



## **Addendum 1**

October 20, 2022

SUCF 081058-00 Upgrade Elevators - Campus Wide at SUNY New Paltz, 1 Hawk Dr.  
New Paltz, NY 12561

Prepared for the "State University Construction Fund"

Prepared by MDSzerbaty Associates 307 Seventh Avenue, Suite 1501, New York, NY 10001 and  
IAQ Systems Inc., 555 Eighth Avenue, Suite 1502, New York, NY 10018

The following additions, deletions, and/or changes or clarifications to the drawings, specifications, and bidding documents for this project, shall become and are hereby made part of the Contract Documents. They change the original documents only in the manner and to the extent stated. Each bidder shall acknowledge receipt of this Addendum in the appropriate location on the bid proposal form.

This addendum consists of three (3) pages and three (3) attachments.



A handwritten signature in blue ink, reading "Michael D. Szerbaty".



**TABLE OF CONTENTS:**

1. Narrative Addendum 1
2. Attachments, October 20, 2022



## **1.Narrative Addendum 1**

### **Revisions to the Specifications:**

#### **1. Section 00 21 13 10 Notice to Bidders**

Replace this section in its entirety with Attachment 1, Section 00 21 13 10 Notice to Bidders.  
Labeled Addendum 1 dated October 20, 2022

#### **2. Section 00 25 13 Pre-Bid Meetings**

Replace this section in its entirety with Attachment 2, Section 00 25 13 Pre-Bid Meetings.  
Labeled Addendum 1 dated October 20, 2022

#### **3. Section 00 42 13 Proposal**

Replace this section in its entirety with Attachment 3, Section 00 42 13 Proposal.  
Labeled Addendum 1 dated October 20, 2022

### **Revisions to the Drawings:**

None



**Attachment 1**

**STATE UNIVERSITY CONSTRUCTION FUND  
NOTICE TO BIDDERS**

**(Newspaper Ad)**

The State University Construction Fund will receive sealed Proposals for Project No. 081058-00 Titled Upgrade Elevators Campus Wide at SUNY New Paltz until 2:00 p.m. Local Time on 11/09/2022 at the Fund's Office at H. Carl McCall SUNY Building, 353 Broadway, Albany NY 12246, where such proposals will be publicly opened and read aloud.

The Contractor shall complete all work necessary for substantial completion within 690 calendar days from receipt of the Notice to Proceed.

The Fund's project specific goals for this project are 10% MBE and 10% WBE and 3% SDV.

A pre-bid conference and project walk through will be held on 10/26/2022 with all contractors assembled at 11:00 a.m. in the Student Union Building Atrium.

Bidding and Contract Documents may be examined free of charge at the campus and at:

Consultant's Office MDSzerbaty & Associates Architecture, LLC  
307 Seventh Ave., Suite 1501, New York, NY 10001  
212-352-3307 attn: Tomoko Sawamura

Site (SUNY Campus) Megan Smailer 845-257-3391  
Plan Rooms

**CMD (formerly Reed)** (subscribers only):

Visit [www.cmdgroup.com](http://www.cmdgroup.com)

Dodge Reports

Visit [www.construction.com](http://www.construction.com)

Construction Journal

Visit <https://www.constructionjournal.com/>

Construc Contractors Assn of the Hudson Valley Inc.

Visit [www.ccahv.com](http://www.ccahv.com)

Minority Contractors Assoc of Central NY

Visit [stevenecoker@rocketmail.com](mailto:stevenecoker@rocketmail.com)

Eastern Contractors Assoc

Visit [www.ecainc.org](http://www.ecainc.org)

NYS Assoc of Minority Contractors

Visit [www.nysamc.com](http://www.nysamc.com)

Albany Ctr for Economic Success

Visit [l.wynne@acesincubator.org](mailto:l.wynne@acesincubator.org)

Mohawk Valley Builders Exchange

Visit [www.mvbe.com](http://www.mvbe.com)

Complete sets of Contract Documents for bidding may be obtained from the Consultant upon receipt of a payment of \$49.00 for a printed copy or \$10 for an electronic copy, made payable to the Consultant, for each complete set. The Fund waives fees and deposits for sets of the Contract Documents requested by NYS certified Minority- and Women-Owned Business Enterprise or Service-Disabled Veteran-Owned Business Enterprise.

