

**ADDENDUM NO. 1**  
**TO**  
**CONTRACT DOCUMENTS**  
**AND**  
**TECHNICAL SPECIFICATIONS**  
**FOR**  
**ASPIRE BREWING**  
**PROPOSED TAP ROOM & BREWERY**  
  
**FOR**  
**SONNY PATEL BREWING COMPANY, INC.**  
**400/600 NORTH GALLERIA DRIVE, LOWER LEVEL**  
**MIDDLETOWN, NY 10941**

**LAN Job #4.1552.01**

October 29, 2021

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Michael J. McGovern, RA  
NYS #022257

1.0 General: The original contract documents dated **October 15, 2021**, hereby amended as noted in this addendum which shall become part of said contract documents, as if originally included therein. Bidders must acknowledge receipt of this addendum and all other addenda on the proposal form when submitting proposals. In case any bidder fails to acknowledge receipt of addenda, his proposal will nevertheless be construed as though it has been received, acknowledged, and the submission of his proposal shall constitute acknowledgment by the bidder of the receipt of same.

Note that the bid due date and time shall be **Thursday, November 18, 2021, at 10:00 a.m.**

2.0 Amendment to Application:

N/A

3.0 Amendments to Specifications:

Section No.	Page No.	Addendum Requirements
	TOC	The Table of Contents has been revised to include Specification Section 012300.
004116	Bid Form	Specification Section 004116 has been revised to include Alternates.
012300	Alternates	Specification Section 012300 has been added.

4.0 Amendments to Drawings:

Drawing No.	Addendum Requirements
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N/A

5.0 Requests for Information (RFIs):

No.	Comment / Response
1	<p>Comment: Please confirm the tax status of this project. The bid form states that sales tax is to be excluded from our bids, whereas the the General Conditions state that sales tax should be included in our bid.</p> <p>Response: The project is <u>not</u> sales tax exempt. The attached bid form is revised. All references to "Electrical Construction Work" have been removed.</p>
2	<p>Comment: Please confirm if there are any wage requirement on this project.</p> <p>Response: There are no wage requirements for this project.</p>
3	<p>Comment: Will there be a pre-bid meeting / site walk through?</p> <p>Response: No. The bidders may contact Mr. Alex Kemp via cell phone ((845) 283-1207) to request a site visit and coordinate access into the building.</p>
4	<p>Comment: Per the invitation to bid, it is required to submit a 10% bid bond with the bids. Please identify the Owner's budget so we can accurately provide a bid bond.</p> <p>Response: The estimated cost of construction for this project is \$11.5M.</p>

5.0 Requests for Information (RFIs): (continued)

No.	Comment / Response
5	<p>Comment: Per section 010000 – Summary of Work, item 3 which states the GC is to provide self-leveling underlayment. Please specify a depth for all GC's to include in their bid.</p> <p>Response: Bidders should assume 50% of the project area at the First Floor to a depth of 1/4". The remainder of the project area shall be patched as required with "Ardex SD-P" (basis of design). Bidders should visit the site to familiarize themselves with existing floor conditions.</p>
6	<p>Comment: Per drawing A4.10, it states to replace all damaged brick and mortar prior to painting. This is unquantifiable at the time of bid, please specify a material quantity or dollar allowance to be included in all GC bids.</p> <p>Response: Bidders to allow for 2,000 SF of replacement as part of base bid.</p>
7	<p>Comment: Please provide a hazardous materials survey of the existing space.</p> <p>Response: The Owner does have a hazardous material report. The Owner will remove any discovered hazardous materials.</p>
8	<p>Comment: Please confirm the Owner is responsible for obtaining the building permit.</p> <p>Response: Confirmed - the Owner has already submitted the design to the municipality for a building permit.</p>
9	<p>Comment: In the Specifications, we do not see any Specifications for Divisions 02 thru 10 and 12 thru 32. Is this intentional? Will there be Specifications provided for MEPs?</p> <p>Response: Yes, this was intentional. All materials and equipment are specified on the drawings. No, there will not be a specification provided for the MEP's.</p>
10	<p>Comment: Our Insurance Company has requested a copy of the Builders Risk Policy the owner would be carrying. Would it be possible to obtain this?</p> <p>Response: Owner is working on it and this question will be answered in a subsequent addendum.</p>
11	<p>Comment: When looking through the specifications, we do not see the percentage rate of Retainage that will be withheld on this project. Can you please provide this rate?</p> <p>Response: 5%</p>
12	<p>Comment: Section 04390, the Surety's Consent Form, after being reviewed by our Insurance and Bonding agent, Is this form required if the Bid Security is provided as a check and not required if it is provided as a Bond?</p> <p>Response: Yes, a consent of surety is only required if the bidder submits a bid bond.</p>

