



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. 9 TO PROJECT NO. 44362

CONSTRUCTION - PROJECT LABOR AGREEMENT PROJECT

**PROVIDE COMBINED SUPPORT MAINTENANCE SHOP
516 – ROUTE 216
STORMVILLE, NEW YORK 12582**

August 30, 2013

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.

BIDDING REQUIREMENTS

1. Document 001117 ADVERTISEMENT FOR BIDS: PROJECT LABOR AGREEMENT PROJECT (PLA) - Change the completion of the Work to "must be within 730 days".
2. Document 004121 Bid Form: Discard previously issued DOCUMENT 004121 Bid Form and replace with accompanying "Revised 8/30/13" DOCUMENT 004121 Bid Form (pages 004121-1-004121-2). Note that there is now only one Alternate - This Bid Form **must** be the Bid Form submitted.

SPECIFICATION GROUP

3. Section 011000 SUMMARY OF THE WORK: Discard all previously issued versions and substitute the accompanying Section (pages 011000 – 1 thru 011000 – 3) noted "Revised 8/30/2013".
4. Section 012300 ALTERNATES: Discard the section bound in the Project Manual and substitute the accompanying Section (page 012300 – 1) noted "Revised 8/30/2013".

END OF ADDENDUM

James Dirolf, P.E.
Director of Design

DETACH AND USE THIS FORM

BID FORM FOR: 44362-C

**CONSTRUCTION WORK
PROVIDE COMBINED SUPPORT
MAINTENANCE SHOP
516 ROUTE 216
STORMVILLE , NY**

State of New York
Office of General Services
Design and Construction Group
Division of Contract Administration
35th Floor, Corning Tower
The Gov. Nelson A. Rockefeller
Empire State Plaza
Albany, NY 12242

THIS IS A 2 PAGE BID FORM. ALL PAGES MUST BE COMPLETED.

THE STATE RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS. EACH BID FORM SHALL BE ACCOMPANIED BY BID SECURITY IN THE AMOUNT STATED IN THE ADVERTISEMENT FOR BIDS AND A COMPLETED FORM BDC 59P - PROJECT LABOR AGREEMENT LIST OF SUBCONTRACTORS (INCLUDED IN A SEPARATE, SEALED ENVELOPE) WITH THIS BID (BOTH DESCRIBED IN THE INSTRUCTIONS TO BIDDERS).

The Undersigned agrees to complete the Work within the time stated in Section 011000 of the Specifications.

The Undersigned acknowledges his/her understanding of the social policy concerning minority and women business participation in the State building construction program, and pledges to cooperate with the State in the implementation of this policy, and further pledges to exert good faith efforts to achieve participation of minority and female employees.

The Undersigned certifies, as to each of the occupations listed in the Prevailing Rate Schedule applicable to this Project, the ability and willingness to exert good faith efforts to achieve the goal for minority and women workforce participation set forth in the Supplementary Conditions. The Undersigned certifies the ability and willingness to exert good faith efforts to achieve the goal for Minority and Women-Owned Business Enterprise participation set forth in the Supplementary Conditions.

The Undersigned declares that the Bidding and Contract Documents have been carefully examined and that all things necessary for the completion of the Work shall be provided.

The Undersigned agrees that the bid security shall be subject to forfeiture if this bid is accepted by the State and he/she does not submit executed copies of the Agreement **WITHIN 48 HOURS OF RECEIPT OF A WRITTEN REQUEST TO PROVIDE SUCH AGREEMENT**. A Performance Bond and a Labor and Material Bond, each in an amount equal to the contract sum, shall be supplied with the executed Agreement and shall be the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law.

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/her 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.

(4) This contract shall not cause or result in a violation of Section 73(4) of the Public Officers Law which states: "No officer or employee of a state agency, member of the legislature or legislative employee or firm or association of which such person is a member, or corporation, ten per centum or more of the stock of which is owned or controlled directly or indirectly by such person, shall sell any goods or services having a value in excess of twenty-five dollars to any state agency unless pursuant to an award or contract let after public notice and competitive bidding."

(5) This contract shall not cause or result in a violation of Section 74(3)(e) of the Public Officers Law which states: "No officer or employee of a state agency, member of the legislature or legislative employee should engage in any transaction as representative or agent of the State with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties."

(6) The bidder recognizes New York State Finance Law §139-j and §139-k and understands and agrees to comply with all of its requirements and procedures.

(7) The bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the state finance law (New York State Iran Divestment Act of 2012). The list can be viewed at the following link: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>.

(8) Will New York State Business be used in the performance of this contract: _____ (refer to Document 007324).
Yes No

SECTION 011000

SUMMARY OF THE WORK

PART 1 GENERAL

1.01 WORK COVERED BY CONTRACT DOCUMENTS

- A. The title and location of the Work is printed on the cover of this Project Manual.
- B. Type of Contract: Fixed price.

1.02 PROJECT LABOR AGREEMENT

- A. The work of this contract is to be performed as part of a Project Labor Agreement. The Project Labor Agreement (PLA) is included in the appendix of the specification.

