating to technology and then localizing that information for Hawaii.

This scope of work will ultimately provide the Cesspool Conversion Working Group with a better understanding of what technologies are available for cesspool conversions in Hawaii and which are the most feasible.

#### 4.2 Scope of Services

The awarded Offeror shall provide the following services to WWB.

- A. Create an evaluation matrix of existing technology for onsite systems to replace cesspools at individual residences.**
  - a) Include operations and maintenance, life of system, cost, availability, treatment level, and other appropriate details.
    - i) For treatment level, include what level of treatment each technology is capable of producing.
  - b) Include benefits and challenges for each technology.
  - c) Include (but do not limit to) septic tanks and aerobic treatment units. Include graywater systems but also address blackwater.
  - d) Explore pilot/research and development programs in other states when researching options for Hawaii.
  - e) Technology should be NSF compliant (NSF 40; NSF 41; and NSF 245).
- B. Establish a screening process for existing and emerging replacement technologies.**
  - a) Create a summary of the existing and emerging onsite technologies found along with the process developed for vetting them. Based on the research and the screening process established describe the best alternative technologies in the list and provide reasoning.
  - b) DOH is encouraging research and development of emerging technology through this project.
- C. Create a second evaluation matrix that is portrayed for the homeowner audience. This should be a user-friendly guide to potential technologies.**
- D. Review DOH's Onsite Wastewater Treatment Survey and Assessment of 2008 that outlines different types of wastewater systems and provide a write-up of any updates.**
- E. Create an evaluation matrix of decentralized options.**
  - a) Reference existing regulatory framework.
  - b) Create a summary of the existing onsite technologies found along with the process developed for vetting them. Based on the research and the screening process established describe the best alternative technologies in the list and provide reasoning.
- F. Develop the framework and procedures for the performing pilot testing of new technologies such as new toilets and alternative sewage treatment alternatives.**

Note: Please specify the cost of this separately in your budget/ price list.



## **SECTION FIVE: PROPOSAL REQUIREMENTS**

### **5.1 Introduction**

One of the objectives of this RFP is to give Offerors an ample opportunity to highlight their qualifications but the evaluation process must also be manageable and effective.

Proposals should be straightforward and concise, describing the Offeror's capabilities and approach to the project as completely as possible according to the required format outlined in Section 5.3, below. Offerors are cautioned that reviewers may reject confusing and unclear items(s) to avoid any errors in interpretation during the evaluation process.

Part, or all, of this RFP and the awarded proposal may be incorporated into the contract.

### **5.2 Original Proposal and Copies to be Submitted**

One (1) hard copy marked "Original," stapled and printed double-sided, four (4) additional hard copies, stapled and printed double-sided, and one (1) digital copy of the proposal on a USB flash drive or compact disc (CD) shall be submitted. The digital copy shall be merged into a single electronic document (Microsoft word file or Adobe .PDF), and not a collection of separate digital documents. Any materials the applicant deems confidential shall be marked "Confidential" and submitted separately, in the quantities and formats listed above. See Section 1.5 above, for more information on Confidential Information.

It is imperative that Offerors submit the required number of proposals. Please note that faxed or emailed material will not be accepted. The State will not reimburse Offerors for any costs associated with developing, submitting, presenting, or negotiating proposals in response to this Professional Services RFP, however, Offerors may retrieve their USB flash drive at the WWB office after the award notification date. Proposals shall be submitted in a sealed envelope that is prominently marked "**Proposal Submitted in Response to RFP No. WWB 19-01**" on the front to:

Ms. Sina Pruder  
Hawai'i State Department of Health  
Wastewater Branch  
2827 Waimano Home Road, Room 207  
Pearl City, Hawai'i 96782

### **5.3 Proposal Format and Content**

Proposals shall be typed or printed (not handwritten) on eight and one-half by eleven inches (8.5" x 11") paper (i.e., letter) using 10-point Arial font, with 1-inch margins and be single-spaced. Pages shall be double-sided and stapled or otherwise bound. The proposal shall not be longer than fifty (50) pages including all attachments. Each page of the proposal, including attachments, appendices, and other accompanying documents shall contain a header or footer identifying the Offeror's name and the page number.

Proposals shall be organized into sections described below:

#### **A. Offeror's Cover Sheet (Attachment 1)**

The Offeror shall include the attached cover sheet that provides basic information about their proposal.

**B. Offeror's Form Letter (Attachment 2)**

- a) The Offeror shall include the attached form letter that provides the Offeror's exact legal name as registered with the Hawai'i State Department of Commerce and Consumer Affairs. Failure to do so may delay execution of the contract; and
- b) The Offeror's authorized signature shall be an original signature in ink and the signatory must have the authority to make such offers on behalf of the Offeror.