5.0 Requests for Information (RFIs): (continued)

No.	Comment / Response
13	<p>Comment: The HVAC Subcontractor provided these RFIs: a. Can you please confirm that the EPDM Wrapping as shown on detail 8 on drawing M6.02 is only required on exterior ductwork and not on all new ductwork as noted on note 49 on A2.00?</p> <p>Response: Keynote 49 is typical of ductwork shown on Roof Proposed Plan 1/A2.20 where keynote 49 occurs. Detail 8/M6.02 pertains to exterior ductwork only.</p>
14	<p>Comment: Door D-05, D-29, and D-30 are called out as 6'-0" x 7'-0" in Door Schedule but drawings show as 6'-0" x 8'-0", which size is correct?</p> <p>Response: Door Sizes for these doors shall be 6'-0" x 8'-0".</p>
15	<p>Comment: The Ives Door Pulls are called out on the hardware schedules as 36" but the drawings show 24" and 22", which size is correct?</p> <p>Response: The Door Pulls shall be 36" in length.</p>
16	<p>Comment: Doors D-05 (Door type D), D-29 (Door type P), and D-30 (Door type N) call out aluminum doors with wood slating applied to both sides of doors and glazing in infill panels. Special-lite doesn't provide this. Aluminum Doors are 'Stile and Rail' constructed, not flush. Are these wood slats to be provided and mechanically fastened through the glazing or the aluminum? Can you please clarify with a mounting detail? This condition also appears on the wood doors in door D-31 (Door type T).</p> <p>Response: Bidders should assume that doors D05, D29, and D30 are flush aluminum doors model "SL-16" by "Special-Lite", finish to be selected by owner from manufacturer's standard options. The transom panel receiving wood slats is to be flush aluminum to match door. Wood slats to be installed on non-Brewery side only for D05, D29, and D30, and both sides of door for D31. Basis of design product for wood slats to be "Reclaimed Barrel Oak" by "Stikwood" with "Black Metal Edge Trim" from the same manufacturer. Slats and trim to be adhered to doors and panels per manufacturer instructions. Adjacent wood surrounding door D31 to match. Prepare door surfaces per manufacturer instructions including painting the wood door with a flat water based primer prior to application and cleaning the aluminum surfaces with acetone or a similar manufacturer approved cleaner which will not leave a residue. Coordinate spacing at perimeter so as not to interfere with door operation.</p>
17	<p>Comment: Can you please clarify what is the finish for the exterior storefront, interior storefront, Nana Wall, and TGP Fire Frames?</p> <p>Response: Exterior storefront finish to be selected from manufacturer's standard Kynar 500 finishes. Interior storefront finish for "Lite Space" to be selected from manufacturer's standard anodized or Kynar 500 finishes. "Nanawall" finish to be selected from manufacturer's standard powder coat finish. "Fireframes Designer Series" finish to be selected from manufacturer's standard powder coat finish. All colors for these items to be selected by owner.</p>
18	<p>Comment: Door D-10 calls out Aluminum with no fire rating in the door schedule but shows Door Type H which appears to be 45 Minute Fire Rated Hollow Metal Doors in the door types. Can you please clarify which one is correct?</p> <p>Response: Door Material is Aluminum. Door and Frame do not require a fire rating.</p>

6.0 Substitution Requests:

Specification  
Section No.