1.03 SUBSTANTIAL AND PHYSICAL COMPLETION DATES

- A. Substantially complete the Work within 730 days after the Agreement is approved by the Comptroller.
 - 1. The time allocated for the performance of work under this contract includes 10 days for notification of the Contractor of the Comptroller's approval of the Agreement.
 - 2. The approval of the Agreement by the Comptroller constitutes the filing of the Contract Documents as a public record and notice to the Contractor that a fully executed contract exists between the Contractor and the State.
- B. Physically complete the Work within 90 days after the established Substantial Completion date.

1.04 CONTRACT AWARD SUBMITTALS

- A. Submittal No. 1 (Lead Contractor Only): Establish the subscription with the electronic submittals website provider as described in ELECTRONIC SUBMITTALS Article in Specifications Section 013300, and submit not later than 10 days after approval of the Contract by the Comptroller.
- B. Submittal No. 2: Submit the CONTRACTOR'S LIST OF SUBCONTRACTORS-SUPPLIERS INFORMATION REQUIRED IN SCHEDULES AND RECORDS Article in Specification Section 013000 not later than 15 days after approval of the Contract by the Comptroller.
- C. Submittal No. 3: Submit the CONTRACTOR'S PROGRESS SCHEDULE information required in SCHEDULES AND RECORDS Article in Specification Section 013000 not later than 15 days after approval of the Contract by the Comptroller.

1.05 RESTRICTED WORK PERIOD

- A. Do not perform the roofing and related Work between December 1st and April 1st unless approved otherwise, in writing, by the Director. During this period, clear the roof of materials, equipment, and debris. Maintain the roof in a watertight condition.
- B. Perform all tree removal between November 15th and March 31st. Tree clearing activities are limited due to the potential presence of the Federally-listed endangered Indiana Bat (*Myotis sodalis*) and the potential use of these trees as their summer habitat. The Indiana Bat is protected under The US Fish and Wildlife Service jurisdiction and the Endangered Species Act of 1973.
- C. See additional restrictions shown in specification section 310000 - Earthwork for Cold Weather Requirements.

1.06 ITEMS NOT INCLUDED

- A. The following items shown on the Drawings are not included in this Contract.
 - 1. Items indicated "NIC" (Not in Contract).

1.07 CONFINED SPACE

- A. Comply with confined space and permit-required confined space as defined in Title 29, Part 1910, Section 146 of the Code of Federal Regulations (29CFR 1910, 146).

1.08 REFERENCE SPECIFICATIONS AND STANDARDS

- A. Comply with the requirements of the various specifications and standards referred to in these Specifications, except where they conflict with the requirements of these Specifications. Such reference specifications and standards shall be the date of latest revision in effect at the time of receiving bids, unless the date is given.
- B. DOT Specifications: If the abbreviation DOT appears in these Specifications, it shall mean the most current edition of the New York state Department of Transportation, Office of Engineering specifications entitled "STANDARD SPECIFICATIONS – CONSTRUCTION AND MATERIALS", including all applicable Addenda in effect at the time of receipt of bids. The DOT specifications may be purchased from the Department of Transportation, Plan and Publication Sales, 50 Wolf Road, Albany, NY 12232, (518) 457-2124.

1.09 LAYING OUT

- A. Examine the Contract Documents thoroughly and promptly report any errors or discrepancies to the Director's Representative before commencing the Work.
- B. Lay out the Work in accordance with the Contract Documents.
 - 1. Layouts, which require the establishment of property lines or monuments, shall be performed by a Land Surveyor licensed by New York State.

1.10 SPECIAL INSPECTIONS

- A. Special inspections and tests are required by Chapter 17 of the Building Code of New York State (BCNYS). Inspections & Testing Services will be provided by the state unless otherwise noted.
- B. Contractors are responsible for notifying the Director's Representative regarding individual inspections listed in the **STATEMENT OF SPECIAL INSPECTIONS**. Contractors shall cooperate with the inspectors and testing agencies and sufficient notice and lead time (minimum 48 hours) must be allowed for inspection and testing to be performed.
- C. Where deficiencies are identified, the contractor must take corrective actions to comply with the contract documents or remedy the deficiencies in accordance with Article 9 of the General Conditions.

PART 2 PRODUCTS (Not Used)

PART 3 EXECUTION (Not Used)

END OF SECTION

SECTION 012300

ALTERNATES

PART 1 GENERAL

1.01 DESCRIPTION

- A. This Section describes the changes to be made under each alternate.
- B. Coordinate pertinent related Work and modify surrounding Work as required to complete the project under each alternate selected by the Director.
- C. Include in the Base Bid the cost of all Work required by the Contract Documents except the additional cost (if any) of the alternates described below.

1.02 DESCRIPTION OF ALTERNATES

- A. Construction Work Contract:
 - 1. Alternate No. 1 – Heavy Duty Gravel Surfacing to Heavy Duty Asphalt Surfacing around Building and provide Loading Ramp:
 - a. Roadway from south side of loading dock towards MOV parking lot and aprons around the building shall be installed as heavy duty asphalt consisting of 1.5-in of asphalt wearing course, 2-in of asphalt binder course, and 3-in of asphalt base course over 12-in of type 2 subbase course, as indicated on the revised Contract Documents.
 - b. Install concrete loading ramp, as indicated on the revised Contract Documents.

PART 2 PRODUCTS (Not Used)

PART 3 EXECUTION (Not Used)

END OF SECTION