

## **PROPOSAL**

**CONTRACT NO. RFB-RC-SWR-CIP-2020-02  
MAIN PUMP STATION UPGRADE PROJECT  
ROCKLAND COUNTY SEWER DISTRICT NO. 1**

SUBMITTED BY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ FEDERAL ID NO.: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_ TITLE: \_\_\_\_\_

SIGNATORY FOR CONTRACT: \_\_\_\_\_

TITLE: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

Board of Commissioners  
Rockland County Sewer District No. 1  
Route 340  
Orangeburg, New York 10962

Gentlemen:

1. Having carefully examined the Contract Documents and having personally investigated the site and the conditions affecting the work, the undersigned Bidder hereby proposes to furnish all labor and material, and to perform all work in strict accordance with the Contract Documents (including addenda) for the bid prices hereinafter set forth in this Bid for:

CONTRACT NO. RFB-RC-SWR-CIP-2020-02  
MAIN PUMP STATION UPGRADE PROJECT  
ROCKLAND COUNTY SEWER DISTRICT NO. 1

2. The undersigned Bidder agrees that: a) if this bid is accepted, he will execute the Contract and furnish to the Owner the one hundred (100) percent Performance and Payment bonds and insurance certificates required, within twenty (20) calendar days of the date of the Notice of Award of the Contract; and b) he will begin work within ten (10) calendar days of the date of the Notice To Proceed and will prosecute the work in such manner as to complete all work within Five Hundred Seventy Seven (577) calendar days of the date of Notice to Proceed.
3. The undersigned Bidder acknowledges that he has included with his bid the required Bid Security for not less than five (5) percent of the total amount of his Bid.
4. The Bidder understands and agrees that the Owner reserves the right to accept bids, or reject any or all bids submitted, within one hundred forty (140) calendar days from the date of bid opening. The Bidder agrees that it will not withdraw its Bid for said 140-day period.

5. The Bidder understands and agrees that if he is awarded the contract, he will not subcontract more than thirty-five (35) percent of the dollar value of the contract work without written authorization from the Owner.
6. The Bidder agrees to comply with Resolution 471 of 1975 and will submit with his Bid an Affirmative Action Plan if his business (1) employs a minimum of 15 employees and (2) does a minimum of \$50,000 per annum business with Rockland County. The Bidder further understands and agrees that if an affirmative action plan is required but not attached to the Bid, the contract will not be awarded.
7. The undersigned Bidder acknowledges receipt of all Addenda, complete as issued by the Owner and that related costs are included in his bid price. Receipt of the said addenda is acknowledged as follows:

Addendum # _____	Dated _____
Addendum # _____	Dated _____
Addendum # _____	Dated _____
Addendum # _____	Dated _____

8. The undersigned Bidder further agrees to comply with all of the requirements of the Contract Documents.
9. BID PRICES:

For furnishing all labor, materials, tools, equipment and performance of all services required to complete all work of **Contract No. RFB-RC-SWR-CIP-2020-02** in conformance with the Contract Documents.

**SCHEDULE OF BID ITEMS - CONTRACT NO. RFB-RC-SWR-CIP-2020-02**

Pay Item No.	Estimated Quantity	Bid Item Description Unit Price In Words	Unit Price In Figures Dollars Cents	Extended Total In Figures Dollars Cents
1	Lump Sum	Mobilization/Demobilization For  _____ Dollars _____ Cts./L.S.	\$ _____	\$ _____
2	Lump Sum	Construction For  _____ Dollars _____ No Cts./L.S.	\$ _____	\$ _____
3	Stipulated Lump Sum	Miscellaneous Additional Work For Two Hundred Fifty Thousand Dollars _____ No Cts./L.S.	\$250,000.00	\$250,000.00

4	Stipulated Lump Sum	Record Documents For	Forty Thousand Dollars			
			No	Cts./L.S.	\$50,000.00	\$50,000.00

**CONTRACT NO. RFB-RC-SWR-CIP-2020-02 - Total Price of Bid in Words:**

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**CONTRACT NO. RFB-RC-SWR-CIP-2020-02 - Total Price of Bid in Figures:**

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*To be verified by extension of above items.*

**NOTES:**

1. In case of a discrepancy between the unit prices written in words and in figures, the unit prices written in words shall govern. In case of a discrepancy between unit prices bid and extended totals, the unit prices shall govern.
2. Refer to Specification Section 01150 for Bid Item Descriptions.