Bids must be submitted in duplicate in accordance with the instructions contained in the Information for Bidders. Security will be required for each bid in an amount not less than five (5) percent of the Total Bid. Each bid must be identified, on the outside of the envelope, with the name and address of the bidder and designated a bid for the Project titled above. When a sealed bid is placed inside another delivery jacket, the bid delivery jacket must be clearly marked on the outside "BID ENCLOSED". Visit <http://www.sucf.suny.edu/business/bidcal.cfm> and download the "Bid and Post Bid Checklist" that gives bidders a one-page summary of how to be prepared if bidding.

It is the policy of the State of New York and the Fund to encourage minority/women's business enterprise participation in this project by contractors, subcontractors and suppliers, and all bidders are expected to cooperate in implementing this policy.

The Fund reserves the right to reject any or all bids.

**STATE UNIVERSITY CONSTRUCTION FUND**

**STATE UNIVERSITY CONSTRUCTION FUND  
NOTICE TO BIDDERS**

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The State University Construction Fund will receive sealed Proposals for Project No. 081058-00 Titled Upgrade Elevators Campus Wide at SUNY New Paltz until 2:00 p.m. Local Time on 11/09/2022 at the Fund's Office at the H. Carl McCall SUNY Building, 353 Broadway, Albany, NY 12246, where such proposals will be publicly opened and read aloud in Room S201. Bidders are encouraged to view the live stream of the bid opening broadcast on the day of the bid by using the link posted on the Fund's web page: <https://sucf.suny.edu/> Bidders are encouraged to submit their bids early by delivery service and use the bid modification process permitted in part (7) of Section 3 of the Information for Bidders.

All proposals and/or proposal modifications must be received and stamped in no later than 2:00 p.m. on the bid opening date. The Proposal may be hand delivered to Room S204A or be mailed or sent by delivery service to the State University Construction Fund, H. Carl McCall SUNY Building, 353 Broadway, Albany, New York 12246. Each bid must be identified, on the outside of the envelope, with the name and address of the bidder and designated a bid for the Project titled above. When a sealed bid is placed inside another delivery jacket, the bid delivery jacket must be clearly marked on the outside "BID ENCLOSED". Proposals that are mailed to the Fund must be delivered by 1:00 p.m. on the day of the scheduled bid opening and mailed Proposals must be sent using a delivery method that provides tracking and locating the Proposal. The Fund assumes no responsibility for any Proposal that is not delivered to the aforesaid address by 1:00 p.m on the bid opening date. See Section 3 of the Information for Bidders for additional instructions regarding proposals, including modifications. Please be advised that all individuals who access the H. Carl McCall SUNY Building to submit bids or attend bid openings will be required to present picture identification to building security officials and obtain a visitor's pass prior to entering the building. Bidder's arriving prior to 12:30 PM on the bid opening date may be asked to wait outside. There is no parking available for bidders at the H. Carl McCall SUNY Building and violators may be towed.

To assure delivery of their bid prior to the aforesaid deadline for receipt of bids, bidders should allow sufficient time for individuals to find public parking for their vehicles, to find the Visitor Entrance to the building, to be processed through building's health and security screening, to find the Fund's office within the building, to properly complete and submit their proposal, and to allow for delays that are typical for congested urban areas and crowded public bid openings. Bidders should provide the names of individual(s) who will deliver their bid to the Consultant (see contact information below) at least 48 hours prior to the bid date. Due to space limitations, the Fund reserves the right to control physical access into Room S201 and direct the individuals to other spaces in the building where they can view the live stream broadcast of the bid opening on their personal electronic device.

To assure delivery of their bid modification, if any, prior to the aforesaid deadline for receipt of bids, bidders should allow sufficient time to account for internet connectivity problems, to correct email address errors, to be processed through spam filters and security software and to allow or delays that are typical for congested internet servers. You may at any time send an email to the email address in part (7) of Section 3 of the Information for Bidders alerting the Fund of your intent to modify.

All work will be completed within 690 calendar days from receipt of the Notice to Proceed.

The Fund's project specific goals for this project are 10% MBE and 10% WBE and 3% SDV. See Sections 00 21 13 20 Information for Bidders, 00 21 13 30 MWBE Utilization Plan and Instructions and 00 21 13 30 SDVOB Form and Instructions for more information.

