



# Office of General Services

DESIGN & CONSTRUCTION GROUP  
THE GOVERNOR NELSON A. ROCKEFELLER  
EMPIRE STATE PLAZA  
ALBANY, NY 12242

---

## ADDENDUM NO. 1 TO PROJECT NO. 47515

### CONSTRUCTION AND ELECTRICAL WORK PROVIDE CONGREGATE RECREATION PENS BUILDING 21 FISHKILL CORRECTIONAL FACILITY 18 STRACK DRIVE BEACON, NY

March 10, 2026

<p><b>NOTE:</b> 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.</p>
--

#### BIDDING REQUIREMENTS – COMMON DOCUMENTS

1. DOCUMENT 001114 ADVERTISEMENT FOR BIDS: Paragraph 4: CHANGE Paragraph to Read:  
“Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,737,918 or less, adjusted annually for inflation as of March 1, 2026. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.”
2. DOCUMENT 002113 INSTRUCTIONS TO BIDDERS: Paragraph 13.5: CHANGE Paragraph to Read:  
“13.5 Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,737,918 or less, adjusted annually for inflation as of March 1, 2026. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder. Refer to the Advertisement for Bids for applicability of projects subject to this criteria.”

3. DOCUMENT 002113 INSTRUCTIONS TO BIDDERS: Paragraph 17: CHANGE "\$1,680,923" to read "\$1,737,918".

**CONTRACTING REQUIREMENTS – COMMON DOCUMENTS**

4. DOCUMENT 007307 SUPPLEMENTARY CONDITIONS – MWBE-EEO, Paragraph 16.7.6:  
Remove in its entirety and replace with:  
"16.7.6 The goal for participation in the conduct of the Work is expressed as a percentage equal to the dollar value of the Work performed divided by the Contract Sum. Where the cost to the Contractor of a single item of equipment, material, or specialized proprietary service that exceeds twenty-five percent (25%) of the total contract price and where the Contractor has shown good faith efforts to obtain such equipment, material, or specialized proprietary service from MWBE manufacturers, suppliers, and/or subcontractors was unsuccessful in obtaining the equipment, material, or specialized proprietary service from an MWBE, the cost of such equipment, material, or specialized proprietary service shall be deducted from the contract sum prior to computing the MWBE participation. Subsequent to the submission of the apparent low bidder's MWBE Utilization Plan, any requested deductions by the bidder will require approval from the OGS Office of Business Diversity."
5. DOCUMENT 007310 SUPPLEMENTARY CONDITIONS - CONTRACTOR'S SUPERVISION: Discard the Section bound in the Project Manual and substitute the Document (pages 007310 – 1 thru 007310 – 2) noted "Addendum 01".

**END OF ADDENDUM**

Brady Sherlock, P.E.  
Director, Division of Design  
Design & Construction

**DOCUMENT 007310****SUPPLEMENTARY CONDITIONS - CONTRACTOR'S SUPERVISION**

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

**ARTICLE 6 - CONTRACTOR'S SUPERVISION**

ARTICLE 6 Delete this Article in its entirety and replace with the following:

6.1 The Contractor shall designate in writing, competent supervision and/or management representatives as required below to represent the Contractor at all times with authority to act for the Contractor. All direction given to the Contractor's representatives shall be as binding as if given to the Contractor. A superintendent or project manager shall be classified as management representatives included in the Contractor's overhead and shall perform management, supervisory and/or administrative tasks (non labor) only. Individuals listed under this Article shall have the ability to effectively communicate (verbal and written) with all parties associated with the administration/supervision of this contract.

6.1.1 For contracts awarded up to \$1,000,000 the Contractor shall provide a supervisor, for the Contractor's staff, who shall be in attendance at the Site throughout the active performance of the Work, including active performance of the Work by subcontractors.