## **ATTACHMENTS**

Attached to this Bid, duly executed by the undersigned are the following:

Section A - Statement of Participation in Contracts Subject to the Nondiscrimination Clause

Section B - Disclosure of Political Contributions Pursuant To Chapter 323 of the Rockland County Code

Section C - Disclosure of Supplier Responsibility Statement

Section D - Affirmative Action Plan Certification

Section E - Business Dealings in Northern Ireland – MacBride Principles

Section F - Certification of Compliance with the Iran Divestment Act.

Section G - Certification Regarding Boycott, Divest, and Sanctions (BDS) Activities

Section H - Certificate of Non-Collusion

Section I - Certification by Proposed Prime or Subcontractor.

Section J - References

Section K - Consent of Surety.

Section L - Certificate of Workers' Compensation Experience Modification.

Section M - Contract Forms Required for SRF Funded Projects

IN WITNESS WHEREOF the bidder has executed this bid or proposal \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.

*Bidder Sign Here:*

Firm Name: \_\_\_\_\_

By: \_\_\_\_\_

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

ACKNOWLEDGEMENT OF INDIVIDUAL

STATE OF \_\_\_\_\_)

) ss:

COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ before me personally came  
\_\_\_\_\_ to me known and known to me  
to be the individual described in and who executed the foregoing instrument and he acknowledged to me that he  
executed the same.

\_\_\_\_\_  
Notary Public

ACKNOWLEDGEMENT BY A PARTNER ON BEHALF OF A CO-PARTNERSHIP

STATE OF \_\_\_\_\_)

) ss:

COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me personally came \_\_\_\_\_ to me known and known to me to be a member of the co-partnership composed of \_\_\_\_\_ and carrying on business under the firm name and style of \_\_\_\_\_ and who executed the foregoing instrument, and the same \_\_\_\_\_ acknowledged to me that he executed the same on behalf of the said co-partnership.

\_\_\_\_\_  
Notary Public

ACKNOWLEDGEMENT BY CORPORATION

STATE OF \_\_\_\_\_)

) ss:

COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me personally came \_\_\_\_\_ to me known, who, being by me duly sworn, did depose and say that he resides in the County of \_\_\_\_\_ and that he is the \_\_\_\_\_ of \_\_\_\_\_ the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation, and that he signed his name thereto by like order.

\_\_\_\_\_  
Notary Public

**STATEMENT OF REQUIRED DISCLOSURES,  
REPRESENTATIONS AND CERTIFICATIONS**

All forms must be completed.  
A notary is only required for one page.

Name of the Reporting Entity:

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Address:

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Remit to Address (if different from above):

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Federal ID No.: \_\_\_\_\_

Name of Individual Completing this form: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Telephone Number: (\_\_\_\_) \_\_\_\_\_

Telefax Number: (\_\_\_\_) \_\_\_\_\_

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

Signatory First and Last Name: \_\_\_\_\_

Signatory Title: \_\_\_\_\_

## **SECTION A**

### **STATEMENT OF PARTICIPATION IN CONTRACTS** **SUBJECT TO NON-DISCRIMINATION CLAUSE**

The Bidder shall complete the following statement by checking the appropriate boxes:

The Bidder has ( ) has not ( ) participated in a previous contract subject to the nondiscrimination clause prescribed by Executive Order 10925, or Executive Order 11114, or Executive Order 11246.

The Bidder has ( ) has not ( ) submitted all compliance reports in connection with any such contract, due under the applicable filing requirements; and that representations indicating submission of required compliance reports signed by proposed subcontractors will be obtained prior to award of subcontracts.

If the Bidder has participated previously in a contract subject to the nondiscrimination clause and has not submitted compliance reports due under applicable filing requirements, the Bidder shall submit a compliance report on Standard Form 100, "Employee Information Report, EEO-1" prior to the award of the Contract.



