

BBR HSMS HVAC – RSS Drainage Improvements at the Blind Brook-Rye UFSD

NAME OF BIDDER: _____

BUSINESS ADDRESS: _____

TELEPHONE NUMBER: _____ DATE OF BID: _____

The bidder mentioned above declares and certifies:

First: That said bidder is of lawful age and the only one interested in this bid, and that no one other than said bidder has any interest herein.

Second: That this bid is made without any previous understanding, agreement, or connection with any other person, firm, or corporation making a bid for the same purpose, and is in all respects fair and without collusion or fraud.

Third: That no member of the Board of Education of the **Blind Brook-Rye Union Free School District**, Town of **Rye Brook, New York**, nor any officer or employee or person whose salary is payable as a whole or in part from the treasury of said Board of Education is directly or indirectly interested in this bid or in the supplies, materials, equipment, work, or services to which it relates, or in any portion of the profits thereof.

Fourth: That said bidder has carefully examined the Instruction to Bidders, schedules, and specifications prepared under the direction of the Board of Education, and will, if successful in this bid, furnish and deliver at the prices bid and within the time stated, all materials, supplies, apparatus, goods, wares, merchandise, services, or labor for which this bid is made.

Fifth: Single Prime Contracts: Where the project cost does not exceed \$1,500,000 and the Owner has decided to solicit bids from one general contractor, the Bidder shall submit with its bid a separate sealed list that names each subcontractor that the bidder will use to perform work in the contract, and the agreed-upon amount to be paid to each, for: (A) Plumbing and gas fitting; (B) Steam heating, hot water heating, ventilating and air condition apparatus and (C) Electric wiring and standard illuminating fixtures.

After the low bid is announced, the sealed list of subcontractors submitted with such low bid shall be opened and the names of such subcontractors shall be announced, and thereafter any change of subcontractor or agreed-upon amount to be paid to each shall require the approval of the public owner, upon a showing presented to the public owner of legitimate construction need for such change, which shall be open to public inspection.

Sixth: That the prices quoted are exclusive of all federal, state, and municipal sales and excise taxes.

Seventh: The undersigned further declares that he has received and examined the following addenda:

Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____

Clarification No. _____

Dated: _____

Clarification No. _____

Dated: _____

FOR PROPOSAL FORM TO BE VALID, ALL PAGES OF THE PROPOSAL FORM MUST BE DULY EXECUTED.

Eighth: The Bidder shall check here ____ if the bid has been based upon equivalents in lieu of any kind, type, brand, or manufacturer of material other than those named in the specifications. If checked, the Bidder shall submit the Equivalency Form in accordance with Instructions to Bidders, Paragraph 8B. This item in no way prohibits the Bidder from submitting equivalents after the award of contract.

Ninth: The undersigned further understands and agrees that he is to furnish all labor, materials, equipment, supplies, and other facilities and things necessary and required for the execution and completion of:

BBR HSMS HVAC – RSS Drainage Improvements at Blind Brook-Rye UFSD

in strict accordance with the contract documents:

BASE BID GC-1 – GENERAL CONSTRUCTION

The General Contractor shall state the complete price to perform all work including, but not limited to, all general construction, demolition, and abatement as required at the Ridge Street School, as shown on the drawings and as specified herein.

BASE BID GC-1 BID PRICE = \$ _____

Lump Sum Allowance No.1 \$ _____
(See Section 012100)

TOTAL GENERAL CONSTRUCTION
BASE BID GC-1 BID PRICE = \$ _____
Total Bid price in dollars and cents

\$ _____
Bid price written in words

ALTERNATES FOR BASE BID GC-1

1. ALTERNATE No. GC-1

The General Contractor shall state the complete price to be **(added to)** the base bid to provide all labor and materials required to _____

_____ as shown on the drawings, and as specified herein.

ADD: _____
Bid price written in words

\$ _____
Bid price in dollars and cents

BASE BID SC-1 – SITE CONSTRUCTION

The Site Contractor shall state the complete price to perform all work including, but not limited to, all site construction, demolition, and abatement as required at the Ridge Street School, as shown on the drawings and as specified herein.

BASE BID SC-1 BID PRICE = \$ _____

Lump Sum Allowance No.1 \$ _____
(See Section 012100)

**TOTAL SITE CONSTRUCTION
BASE BID SC-1 BID PRICE =** \$ _____
Total Bid price in dollars and cents

\$ _____
Bid price written in words

ALTERNATES FOR BASE BID SC-1

2. ALTERNATE No. SC-1

The Site Contractor shall state the complete price to be **(added to)** the base bid to provide all labor and materials required to _____
_____ as shown on the drawings, and as specified herein.

