



**State of Hawaii  
Business Development & Support  
Division (BDSD), Department of  
Business, Economic Development &  
Tourism (DBEDT)**

**REQUEST FOR PROPOSALS  
No. RFP-24-07-BDSD**

**PROPOSALS  
FOR**

**Hawaii State Trade Expansion Program -  
Company Assistance (HiSTEP-CA)**

**New to Export**

**STATE OF HAWAII  
DEPARTMENT OF BUSINESS, ECONOMIC  
DEVELOPMENT, AND TOURISM**

**WILL BE RECEIVED UP TO 4:00 P.M. (HST) ON:**

**WEDNESDAY, JANUARY 10, 2024**

**SUBMIT AT: <https://invest.hawaii.gov/exporting/histep/company-assistance-histep-ca/>**

**DIRECT QUESTIONS RELATING TO THIS SOLICITATION TO JAMIE LUM,  
TELEPHONE (808) 587-2753, FAX (808) 586-2589 OR E-MAIL AT JAMIE.K.LUM@HAWAII.GOV  
SUBJECT: RFP-24-07-BDSD.**

**THIS SOLICITATION MAY BE OBTAINED FROM THE BUSINESS DEVELOPMENT & SUPPORT  
DIVISION OFFICE. PLEASE CALL KEALA PRUET AT 808-587-2757 TO MAKE PICK UP  
ARRANGEMENTS. THERE WILL BE A FIVE CENT (\$0.05) PER PAGE CHARGE. THIS SOLICITATION  
MAY BE ALSO BE ACCESSED VIA THE FOLLOWING URL:**

**<https://hands.ehawaii.gov/hands/opportunities>.**

**RFP-24-07-BDSD**

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**SECTION ONE**  
**INTRODUCTION AND KEY DATES**

**1.01 TERMS AND ACRONYMS USED THROUGHOUT THE SOLICITATION**

Applicant	= Any individual, partnership, firm, corporation, joint venture, or representative or agent, submitting an application in response to this solicitation.
Application/Proposal	= These terms may be used interchangeably
Award	= Funds to be used by Applicant for the purpose of this solicitation
BDSB	= Business Development & Support Division
DBEDT	= Department of Business, Economic Development & Tourism
FY	= Fiscal Year (July of current year to June of next year)
GC	= General Conditions, issued by the Department of the Attorney General
GET	= General Excise Tax
HAR	= Hawaii Administrative Rules
HCE	= Hawaii Compliance Express
Hi-STEP	= Hawaii State Trade Expansion Program
Hi-STEP-CA	= Hawaii State Trade Expansion Program - Company Assistance
HRS	= Hawaii Revised Statutes
Procurement Officer	= The Director of the Department of Business, Economic Development & Tourism
RFP	= Request for Proposal
SBA	= U.S. Small Business Administration
State	= State of Hawaii, including each department and political subdivision
Submission Site	= URL where applicants in response to the RFP submit their proposals by completing the Questionnaire and uploading supporting documents

**1.02 INTRODUCTION**

The Business Development & Support Division (BDSD), a division of the State of Hawaii (State) Department of Business, Economic Development & Tourism (DBEDT), is accepting applications for the Hawaii State Trade Expansion Program – Company Assistance (HiSTEP–CA), which is closely aligned with BDSD’s mission to increase and expand the range of exports from the State. This solicitation begins on the date listed in Section 1.04 and closes at 4:00 PM (HST) on January 10, 2024.

The Hawaii State Trade Expansion Program is funded in part through a grant from the U.S. Small Business Administration (SBA).

**1.03 CANCELLATION**

The RFP may be cancelled and any or all proposals rejected in whole or in part, without liability, when it is determined to be in the best interest of the State.

**1.04 RFP SCHEDULE AND SIGNIFICANT DATES**

The schedule set out herein represents the State’s best estimate of the schedule that will be followed. All times indicated are Hawaii Standard Time (HST). If a component of this schedule, such as "Advertising of Request for Proposals" date is delayed, the rest of the schedule will likely be shifted by the same number of days. The approximate schedule is as follows:

Advertising of Request for Proposals	November 10, 2023
Deadline to Submit Written Questions	December 1, 2023
State’s Response to Written Questions Through Posted Written Addenda	December 8, 2023
Date for Online Submission of Applications	January 10, 2024, 4:00 PM HST
Notice of Awards	February 2, 2024