**SECTION B**

**DISCLOSURE OF POLITICAL CONTRIBUTIONS PURSUANT TO  
CHAPTER 323 OF THE ROCKLAND COUNTY CODE**

1. The reporting Entity is (*Check One*):

\_\_\_\_\_ An Individual      \_\_\_\_\_ A Partnership      \_\_\_\_\_ A Corporation

2. The reporting Entity (*Check One*):

\_\_\_\_\_ Will Enter into a contract with the County of Rockland, in excess of Ten Thousand Dollars (\$10,000.00), which did not result from Public Bidding.

\_\_\_\_\_ Is currently under a contract with the County of Rockland in excess of Ten Thousand Dollars (\$10,000.00)

3. The reporting entity, its members, directors, policymaking officers, or majority shareholders, have directly or indirectly made the following contributions to the persons or organizations listed below.

*(Please list all contributions having a value in excess of two hundred dollars (\$200.00) per year made to any political party or any individual or any committee for an individual running for public office in Rockland county or in a district in which Rockland County is located, for a period of three (3) years prior to the date of subscribed below.):*

Note: Please answer "none" or list each contribution separately (use additional sheets if necessary)

<b>Name of Contributor</b>	<b>Relationship to Reporting Entity</b>	<b>Contribution Made To</b>	<b>Date of Contribution</b>	<b>Value and Nature of Contribution</b>

## **SECTION C**

### **DISCLOSURE OF SUPPLIER RESPONSIBILITY STATEMENT**

1. List any convictions of any person, subsidiary, or affiliate of the company, arising out of obtaining, or attempting to obtain a public or private contract, or subcontract, or in the performance of such contract or subcontract.  

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2. List any convictions of any person, subsidiary, or affiliate of this company for offenses such as embezzlement, theft, fraudulent schemes, etc. or any other offense indicating a lack of business integrity or business honesty which affect the responsibility of the contractor.  

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3. List any convictions or civil judgments under state or federal antitrust statutes.  

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4. List any violations of contract provisions such as knowingly (without good cause) to perform, or unsatisfactory performance, in accordance with the specifications of a contract.  

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5. List any prior suspensions or debarments by any government agency.  

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6. List any contracts not completed on time.  

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7. List any documented violations of federal or state labor laws, regulations or standards, or occupational safety and health rules.  

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## **SECTION D**

### **AFFIRMATIVE ACTION PLAN CERTIFICATION**

1. The subscriber below, authorized on behalf of the Reporting Entity in the title/position indicated hereinabove, states the following: *(Please check one box in both a. and b.)*
  - a. The above-named Reporting Entity ☐ DOES or ☐ DOES NOT employ fifteen (15) or more employees;  
AND
  - b. The above-named Reporting Entity
    - ☐ DOES transact a minimum of \$50,000 per annum business with the County of Rockland.
      - IF SO, based on this above information, a copy of the Reporting Entity's Affirmative Action Plan OR EEO (Equal Employment Opportunity) Policy is attached to this Form.
    - ☐ DOES NOT transact a minimum of \$50,000 per annum business with the County of Rockland.

## **SECTION E**

### **BUSINESS DEALINGS IN NORTHERN IRELAND-MACBRIDE PRINCIPLES**

1. The subscriber below, authorized on behalf of the Reporting Entity in the title/position indicated hereinabove, certifies the following, in accordance with Article 5 of the County of Rockland Procurement Policy: (check one)
  - a. The above-named Reporting Entity and any individual or legal entity in which the Reporting Entity holds a 10% or greater ownership interest and any individual or legal entity that holds a 10% or greater ownership in the contract, either: *(check, as applicable)*

☐ Has NO business operations in Northern Ireland.

**OR**

☐ Shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles relating to the nondiscrimination in employment and freedom of workplace opportunity regarding such operations in Northern Ireland, and shall permit independent monitoring of their companies with such Principles.

