



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
560 NORTH NIMITZ HIGHWAY, SUITE 200
HONOLULU, HAWAII 96817

September 22, 2022

REQUEST FOR PROPOSAL (RFP) No. BOT 2023-005
(INDEPENDENT BOARD INVESTMENT CONSULTANT
FOR THE OFFICE OF HAWAIIAN AFFAIRS’
NATIVE HAWAIIAN TRUST FUND)

ADDENDUM 3 – Additional Questions and Answers

Questions about current vendors and staffing

1. Regarding the following Hawai'i Employment Security Law: this law requires employers to pay taxes for each of their workers into an account from which benefits are paid out to covered workers who become involuntarily unemployed.

Do we need to implement this even though we are a **(company type redacted)** company with our primary office located in **(US State redacted)**? Can you also clarify (1) the duration in which we would need to pay such employee; (2) which employees would qualify; and (3) how we would identify the amount to be paid to such employee? Additionally, our firm pays unemployment taxes in every state in which we have an employee. Would that serve as an equivalent to this rule?

Refer to RFP Section V(A)(3) Qualifying Requirements, which indicates Offerors must be in compliance with the requirements of HAR §3-122-112, Responsibility of offerors. Pursuant to HAR §3-122-112, an Offeror must provide proof of compliance with the requirements of HRS § 103D-310(c), which provides, in part: “All offerors, upon award of contract, shall comply with all laws governing entities doing business in the State, including chapters 237, 383, 386, 392, and 393. Offerors shall produce documents to the procuring officer to demonstrate compliance with this subsection. Any offeror making a false affirmation or certification under this subsection shall be suspended from further offerings or awards pursuant to section 103D-702.”

2. Regarding the Prepaid Health Insurance Requirement: required to provide Hawaii employees, who suffer a disability due to non-work-related illness or injury, with adequate medical coverage for non-work-related illness or injury, protecting them from the high cost of medical and hospital care. Employers must provide health care coverage to employees who work at least twenty (20) hours per week and earn 86.67 times the current Hawaii minimum wage a month (as of January 1, 2018, \$10.10 x 86.67 = \$876). Coverage commences after four (4) consecutive weeks of employment or the earliest time thereafter at which coverage can be provided by the health care plan contractor, which is usually the first of the month.

Could you please confirm whether this applies only for Hawaii employers and employees, or does it extend to those out-of-state?

Refer to RFP Section V(A)(3) Qualifying Requirements, which indicates Offerors must be in compliance with the requirements of HAR §3-122-112, Responsibility of offerors. Pursuant to HAR §3-122-112, an Offeror must provide proof of compliance with the requirements of HRS § 103D-310(c), which provides, in part: “All offerors, upon award of contract, shall comply with all laws governing entities doing business in the State, including chapters 237, 383, 386, 392, and 393. Offerors shall produce documents to the procuring officer to demonstrate compliance with this subsection. Any offeror making a false affirmation or certification under this subsection shall be suspended from further offerings or awards pursuant to section 103D-702.”

3. *Section 3, Item III.F.1* states that the Offeror should provide their approach to applicable services, activities and management requirements from *Section 2, Item IV. Scope of Work*. In reviewing the RFP, we noticed potential questions in *Section 2, Item VII Qualifications and Requirements* as well; can you please confirm that respondents should only provide responses to *Section 2, Item IV*?

In your proposal, please address the questions and either confirm that you are able to satisfy all of the Qualifications and Requirements in Section 2, Item VII Qualifications and Requirements, or make note of any deficiencies.

4. **P.22 Section II, V.A.4.b.** -- Does the Certificate of Good Standing need to be submitted with the proposal, or does this only apply if the firm is awarded the contract? Our firm is registered to do business in the State of Hawai‘i, but we are a non-Hawai‘i business.

Please submit the Certificate of Good Standing with your proposal, if available. OHA Procurement will also pull and validate the Certificate of Good Standing of the successful Offeror prior to contract execution as a condition of execution.

5. **P.22 Section II, V.A.6.c.** – Does the Certificate of Vendor Compliance need to be submitted with the proposal, or does this only apply if the firm is awarded the contract?

Please submit the Certificate of Vendor Compliance with your proposal, if available. OHA Procurement will also pull and validate the Certificate of Vendor Compliance of the successful Offeror prior to contract execution as a condition of execution.

6. **p.31 Section II, VII.A.6a.**—There seem to be questions in this part of the Scope that are not reflected in the RFP questions that start on page 38. Please advise if these questions also need to be included as part of our RFP response.

In your proposal, please address the questions and either confirm that you are able to satisfy all of the Qualifications and Requirements in Section 2, Item VII Qualifications and Requirements, or make note of any deficiencies.