## **SECTION TWO**

### **BACKGROUND**

#### **2.01 BDS D MISSION**

The mission of the Business Development & Support Division (BDS D) of the Department of Business, Economic Development & Tourism (DBEDT) is to facilitate the growth and development of viable and innovative industry sectors in Hawaii's economy. The Division focuses on exporting and globalization of Hawaii products and services as well as supporting and increasing Hawaii's international role in trade and business investment. BDS D's duties include, but are not limited to:

- Promoting industry development and economic diversification in Hawaii.
- Supporting existing and emerging targeted industry sectors including consumer goods, food products, natural products, technology and innovation industry products and services.
- Increasing exports of Hawaii's products and services.

#### **2.02 BDS D PRIORITIES FOR 2024**

Specifically within the mission stated above, BDS D seeks opportunities to expand exports of Hawaii produced goods and services and grow the number of Hawaii-based companies that are active in global markets. These goals can be achieved through sponsorship of Hawaii pavilions at trade shows and Hawaii trade missions overseas and also through programs to assist individual companies with their export market development.

#### **2.03 PURPOSE OF THE REQUEST FOR PROPOSAL (RFP)**

BDS D is posting this open solicitation to provide public notice, promote fair competition, and to create a consistent documented procedure for evaluating and handling application proposals for the HiSTEP-CA program.

Supported by a grant through the U.S. Small Business Administration (SBA), the Hawaii State Trade Expansion Program (HiSTEP) is a **multifaceted** program designed to assist Hawaii small businesses with their export development. In addition to HiSTEP-Company Assistance (HiSTEP-CA), which involves this RFP, companies should familiarize themselves with the other components of HiSTEP since all the components are inextricably linked and reinforce each other. The other components are:

- HiSTEP – Export Readiness Program (HiSTEP-ERP): A foundation program comprised of a series of export webinars/seminars and a one-on-one business advising session that prepare Hawaii companies to begin or expand their export market plans. At the conclusion of the program, companies will have a go-to-market strategy and export plan.

- HiSTEP – Market Entry and Expansion Activities (HiSTEP-MEEA): Activities include participation in Hawaii Pavilions at major international trade and consumer shows; and opportunity to conduct sales and promotion on various e-commerce platforms.

**Companies interested in applying for HiSTEP-Company Assistance or participating in any HiSTEP activity must complete the 2024 HiSTEP registration form**, found at: <https://dbedtbdsd.tfaforms.net/64>. Upon registering, you will be assigned to one of the HiSTEP partner organizations to schedule a one-on-one business advising session, as described in the HiSTEP-ERP section above.

For more information on HiSTEP, go to: <http://invest.hawaii.gov/exporting/histep/>

## 2.04 THE HISTEP-CA PROGRAM SCOPE AND OBJECTIVES

The HiSTEP Company Assistance program (HiSTEP-CA) is designed to increase exports of Hawaii produced goods and services by providing financial assistance to individual Hawaii companies with export market development activities such as participation in trade shows and missions.

Success metrics for the HiSTEP-CA include, but are not limited to 1) expanded exports and revenue from exports of Hawaii produced goods and services; 2) a larger overall number and a larger percentage of Hawaii-based companies that are active in global markets; and 3) penetration of new markets for Hawaii produced goods and services.

In addition to the above metrics, the committee will also consider “return on investment” or “ROI” **for each dollar spent on an applicant, how much revenue will be generated in that applicant’s export sales.**

**Hawaii companies submitting application proposals for this solicitation are expected to be export ready, New to Export (NTE) companies. A new to export company is defined as one that has no export experience, or has an ‘accidental’ or ‘occasional’ export, or has not exported in over 18 months. If you are not a NTE company, please refer to the solicitation for Market Expansion (ME) companies, RFP-24-06-BDSD.**

Application proposals will be evaluated, classified, and selected by a committee comprised of representatives from three or more of the following organizations: DBEDT, Hawaii Department of Agriculture, Hawaii Technology Development Corporation/ Innovate Hawaii, Hawaii Pacific Export Council, Export Assistance Center/U.S. Department of Commerce, Foreign Trade Zone, the Hawaii Small Business Development Centers, and the Patsy T. Mink Center for Business & Leadership.

## 2.05 PROGRAM ELIGIBILITY

Any Hawaii company that meets SBA's definition of an "eligible small business concern:"

- Company is organized or incorporated in the U.S.
- Company is operating in the U.S.
- Company meets the SBA’s size standards to be categorized as a small business.
- Company has been in business for not less than one (1) year.