ADD: _____
Bid price written in words

\$ _____
Bid price in dollars and cents

BASE BID MC-1 – MECHANICAL CONSTRUCTION

The Mechanical Contractor shall state the complete price to perform all work including, but not limited to, all mechanical work required at the Blind Brook-Rye High School Middle School, as shown on the drawings and as specified herein.

BASE BID MC-1 BID PRICE = \$ _____

Lump Sum Allowance No.1 \$ _____
(See Section 012100)

TOTAL MECHANICAL CONSTRUCTION
BASE BID MC-1 BID PRICE = \$ _____
Total Bid price in dollars and cents

\$ _____
Bid price written in words

ALTERNATES FOR BASE BID MC-1**1. ALTERNATE No. MC-1**

The Mechanical Contractor shall state the complete price to be **(added to)** the base bid to provide all labor and materials required to _____
_____ as shown on the drawings, and as specified herein.

ADD: _____
Bid price written in words

\$ _____
Bid price in dollars and cents

Tenth:

BID SECURITY

Each bidder shall deposit with his bid a bid bond, bank draft, or certified check in the amount of not less than ten percent (10%) of the Base Bid made payable to:

Board of Education, Xxxxxxxxxxxxxxxxxxxxxxxxxxxxx in the amount:

_____() \$()

AND agrees such surety shall be a measure of liquidated damages should he default in delivery of agreement.

Eleventh: COMPLETION (Contractor shall fill in number of days)

It is intended that the work under this contract be completed substantially within _____ consecutive calendar days after receipt of authorized letter of intent issued by the District.

Twelfth: NON-COLLUSIVE BIDDING CERTIFICATION

General Municipal Law, Section 103-d
(Submit with Bid Proposal Form)

- A. By submission of this bid, the bidder and each person signing on behalf of the bidder certifies, and if this is a joint bid each party hereto certifies as to its own organization, under penalty of perjury that to the best of the bidder's 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 a bid for the purpose of restricting competition.
- B. A bid shall not be considered for award nor shall award be made where A-1, 2, and 3 above have not been complied with provided, however, that if in any case the bidder shall so state and shall furnish with a bid a signed statement which sets forth in detail the reasons therefore, where A-1, 2, and 3 above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department agency, or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that the 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 Paragraph A above.

- C. If the bidder is a corporation, the corporation shall be deemed to have been authorized by the Board of Directors of the bidder to make the above certification and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

(Seal of Corporation)

Corporate or Company Name

By: _____
Signature Title

Date: _____

Thirteenth: On acceptance of this proposal for said work, the undersigned hereby binds himself or themselves to enter into written contract with the Board of Education within ten (10) days of date of notice of award, and to comply in all respects with the provisions set forth in "Instructions for Bidders" and "General Conditions of Contract" in relation to security for the faithful performance of the terms of said contract.

IF A CORPORATION (Seal of corporation):

NAME

ADDRESS

President

Secretary

Treasurer

IF A FIRM:

NAME OF MEMBERS

ADDRESS

PROPOSED EQUIVALENT FORM

Project:_____

Name of Bidder (Corporate Name):_____

Date:_____ Prime Contract For:_____

In accordance with Instructions to Bidders, Article 8, the above listed Bidder proposes the following materials, equipment, or methods for consideration by the Architect as equivalents to those specified or shown in the Contract Documents, and for incorporation into the Work at no additional cost to the Owner. The Contractor is aware of the risk of acceptance.

Project Manual Section Number and Specified Product	Proposed Equivalent
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

PROPOSED SUBSTITUTION FORM

The Base Bid Contract Sum proposed by the undersigned on the preceding Bid Proposal Form is based upon all items exactly as shown and described in the Contract Documents. For the Owner's consideration, the Bidder proposes the following substitute materials, equipment, or methods to be used in the work, in lieu of those specified, with a credit for cost savings to the Owner if accepted. Refer to Article 8(c) of the Instructions to Bidders.

	Specified Product and Section Number	Proposed Substitute	Credit Amount
1.	_____	_____	
	_____	_____	\$ _____
2.	_____	_____	
	_____	_____	\$ _____
3.	_____	_____	
	_____	_____	\$ _____

Name of Bidder (Corporate Name): _____

Date: _____

By: _____
Signature of Corporate Officer

CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (the "Act"), Chapter 1 of the 2012 Laws of New York, a new provision has been added to State Finance Law (SFL) § 165-a and New York General Municipal Law § 103-g, both effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law) (the "Prohibited Entities List"). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date at which time it will be posted on the OGS website.

By submitting a bid in response to this 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 School District receive information that a Bidder/Contractor is in violation of the above-referenced certification, the School District 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 School District 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 School District 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.

