NYS Office of General Services
Serving New York

STATE OF NEW YORK
OFFICE OF GENERAL SERVICES
DESIGN AND CONSTRUCTION GROUP
THE GOVERNOR NELSON A. ROCKEFELLER
EMPIRE STATE PLAZA
ALBANY, NY 12242

ADDENDUM NO. 99 – GENERAL CONDITIONS REVISION

VARIOUS PROJECT NUMBERS - VARIOUS TRADES - VARIOUS LOCATIONS

PROJECT NUMBERS

44412, Q1533, 44312, 44305, 44361, 44264, 43739,44322, 44260, 44202, Q1413, Q1462, 44044, 44418, 44011, 44307, 44388, 44311, 44277, 44342, 44295

April 9, 2012

NOTE: This Addendum forms a part of the Contract Documents. Insert it in the Project Manual. **Acknowledge receipt of this Addendum in the space provided on the Bid Form.**

CONTRACTING REQUIREMENTS, GENERAL CONDITIONS - This Addendum serves as a notification of modifications to the General Conditions for the Projects referenced above.

Add attached **DOCUMENT 007321 - Iran Divestment Act** to the Table of Contents and the Project Manual.

END OF ADDENDUM

James Dirolf, P.E.
Director of Design

DOCUMENT 007321

SUPPLEMENTARY CONDITIONS – IRAN DIVESTMENT ACT

This supplement modifies the General Conditions. Where any part of the General Conditions is modified by this supplement, the unaltered provision of that part shall remain in effect.

ARTICLE 25 - MISCELLANEOUS PROVISIONS

Add the following paragraphs:

25.12 As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). 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 entering into this Contract, Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Contractor agrees that after the list is posted on the OGS website, should it seek to renew the Contract, it will be required to certify at the time the Contract is renewed or assigned that it or its assignee is not included on the prohibited entities list.

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

OGS reserves the right to reject any request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

END OF DOCUMENT