**C. Proposed Scope of Services**

**D. Special Qualifications and Experience of the Offeror(s) Related Specifically to this Professional Services RFP**

At a minimum, the Offeror shall include the following:

- a) The firm's principal place of business and locations of its offices, the age of the firm, and the average number of employees over the past three (3) years;
- b) The education, training, and qualifications of key employees;
- c) The proposed primary point of contact for the WWB regarding the RFP;
- d) The proposed primary point of contact for the WWB regarding the Contract (if different);
- e) Specific experiences working with the design and construction of wastewater systems;
- f) Contract information for a minimum of three (3) clients who may be contacted as references, including a minimum of two (2) in the past year.

The proposal may also include a chart illustrating the project organization and identifying key members of the team.

If the Offeror plans to subcontract or utilize the assistance of other parties outside of the firm, a statement of intent to do so shall be submitted by the Offeror that includes the following information:

- a) Which required services from this RFP will be subcontracted;
- b) The identity, qualifications, and roles of the subcontracted parties (if available);
- c) The estimated percentage of assistance or subcontracting in relation to the Offeror's work; and
- d) The estimated rates for all subcontractors, including the cost to manage or oversee the subcontractors.

The Offeror shall include estimated (or actual, if available) price lists for each identified subcontractor. Additionally, the offeror shall include statements from each identified subcontractor, signed by an individual authorized to legally bind the subcontractor, that includes:

- a) The subcontractor's name, address, telephone number, and contact person;
- b) The subcontractor's general scope of work to be performed; and
- c) Attestation that the subcontractor will perform the work indicated.

**E. Labor Category, Professional Level, Rate Schedule, and Price List**

- a) Offerors shall clearly identify the individuals on their project team, the areas of expertise of these individuals, their professional level/job title in the firm, and their pay rate; and
- b) Offeror shall also include rates for equipment and supplies and for other expenses associated with the proposal, including all costs for known subcontractors.

**F. Certificate of Vendor Compliance**

Offerors shall submit a **compliant** Hawai'i Compliance Express (HCE) certificate (Certificate of Vendor Compliance) with their proposal. HCE expedites proof of compliance as required in Hawai'i Revised Statutes (HRS) 103D-310(c). Please see <https://vendors.ehawaii.gov/hce/splash/welcome.html> for more information.

**G. Additional Information (if necessary)**

The Offeror may include any additional information as part of their proposal, including promotional literature, work samples, etc.

The WWB shall evaluate proposals using the criteria detailed in Section 6 of this RFP. Offerors are advised to review the evaluation criteria and provide all the information necessary, in sufficient clarity and detail, to allow the WWB to evaluate their proposal based on the criteria.

**SECTION SIX: EVALUATION PROCESS AND CRITERIA FOR SELECTION OF CONTRACTORS**

**6.1 Process for Contractor Selection**

An evaluation committee will be used to evaluate proposals in accordance with the criteria described in Section 6.2. Each proposal will be reviewed and assigned a numerical score by each member of the evaluation committee. The scores of all evaluators will be averaged and the average scores will be used to provide a rank ordering of the proposals. The evaluation committee shall identify a priority Offerors list comprised of the three (3) Offerors receiving the highest scores. The WWB will select the contractor for this project from the priority Offerors list.

A. Priority List Offerors

The evaluation committee shall review each proposal according to the evaluation criteria in Section 6.2 and assign a numerical score to each proposal. The three (3) highest-ranked Offerors will constitute the Priority List Offerors. The priority list will then be given to the selection committee to further evaluate the Priority List Offerors. From the Priority List Offerors, the selection committee will select one (1) awardee with which to enter into a contract to perform the work described in Section Four.

B. Discussions with Priority List Offerors

At its discretion, the selection committee may discuss the proposals with the respective Priority List Offerors. Based on these discussions, the WWB may request that Priority List Offerors submit a Best and Final Offer. Priority List Offerors will receive fair and equal treatment regarding any opportunity for discussion and revision of their original proposals. However, discussions are not required, and a Priority List Offeror may or may not be selected solely based on the original proposal submitted for this RFP.

C. Final Approval

Any agreement arising out of the selection process and subsequent Best and Final Offer negotiations is subject to the approval of the State Department of the Attorney General as to form, and to all further approvals required by statute, regulation, rule, order, or other directive. Project funds will be available to the selected contractor only after a contract between the contractor and the DOH has been fully executed and a Notice to Proceed is issued by DOH.