A pre bid conference and project walk through will be held on 10/26/2022 with all contractors assembled at 11 a.m. in the Student Union Building Atrium For additional information, see Section 15 of the Information for Bidders.

There is no free parking on campus for those attending the walk through. Violators may be ticketed and towed.

Bidding and Contract Documents may be examined free of charge at:

Consultant's Office MDSzerbaty & Associates Architecture, LLC  
307 Seventh Ave., Suite 1501, New York, NY 10001  
212-352-3307 attn: Tomoko Sawamura

Site (SUNY Campus) Megan Smailer 845-257-3391

Plan Rooms

**CMD (formerly Reed)**(*subscribers only*):

Dodge Reports

Construction Journal

Construc Contractors Assn of the Hudson Valley Inc.

Minority Contractors Assoc of Central NY

Eastern Contractors Assoc

NYS Assoc of Minority Contractors

Albany Ctr for Economic Success

Mohawk Valley Builders Exchange

Visit [www.cmdgroup.com](http://www.cmdgroup.com).

Visit [www.dodgeprojects.construction.com](http://www.dodgeprojects.construction.com)

Visit <https://www.constructionjournal.com/>

Visit [www.ccahv.com](http://www.ccahv.com)

Visit [stevencoker@rocketmail.com](mailto:stevencoker@rocketmail.com)

Visit [www.ecainc.org](http://www.ecainc.org)

Visit [www.nysamc.com](http://www.nysamc.com)

Visit [www.l.wynne@acesincubator.org](mailto:l.wynne@acesincubator.org)

Visit [www.mvbe.com](http://www.mvbe.com)

Plans will be available on 09/22/2022 from Bluedge, 575 Eighth Avenue New York, NY 10018, 212-366-7250, [csr.ny@bluedge.com](mailto:csr.ny@bluedge.com) in either electronic or paper format. Bidders will be able to access the project online at the Printer's web site:

<https://dfs.nrinet.us/bluedge>

To register as a plan holder and purchase bid documents follow the link provided. The home screen under Project Search contains the Bluedge contact inform to purchase the documents and register as a plan holder. To view thumbnails select "View project details" under the content tab you will be able to select folders to view plans or specifications.

Bidders who register as a planholder through the Printer may acquire the bidding and contract documents using the following options:

1. For a fee of ten dollars (\$10), interested firms may request and receive an electronic download of the bidding and contract documents. At the bidder's expense, purchase a printed copy or copies of the bid set.
2. For a fee of ten dollars (\$10), interested firms may request and receive a CD with electronic copies of the bidding and contract documents. At the bidder's expense, purchase a printed copy or copies of the bid set.
3. For a fee of \$49, interested firms may request and receive a printed copy of the complete set. An electronic download or copy on CD will not be provided.

The Fund waives fees and deposits for sets of the Contract Documents requested by NYS certified Minority- and Women-Owned Business Enterprise or Service-Disabled Veteran-Owned Business Enterprise. Payments of less than \$50.00 are non-refundable. Deposits of \$50.00 or more will be returned to all entities who have paid the aforesaid deposit for the entire set of Bidding and Contract Documents and who return such sets to the Consultant in good condition within forty-five (45) calendar days after the opening of bids, not exceeding five (5), so returned to the Consultant.

Bids must be submitted in duplicate in accordance with the instructions contained in the Information for Bidders. A Bid Security will be required for each bid in an amount not less than five (5) percent of the Total Bid. To provide for an efficient bid opening, do not include documents other than your Proposals and securities in your bid envelope. It is the policy of the State of New York and the Fund to encourage minority and women-owned business enterprise participation in this project by contractors, subcontractors and suppliers. All bidders are expected to cooperate in implementing this policy.

Please be advised that the Fund's insurance requirements are contained in the bidding documents. Paragraph (1)a of Section 5.06 of Article V of the Agreement requires that all insurance must be provided by companies approved by the Fund, licensed to do business in the State of New York ("admitted" carriers), and rated at least "A-" by A.M. Best Company. Excess line insurers are not acceptable. See <https://sucf.suny.edu/sites/default/files/docs/GuidanceToSubmitInsuranceCertificates.pdf> All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to State Finance Law for 100% of the amount of the Contract.