- Company has access to sufficient resources to bear the costs associated with trade, including the costs of packing, shipping, freight forwarding, and custom brokers.
- Company certifies that it is not barred from receiving federal funds.
- Company's products and services to be exported are of U.S. origin or have at least 51% U.S. content.

Additional eligibility requirements:

- Company has a business and export plan.
- Company is listed as compliant in Hawaii Compliance Express (HCE).
- Priority will be given to companies whose Hawaii-made product meets the "Made in Hawaii" designation as defined under Hawaii Revised Statutes Section 468-119, stipulating that the product will have at least 51% of the wholesale value added by manufacture, assembly, fabrication, or production within the State.
- For service providers, priority will be given to companies who perform at least 51% of their services within the State.

See additional priorities noted in the last paragraph of Section 2.07.

## **2.06 AWARD AMOUNTS PER COMPANY**

Application proposals can request a minimum of \$3,000 and a maximum of \$5000.

## **2.07 ALLOWABLE USE OF AWARD FUNDS**

The use of HiSTEP funds are limited to the following eligible activities:

1. Participation in foreign trade missions
2. Subscription to services provided by the U.S. Department of Commerce (e.g., Gold Key Service)
3. Payment of website fees
4. Design of marketing media
5. Trade show exhibition
6. Procurement of consultancy services (This activity is allowed only after consultation with the U.S. Department of Commerce to avoid duplication of services.)
7. Other export initiatives

**Refer to Exhibit A, "HiSTEP Guide to Eligible Activities and Expenses" for definitions of the eligible activities and the eligible expenses within each activity category.**

All activities and payments for activities funded by this award must be completed no later than September 29, 2024.

**Due to the limited amount of funds available in 2024 for the HiSTEP-CA New to Export, priority will be given to first time applicants of HiSTEP-CA; to companies that can demonstrate in their export development plan a significant financial commitment to implement their export development strategy; and to companies that have multiple activities in their export development plan, including activities beyond just participating in one or more of the HiSTEP-MEEA, which are already heavily subsidized.**

## **2.08 DISBURSEMENT OF AWARD FUNDS AND REPORTING**

Payments will be made on a reimbursable basis upon submission of proper supporting documents and receipts approved by the State.

Companies will be required to submit a report using the HiSTEP-CA report form to be provided by DBEDT at the completion of this program. As a recipient of federal funds, DBEDT is required to report results to the SBA. To the extent allowed by law, individual company sales information will be kept confidential and all sales figures will be aggregated for reporting to the SBA.



## SECTION THREE

### APPLICATION FORMAT AND CONTENT

#### 3.01 INTRODUCTION

One of the objectives of this RFP is to make application preparation easy and efficient. When an Applicant submits an application, it must be a complete submission responding to this RFP and it must show how it accomplishes the objectives described in **Section 2.04 THE HISTEP-CA PROGRAM SCOPE AND OBJECTIVES**. **The Application must be submitted online (see 3.06 for instructions)**

Applicants must download the following forms at <https://invest.hawaii.gov/exporting/histep/company-assistance-histep-ca/>, complete them and then scan them for uploading to the submission site:

1. Budget template (example in Section 4, Part D).
2. Applicant Form AF-1 with the complete name and address of Applicant's firm and the name, mailing address, telephone number, and e-mail address of the person the State should contact regarding the application (see sample form in Attachment 1).

Applicants must prepare the following in pdf format for uploading to the submission site:

3. Export Market Development Plan (outlined in Section 4, Part C).
4. A transmittal letter to confirm that the Applicant shall comply with the requirements, provisions, terms, and conditions specified in this RFP.
5. Certificate of Vendor Compliance from Hawaii Compliance Express (see Section 5.02).
6. The following documentation must be completed and submitted as described in sections 3.02, 3.03, and 3.04.

#### 3.02 APPLICATION QUESTIONS

Applicants must respond on the submission site to an "APPLICANT QUESTIONNAIRE" in **Section Four, Parts A and B** of this RFP providing basic company information and demonstrating "export readiness," a key criterion of this program. Point totals for evaluation purposes are listed with each question. The questionnaire accounts for 25% of the evaluation point total.