6.2 Evaluation Criteria

A. Minimum Criteria for Proposal Responsiveness

At the discretion of the WWB, the following may be justification for rejecting a proposal:

- a) Submitting incomplete documents or failure to submit one original proposal with an original signature;
- b) Failure to provide a price/rate list for material, labor, and/or equipment; and/or
- c) Unfavorable references. (NOTE: The WWB reserves the right to seek additional references in addition to those submitted in the proposal, if necessary).

B. Conflict of Interest

The Offeror shall disclose all potential conflicts of interest with the WWB. The Offeror shall also disclose all potential conflicts of interest of potential subcontractors to the WWB prior to hiring the subcontractor. The WWB may disqualify a potential subcontractor from assisting with this project based on a conflict of interest, however a subcontractor's conflict of interest will not be automatically disqualifying.

C. Proposal Evaluation Criteria

The proposal will be evaluated using the following evaluation criteria and weighting:

No.	Evaluation Criteria	Maximum Points
1	Previous experience, capability and proficiency that show a capacity for implementing the proposed project or program	30
2	The contractor shows a clear understanding of the problems being addressed	15
3	The contractor shows a demonstrated local knowledge of Hawaii	15
4	Project proposal	
	Methodology (10)	
	Timeline (10)	
	Expected Results (5)	
	Innovation (5)	
	Budget / Price List (5)	
	Possible Shortfalls (5)	40
	<b>Total</b>	<b>100</b>

**SECTION SEVEN: AWARD NOTIFICATION AND OTHER INFORMATION**

It is the responsibility of the awarded applicant to meet all State and local rules and regulatory requirements.

7.1 Award Notification

Award(s) shall be made to the responsive, responsible applicant with a proposal determined by the Evaluation Committee to be the most advantageous to the State based on the specific evaluation criteria detailed in this RFP. All applicants shall receive written notification of the evaluation outcome. Unsuccessful applicants are encouraged to schedule a meeting with a representative of the evaluation committee to review their proposals after award notification(s).

The written notification of award does not serve as the State's notice to proceed, which will be issued separately once all award documents and contract approvals have been made. Should the applicant commence work prior to being issued a notice to proceed by the State, the State shall not be held liable for any work, costs, expenses, loss of profits, or any damages incurred by the awarded applicant. **Please note that due to a shortage in staffing, contract execution and issuance of a notice to proceed can take up to eight (8) months after award.**

7.2 Insurance

The Offeror shall meet State insurance requirements for general liability insurance limits (no less than \$1,000,000 per occurrence; \$2,000,000 in the aggregate), as well as automobile insurance (no less than \$1,000,000 per accident). Please note that automobile insurance is mandatory, irrespective of whether the applicant or organization owns an automobile. The awarded Offeror shall be required to submit a valid Certificate of Insurance with the final signed contract.

### 7.3 Overview and Authority

This RFP is under the provisions of Chapter 103D, Hawai'i Revised Statutes (HRS). All applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a validly executed proposal by any applicant shall constitute admission of such knowledge on the part of the applicant.

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.

Attachment 1

**Cover Sheet**

Name of Organization: \_\_\_\_\_

Contact Person & Title: \_\_\_\_\_

Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Federal Tax Identification Number: \_\_\_\_\_

State Tax Identification Number: \_\_\_\_\_

Attachment 2

**Transmittal Letter  
RFP No. WWB 19-01**

State of Hawai'i  
Wastewater Branch  
2827 Waimano Home Road, Rm. 207  
Pearl City, Hawai'i 96782

Dear Ms. Pruder:

The undersign has carefully read and understands the terms and conditions specified in this Request for Proposals No. WWB 19-01 and in the General Conditions (Form AG-008 103D General Conditions), included by reference and made a part hereof and available upon request, and hereby submits the following offer to perform the work specified herein all in accordance with the true intent and meaning thereof.

It is understood and agreed that the State of Hawaii (State) reserves the right to accept or reject any or all proposals, and to waive any defect in any proposal when in the opinion of the State such rejection or waiver will be in the best interest of the State.

By submitting this proposal, the applicant understands and agrees that:

1. The applicant shall be responsible for meeting and complying with the terms and conditions in the RFP;
2. The applicant is submitting the RFP in good faith for the completion of the work for which the award may be made;
3. The applicant certifies that the application is true and correct the best of their knowledge; and
4. Should a Best and Final Offer (BAFO) be necessary, this transmittal letter shall also apply to the BAFO proposal submitted.

Sincerely,

---

Applicant Signature and Date

---

Print Name and Title

---

Name of Organization, Agency, or Entity

---

Contact Information (Including Phone, Email and Mailing Address)