I, _____, being duly sworn, deposes and says that he/she is
the _____ of the _____ Corporation and that
neither the Bidder/ Contractor nor any proposed subcontractor is identified on the Prohibited Entities List.

SIGNED

SWORN to before me this

_____ day of _____

20____

Notary Public: _____

**DECLARATION OF BIDDER'S INABILITY TO PROVIDE CERTIFICATION OF COMPLIANCE WITH
THE IRAN DIVESTMENT ACT**

Bidders shall complete this form if they cannot certify that the bidder /contractor or any proposed subcontractor is not identified on the Prohibited Entities List. The District reserves the right to undertake any investigation into the information provided herein or to request additional information from the bidder.

Name of the Bidder: _____

Address of Bidder: _____

Has bidder been involved in investment activities in Iran? _____
Describe the type of activities including but not limited to the amounts and the nature of the investments
(e.g. banking, energy, real estate) _____

If so, when did the first investment activity occur? _____

Have the investment activities ended? _____

If so, what was the date of the last investment activity? _____

If not, have the investment activities increased or expanded since April 12, 2012? _____

Has the bidder adopted, publicized, or implemented a formal plan to cease the investment activities in Iran
and to refrain from engaging in any new investments in Iran? _____

If so, provide the date of the adoption of the plan by the bidder and proof of the adopted resolution, if any
and a copy of the formal plan. _____

In detail, state the reasons why the bidder cannot provide the Certification of Compliance with the Iran
Divestment Act below (additional pages may be attached):

I, _____ being duly sworn, deposes and says that he/she is the

_____ of the _____ Corporation and the foregoing

is true and accurate.

SIGNED

SWORN to before me this

_____ day of _____

20____

Notary Public: _____

IRAN DIVESTMENT ACT COMPLIANCE RIDER

FOR SCHOOL DISTRICTS

The Iran Divestment Act of 2012, effective as of April 12, 2012, is codified at State Finance Law (“SFL”) §165-a and General Municipal Law (“GML”) §103-g. The Iran Divestment Act, with certain exceptions, prohibits municipalities, including the District, from entering into contracts with persons engaged in investment activities in the energy sector of Iran. Pursuant to the terms set forth in SFL §165-a and GML §103-g, a person engages in investment activities in the energy sector of Iran if:

- (a) The person provides goods or services of twenty million dollars or more in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or
- (b) The person is a financial institution that extends twenty million dollars or more in credit to another person, for forty-five days or more, if that person will use the credit to provide goods or services in the energy sector in Iran and is identified on a list created pursuant to paragraph (b) of subdivision three of Section 165-a of the SFL and maintained by the Commissioner of the Office of General Services.

A bid or proposal shall not be considered for award nor shall any award be made where the bidder or proposer fails to submit a signed and verified bidder’s certification.

Each bidder or proposer must certify that it is not on the list of entities engaged in investment activities in Iran created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the SFL. In any case where the bidder or proposer cannot certify that it is not on such list, the bidder or proposer shall so state and shall furnish with the bid or proposal a signed statement which sets forth in detail the reasons why such statement cannot be made. The District may award a bid to a bidder who cannot make the certificate on a case by case basis if:

- (1) The investment activities in Iran were made before the effective date of this section (i.e., April 12, 2012), the investment activities in Iran have not been expanded or renewed after the effective date of this section and the person has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
- (2) The District makes a determination that the goods or services are necessary for the District to perform its functions and that, absent an exemption, the District would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

STATEMENT OF BIDDER'S QUALIFICATIONS

1. Name of Bidder:

2. Type of Business Entity:

3. If the bidder is a corporation, state the date and place of incorporation of the corporation. If a partnership, state the date of organization and type of partnership. If individually owned, state the date of organization. If the form of your organization is other than those listed above, please describe.

4. For how many years has the bidder done business under its present name, and how many years has your organization been in business as a contractor?

5a. List the persons who are directors, officers, principals, owners, managerial employees or partners in the bidder's business.

5b. Under what other or former names has your organization operated?

6. Have any of the persons listed in Number 5 owned/operated/been shareholders in any other companies? If so, please state name of the person(s) who has owned/operated/been shareholders and name(s) of other companies:

7. Has your organization ever failed to complete any work awarded to it?

8. Has any director, officer, owner or managerial employee had any professional license suspended or revoked? If the answer to this question is yes, list the name of the individual, the professional license he/she formerly held, whether said license was revoked or suspended and the date of the revocation or suspension.

9. During the three year period preceding the submission of this bid, has the bidder been found guilty of any OSHA Violations? If the answer to this question is yes, describe the nature of the OSHA violation, an explanation of remediation or other steps taken regarding such violation(s).