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N/A

7.0 Clarifications:

No.

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- 1 A maintenance bond, performance bond, and labor and material bond are not required for this project. Bidders shall ignore references to these requirements in the spec and example contracts. Section 006100 – bond requirement is removed from the project.

END OF ADDENDUM NO. 1

Attachments: #1 Revised Table of Contents  
#2 Revised Specification Section 004116  
#3 Added Specification Section 012300

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SECTION 004116 – BID FORM

To: Sonny Patel Brewing Company, inc.  
590 Route 211  
Middletown, NY 10941

Project: Aspire Brewing – Proposed Tap Room & Brewery

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

Submitted by: \_\_\_\_\_  
(full name  
and address) \_\_\_\_\_

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

1.1 OFFER

Having examined the Place of The Work and having familiarized himself with the local conditions and any other conditions affecting the Construction Work of this Project, including the availability of materials and labor, and fully understanding the requirements of the Bidding and Contract Documents for the above mentioned Project, the Undersigned Contractor hereby offers to furnish all labor, supervision, materials, tools, equipment, transportation, and services necessary to perform and complete the Construction Work of the Project in strict accordance with the Contract Documents within the time limit, and that if this Bid is accepted, the Undersigned agrees to enter into the Contract with the Owner to perform and complete this Work for the Sum of:

**BASE BID (includes allowances per Section 012100)**

\$ \_\_\_\_\_  
(figures)

\_\_\_\_\_ dollars,  
(written)

in lawful money of the United States of America.

We have included the Security Bid Bond as required by the instruction to Bidders.

**Bidder shall submit their bid breakdown by CSI division as an attachment.  
Failure to do so will result in a rejected bid.**

1.2 UNIT PRICES – None

1.3 ALLOWANCES

The Bidder hereby certifies that the Base Bid includes the following a contingency allowance as stipulated in the Specifications.

SECTION 004116 – BID FORM

**a. Allowance 1: Contractor shall include a contingency allowance of \$500,000.00 for use according to the Owner's Instructions.**

1.4 ADD ALTERNATES

The Undersigned Contractor hereby offers to furnish all labor, supervision, materials, tools, equipment, transportation, and services necessary to perform and complete the Add Alternate Work for the Sum of:

**ADD ALTERNATE #1 (See Specification Section 012300)**

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\$ \_\_\_\_\_

(figures)

\_\_\_\_\_ dollars,

(written)

1.5 ACCEPTANCE

This offer shall be open to acceptance and is irrevocable for forty-five (45) calendar days from the Bid closing date. Contract Award shall be determined by the Lowest Responsible Base Bid plus any combination of Alternates at the discretion of the Owner.

If this Bid is accepted by the Owner within the time period stated above, we will

- Execute the Agreement within seven (7) days of receipt of Notice to Proceed.
- Furnish the required bonds within seven (7) days of receipt of Notice to Proceed in the form described in Contract Documents.
- Commence Work within seven (7) days after written Notice to Proceed.

If this Bid is accepted within the time stated, and we fail to commence the Work or we fail to provide the required bonds, the Bid security shall be forfeited as damages to the Owner by reason of our failure, limited in amount to the lesser of the face value of the Bid security or the difference between this Bid and the Bid upon which a Contract is signed.

In the event our Bid is not accepted within the time stated above, the required security deposit will be returned to the undersigned, in accordance with the provisions of the Instructions to Bidders, unless a mutually satisfactory arrangement is made for its retention and validity for an extended period of time.

