



**OFFICE OF COUNCIL SERVICES
COUNTY OF MAUI**

RELEASE DATE: July 18, 2024

**REQUEST FOR PROPOSALS
RFP 25-0010CS**

**SEALED PROPOSALS
FOR**

**WEST MAUI FIRE-AFFECTED AREA PUBLIC
INFRASTRUCTURE, ROAD IMPROVEMENT,
AND ROAD EXTENSION MASTER PLAN**

WILL BE RECEIVED UP TO 2:00 P.M. HST ON
August 19, 2024

IN THE OFFICE OF COUNCIL SERVICES, 200 SOUTH HIGH
STREET, ROOM 703, WAILUKU, HAWAII 96793. SEND
QUESTIONS ON THIS SOLICITATION TO DAVID RAATZ,
DIRECTOR OF COUNCIL SERVICES, AT
COUNTY.COUNCIL@MAUICOUNTY.US.

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

Alice L. Lee, Council Chair
Chief Procurement Officer

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1) INTRODUCTION

In response to Council Resolution 24-50, CD1, the Office of Council Services (“OCS”) intends to engage the services of a qualified Contractor to complete a comprehensive West Maui road and public infrastructure master plan for the wildfire-affected areas consistent with the West Maui Community Plan and the input of West Maui residents. This master plan must address public infrastructure, road improvement, and road extensions. This master plan must also identify opportunities for developing resiliency in West Maui through plans to identify and reduce the impacts of natural disasters, climate change, or other emergencies that affect the County’s infrastructure and services. The master plan must also provide a roadmap for the Council to improve the health and safety of the West Maui community. This master plan may be referred to as the “Infrastructure & Road Master Plan.” The purpose of the Request for Proposals (“RFP”) is to solicit sealed proposals to establish a contract through competitive procurement for the services described in the specifications.

The specifications provide information on the objectives, scope, general methodology, and instructions for submitting a proposal. All provisions of the specifications and instructions are part of the contract executed by the Contractor and the Chief Procurement Officer (“CPO”), unless otherwise expressly provided in the contract. The CPO may delegate authority under the contract to the extent permitted by law.

Because time is of the essence, once the highest-ranked proposal is determined, OCS will verify with the Hawaii Compliance Express (“HCE”) online system to determine whether the Offeror is compliant with State-required certificates. In accordance with Hawai‘i Revised Statutes (“HRS”) Section 103D-310(c), proof of compliance is required at the time of award.

2) CANCELLATION

This RFP may be cancelled and any or all proposals rejected in whole or in part, without liability to the County, when it is in the County’s best interest.

3) TERMS

Definitions. Unless the context requires otherwise, terms used in this document have the following definitions:

- a) “Contractor” means the Offeror that has been awarded the contract to prepare the Infrastructure & Road Master Plan.
- b) “Council” means the Maui County Council.
- c) “Chief Procurement Officer” means the Chair of the Maui County Council or the Chair’s designated representative.
- d) “County” means the County of Maui.
- e) “Offeror” means any individual, partnership, firm, corporation, joint venture, representative, or agent responding to the RFP.

4) RFP SCHEDULE AND SIGNIFICANT DATES

The schedule represents OCS’s best estimate of the schedule that will be followed. All times indicated are Hawai’i Standard Time (“HST”). If a component of this schedule is delayed, the rest of the schedule will likely be shifted by the same number of days. Any change to the RFP Schedule and Significant Dates will be reflected in, and issued in, an addendum. The approximate schedule is as follows and dates are subject to change:

Release of Request for Proposals	July 18, 2024
Due Date to Submit Questions	July 25, 2024
OCS’s Response to Questions	August 1, 2024
Proposals Due Date and Time	August 19, 2024, at 2:00 p.m.
Proposal Evaluation	August 23, 2024
Notice of Award	August 27, 2024
Contract Start Date	September 24, 2024
Project Kickoff Meeting Date	September 26, 2024
Draft Master Plan Due	October 17, 2024
Draft Narrative Report Due Date	October 31, 2024
Final Master Plan and Report Due Date	November 15, 2024

5) BACKGROUND

- a) The West Maui Community Plan notes the need to “identify additional emergency evacuation routes to access West Maui and isolated neighborhoods” and “implement appropriate safety improvements such as traffic controls to improve the use of Kahekili Highway and

Honoapi‘ilani Highway as alternate routes for West Maui during times of emergency.”