6.1.2 For contracts awarded from \$1,000,001 to \$10,000,000, the Contractor shall provide a superintendent, for the Contractor's staff, who shall be in attendance at the Site throughout the active performance of the Work until Substantial Completion. Upon Substantial Completion the Contractor shall provide a supervisor who shall be in attendance at the Site throughout the active performance of the Work until Physical Completion. The superintendent's responsibilities include, but are not limited to, directing and scheduling the Work, attending all Project meetings, coordinating and controlling the Work of subcontractors, and ensuring full compliance with the Contract documents. The Contractor shall also provide a project manager for the Contractor's staff from award through Substantial Completion. The Project Manager's responsibilities shall include, but are not limited to, developing and maintaining the submittal system and project schedules, attending Project meetings, making purchasing and cost decisions on behalf of the Contractor, Orders on Contract responses and negotiations, and closeout and warranty documentation. The Contractor shall provide required information to the Director's Representative for the Project schedule.

6.1.3 For contracts awarded for more than \$10,000,000, in addition to the requirements set forth in Article 6.1.2, if at any time the Contractor has more than five subcontractors performing Work on the Site simultaneously, the Contractor shall provide an additional Superintendent to coordinate the Work of the subcontractors.

6.2 Should the Director deem any employees of the Contractor not satisfactory or unfit for their duty, the Contractor shall dismiss them and they shall not again be employed on the Work.

6.2.1 Infractions that are dismissible for project managers, superintendents, or supervisors include, but are not limited to, the failure to develop and maintain Project schedules, failure to comply and enforce safety regulations, failure to schedule inspections or provide adequate notice as required by Contract Documents, failure to attend and adequately prepare for meetings as required by Contract Documents, and failure to follow directions regarding the Work provided by the Director's Representative.

6.3 The experience levels noted below in this Article will be used in evaluating the qualifications and experience of the supervisors, superintendents, and Project Managers, as applicable.

6.3.1 Supervisors, required by paragraph 6.1.1, shall have a minimum of five years of experience in the role of supervisor with a minimum of three projects of similar size and scope, and shall be subject to review and written approval by the Director's Representative before commencing the Work, and subsequently during the course of the Project if the supervisor is replaced after Work has commenced. The Contractor will provide references to validate qualifications of the proposed supervisor upon request.

6.3.2 Superintendents, required for any contracts awarded above \$1,000,000 as set forth in Article 6.1.2, shall have a minimum of five years of experience in the role of Superintendent with a minimum of three projects of similar size and scope, and shall be subject to review and written approval by the Director's Representative before commencing the Work, and subsequently during the course of the Project if the Superintendent is replaced after Work has commenced. The Contractor will provide references to validate qualifications of the proposed Superintendent upon request.

6.3.3 The Project Manager, required for any contracts awarded above \$1,000,000 as set forth in Article 6.1.2, shall have a minimum of five years of experience in the role of Project Manager with a minimum of three projects of similar size and scope, and shall be subject to review and written approval by the Director's Representative before commencing the Work, and subsequently during the course of the Project if the Project Manager is replaced after Work has commenced. The Contractor will provide references to validate qualifications of the proposed Project Manager upon request.

6.4 No subcontractor shall be allowed at the Work Site before approval by the Director and the Contracting Officer. Before any part of the Contract shall be sublet or material purchased, the Contractor shall submit to the Director in writing the name of each proposed subcontractor and supplier and obtain the Director's written consent to such subcontractor and supplier. The names shall be submitted in ample time to permit acceptance or rejection of each proposed subcontractor and supplier by the Director or Contracting Officer without causing delay in the Work of the Project. The Contractor shall promptly furnish such information as the Director or Contracting Officer may require concerning the proposed subcontractor's and supplier's ability and qualifications, and certification status as a Minority- and Women-Owned Business Enterprises and/or Service-Disabled Veteran-Owned Business. For each proposed subcontractor, the Contractor shall also provide the New York State Department of Labor registration number in accordance with NYS Labor Law Section 220-i. Each request for approval of a subcontractor whose subcontract will be valued at \$10,000 or more shall also be accompanied by a NYS Vendor Responsibility Questionnaire - For-Profit Construction properly completed and executed by the proposed subcontractor.

6.5 The Contractor's use of subcontractors shall not diminish the Contractor's obligations to complete the Work in accordance with the Contract. The Contractor shall control and coordinate the Work of its subcontractors.

6.6 The Contractor shall be responsible for informing its subcontractors and suppliers of all the terms, conditions and requirements of the Contract Documents including, but not limited to, the General Conditions, Supplementary Conditions, the Drawings and Specifications, Appendix A, and changes made by Addenda and Orders on Contract.

**END OF DOCUMENT**