Please visit <http://www.sucf.suny.edu/business/bidcal.cfm> and download the "Bid and Post Bid Checklist" that gives bidders a one page summary of how to be prepared if bidding.

Please note that Sections 139-j and 139-k of the State Finance Law imposes certain restrictions on communications between the Fund and bidders during the procurement process. Pursuant to those sections of law, the Fund designates the following email addresses for persons to which communications concerning this procurement may be sent:

[SUCF.ConstructionBids@suny.edu](mailto:SUCF.ConstructionBids@suny.edu) to contact one of the following people:  
Robbilee Luedtke (518) 320-1837, Samantha Lord, Robert Kanarkiewicz, or Jeremy Clausi.

[SUCF.OpportunityAdmin@suny.edu](mailto:SUCF.OpportunityAdmin@suny.edu) for MWBE SDVOB issues only to contact the following person:  
Scott Clay.

[SUCF.Insurance@suny.edu](mailto:SUCF.Insurance@suny.edu) for insurance issues only to contact the following person: Jack Amodeo.

Contact with other than the above-designated Fund employees concerning this procurement may result in the rejection of your bid. To purchase plans or for technical inquiries specific to this project, please contact the Architect or Engineer of Record.

Notice on Vendor Responsibility Questionnaires (CCA-2): The CCA-2 has been updated by the Office of the State Comptroller and submission of the updated CCA-2 will be required for any bids received after 9/1/2022; however, the updated CCA-2 may be used prior to this date. It is recommended that bidders and nominated subcontractors review and re-certify their CCA-2 as soon as feasible. See Information for Bidders Section 8, Submission of Post Bid Information, for additional information.

INTEGRITY HOTLINE: As part of its Corporate Integrity Program, the Fund operates an Integrity Hotline 24-hours a day, seven-days a week. If you have knowledge of or suspect fraudulent, unethical, or other misconduct on a Fund project, please call the Hotline toll-free at 866-543-8107 or locally at 518-320-1525. All calls will be received and reviewed only by the Corporate Integrity Officer. Calls can be made anonymously or on a confidential basis. The identity of confidential callers will be fully protected. The Hotline is not equipped with Caller ID and no effort will be made to identify anonymous callers.

The Fund reserves the right to reject any or all bids.





**Attachment 2**

## Section 00 25 13 Pre-Bid Meetings

A pre-bid conference and project walk-through will be held on 10/26/2022 with all Bidders assembled at 11:00 a.m. in the Student Union Building Atrium at SUNY New Paltz.

No individual or additional walk-throughs may be performed during the prebid time period. Vehicle parking must comply with campus regulations. Failure to attend a walk-through shall not be the cause for extra payment.

Attached is a copy of the Campus' standard regulations to be followed during walk through.

The pre-bid meeting shall be chaired by the Consultant with the following as the minimum agenda:

1. Confirm that bidders have a full bid package including any addenda issued to date.

**Please be advised of new standard documents:**

- a. For projects bidding after February 7, 2020, see the Agreement dated February 2020 and review it in its entirety.
  - b. See Section 01 74 19 Construction Waste Management has been added at the request of the SUNY Sustainability Coalition. Please review the section and consider how to meet its goal for recycling at least 50% of the construction and demolition waste generated by this contract. (Hold questions on scope until item 5 below)
  - c. See Section 11 of 00 21 13 20 Information for Bidders for participation by MBEs and WBEs. The MBE/WBE participation goals for this project are:
    - 10 percent for MBE participation
    - 10 percent for WBE participation
  - d. See Section 12 of the Information for Bidders for participation by Service-Disabled Veteran-Owned Businesses. The SDVOB goal for this project is 3%
2. Review the timetable for submitting questions and issuing addenda.
  3. Confirm the bid date and time.
  4. Advise bidders that no changes to the Contract Documents are binding unless included in an addendum.
  5. Review the project scope and schedule. Describe the main concepts of the project.