- b) The wildfires of August 8, 2023, devastated Lahaina and caused the deaths of at least 102 persons, serious injury to many members of the community, and catastrophic damage to property, roads, and other public infrastructure.
- c) The Department of Public Works’ Development Services Administration Division issued Request for Proposals No. 23-24/P on post-fire recovery and rebuilding assistance, with a scope of services focused on building permit application plan review, permit processing, inspection services, community outreach, and design standards development.
- d) Request for Proposals No. 23-24/P is focused on providing the County with permit review and processing services specific to the wildfire-affected areas and does not include the preparation of a master plan consistent with the West Maui Community Plan that would inform various agencies on where infrastructure improvements are desirable or necessary prior to rebuilding.
- e) In response to the wildfires of August 8, 2023, and based on community input, the Council adopted Resolution 23-194 on December 15, 2023, which recommends legislative topics to be addressed in the development of a post-wildfire comprehensive recovery and resiliency plan.
- f) Resolution 23-194 identifies emergency egress routes, general public infrastructure, and public water system needs as legislative opportunities to aid in Lahaina’s recovery and resiliency.
- g) The Maui Police Department’s January 2024 Preliminary After-Action Report on the August 8, 2023, wildfires, notes the challenges that residents of the wildfire-affected areas experienced with certain evacuation routes.
- h) The Department of Public Works is continuing to compile information identifying substandard roads and additional road needs for future emergency evacuations. At the May 16, 2024, Water and Infrastructure Committee meeting, the Department of Public Works gave a presentation on public infrastructure needs, including roads and cul-de-sacs, emergency roads, and road connectivity opportunities in West Maui.
- i) The Department of Fire and Public Safety, using satellite imagery, site visits, and geographic information system data, has identified numerous substandard roads that should be improved to meet the 20-foot clear

pavement required for fire access standards and road extensions to facilitate ingress and egress for emergency evacuation needs.

- j) The Department of Fire and Public Safety has identified opportunities for the placement of additional fire hydrants to ensure compliance with hydrant spacing requirements and maximize hydrant coverage.
- k) To prioritize the roads that should be extended or widened first for emergency access as part of rebuilding process, based upon the available wildfire response data, both the Department of Public Works and the Department of Fire and Public Safety are working with the U.S. Army Corps of Engineers to generate computer models, using software called LifeSim, to identify roads that should be widened and extended as alternate evacuation routes.
- l) The identification of infrastructure needs prior to the issuance of building permits in areas where capital improvements are necessary for the rebuilding and resilient recovery of Lahaina is a Council priority.

6) SPECIFICATIONS

- a) Objective. To complete an Infrastructure & Road Master Plan for the wildfire-affected areas that is consistent with the West Maui Community Plan and the input of West Maui residents. This master plan must address public infrastructure, road improvement, and road extensions. This master plan must also identify opportunities for developing resiliency in West Maui through plans to identify and reduce the impacts of natural disasters, climate change, or other emergencies that affect the County's infrastructure and services. The master plan must also provide a roadmap for the Council to improve the health and safety of the West Maui community.
- b) Scope. At a minimum, the Contractor must:
 - i) Identify and review all existing community development plans, with specific attention given to West Maui issues, including:
 1. Countywide Policy Plan
 2. Maui Island Plan
 3. West Maui Community Plan
 4. West Maui Community Corridor Action Plan