10. During the five year period preceding the submission of this bid, has the bidder been charged with any claims pertaining to unlawful intimidation or discrimination against any employee by reason of race, creed, color, disability, sex or natural origin and/or violations of an employee's civil rights or equal employment opportunities? If the answer to this question is yes, list the persons making such claim against the bidder, a description of the claim, the status of the claim, and what disposition (if any) has been made regarding such claim.

11. During the five year period preceding the submission of this bid, has the bidder been named as a party in any lawsuit in an action involving a claim for personal injury or wrongful death arising from performance or work related to any project in which it has been engaged? If the answer to this question is yes, list all such lawsuits, the index number associated with said suit and the status of the lawsuit at the time of the submission of this bid.

12. During the five year period preceding the submission of this bid, has the bidder been the subject of an investigation and/or proceedings before the Department of Labor for alleged violations of the Labor Law as it relates to the payment of prevailing wages and/or supplemental payment requirements? If the answer to this question is yes, please list each such instance of the commencement of a Department of labor proceeding, for which project such proceeding was commenced, and the status of the proceeding at the time of the submission of this bid.

13. During the five year period preceding the bidder's submission of this bid, has the bidder been the subject of an investigation and/or proceeding before any law enforcement agency, including, but not limited to any District Attorney's Office? If the answer to this question is yes, please list each such instance, the law enforcement agency, the nature of the proceeding, the project for which such proceeding was commenced, if applicable to a project, and the status of the proceeding at the time of the submission of this bid.

14. During the five year period preceding the bidder's submission of this bid, has the bidder been the subject of proceedings involving allegations that it violated the Workers' Compensation Law including, but not limited to the failure to provide proof of worker's compensation or disability coverage and/or any lapses thereof. If the answer to this question is yes, list each such instance of violation and the status of the claimed violation at the time of the submissions of this bid.

15. Has the bidder, its officers, directors, owner and/or managerial employees been convicted of a crime or been the subject of a criminal indictment during the five years preceding the submission of this bid? If the answer to this question is yes, list the name of the individual convicted or indicated, the charge against the individual and the date of disposition of the charge.

16. During the five year period preceding the bidder's submission of this bid, has the bidder been charged with and/or found guilty of any violations of federal, state, or municipal environmental and/or health laws, codes, rules and/or regulations? If the answer to this question is yes, list the nature of the charge against the bidder, the date of the charge, and the status of the charge at the time of the submission of this bid.

17. Does the bidder have any major construction projects ongoing at the time of the submission of this bid? If the answer to this question is yes, list the projects on which the bidder is currently working, the percentage complete, and the owner, architect, contract amount and the expected date of completion of said project. State total worth of work in progress and under contract.

18. Has the bidder ever been terminated from a Project by the Owner? If the answer to this question is yes, list the projects on which the bidder was terminated, the nature of the termination (convenience, suspension, for cause), and the date of said termination.

19. Are there any other judgments, claims, arbitration proceedings or suits pending or outstanding against your organization or its officers?

Dated:

By: _____
(Signature)

(Print Name and Title)

Sworn to before me this

_____ day of _____, 201__.

Notary Public

CERTIFICATION REGARDING WORKPLACE SEXUAL HARASSMENT/TRAINING

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 of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.

If this is submitted by a corporate entity, the certification shall be deemed to have been authorized by the board of directors (or comparable entity) of the bidder, and such authorization shall be deemed to include the signing and submission of this bid and the inclusion therein of this certification as the act and deed of the corporate entity.

Name of Bidder: _____ (Print)

_____ (Signature)

_____ (Print Name)

_____ (Print Title)

Date: _____

Labor Law Section 220-i Certification

This Certification is provided pursuant to Section 220-i of the New York Labor Law, which requires contractors and subcontractors submitting bids or performing work on a covered project to be registered with the New York State Department of Labor (NYSDOL). This Certification must be completed and submitted as part of your bid proposal.

- NYSDOL Registration Number: _____
- Registration Expiration Date: _____

By signing below, the person authorized to sign on behalf of the Bidder hereby certifies, under penalty of perjury, that the Bidder and each of its subcontractors are registered with the New York State Department of Labor pursuant to Section 220-i of the New York Labor Law.

Bidder further represent that it included with this Certification, a copy of the Certificate(s) of Registration issued by the Commissioner of the Department of Labor for the Bidder and each of its subcontractor(s).

I further certify that I will provide immediate written notice to the Owner if the contractor or any subcontractor's registration becomes suspended, revoked, or expired at any point prior to or during the course of the project.

Project: _____

Signature: _____

Bidder Name: _____

Bidder Title: _____

Company Name: _____

Date: _____