October 20, 2022

- a. Review the list of sole/single source products listed in General Requirements Section 01 26 43 Amendments (if any) and remind bidders that all costs for these products are covered by the base bid and no equivalents will be permitted.
6. Describe and discuss any Campus restrictions regarding security, access, worker prerequisites for entry to Campus, parking, and/or other restrictions that create cost and time difficulties related to this project.
7. Refer the bidders to the 00 21 13 20 Contractors Bid and Post Bid Checklist.
  - a. Review the specific Qualifications for Bidders and the nominated subcontractors as written in the Information for Bidders with the attendees.
  - b. Note that that Sections 7 Qualification of Bidders, 8 Submission of Post Bid Information and 10 Required Bonds in 00 21 13 20 Information for Bidders have been changed.
  - c. Note that all insurance must be provided by companies approved by the Fund, licensed to do business in the State of New York (“admitted” carriers), and rated at least “A-” by A.M. Best Company. Excess line insurers are not acceptable. Bidders and Asbestos subs must consult their insurance company/agent prior to bidding.
    - i. To clarify how to confirm if a bidder’s insurer is licensed to do business in the State of New York (“admitted” carriers), bidders and their insurance agents should search for their insurance companies at the following website: <https://www.dfs.ny.gov/insurance/tocol4.htm> . To search, select the link titled: “Insurance Company Search”.
    - ii. Excess line insurers are not acceptable and these firms are listed at this website: <http://www.elany.org/nyes.aspx?d=1002> .
  - d. If the Fund issues a Notice of Award and the bidder doesn’t provide acceptable insurance, then the Fund may rescind the award and take other actions to which it is entitled. All resulting costs and time delay are solely the responsibility of the bidder.
8. Note the change lowering the dollar threshold for named subcontractors back to \$20,000.
9. Have a question and answer session.
10. Tour the site and existing conditions.



**Attachment 3**

\_\_\_\_\_  
NAME OF BIDDER

\_\_\_\_\_  
ADDRESS OF BIDDER

00 42 13 **PROPOSAL FOR SUCF PROJECT NO. 081058-00**

**Upgrade Elevators - Campus Wide**

SUNY New Paltz

**TO THE STATE UNIVERSITY CONSTRUCTION FUND:**

1. The Bidder agrees that it shall complete all work necessary for substantial completion within 690 calendar days from receipt of the Notice to Proceed.

In the event the bidder fails to complete such work by said date, or within the time to which such completion may have been extended in accordance with the Contract Documents, the bidder agrees to pay the Fund liquidated damages in the sum of \$900 for each calendar day of delay in completing the work.

2. The bidder hereby declares that it has carefully examined all Bidding and Contract Documents and that it has inspected the actual location of the work, together with the local sources of supply, has satisfied itself as to all the quantities and conditions, and understands that in signing this Proposal, it waives all right to plead any misunderstanding regarding the same.
3. The bidder further understands and agrees that it is to do, perform and complete all work in accordance with the Contract Documents and to accept in full compensation therefor the amount of the TOTAL BID, modified by such additive or deductive alternates, if any, as are accepted by the Fund.
4. The bidder further agrees to accept the unit prices, if any, set forth in paragraph (5) hereof, except as the same may be modified pursuant to the provisions of Section 5 of the Information to Bidders, as full payment for any deletions, additions, modifications or changes to the portion or portions of work covered by said unit prices.
5. a. **BID CALCULATION:**

- (1) All work including Allowances (if any) listed in 5.d. below and excluding Field Order Allowance

\_\_\_\_\_  
(In words) \$ \_\_\_\_\_  
(In figures)

- (2) Field Order Allowance: Schedule III and Section 4.05A of the Agreement  
Two Hundred Eighty Five Thousand dollars

\_\_\_\_\_  
(In words) \$ 285,000 \_\_\_\_\_  
(In figures)

- (3) TOTAL BID Add lines (1) and (2)

\_\_\_\_\_  
(In words) \$ \_\_\_\_\_  
(In figures)

- b. **ALTERNATES:** Refer to 01 23 00 Alternates (Section B) of the General Requirements. The bidder proposes the following Additions to or Deductions from the TOTAL BID for the alternatives listed below:

<u>Alternate Number</u>	<u>Add/ Deduct</u>	<u>Amount In Words</u>	<u>Amount In Figures</u>
"None"			

- c. **UNIT PRICES:** The bidder or the Fund may insert unit prices for the work or materials listed below. Refer to Section 5, paragraph (2) of the Information to Bidders, Schedule 1 and Article IV Section 4.04 of the Agreement for clarification. Such unit prices apply solely for additions. The Fund may, however, adjust any unit price filled in by a bidder to an amount agreeable to both the bidder and the Fund, or it may reject any unit price. The amount of any unit price accepted or agreed to by the Fund shall be reduced by 15 percent for any deduction in the work or materials covered by such unit price.