5. West Maui Greenway Plan

- ii) Seek the input of the Administration's Office of Recovery, including staff assigned to Infrastructure, Community Planning, and Natural & Cultural Resources Recovery Support Functions ("RSFs"), to ascertain the status of each of the RSFs' activities and initiatives, ensure cohesive integration, and avoid overlapping activities with the Infrastructure & Road Master Plan.
- iii) Seek the input of the Planning Director, Director of Public Works, Director of Water Supply, and Fire Chief to obtain base GIS data and other relevant information needed to produce the Infrastructure & Road Master Plan.
- iv) Seek the input of the Maui County Department of Transportation and the Hawai'i State Department of Transportation for information needed to produce the Infrastructure & Road Master Plan.
- v) Attend and participate in West Maui community engagement workshops and meetings organized and facilitated by the Administration's Office of Recovery.
- vi) Produce a final deliverable in both digital and print form that includes the following components:
 - 1) An Infrastructure & Road Master Plan that diagrams all roads in the West Maui fire-affected area and annotates each road based on its usage (e.g., highway, collector, or neighborhood road). The applicable road width standard must be noted for each road and include whether each road meets the standard. Options to widen select substandard roads to allow for on-street parking or sidewalks on one or both sides of the road with minimal impacts to private property must be included. Diagrams of roads to be extended and connected to adjacent roads to create additional ingress or egress options in cases of emergencies must be proposed.
 - 2) A road widening and improvement priority list for roads within the Infrastructure & Road Master Plan area that identifies essential areas for road improvement or extension, with detailed descriptions of the scope of each improvement or extension.

- 3) A map identifying areas of cultural significance within the Infrastructure & Road Master Plan area.
- 4) A summary of all community, County agency, Office of Recovery, and other meetings attended, including the date, time, and location of each meeting along with the outcome.
- vii) Present this plan to the Council and any committee of the Council that may request it.
- c) Project Kickoff. After a contract is approved with the Contractor, a kickoff meeting between the Contractor, Council representatives, and OCS staff will be held to finalize the project schedule and engagement plan with the Office of Recovery and County agencies. Topics to be discussed include:
 - i) Project overview, including objectives
 - ii) Project timeline
 - iii) Key target dates
 - iv) Identified challenges and risks

7) BUDGET LIMITATIONS AND PAYMENT SCHEDULE

- a) The total sum to be allocated for the plan is limited to the extent of funds appropriated for this purpose and the continued availability of those funds during the course of the project.
- b) The County processes payments based on written invoices. Payments will be made in increments subject to acceptance of progress reports or reports delivered, as established in the proposal. With each invoice, the Contractor will submit a signed statement of actual costs incurred, the type of work performed, and provide receipts for any reimbursable expenditures. Compensable costs include: (a) fees for printing, (b) fees for copies necessarily obtained for use on the project, and (c) travel-related expenses when pre-approved by the Council Chair with air travel limited to standard fare. Prepayment will be allowed only for unavoidable costs.

8) PROPOSAL

- a) Offeror's Authority to Submit an Offer. OCS will not participate in determinations regarding an Offeror's authority to sell a product or service. If there is a question or doubt regarding an Offeror's right or ability to obtain and sell a product or service, the Offeror must resolve that question prior to submitting an offer.
- b) Required Review.
 - i) Before submitting a proposal, each Offeror must thoroughly and carefully examine this RFP and any attachment, addendum, and other relevant document to ensure the Offeror understands requirements. The Offeror must also become familiar with County, State, and Federal laws, statutes, ordinances, rules, and regulations that may in any manner affect cost, progress, or performance of the required work.
 - ii) Should the Offeror find defects and questionable or objectionable items in the RFP, the Offeror must notify OCS in writing prior to the deadline for written questions as stated under RFP Schedule and Significant Dates. This notification will allow the issuance of any necessary corrections or amendments to the RFP by addendum and mitigate reliance of a defective solicitation and exposure of proposals upon which award could not be made.
- c) Proposal Preparation Costs. Any and all costs incurred by the Offeror in preparing or submitting a proposal are the Offeror's sole responsibility, whether or not any award results from this RFP. OCS will not reimburse those costs.
- d) Tax Liability.
 - i) Work to be performed under this solicitation is a business activity taxable under Chapter 237, HRS, and if applicable, taxable under Chapter 238, HRS. The Offeror is advised that they are liable for the Hawai'i General Excise Tax ("GET") and the County's GET surcharge. If, however, an Offeror is a person exempt by the HRS from paying the GET and, therefore, not liable for the taxes on this solicitation, the Offeror must state its tax-exempt status and cite the HRS provision allowing the exemption.
 - ii) The Offeror must submit its current Federal Tax ID and Hawai'i GET license numbers in the space provided on the Offer Form,

