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**SECTION 004002**  
**FORM OF PROPOSAL - MECHANICAL CONSTRUCTION**

**DATED:** \_\_\_\_\_

Bid from: Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Phone No.: \_\_\_\_\_  
Fax No.: \_\_\_\_\_

Bid to: South Orangetown Central School District  
160 Van Wyck Rd.  
Blauvelt, NY 10913

Bid for: 2022 BOND - PHASE 2  
[    ] MECHANICAL (HVAC) WORK (MC)

**BASE BID**

We have examined and fully understand the requirements and intent of the Bidding and Contract Documents and all subsequent addenda as listed below, and propose to provide all materials, plant, labor, supplies, equipment, transportation and other facilities necessary ,or proper for, or incidental to the Work, to complete all Work in strict accord with the Contract Documents and as assigned in the Multiple Contract Summary for the base bid lump sum of:

Total Lump Sum Base Bid (in numbers): \$ \_\_\_\_\_

Total Lump Sum Base Bid (in words): \_\_\_\_\_

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**ADDENDA RECEIVED**

Any addenda issued by the Architect, mailed or delivered, to the undersigned prior to the Bid opening date shall become part of the Contract Documents. The Bidder shall enter on this list any addenda issued after this Form of Proposal has been received and shall fill in the addenda number and date.

Addendum No.:	_____	Dated:	_____
Addendum No.:	_____	Dated:	_____
Addendum No.:	_____	Dated:	_____
Addendum No.:	_____	Dated:	_____
Addendum No.:	_____	Dated:	_____

**BID GUARANTEE**

The undersigned Bidder agrees to execute a contract for this Work in the above amount and to furnish surety as specified within ten (10) days after a written Notice of Award, if offered within forty-five (45) days after receipt of bids, and on failure to do so agrees to forfeit to Owner the attached cash, cashier's check, certified check, U.S. money order, or bid bond, as liquidated damages for such failure, in the following amount constituting five percent (5 %) of the Base Bid.

In the event Owner does not offer Notice of Award within the time limits stated above, Owner will return to the undersigned the cash, cashier's check, certified check, U.S. money order, or bid bond.

### TIME OF COMPLETION

It is agreed by the undersigned that after receipt of a Notice of Award and a consummation of a Contract Agreement in accord with the terms of the Contract Documents, he or she will start work within ten (10) consecutive calendar days of the notice to proceed and fully complete the work as indicated in the Contract Documents.

### ALLOWANCES

The Bidder acknowledges that all Allowances, pursuant to their Contract, have been included in the Base Bid. Should the following allowance(s) exceed, or be less than, the cost of selected items, the difference in cost shall be added to, or credited to, the Owner's Contract. Refer to Specification Section 012100 "Allowances" for description of each allowance.

Mechanical CONSTRUCTION; MC-1

Allowance Amount: \$155,000

### ALTERNATE BIDS

Enter a whole dollar amount, even if it is zero (\$ 0), for each Alternate Bid. Circle either "ADD to" or "DEDUCT from" for each Alternate Bid. If neither is circled, "DEDUCT from" will be assumed. Do not leave any Alternate Bid amount blank. If any Alternate Bid amount is left blank, it will be assumed the Bidder will provide that Alternate Bid for no change, neither increase to nor decrease from, the Base Bid amount.

#### Alternate Bid No. ; MC-01: CONSTRUCTION YEAR PHASING

**ADD to** | **DEDUCT from** the base bid a total sum of:

(in numbers) \$ \_\_\_\_\_

(in words) \_\_\_\_\_

#### Alternate Bid No. ; MC-02: PIPE REMOVAL IN TUNNELS

**ADD to** | **DEDUCT from** the base bid a total sum of:

(in numbers) \$ \_\_\_\_\_

(in words) \_\_\_\_\_

### UNIT PRICES

Enter in unit prices from spec section 012200. (Unit prices are used in anticipation that there will be additional quantities of materials and labor not expressly indicated on the contract documents.)

1. Unit Price No. MC-1: Ceiling Tile

\$ \_\_\_\_\_ per 4 square feet

2. Unit Price No. MC-2: Labor Rate

\$ \_\_\_\_\_ per hour straight time

### BID SECURITY

Bid Security in the form of a Certified or Cashier's Check or a Bid Bond in the form required by the Contract Documents is attached to, and made a part of, this Proposal.

### **IRAN DIVESTMENT ACT CERTIFICATION**

Contractor to submit with the bid, Iran Divestment Act Certification which hereto is made a part of this Form of Proposal and is attached at the end of this Form of Proposal.

### **EXECUTIVE ORDER NO. 16- PROHIBITING STATE AGENCIES AND AUTHORITIES FROM CONTRACTING WITH BUSINESSES CONDUCTION BUSINESS IN RUSSIA**

Contractor to submit with the bid, Certification under Executive Order No. 16: prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia, which hereto is made a part of this Form of Proposal and is attached at the end of this Form of Proposal.