## **SECTION F**

### **CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT**

Pursuant to State Finance Law §165-a, on August 10, 2012 the Commissioner of the Office of General Services (OGS) posted a prohibited entities list of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law) on the OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>

By submitting a bid in response to a County solicitation or by assuming the responsibility of a Contract awarded hereunder, each Bidder/Contractor, any person signing on behalf of any Bidder/Contractor and any assignee or subcontractor and, in the case of a joint bid, each party thereto, certifies, under penalty of perjury, that once the Prohibited Entities List is posted on the OGS website, that to the best of its knowledge and belief, that each Bidder/Contractor and any subcontractor or assignee is not identified on the Prohibited Entities List created pursuant to SFL § 165-a(3)(b).

Additionally, Bidder/Contractor is advised that once the Prohibited Entities List is posted on the OGS Website, any Bidder/Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to this solicitation must certify at the time the Contract is renewed, extended or assigned that it is not included on the Prohibited Entities List.

During the term of the Contract, should the County receive information that a Bidder/Contractor is in violation of the above• referenced certification, the County will offer the person or entity an opportunity to respond. If the person or entity fails to demonstrate that he/she/it has ceased engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the County shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor in default.

The County reserves the right to reject any bid or request for assignment for a Bidder/Contractor that appears on the Prohibited Entities List prior to the award of a contract and to pursue a responsibility review with respect to any Bidder/Contractor that is awarded a contract and subsequently appears on the Prohibited Entities List.

*(Please check box)*

1. ☐ The subscriber below, authorized on behalf of the Reporting Entity in the title/position indicated hereinabove, certifies that he/she is *neither the Bidder/Contractor nor any proposed subcontractor as identified on the Prohibited Entities List.*

## **SECTION G**

### **CERTIFICATION REGARDING BOYCOTT, DIVEST AND SANCTIONS (BDS) ACTIVITIES**

1. The subscriber below, authorized on behalf of the Reporting Entity in the title/position indicated hereinabove, certifies the following, in accordance with Article 5 of the County of Rockland Procurement Policy: *(check box)*

☐ The Reporting Entity/Contractor and any individual or legal entity in which the contractor/reporting entity holds a 10% (ten percent) or greater ownership interest and any individual or legal entity that holds a 10% (ten percent) or greater ownership in the contract does NOT engage in any Boycott, Divest and Sanctions (BDS) activities [which activities are defined as advocating for the boycott of Israel, divestment from Israel and International sanctions against Israel, and otherwise engaging in, promoting or supporting the global campaign to increase economic and political pressure in Israel to comply with the stated goals of the BDS movement.

## **SECTION H**

### **CERTIFICATE OF NON-COLLUSION**

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge and belief:

1. The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
2. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
3. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

## SECTION I

### CERTIFICATION BY PROPOSED PRIME OR SUBCONTRACTOR REGARDING EQUAL EMPLOYMENT OPPORTUNITY

\_\_\_\_\_  
Name of Prime Contractor

\_\_\_\_\_  
Project No.

#### INSTRUCTIONS:

This certification is required pursuant to Executive Order 11246, Part II, Section 203(b), (30 F.R. 12319-25). Any bidder or prospective contractor, or any of their proposed subcontractors, shall state as an initial part of the bid or negotiations of the contract whether it has participated in any previous contract or subcontract subject to equal the opportunity clauses; and, if so, whether it has filed all compliance reports due under applicable instructions.

Where the certification indicated that the prime or subcontractor has not filed a compliance report due under applicable instructions, such contractor shall be required to submit a compliance report.

#### CONTRACTOR'S CERTIFICATION

Contractor's Name: \_\_\_\_\_

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

1. Bidder has participated in a previous contract or subcontract subject to the Equal Opportunity Clause.  
YES \_\_\_\_\_ NO \_\_\_\_\_
2. Compliance reports were required to be filed in connection with such contract or subcontract.  
YES \_\_\_\_\_ NO \_\_\_\_\_ If YES, state what reports were filed and with what agency.
3. Bidder has filed all compliance reports due under applicable instructions, including EEO-1.  
YES \_\_\_\_\_ NO \_\_\_\_\_
4. If answer to Item 3 is "NO", please explain in detail on reverse side of this certification. *(Please check box)*

☐ Certification – The information above is a true and complete to the best of my knowledge and belief.  
A willfully false statement is punishable by law. (U.S. CODE, Title 13, Section 1001).