<u>Work or Materials Description</u>	<u>Amount in Words</u>	<u>Amount in Figures</u>
"None"		

- d. **ALLOWANCES:** The bidder further agrees that its TOTAL BID includes the Allowance(s) listed below. Refer to Schedule II and Sections 4.04 and 4.05 of the Agreement for clarification:

<u>Work or Materials Description</u>	<u>Amount in Words</u>	<u>Amount in Figures</u>
"None"		

6. 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 his or her knowledge and belief: (a) 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; (b) unless otherwise required by law, the prices 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 (c) no attempt has been made or will be made by the bidder to induce any person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

A bid shall not be considered for award nor shall any award be made where (a), (b) and (c) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (a), (b), and (c) above shall have not been complied with, the bid shall not be considered for award nor shall any award be made unless the General Manager of the Fund, or his designee, determines that such disclosure was not made for purposes of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of this Section.

7. The bidder agrees that if awarded the Contract, it will commence work upon receipt of the Notice to Proceed and that it will fully complete the work by the date stated or within the duration herein, as applicable.

8. The bidder acknowledges the receipt of the following addenda, but agrees that it is bound by all addenda whether or not listed herein.

Addendum Number	Date	Addendum Number	Date
_____	____/____/____	_____	____/____/____
_____	____/____/____	_____	____/____/____
_____	____/____/____	_____	____/____/____

9. The Omnibus Procurement Act of 1992, as amended, requires that, by signing this Proposal, the bidder certifies that whenever its Total Bid amount is greater than \$1,000,000: (a) it has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors on this Project, and has retained the documentation of these efforts to be provided upon request to the State; (b) it has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended; (c) it agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this Project through listing any such positions with Community Services Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The bidder further agrees to document these efforts and to provide said documentation to the State and the Fund upon request, and agrees to cooperate with the State in these efforts. Documented efforts by a successful bidder shall consist of and be limited to showing that such bidder has:

- a. Solicited bids, in a timely and adequate manner, from New York State Business Enterprises including certified Minority and Women's owned Business Enterprises, or
- b. Contacted the New York State Department of Economic Development to obtain listings of New York State Business Enterprises, or
- c. Placed notices for subcontractors and suppliers in newspapers, journals and other trade publications distributed in New York State, or
- d. Participated in bidder outreach conferences.
- e. If the bidder determines that New York State Business Enterprises are not available to participate on the Contract as subcontractors or suppliers, the bidder shall provide a statement indicating the method by which such determination was made.
- f. If the bidder does not intend to use subcontractors on the Contract, the bidder shall provide a statement verifying such intent.

10. The bidder submits herewith bid security in an amount not less than five (5) percent of the Total Bid. In the event that

(a) the bidder's Total Bid is the lowest one submitted and the bidder does not timely provide the Post-Bid Information required under Section 8 of the Information for Bidders; or

(b) this Proposal is accepted by the Fund and the bidder shall refuse or neglect, within ten (10) working days after date of receipt of Notice of Award to:

- (1) execute and deliver an Agreement in the form provided herein; or
- (2) execute and deliver a Performance Bond and a Labor and Material Bond in the amounts required and in the form prescribed; or
- (3) provide proof of insurances required in Article V of the Agreement; or

- (4) provide the 120-day Schedule required by the General Requirements, Special Conditions paragraph 01 32 16, titled "Project Schedule;"

then the bidder shall be liable to the Fund, as liquidated damages, for the amount of the bid security or the difference between the Total Bid of the bidder and the Total Bid of the bidder submitting the next lowest bid, whichever sum shall be higher, otherwise the total amount of the bid security will be returned to the bidder in accordance with the provisions set forth in the Information for Bidders.

The Fund may apply the bid security in full or partial payments, as the case may be, of said liquidated damages and in the event the bid security is less than the amount of liquidated damages to which the Fund is entitled, the bidder shall pay the difference, upon demand, to the Fund.