### 3.03 EXPORT MARKET DEVELOPMENT PLAN

To facilitate the evaluation process, applicants must also provide a summary sheet in pdf format (four pages maximum) titled “EXPORT MARKET DEVELOPMENT PLAN” outlining the company’s marketing strategy to enter overseas markets over the next year. A template plan is included in **Section Four, Part C** of this RFP. This part of the RFP is worth 50% of the evaluation points. Please include ALL of your export marketing activities, not just those for which you are seeking HiSTEP reimbursement. This includes your participation in Hawaii Pavilions.

### 3.04 BUDGET

A “BUDGET” in pdf format must also be provided with the “EXPORT MARKET DEVELOPMENT PLAN.” A budget template is included in **Section Four, Part D** of this RFP. This part of the RFP is worth 25% of the evaluation points. The budget shall align with the timeline of the export market development plan. Please include ALL of your budget items for your export marketing activities, not just those for which you are seeking HiSTEP reimbursement. This includes your participation in Hawaii Pavilions.

### 3.05 SUPPLEMENTAL INFORMATION

Include as attachments any additional relevant material in pdf format to be considered such as information about a trade show your company proposes to attend. The additional material should help the selection committee better understand the benefit of your company participating in the marketing activity. Please limit attachments to no more than **four** pages.

### 3.06 SUBMISSION OF APPLICATION

The submission of an application shall constitute an incontrovertible representation by the Applicant of compliance with every requirement of the RFP, and that the RFP documents are sufficient in scope and detail to indicate and convey reasonable understanding of all of its terms and conditions.

Before submitting an application, each Applicant must:

- 1) Examine the solicitation documents thoroughly. Solicitation documents include this RFP, any attachments, plans referred to herein, and any other relevant documents;
- 2) Become familiar with state, local, and federal laws, statutes, ordinances, rules, and regulations that may in any manner affect cost, progress, or performance of the work.

Applications shall be received electronically by DBEDT’s Business Development & Support Division **no later than 4:00 P.M. HST on Wednesday, January 10, 2024**. The official time of receipt of applications shall be determined by DBEDT’s time clock, and not by the time the applicant electronically sends its application. Applicants are encouraged to take appropriate measures to ensure timely receipt of their complete applications.

**Applicants must go to this webpage to review all instructions and submit their application:**

<https://invest.hawaii.gov/exporting/histep/company-assistance-histep-ca/>

**Only electronic applications will be accepted.**

LATE SUBMITTALS:

- 1) Submittals received after 4:00 P.M. (HST) on January 10, 2024, will be considered “late” and will be ineligible for consideration.
- 2) In all instances, Applicants are cautioned to make prior arrangements to ensure electronic delivery by the due date and time.

### **3.07 PRESENTATION**

As part of the evaluation process, at the discretion of the evaluation committee, applicants will be invited to present their export plan and respond to questions in a half hour Zoom meeting organized after proposals are due, January 10, 2024 and before the awards announcement on February 2, 2024. In anticipation of this presentation applicants should prepare a five (5) slide (maximum) presentation of their export development plan and be prepared to make a 10-15 minute presentation and answer questions for 10-15 minutes.

**SECTION FOUR**

**SCOPE OF WORK**

**APPLICANT QUESTIONNAIRE AND EVALUATION**

**(To be completed online; go to**

**<https://invest.hawaii.gov/exporting/histep/company-assistance-histep-ca/>)**

The total number of points used to score this application is 100

**Part A** (Proposal considered non-responsive if Part A is not fully completed.)

Name of company:

Address:

City:

State:

Zip Code:

Phone:

Email:

Fax (if any):

Website (if any):

Head of company (e.g., CEO, President):

Name, title and contact info for authorized representative for this program:

State of Hawaii general excise tax (G.E.T.) number:

Federal ID number:

Year company established:

Company structure (select one):

- Sole proprietorship
- Partnership
- Limited Liability Company
- Corporation

Business scope (select one):

- Agriculture
- Manufacturing /processing
- Services
- Other, please list: \_\_\_\_\_

NAICS Code (must be 6 digits):

Number of full-time employees in Hawaii:

Annual gross revenue of most recent year:

**Part B** (25 points)

Do you consider your company a New to Export company? Yes/No

*If you answered **NO** to this question you should review and respond to RFP-24-06-BDSD which is designed for Market Expansion companies.*

Do you sell to the U.S. Mainland?