**SECTION J**  
**REFERENCES**

The bidder is requested to state below what work similar to that proposed in the Contract he has done and give references that will enable the Owner and the Engineer to judge his experience, skill and business standing.

1. Description: \_\_\_\_\_  
Owner: \_\_\_\_\_  
Contact Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Contract Amount: \$ \_\_\_\_\_
  
2. Description: \_\_\_\_\_  
Owner: \_\_\_\_\_  
Contact Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Contract Amount: \$ \_\_\_\_\_
  
3. Description: \_\_\_\_\_  
Owner: \_\_\_\_\_  
Contact Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Contract Amount: \$ \_\_\_\_\_

## **SECTION K**

### **CONTRACT RFB-RC-SWR-CIP-2020-02 CONSENT OF SURETY**

(This Consent of Surety is Part of the Proposal)

KNOW ALL MEN BY THESE PRESENTS, that \_\_\_\_\_  
a corporation of the State of \_\_\_\_\_ having its principal office  
at \_\_\_\_\_ being a surety company  
incorporated in or authorized to do business in the State of New York, in consideration of the premises and of One Dollar to it in hand paid by the Owner and of other good and valuable consideration, and the receipt whereof is hereby acknowledged, does consent and agree, that if the Contract for which the preceding Proposal is made be awarded to the Bidder making the same, it will, upon the award of such Contract, become surety, first for the full and faithful performance of said work, and secondly for the protection of all persons performing or furnishing labor or materials for the performance of said Contract in the forms required; the Performance Bond and the Labor and Materials Payment Bond, each to be in an amount equal to one hundred (100) percent of the Contract Price, and to be conditioned so as to indemnify the owner against loss due to the failure of said Bidder to meet the provisions of said bonds; and if the said Bidder shall omit or refuse to execute such Contract and give the proper security for the performance and payment of labor and material thereof as specified in the Information for Bidders within five (5) days after written notice that award of said Contract has been made to said bidder and if the sum which said Owner may be obliged to pay to the person or persons by whom the Contract shall be finally executed exceeds the sum to which said Bidder making this Proposal would have been entitled, then said Surety Company will pay, without proof of notice or demand, to said Owner the amount of any such excess, without credit for any proposal guaranty or deposit payment which said Bidder may have furnished, said excess to be calculated upon the estimated quantities of work, labor and materials by which the bids are tested. In addition, the said Surety Company will pay, without proof of notice or demand to the Owner the total cost to the Owner for any readvertising for construction of the work included in the Contract.

**SECTION L**

**CERTIFICATE OF WORKERS' COMPENSATION EXPERIENCE MODIFICATION**

COUNTY OF ROCKLAND  
CERTIFICATION OF WORKERS' COMPENSATION EXPERIENCE MODIFICATION

STATE OF \_\_\_\_\_)

) ss:

COUNTY OF \_\_\_\_\_)

Name of Reporting Entity: \_\_\_\_\_

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

Telephone No.: \_\_\_\_\_ Ext: \_\_\_\_\_ Telefax No.: \_\_\_\_\_

THE REPORTING ENTITY IS: *(Check one of the following)*

\_\_\_\_\_ AN INDIVIDUAL

\_\_\_\_\_ A PARTNERSHIP

\_\_\_\_\_ A CORPORATION

THE REPORTING ENTITY:

Has a Workers' Compensation Experience Modification of 1.10 or less. *(Please check box)*

☐ Certification - The information above is true and I understand that this is a requirement for participation in the Project Insurance Coverage program.

## **SECTION M**

### **CONTRACT FORMS REQUIRED FOR SRF FUNDED PROJECTS**

**Contract No. RFB-RC-SWR-CIP-2020-02** will be made possible through financial assistance from the Clean Water State Revolving Fund (CWSRF) Program. Thus, any funding requirements for construction of treatment works will be deemed requirements for this project.