11. The bidder certifies that all wood products that are to be used in the performance of this Contract shall be in accordance with the Specifications and provisions of Section 167 b. of the State Finance Law which Section prohibits the purchase and use of tropical hardwoods.
12. The bidder affirms that it understands and agrees to comply with the procedures of the Fund relative to permissible contacts as required by Sections 139-j(3) and 139-j-(6)(b) of the State Finance Law.
13. The bidder certifies that all information provided or to be provided to the Fund in connection with this procurement is, as required by Section 139-k of the State Finance Law, complete, true and accurate.

Dated \_\_\_\_\_  
(Legal name of person, partnership, joint venture, corporation, or LLC)

(If corporation, affix corporate seal) By \_\_\_\_\_  
(Signature)  
Title \_\_\_\_\_

Firm's Federal ID Number or Social Security Number as applicable \_\_\_\_\_

Firm's NYS SFS Vendor Identification Number \_\_\_\_\_

Check: Is Firm NYS-Certified\* MBE? ☐ Yes WBE? ☐ Yes

*(\*Defined as independent business concerns which are at least 51% owned and controlled by minority group members or women (citizens of the United States or permanent resident aliens who are Black, Hispanic, Asian or American Indian), whose ownerships in the concerns are real, substantial and continuing and who have and exercise the authority to independently control the decisions of the concerns)*

**ATTENTION BIDDERS: ALSO FULLY EXECUTE PAGES P-5, P-6, P-7, P-8, P-9, P-10, AND P-11.**



THE POST OFFICE ADDRESS OF THE BIDDER

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Telephone No. \_\_\_\_\_ Email Address \_\_\_\_\_

***If a Corporation***

Name	Address
_____, PRESIDENT	_____
_____, SECRETARY	_____
_____, TREASURER	_____

***If a Partnership***

Name of Partners	Address
_____	_____
_____	_____
_____	_____

***If a Joint Venture***

Name of Members	Address
_____	_____
_____	_____
_____	_____

***If an Individual***

Name of Individual	Address
_____	_____

***If a Limited Liability Corporation***

Name	Address
_____	_____
_____	_____
_____	_____

STATE UNIVERSITY CONSTRUCTION FUND  
H. Carl McCall SUNY Building 353 Broadway • Albany, New York 12246  
**Offerer Disclosure of Prior Non-Responsibility Determinations**

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address:

Name and Title of Person Submitting this Form:

SUCF Project Number: \_\_\_\_\_

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

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? ☐No ☐Yes

If yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law Section 139-j: ☐No ☐Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? ☐No ☐Yes

4. If you answered "yes" to any of the above questions, please provide details regarding the finding of non-responsibility below.

Governmental Entity: \_\_\_\_\_

Date of Finding of Non-Responsibility: \_\_\_\_\_

Basis of Finding of Non-Responsibility: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Add additional pages as necessary)

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? ☐No ☐Yes

6. If yes, please provide details below.

Governmental Entity: \_\_\_\_\_

Date of Termination or Withholding of Contract: \_\_\_\_\_

Basis of Termination or Withholding: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Add additional pages as necessary)

Offerer certifies that all information provided to SUCF with respect to State Finance Law Section 139-k is complete, true and accurate. Submit form with original signature with Proposal.

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

Signature

\_\_\_\_\_

Date



**STATE UNIVERSITY CONSTRUCTION FUND**  
**H. Carl McCall SUNY Building 353 Broadway • Albany, New York 12246**

**Certification Regarding Sexual Harassment Prevention Policies**  
**Pursuant to State Finance Law §139-I**

By submission of this proposal, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.

I, \_\_\_\_\_, hereby affirm, under penalty of perjury, that  
Printed Name of Person Executing Certification

I am \_\_\_\_\_ of the above-named bidder, that I am  
Printed Title of Person Executing Certification

authorized to make this certification on behalf of such bidder, and I further certify that this certification is true, accurate and complete to the best of my knowledge and belief.

The undersigned, being duly sworn, says (a) I am duly authorized to execute this Certification and (b) I hereby certify, under penalty of perjury, that the foregoing Certification is in all respects true and accurate.

\_\_\_\_\_  
signature

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.:  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came

\_\_\_\_\_, to me known and known to me to be the person(s)  
described in and who executed the foregoing instrument and acknowledged that he/she executed the same.

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

Submit form with original signatures

## ENCOURAGING USE OF NEW YORK STATE BUSINESSES IN CONTRACT PERFORMANCE

New York State businesses have a substantial presence in State contracts and strongly contribute to the economies of the state and the nation. In recognition of their economic activity and leadership in doing business in New York State, bidders/proposers for this contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles.