If your company is currently exporting, please list countries:

Percent of gross annual revenue from sales outside Hawaii:

Percent of gross annual revenue from sales outside the US:

Company's product/service to market outside the US using HiSTEP-CA program:

Is product or service produced in Hawaii? (Refer to Applicant Form AF-2, Made in Hawaii Valuation for Manufacturers or Applicant Form, AF-3 Hawaii Content Valuation for Service Companies)

Who is your company's customer? (select one):

- Wholesalers
- Distributors / agents
- Retailers
- Direct to consumers
- Direct to businesses
- Combination of above

What market(s) outside the U.S. do you wish to use HiSTEP-CA for?

How do you want to use the HiSTEP-CA Award (see Section 2.07 Allowable Use of Award Funds):

**Part C** (50 points)

Please attach a maximum four-page **export development plan** for your company that includes how you will use the HiSTEP-CA award and the success metrics including ROI you expect. Please include ALL of your export marketing activities for the year, not just those for which you are seeking HiSTEP reimbursement. Also include a timeline for your activities (Review **Section 2.04** for the type of success metrics DBEDT must report).

Include in the company export development plan:

Summary of company business plan.

Company business model.

Brief description of products/services to be marketed and competitive advantages of products/services.

Foreign markets company will enter with those products or services and why.

Company's strategy to be successful in those markets.

Distribution channels company will use.

Company's sales targets for this marketing program.

Company follow up that will be needed to close sales.

List company activities and include a timeline for company export development plan.

#### **Part D (25 points)**

Please prepare a **budget** using the budget template downloaded from <https://invest.hawaii.gov/exporting/histep/company-assistance-histep-ca/> (see sample format below). Please include ALL budgets for your export marketing activities, not just those activities for which you are seeking HiSTEP reimbursement.

**When developing your budget, please refer to Section 2.07 Allowable Use of Award Funds, and Exhibit A, "HiSTEP Guide to Eligible Activities and Expenses" for definitions of the eligible activities and the eligible expenses within each activity category. All activities and payments for activities funded by this award must be completed no later than September 29, 2024.**

It is expected that proposed trade shows will take place outside of the U.S. Proposed trade shows that take place in the U.S. must be an international show (that is, it must be attended by foreign buyers, not just U.S. buyers.) U.S. trade shows will be closely scrutinized. Contact HiSTEP staff for a determination as to whether or not the U.S. show qualifies to be covered under the HiSTEP-CA.

**2024 HISTEP-Company Assistance (New to Export)  
BUDGET**

<b>ACTIVITY CATEGORY: (as outlined in the HISTEP Guide to Eligible Activities and Expenses)</b>		<b>Foreign Trade Mission</b>	<b>US Dept of Commerce Services</b>	<b>Website Fees</b>	<b>Design of Marketing Media</b>	<b>Trade Show Exhibition</b>	<b>Consultancy Services</b>	<b>Other Export Initiatives</b>
<b>EXPENSE CATEGORY:</b>								
1	Airfare & baggage fees							
2	Registration fees							
3	Booth space and buildout							
4	Trade show catalog/ad fees							
5	Design of marketing materials (for a specific mission/trade show/sales trip)							
6	Market research							
7	Shipping sample products							
8	Interpretation services							
9	USDOC service fee(s)							
10	Website localization/translation							
11	SEO in a specific market							
12	E-commerce setup/maintenance							
13	Online payments for int'l sales							
14	Online platform for int'l sales							
15	Cybersecurity protection-int'l sales							
16	Design, creation, production and translation of int'l marketing material							
17	Market entry/growth strategy	(\$4,000.00)						
18	Customized market research							
19	Certification and compliance testing							
20	Export credit insurance fees							
21	IP protection service fees							
22	Foreign market sales trip (*Fill in budget items 1, 5, 6, 7 and 8, as applicable)							*
<b>Sub-totals by Activity Category</b>		0	0	0	0	0	0	0
<b>Total - ALL ACTIVITIES</b>		0						

<b>AMOUNT REQUESTED from HISTEP (not to exceed \$5,000)</b>
<b>APPLICANT CONTRIBUTION</b>

**\*IMPORTANT NOTE!**

HiSTEP funds used for airfare are subject to the *Fly America Act* which requires that an individual travel on a U.S. Flag Carrier, even if a foreign carrier is less expensive or more convenient.