### **REPRESENTATIONS**

By submitting this Proposal, the Bidder represents and certifies to the Owner and the Architect that:

1. It has examined the Contract Documents, the site of the proposed Work, is familiar with the local conditions at the place where the Work is to be performed and fully comprehends the requirements and intent of the plans and specifications for this Project in accordance with the drawings, specifications and other Contract Documents prepared by CPL, the Owners Consultant, for this Project.
2. It has examined and reviewed, where applicable, all information and data in the Contract Documents related to existing underground facilities at or contiguous to the site. Bidder shall require of the Owner or Architect no further investigations, explorations, tests or reports with respect to such underground facilities in order for the Bidder to perform the Work of the Proposal within the Contract Time and in accordance with the Contract Documents.
3. It has given notice to the Architect, as required by the Contract Documents of any and all discrepancies it has discovered and accepts the resolution of those discrepancies offered by the Architect.
4. Pursuant to New York State General Municipal Law section 103-d, 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 knowledge and belief:
  - a. The prices in this bid have been arrived at independently without collusion, 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 which have been quoted in this bid have not been knowingly disclosed by the bidder and will not be knowingly disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or competitor; and
  - c. No attempt has been made or will be made by bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.
5. The proposal is based upon the materials, equipment and systems required by the Contract Documents, without exception, unless otherwise set forth in this Proposal in detail.

### **CHANGE ORDERS**

We propose and agree that the above lump sum shall be adjusted for changes in the Contract Work not included in unit prices by addition of the following costs:

1. Profit and overhead as permitted in the GENERAL CONDITIONS.

#### **NON-COLLUSIVE BIDDING CERTIFICATION**

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 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.

#### **ACCEPTANCE**

When this Proposal is accepted, the undersigned agrees to enter into a Contract with the Owner as provided in the Form of Agreement.

#### **AFFIRMS**

The undersigned affirms and agrees that this Proposal is a firm one which remains in effect and will be irrevocable for a period of forty-five (45) days after opening of Bids.

#### **TYPE OF BUSINESS**

The undersigned hereby represents that it is a ☐ Corporation, ☐ Partnership, ☐ Individual.  
If a Corporation, then the undersigned further represents that it is duly qualified as a Corporation under the laws of New York State and it is authorized to do business in this State.

### PLACE OF BUSINESS

The following is the name and address of the person to whom all notices required in connection with this Proposal may be telephoned, mailed, or delivered.

Name of Contact Person:	
Name of Business or Firm:	
Address:	
Address:	
Telephone:	Fax:
Email Address:	
FEIN: Federal Employer Identification No.:	

### EXECUTION OF CONTRACT

When written Notice of Acceptance of the Proposal is mailed or delivered to the undersigned within forty-five (45) days after the opening of Bids, or anytime thereafter should the Proposal not be withdrawn, the undersigned, within ten (10) days, will execute the Form of Agreement with the Owner.

### ASBESTOS

The bidder certifies that no asbestos or asbestos-containing materials will be incorporated into the Work of this Contract.

### AUTHORIZED SIGNATURES FOR PROPOSALS

Signature:	
Name:	
	(Typed or Printed)
Title:	
Firm:	
	(Legal Name of Person, Single Proprietorship, Partnership, or Corporation)
Date:	

(if Corporation, provide seal above)

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**IRAN DIVESTMENT ACT CERTIFICATION**

By submission of this bid, (DL & AV Equip 1315), or by assuming the responsibility of a Contract awarded hereunder, each bidder and each person signing on behalf of any bidders, 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 its knowledge and belief:

That each bidder/contractor/assignee is not on the "Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012" list created pursuant to paragraph (b) subdivision 3 of section 165-a of the New York State Finance Law and posted on the OGS website at [www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf](http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf) and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additionally, Bidder/Contractor is advised that should it seek to renew or extend a Contract awarded in response to the solicitation, it must provide the same certification at the time the Contract is renewed or extended. (See Article 10 in the Instructions to Bidders.)

NAME OF COMPANY: \_\_\_\_\_

*(Individual or Legal Name of Firm or Corporation)*

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

CITY/STATE/ZIP CODE: \_\_\_\_\_

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

*(Signature of Representative of Firm or Corporation)*

NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

*Please Print*

*Please Print*

DATED: \_\_\_\_\_

SWORN to before me this

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

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

**SEXUAL HARASSMENT POLICY/TRAINING AFFIRMATION**

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 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 its employees.

Contractor Information:

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

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

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

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

Contractor Website: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Contractor)\_\_\_\_\_  
(Title)\_\_\_\_\_  
(Date)

**CERTIFICATION UNDER EXECUTIVE ORDER NO. 16**

Executive Order No 16 provides that "all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia."

The Executive Order remains in effect while sanctions imposed by the federal government are in effect. Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitations or even award in the case of some solicitations.

As defined in Executive Order No. 6, an "entity conducting business operations in Russia" means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership.

Is Vendor an entity conducting business operations in Russia, as defined above? Please answer by checking one of the following.

- \_\_\_\_\_ 1. No, Vendor does not conduct business operations in Russia within the meaning of Executive Order No. 16.
- \_\_\_\_\_ 2.a. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16 but has taken steps to wind down business operations in Russia or is in the process of winding down business operations in Russia.  
(Please provide a detailed description of the wind down process and a schedule for completion.)
- \_\_\_\_\_ 2.b. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16 but only to the extent necessary to provide vital health and safety services within Russia or to comply with federal law, regulations, executive orders, or directives. (Please provide a detailed description of the services being provided or the relevant laws, regulations, etc.)
- \_\_\_\_\_ 3. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16.

The undersigned certifies under penalties of perjury that they are knowledgeable about the Vendor's business and operations and that the answer provided herein is true to the best of their knowledge and belief.

Vendor Name: \_\_\_\_\_  
(legal entity)

By: \_\_\_\_\_  
(signature)

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

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

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

**END OF SECTION**