The sum given in the Base Bid represents the entire cost of the Project. The sum given shall include any and all cost for insurance, including all insurance required by the Agreement, any and all fees for licenses and permits. The Undersigned agrees that no claim will be made for any additional costs regardless of any increases in costs such as higher wage scales or material prices.

The Undersigned has carefully checked all the figures used in compiling the sum given in the Base Bid and understands that the Owner will not be responsible for any errors or omissions incurred by the Undersigned in making up of this Bid. The Undersigned further understands that

SECTION 004116 – BID FORM

no modification or withdrawal of this proposal will be permitted after the time specified for the receipt of Bids.

The Undersigned has examined the location of the proposed Construction Work, Drawings, Specifications and other Contract Documents and is familiar with local conditions at the place where said Work is to be performed, including, without limitation, the Center for Disease Control (CDC) guidelines, NYS Governor’s Executive Order 202.34, NYS Interim Guidance for Construction Activities during the COVID-19 Public Health Emergency and any other federal, state or local requirements and guidelines related to the COVID-19 pandemic. Refer to the General Conditions of the Contract for Construction for additional requirements.

1.6 CONTRACT TIME

If this Bid is accepted, we will

- Substantially Complete the Work as noted in Milestone Schedule 011100. Final Completion shall be within Thirty (30) days from Substantial Completion.

1.7 ADDENDA

The following Addenda have been received. The modifications to the Bid Documents noted below have been considered and all costs are included in the bid sum.

Addendum #1 Dated \_\_\_\_\_  
 Addendum #2 Dated \_\_\_\_\_  
 Addendum #3 Dated \_\_\_\_\_  
 Addendum #4 Dated \_\_\_\_\_

1.8 BID FORM SIGNATURES

The Corporate Seal of

\_\_\_\_\_  
 (Bidder – print the full name of your firm)  
 was hereunto affixed in the presence of:

\_\_\_\_\_  
 (Authorized signing officer Title)  
 (Seal)

\_\_\_\_\_  
 (Authorized signing officer Title)  
 (Seal)

If the Bid is a joint venture or partnership, add additional forms of execution for each member of the joint venture in the appropriate form or forms as above.

END OF SECTION 004116

## SECTION 012300 - ALTERNATES

### PART 1 - GENERAL

#### 1.01 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General Conditions and other Division 1 Specification Sections, apply to this Section.

#### 1.02 SUMMARY

- A. This Section includes administrative and procedural requirements for alternates.

#### 1.03 DEFINITIONS

- A. Alternate: An amount proposed by bidders and stated on the Bid Form for certain work defined in the Bidding Requirements that may be added to or deducted from the Base Bid amount if Owner decides to accept a corresponding change either in the amount of construction to be completed or in the products, materials, equipment, systems, or installation methods described in the Contract Documents.
  - 1. The cost or credit for each alternate is the net addition to or deduction from the Contract Sum to incorporate alternate into the Work. No other adjustments are made to the Contract Sum.

#### 1.04 PROCEDURES

- A. Make certain the Bid Form clearly states that costs listed for each alternate include costs of related coordination, modification, or adjustment.
- B. Coordination: Modify or adjust affected adjacent work as necessary to completely integrate work of the alternate into Project.
  - 1. Include as part of each alternate, miscellaneous devices, accessory objects, and similar items incidental to or required for a complete installation whether or not indicated as part of alternate.
- C. Execute accepted alternates under the same conditions as other work of the Contract.
- D. Schedule: A Schedule of Alternates is included at the end of this Section. Specification Sections referenced in schedule contain requirements for materials necessary to achieve the work described under each alternate.

### PART 2 - PRODUCTS (Not Used)

### PART 3 - EXECUTION

#### 3.01 SCHEDULE OF ALTERNATES

- A. Add Alternate No. 1 – Skylight:  
The Contractor shall provide and install the skylight, fire rated shaft at the Second Floor, and all associated work. See areas labeled “ADD ALT #1” throughout the drawing set.

END OF SECTION 012300