**Exceptions:**

1. If airfare is not paid for with HiSTEP funds, the *Fly America Act* is not applicable.
2. If travel is to a destination for which an "Open Skies Agreement" has been negotiated, the *Fly America Act* is not applicable. The U.S. currently has four of these agreements in effect with the following countries: European Union, Australia, Switzerland and Japan.

Other narrower, more trip-specific exceptions exist, particularly when flying in-country. Anyone seeking approval for an exception must obtain written approval prior to travel.

Additionally, HiSTEP will only reimburse up to two (2) passengers for economy/coach class airfare. Individuals may choose to fly business or first class but must cover the additional cost over and above the economy fare on their own.



## SECTION FIVE

### APPLICANT SELECTION AND CONTRACT AWARD

#### 5.01 SCOPE

All resulting contracts shall be in accordance with, and may incorporate, this RFP, including the special provisions in this section, the Scope of Work specified herein, the Applicant's successful proposal, and the General Conditions (GC), incorporated by reference and available at the BSDS or online at: <http://hawaii.gov/forms/internal/department-of-the-attorney-general/103d/view>

#### 5.02 RESPONSIBILITY OF APPLICANT

Applicant is advised that in order to receive an award under this solicitation, applicant is required to be compliant with all laws governing entities doing business in the State pursuant to HRS §103D-310(c) and verified through Hawaii Compliance Express (HCE).

Timely Registration on HCE. Applicants are encouraged to register on HCE as soon as possible. Applicant shall include a copy of **Certificate of Vendor Compliance** with their application proposal even if it shows the vendor as non-compliant. At the time of award, the Applicant must be compliant or the Applicant will not receive the award.

Refer to the **Section 5.10 Award of Funds** for instructions on registering for HCE.

#### 5.03 CONTRACT ADMINISTRATOR

For the purposes of any contracts awarded pursuant to this RFP, Jamie Lum, (808) 587-2753 is designated the Contract Administrator.

#### 5.04 OVERVIEW OF THE RFP PROCESS

- a. The RFP is issued pursuant to Subchapter 6 of HAR Chapter 3-122, implementing HRS Section 103D-303.
- b. The procurement process begins with the issuance of the RFP and the formal response to any written questions or inquiries regarding the RFP, which will be made only by written Addendum.
- c. All proposals and other material submitted by Applicants become the property of the State and may be returned only at the State's option.
- d. The Procurement Officer, or an evaluation committee selected by the Procurement Officer, shall evaluate the applications in accordance with the evaluation and selection criteria in Section Four. Applications may be accepted on evaluation without discussion or the Procurement Officer or his designee may enter into discussions to clarify issues regarding the Applicant's proposal before the Applicant submits a Best and Final proposal.

- e. After evaluation, the Procurement Officer or the evaluation committee will make its recommendations. The Procurement Officer will award the funds IF the proposal is determined to be advantageous to the State taking into consideration the evaluation factors set forth in **Section Four**.
- f. Notice of awards, if any, will be posted at: <https://hands.ehawaii.gov/hands/awards>. As awards are made all evaluated proposals, successful and unsuccessful, become available for public inspection.
- g. The Procurement Officer or the evaluation committee reserves the right to determine what is advantageous to and in the best interest of the State for purposes of reviewing and evaluating applications submitted in response to the RFP. The Procurement Officer or the evaluation committee will conduct a comprehensive, fair and impartial evaluation of applications received in response to the RFP.
- h. Notice of award or decline will be provided by email followed by a hard copy letter mailed through the U.S. Postal Service.

#### **5.05 REQUIRED REVIEW OF RFP**

Applicant shall carefully review this solicitation for defects and questionable or objectionable matter. Comments concerning defects and questionable or objectionable matter **must be submitted per Section 5.06 below**. This will allow issuance of any necessary corrections and/or amendments should there be any to the RFP.

#### **5.06 QUESTIONS ABOUT THE RFP**

All questions must be submitted in writing by the date noted in Section 1.04 RFP Schedule and Significant dates, or as amended, and directed to the BSDS Contract Administrator. Questions shall be submitted through email to: [jamie.k.lum@hawaii.gov](mailto:jamie.k.lum@hawaii.gov) with subject line "Ref: RFP-24-07-BSDS." BSDS will respond to written questions by the date noted in Section 1.04 RFP Schedule and Significant Dates, or as amended, by posting an addendum to the solicitation at <https://hands.ehawaii.gov/hands/opportunities>.