The following must be submitted with the Bid:

1. EEO Policy Statement
2. Documented Proof that EPA Form 6100-02 - DBE Subcontractor Participation Form was given to MWBE Subcontractors
3. EPA Form 6100-03 DBE Subcontractor Performance Form
4. EPA Form 6100-04 DBE Subcontractor Utilization Form

Refer to Appendix D, NYS Revolving Fund (SRF) Bid Packet for Construction Contracts or online at [www.efc.ny.gov](http://www.efc.ny.gov), in regard to completing the required forms.

Please note that the CWSRF AIS Contractor requirements do not apply for this project.

**NOTARY PAGE**

STATE OF \_\_\_\_\_)

) ss:

COUNTY OF \_\_\_\_\_)

All statements, disclosures and representations stated hereinabove this **STATEMENT REQUIRED DISCLOSURES, REPRESENTATIONS AND CERTIFICATIONS**, comprised of the preceding 14 pages and this page, are based upon my personal review of the books and records of the reporting entity. I declare, under oath or affirmation that all of the foregoing information, as well as any supplemental responses and statements that may be attached hereto are true to the best of my knowledge. I make these statements under the penalty of perjury, in my position/title held at the above-named Reporting Entity.

BY: \_\_\_\_\_  
(Signature)

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

## BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, \_\_\_\_\_ as Principal, and \_\_\_\_\_ as Surety, are hereby held and firmly bound unto ROCKLAND COUNTY SEWER DISTRICT NO. 1 as Owner in the sum of \$\_\_\_\_\_ for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

The condition of the above obligation is such that whereas the Principal has submitted to ROCKLAND COUNTY SEWER DISTRICT NO. 1 a certain Bid, attached hereto and hereby made a part hereof, to enter into a contract in writing, for the \_\_\_\_\_.

NOW THEREFORE,

- a) If said Bid shall be rejected, or in the alternate,
- b) If said Bid shall be accepted and the Principal shall execute and deliver a contract in the Form of Contract attached hereto (properly completed in accordance with said Bid) and shall furnish a bond for his faithful performance of said contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said Bid;

Then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all defaults of the Principal hereunder shall be the full amount of this Bond as stated above, plus all costs, interest and attorney fees. It is further understood and agreed that said amount is payable to the Owner as liquidated damages because of the difficulty of fixing the Owner's actual damages and that the amount of this bond is a reasonable estimate of the Owner's damages.

The Surety, for value received, hereby stipulates and agrees that the obligation of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which the Owner may accept such bid; and said Surety does hereby waive notice of any such extensions.

IN WITNESS WHEREOF, the Principal and Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

\_\_\_\_\_  
Principal

(SEAL)

\_\_\_\_\_  
Surety

By: \_\_\_\_\_

(ACKNOWLEDGMENT BY PRINCIPAL, UNLESS IT BE A CORPORATION)

STATE OF \_\_\_\_\_)

) ss:

COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came \_\_\_\_\_ to me known and known to me to be the person \_\_\_\_\_ described in and who executed the foregoing instrument and acknowledged that \_\_\_\_\_ he \_\_\_\_\_ executed the same.

\_\_\_\_\_  
Notary Public

(ACKNOWLEDGMENT BY PRINCIPAL, IT BE A CORPORATION)

STATE OF \_\_\_\_\_)

) ss:

COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came \_\_\_\_\_ to me known, who, being by me duly sworn, did depose and say that he resides in \_\_\_\_\_, that he is the \_\_\_\_\_ of the \_\_\_\_\_, the corporation described in and which executed the foregoing instrument; that he knew the seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

(SEAL)

\_\_\_\_\_  
Notary Public

(ACKNOWLEDGEMENT BY SURETY COMPANY)

STATE OF \_\_\_\_\_)

) ss:

COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came \_\_\_\_\_ to me known, who, being by me duly sworn, did depose and say that he resides in \_\_\_\_\_, that he is the \_\_\_\_\_ of the \_\_\_\_\_, the corporation described in and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said corporation, and that he signed his name thereto by like order; and that the liabilities of said company do not exceed its assets as ascertained in the manner provided by the laws of the State of New York.

(SEAL)

\_\_\_\_\_  
Notary Public