Bidders/proposers need to be aware that all authorized users of this contract will be strongly encouraged, to the maximum extent practical and consistent with legal requirements, to use responsible and responsive New York State businesses in purchasing commodities that are of equal quality and functionality and in utilizing services and technology. Furthermore, bidders/proposers are reminded that they must continue to utilize small, minority and women-owned businesses, consistent with current State law.

Utilizing New York State businesses in State contracts will help create more private sector jobs, rebuild New York's infrastructure, and maximize economic activity to the mutual benefit of the contractor and its New York State business partners. New York State businesses will promote the contractor's optimal performance under the contract, thereby fully benefiting the public sector programs that are supported by associated procurements.

Public procurements can drive and improve the State's economic engine through promotion of the use of New York businesses by its contractors. The State therefore expects bidders/proposers to provide maximum assistance to New York businesses in their use of the contract. The potential participation by all kinds of New York businesses will deliver great value to the State and its taxpayers.

Bidders/proposers can demonstrate their commitment to the use of New York State businesses by responding to the question below:

Will New York State Businesses be used in the performance of this contract? ☐ Yes ☐ No

SUCF Project Number: \_\_\_\_\_

If yes, identify New York State Business(es) that will be used; (list identifying information below).

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(Attach additional identifying information with the bid as required)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature

Print Name and Title: \_\_\_\_\_

Contractor Name: \_\_\_\_\_

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

STATE UNIVERSITY CONSTRUCTION FUND  
H. Carl McCall SUNY Building 353 Broadway • Albany, New York 12246

## EO 177 Certification

The New York State Human Rights Law, Article 15 of the Executive Law, prohibits discrimination and harassment based on age, race, creed, color, national origin, sex, pregnancy or pregnancy-related conditions, sexual orientation, gender identity, disability, marital status, familial status, domestic violence victim status, prior arrest or conviction record, military status or predisposing genetic characteristics.

The Human Rights Law may also require reasonable accommodation for persons with disabilities and pregnancy-related conditions. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner. The Human Rights Law may also require reasonable accommodation in employment on the basis of Sabbath observance or religious practices.

Generally, the Human Rights Law applies to:

- all employers of four or more people, employment agencies, labor organizations and apprenticeship training programs in all instances of discrimination or harassment;
- employers with fewer than four employees in all cases involving sexual harassment; and,
- any employer of domestic workers in cases involving sexual harassment or harassment based on gender, race, religion or national origin.

In accordance with Executive Order No. 177, the Bidder hereby certifies that it does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected status under the Human Rights Law.

Executive Order No. 177 and this certification do not affect institutional policies or practices that are protected by existing law, including but not limited to the First Amendment of the United States Constitution, Article 1, Section 3 of the New York State Constitution, and Section 296(11) of the New York State Human Rights Law.

Contractor Name: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature

Print Name and Title: \_\_\_\_\_

## Attachment A – List of Completed Similar Construction Projects

Bidder Name:

SUCF Pr

Bidders must provide three (3) example projects completed in the past five (5) years in which the Bidder served as the prime contractor. Example projects should include project name, location, project scope and complexity to the project currently being bid, as further described in the General Requirements, Section 01 11 00, Description of Work. Example projects should include project Owner/Agency, Award Date, Contract Amount, Date Completed, Contact Person, Telephone number of the contact, Architect and/or Engineer's Name, Project Start Date, Project End Date, Email, and the Project Title and a brief scope description. Reference contacts may be used to verify project size, scope, dollar value, percentages and other project information.

1.	Agency/Owner			Award Date	Contract A
	Agency/Owner Contact Person		Telephone No.	Designer Architect and /or Design Engineer	
	Contract No.	Contact Email	Project Title & Scope		
2.	Agency/Owner			Award Date	Contract A
	Agency/Owner Contact Person		Telephone No.	Designer Architect and /or Design Engineer	
	Contract No.	Contact Email	Project Title & Scope		
3.	Agency/Owner			Award Date	Contract A
	Agency/Owner Contact Person		Telephone No.	Designer Architect and /or Design Engineer	
	Contract No.	Contact Email	Project Title & Scope		
Completed By:				Phone Number: Email: Date:	