#### **5.07 CONFIDENTIAL INFORMATION**

If an applicant believes any information, data, or other material submitted contains information that should be withheld as confidential, then the Procurement Officer named on the cover of this RFP must be so advised in writing and provided with justification to support the confidentiality claim. Price is not considered confidential and will not be withheld.

**An Applicant shall request in writing nondisclosure of designated trade secrets or other proprietary data considered confidential. Such data shall accompany the application, be clearly marked, and shall be readily separable from the application in order to facilitate eventual public inspection of the non-confidential portion of the application.**

If a request is made to inspect the confidential or proprietary data, the head of the purchasing agency or designee shall consult with the Attorney General and make a written determination in accordance with HRS Chapter 92F. If the request for confidentiality is denied, such information shall be disclosed as public information, unless the person appeals the denial to the Office of Information Practices in accordance with HRS Section 92F-42(1).

#### **5.08 APPLICATION OPENING**

Applications shall not be viewed publicly. Upon posting of awards, the following information shall be open to the public: the contract, the Evaluation Committee's criteria for selection, the applications both successful and unsuccessful, and other items pursuant to HAR Section 3-122-58, except any confidential portions.

#### **5.09 CANCELLATION OF RFP AND APPLICATION REJECTION**

The State reserves the right to cancel this RFP and to reject any and all applications in whole or in part when it is determined to be in the best interest of the State, pursuant to HAR Section 3-122-96 through 3-122-97.

The State shall not be liable for any costs, expenses, loss of profits or damages whatsoever, incurred by the Applicant in the event this RFP is cancelled or an application is rejected.

#### **5.10 AWARD OF FUNDS**

**Method of Award.** Awards will be made to the responsible Applicants whose proposals are determined to be the most advantageous to the State based on the evaluation criteria set forth in the RFP.

**Responsibility of Applicant.** Pursuant to HRS Chapter 103D-310(c), the selected applicant shall at the time of award be compliant with all laws governing entities doing business in the State including the following chapters:

1. Chapter 237, tax clearance;
2. Chapter 383, unemployment insurance;
3. Chapter 386, workers' compensation;
4. Chapter 392, temporary disability insurance;
5. Chapter 393, prepaid health care; and
6. Chapter 103D-310(c), Certificate of Good Standing (COGS) for entities doing business in the State.

The State will verify compliance on Hawaii Compliance Express (HCE).

**Hawaii Compliance Express.** The HCE is an electronic system that allows applicants doing business with the State to quickly and easily demonstrate compliance with applicable laws. It is an online system that replaces the necessity of obtaining paper compliance certificates from the Department of Taxation, Federal Internal Revenue Service; Department of Labor and Industrial Relations, and Department of Commerce and Consumer Affairs.

Applicant should register with (HCE) prior to submitting an application at <https://vendors.ehawaii.gov>. There is a nominal annual registration fee and the 'Certificate of Vendor Compliance' is required for the execution of a contract and final payment.

**Timely Registration on HCE.** Applicants are encouraged to register on HCE as soon as possible. If a recipient is not compliant on HCE at the time of award, the Applicant shall not receive the award.

Refer to Section 5.02 for additional Certificate of Vendor Compliance requirements for this RFP.

## **5.11 ADDITIONAL TERMS AND CONDITIONS**

The State reserves the right to add terms and conditions during the Award negotiations. These terms and conditions will be within the scope of the RFP and will not affect the proposal evaluation.

## **5.12 CONTRACT**

Successful Applicants receiving an award shall enter into a written contract. The RFP, the successful Application, and the State's General Conditions, may become part of the contract. No work is to be undertaken by an Applicant awarded a contract prior to the official commencement date of the contract. The State shall not be liable for any work, contract, costs, expenses, loss of profits, or any damages whatsoever incurred by the Applicant prior to the official commencement date.

The term of the contract shall be from the effective date of the contract to the end of the project period, unless an extension is granted in accordance with the State's General Conditions, paragraph 19, Modifications of Contract, or other applicable provision.

The HiSTEP-CA is funded in part through a grant from the U.S. Small Business Administration, Grant No. SBAOITST220040 and SBAOITST230095; therefore, the terms and conditions of this award shall become part of the contract. Applicants receiving an award shall be solely responsible for complying with all federal laws, regulations, and requirements applicable to the award.

## **5.13 PAYMENT**

Payments will be made to the Applicant on a reimbursable basis upon submission of proper documentation and receipts approved by the State.