OF-1, attesting that the Offeror is doing business in the State and that the Offeror will pay taxes on all sales made to the State.

- e) Property of the County. All proposals become the County's property.
- f) Proposal Forms. To be considered responsive, the Offeror's proposal must respond to and include all items specified in this RFP and any subsequent addendum. Any proposal offering any other set of terms and conditions that conflict with the terms and conditions provided in the RFP or in any subsequent addendum may be rejected without further consideration.
 - i) Offer Form, OF-1. Offer Form, OF-1, is required to be completed using the Offeror's exact legal name as registered with the State of Hawai'i, Department of Commerce and Consumer Affairs, if applicable, in the appropriate space on Offer Form, OF-1 (Exhibit "A"). Failure to do so may delay execution of the Contract.

The Offeror's authorized signature on the Offer Form, OF-1, is required before an award, if any, can be made. The submission of the proposal must indicate the Offeror's intent to be bound.

- ii) Offer Form, OF-2. Pricing must be submitted on the Offer Form, OF-2 (Exhibit "B"). The price must be the all-inclusive cost, including tax, to the Council. No other costs will be honored. Any unit prices must be inclusive.
- g) Proposal Content. In preparing the proposal for the plan, the Offeror must fully describe the following:
 - i) Methodology. Describe the approach, method, and procedure the Offeror intends to use in developing the plan. In addition, if the Offeror intends to hire outside contractors to perform a portion of the plan, the Offeror must identify them and indicate how they will be used. Finally, explain how the plan conforms to the plan objectives and scope as established in this RFP.
 - ii) Description of the Offeror.
 - 1) General. Describe the Offeror, including the nature of services and how the Offeror is organized to perform the plan.

- 2) Qualifications. Describe the experience of the Offeror, as well as key personnel that must be assigned to the plan.
 - 3) Quality Control Program. Briefly describe the quality control program for the organization and provide a copy of the latest external quality control review report.
 - 4) Previous Work. Indicate planning and related work with or for the State of Hawai'i and the counties of Hawai'i done within the last three years.
 - 5) Independence. The Offeror must provide an affirmative statement that it is independent of the County. The Offeror must disclose any potential conflict of interest that may affect the current plan. Examples of potential conflicts include having close ties to Department employees and having conducted previous studies on behalf of the Department. If there is a potential conflict of interest, the Offeror must indicate how it can be minimized to safeguard the independence of the present plan.
- iii) Resources to Be Used. Identify the resources that the Offeror intends to commit to the work, including the qualifications, experience, and recent relevant training of the management and staff assigned to the plan.
- 1) Indicate the number of hours to be worked by managers and other professional staff assigned to the engagement and their hourly rates.
 - 2) Present a breakdown of other expenses, including supplies, travel, and taxes.
 - 3) Identify the individual who will represent the Offeror in all matters concerning the plan.
 - 4) Indicate how the quality of staff over the term of the contract will be assured.
 - 5) Subcontractors may be used by the Offeror in performing any portion of the services requested in this RFP; however, the Offeror must be the sole point of contact, including payment of any and all charges resulting from the contract, and is responsible for all services whether or not the Offeror performs them. If subcontractors will be used, a statement from each subcontractor must be included in the proposal,

signed by an individual authorized to legally bind the subcontractor, and state the following:

- a) The subcontractor's name, postal address, telephone number, email address, and contact person;
 - b) The general scope of work to be performed by the subcontractor; and
 - c) The subcontractor's willingness to perform.
- 6) Note that the Offeror will be required to notify the CPO of any changes to the management and professional staff identified in the proposal. Furthermore, the CPO's approval will be required before assigning any other management or professional staff to this engagement.
- iv) **Timetable and Compensation.** Payment will be based on, and in proportion to, the work performed. The proposal must include a timetable for delivery of the plan, preliminary findings and recommendations, preliminary draft report, and final plan report. It must also include the payment schedule of the proposed compensation. All invoices must be submitted to county.council@mauicounty.us with an itemized account of work performed and deliverables.
 - v) **Address Where the Work for the Plan Will Be Conducted.** The proposal must specify the address of the office from which the Offeror must conduct and coordinate its activities. The proposal must specify facilities, equipment, or anything else the Offeror requires the County to provide. Available office space within the County building and in the Department is scarce and providing room to the Contractor may not be possible. However, the Council will make a good faith effort to accommodate the needs of the Contractor.
- h) **Submittal of Proposal.**
- i) The proposal for development of the plan, along with five copies, and an electronic copy on portable drive (e.g. thumb drive, flash, USB stick), must be submitted in a sealed envelope or package marked "Proposal for the West Maui Fire-Affected Area Public Infrastructure, Road Improvement, and Road Extension Master Plan RFP-25-001OCS," and mailed or delivered to:

David Raatz, Director of Council Services
County of Maui
200 South High Street, Room 703
Wailuku, Hawai'i 96793

- ii) Timely receipt of offers must be evidenced by the date and time registered by an OCS time-stamp clock. Proposals received after the deadline will be rejected and returned.
- iii) If the Offeror chooses to deliver its proposal by mail, please be aware that the postal service and private firms deliver to a central County mailroom, not to OCS in Room 703. This situation may cause a delay in receipt, and the proposal may reach OCS after the deadline, resulting in an automatic rejection.
- iv) Proposals will not be publicly opened but will be opened only in the presence of designated OCS personnel. Proposals will become public information after the posting of the award or rejection of all proposals in accordance with procurement laws.
- v) Proposals submitted via email or fax will not be accepted.
- vi) Performance and payment bonds are not required for responding to this RFP.
- vii) Multiple or alternate proposals will not be accepted.
- viii) Proposals may be accepted without discussion. However, if deemed necessary, discussions may occur with priority-listed Offerors that have submitted acceptable and potentially acceptable proposals. The priority list may be limited to three responsible Offers that submitted the highest-ranked proposals (under Section 3-122-53, Hawai'i Administrative Rules).
- ix) Offerors must designate in writing those portions of the proposal that contain trade secrets or other proprietary data that are to remain confidential, subject to Section 3-122-58, Hawai'i Administrative Rules; and material designated as confidential must be readily separable from the proposal to facilitate inspection of the nonconfidential portion of the proposal. Price is not considered confidential and will not be withheld.
- x) The Offeror is advised that to be awarded a contract under this solicitation, the Offeror will be required to be compliant with all

laws governing entities doing business in the State, including the following HRS provisions:

- 1) Chapter 237, GET Law
- 2) Chapter 383, Hawai'i Employment Security Law
- 3) Chapter 386, Workers' Compensation Law
- 4) Chapter 392, Temporary Disability Insurance
- 5) Chapter 393, Prepaid Health Care Act
- 6) Section 103D-310(c), compliance with all laws governing entities doing business in the State

OCS will verify compliance with the State HCE online system. This online system eliminates the need for paper compliance certificates from the State Department of Taxation, Federal Internal Revenue Service, State Department of Labor and Industrial Relations, and the State Department of Commerce and Consumer Affairs.