## **5.14 DEBRIEFING AND PROTEST**

Pursuant to HAR Section 3-122-60, an applicant not selected for award may submit a written request for a debriefing within three (3) working days after the posting of awards.

A protest shall be submitted in writing within five (5) working days following the debriefing.

A protest shall be submitted in writing within five (5) working days after the aggrieved person knows or should have known of the facts giving rise thereto; provided that a protest based upon the content of the solicitation shall be submitted in writing prior to the date set for submission of applications, and further provided that a protest of a decline of application shall be submitted within five (5) working days after the posting of awards.

The notice of awards, if any, resulting from this solicitation shall be posted on the Procurement Reporting System, which is available on the SPO website: <https://hands.ehawaii.gov/hands/awards>.

Any protest shall be submitted in writing to *Dennis T. Ling*, DBEDT, 250 South Hotel Street, Suite 503, Honolulu, HI 96813.

#### **5.15 NON-DISCRIMINATION**

The Applicant awarded a contract pursuant to this solicitation shall comply with all applicable federal and state laws prohibiting discrimination against any person on the grounds of race, color, national origin, religion, creed, sex, age, sexual orientation, marital status, handicap, or arrest and court records in employment and any condition of employment with the Applicant or in participation in the benefits of any program or activity funded in whole or in part by the State.

#### **5.16 CONFLICTS OF INTEREST**

The Applicant represents that neither the Applicant, nor any employee or agent of the Applicant, presently has any interest, and promises that no such interest, direct or indirect, shall be acquired, that would or might conflict in any manner or degree with the Applicant's performance of this contract.

#### **5.17 FEDERAL FUNDS**

Awards shall be payable from federal funds. Contractors agree that they shall be paid only from such funds received from the federal government and shall not be paid from any other funds.

#### **5.18 ADDITIONS, AMENDMENTS AND CLARIFICATIONS**

**Approvals.** Any contract arising out of this solicitation may be subject to the approval of the Department of the Attorney General as to form, and is subject to all further approvals, including the approval of the Governor, required by statute, regulation, rule, order, or other directive.

**Records Retention.** The contractor and any subcontractors shall maintain the books and records that relate to the contract and any cost or pricing data for three (3) years from the date of final payment under the contract.

**Competency of Offeror.** Prospective Applicant must be capable of performing the work for which applicants are being called. Either before or after the deadline for an application,

the BSDS may require Applicant to submit answers to questions regarding facilities, equipment, experience, personnel, financial status or any other factors relating to the ability of the Applicant to furnish satisfactorily the goods or services being solicited by the STATE. Any such inquiries shall be made and replied to in writing; replies shall be submitted over the signatures of the person who signs the application. Any Applicant who refuses to answer such inquiries will be considered non-responsive.

**SECTION SIX**

**APPLICANT FORM 1 (AF-1)**

**HAWAII STATE TRADE EXPANSION PROGRAM - COMPANY ASSISTANCE (NTE)**

STATE OF HAWAII

BUSINESS DEVELOPMENT & SUPPORT DIVISION, DEPARTMENT OF BUSINESS,

ECONOMIC DEVELOPMENT & TOURISM

RFP-24-07-BDSD

Dennis Ling  
Business Development & Support Division  
State of Hawaii  
250 South Hotel Street, Suite 503  
Honolulu, Hawaii 96813

Dear Mr. Ling:

The undersigned has carefully read and understands the terms and conditions specified in the RFP, and in the General Conditions, by reference made a part hereof and available upon request; and hereby submits the following application 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 application, 1) he/she is declaring his/her application 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.

Applicant is:

- Sole Proprietor     Partnership     \*Corporation     Joint Venture
- Other \_\_\_\_\_

\*State of incorporation: \_\_\_\_\_

Hawaii General Excise Tax License I.D. No. \_\_\_\_\_

Federal Tax I.D. No. \_\_\_\_\_

Payment address (other than street address below): \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Business address (street address): \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Respectfully submitted:

Date: \_\_\_\_\_

(x) \_\_\_\_\_

Authorized (Original) Signature

Telephone No.: \_\_\_\_\_

\_\_\_\_\_  
Name and Title (Please Type or Print)

Fax No.: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

\_\_\_\_\_  
**Exact Legal Name of Company\*\***

**(Applicant)**

\*\*If Applicant 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: \_\_\_\_\_