Offerors should register with HCE prior to submitting an offer at <https://vendors.ehawaii.gov>. If the Offeror is not compliant on HCE at the time of award, the Offeror will not receive the award.

- xi) Failure to comply with the specified instructions and requirements may result in rejection of the proposal.
 - xii) A statement by the Offeror agreeing to abide by the terms of this RFP must be included in the proposal.
- i) The official contact for all technical communication regarding this RFP is:

David Raatz, Director of Council Services
200 South High Street, Room 703
Wailuku, Hawai'i 96793
county.council@mauicounty.us

9) EVALUATION CRITERIA AND AWARD OF CONTRACT

- a) Evaluation Criteria. Proposals submitted will be evaluated by the CPO. Proposals will be evaluated based on the following criteria:
 - i) Scope of services to be performed, including feasibility and suitability of proposed procedure for providing requested services and structuring of work to minimize the likelihood of cost overruns. (35 points)

- ii) Qualifications of the Offeror and key personnel, including education and training, experience in performing similar projects, professional standing and credibility, and knowledge of Lahaina and its community. (25 points)
- iii) Price and suitability of compensation structure. (20 points)
- iv) Distance of Contractor's main office from the County of Maui. (20 points)

The total number of points used to score this proposal is 100.

- b) Award of Contract.
 - i) The Award, if any, will be made to the responsive, responsible Offeror whose proposals are determined to be the most advantageous to the Council, taking into consideration the evaluation criteria in this RFP.
 - ii) After a selection is made, the successful Offeror will be notified in writing that it has been selected as the Contractor, and the contract will be awarded with reasonable promptness.

10) COMPLIANCE WITH GENERAL TERMS AND CONDITIONS

The substance of the County's standard General Terms and Conditions for County contracts must be incorporated into the contract to the extent pertinent. A copy of the standard General Terms and Conditions are found at, <https://www.mauicounty.gov/DocumentCenter/View/3186/Good-s-and-Services-?bidId=>.

11) SERVICES NOT EXCLUSIVE

During the contract term, OCS or the Council may or may not contract with other entities for services other than those within the scope of this RFP.

EXHIBIT "A"
OFFER FORM
OF-1

WEST MAUI FIRE-AFFECTED AREA PUBLIC INFRASTRUCTURE, ROAD
IMPROVEMENT, AND ROAD EXTENSION MASTER PLAN
RFP NO. 25-001OCS

Chief Procurement Officer
Office of Council Services
County of Maui
200 South High Street, Room 703
Wailuku, Hawaii 96793

Dear Chief Procurement Officer:

The undersigned has carefully read and understands the terms and conditions specified in the Request for Proposals attached hereto, and in the County of Maui General Terms and Conditions, 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) she or he is declaring her or his offer is not in violation of Chapter 84, Hawaii Revised Statutes, concerning prohibited State contracts, and 2) she or he is certifying that the price or prices submitted were independently arrived at without collusion.

Offeror is:

Sole Proprietor Partnership *Corporation Joint Venture
 Other _____

*State of incorporation: _____

Hawaii General Excise Tax License ID _____

Federal Tax ID _____

Payment address (other than street address below): _____
City, State, Zip Code: _____

Business address (street address): _____
City, State, Zip Code: _____

Respectfully submitted:

Date: _____ **(x)** _____
Authorized Signature

Telephone No.: _____

Fax No.: _____
Name and Title (Please Type or Print)

Email Address: _____
** _____
Exact Legal Name of Company (Offeror)

**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:

EXHIBIT "B"

**OFFER FORM
OF-2**

WEST MAUI FIRE-AFFECTED AREA PUBLIC INFRASTRUCTURE, ROAD
IMPROVEMENT, AND ROAD EXTENSION MASTER PLAN
RFP NO. 25-001OCS

Total contract cost for accomplishing the development and delivery of the services.

\$_____

Note: Pricing shall include labor, materials, supplies, all applicable taxes, and any other costs incurred to provide the specified services.