

DETACH AND USE THIS FORM

BID FORM FOR: 45192-C

**CONSTRUCTION WORK
REHABILITATE ELEVATOR, BUILDING 82
GROVELAND CORRECTIONAL FACILITY
7000 SONYEA ROAD
SONYEA, NY**

State of New York
Office of General Services
Design and Construction Group
Division of Contract Management
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 (AS DESCRIBED IN THE INSTRUCTIONS TO BIDDERS) IN THE AMOUNT STATED IN THE ADVERTISEMENT FOR BIDS.

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 become the property of the State if this bid is accepted by the State and he/she does not submit executed copies of the Agreement within 10 days of receipt of a written request. 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;

(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 (NYS Iran Divestment Act of 2012). The list can be viewed at the following link:

<http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>

**FORM OF BID BOND - BID SECURITY
STATE OF NEW YORK
OFFICE OF GENERAL SERVICES - DESIGN AND CONSTRUCTION**

Sub. 3, Sec. 8 - Public Buildings Law

KNOW ALL MEN BY THESE PRESENTS, That _____

(Name of Contractor)

(Address)

(hereinafter called the "Principal") and _____
a corporation created and existing under the Laws of the State of _____ having its principal office in the City
of _____ duly licensed as an insurance
company in the State of New York, (hereinafter called the "Surety"), are held and firmly bound unto The People of the State of New
York (hereinafter called the "State"), in the full and just sum of \$20,700 good and lawful money of the United States of America, for the
payment of which said sum of money, well and truly to be made, and done, the Principal binds themselves (himself, itself), their (his, its)
heirs, executors and administrators, successors and assigns, and the Surety binds itself, its successors and assigns jointly and severally,
firmly by these presents:

WHEREAS, the Principal has submitted to the Office of General Services of the State of New York a proposal for
Construction Work, Rehabilitate Elevator, Building 82, Groveland Correctional Facility, 7000 Sonyea Road, Sonyea, NY

AND

WHEREAS, the Principal intends to file this bond to guarantee that the Principal will execute a contract and furnish
performance and labor and material bonds required by the terms of the Principal's proposal.

NOW, THEREFORE, the condition of the foregoing obligation is such, that if the Principal shall promptly submit an
executed agreement and furnish performance and labor and material bonds required by the terms of the Principal's proposal, then this
obligation shall be null and void, otherwise to remain in full force and virtue.

NOW, THEREFORE, the condition of the foregoing obligation is such that if the Principal fails to promptly submit and
executed agreement and furnish performance and labor and material bonds required by the terms of the Principal's proposal, then the
Surety itself, its successors and assigns, jointly and severally, shall pay the whole sum of money previously set forth in this document to
the State.

IN TESTIMONY WHEREOF, the Principal has hereunto set their (his, its) hand and seal and the Surety has caused this instrument to
be signed by its Attorney-in-fact, _____

and its corporate seal to be hereunto affixed.
Signed, sealed and delivered in the presence of:

(Corporate seal
of Principal if a corporation)

(L.S.)

(L.S.)

Principal

Company

(Corporate seal of Surety Co.)

Attorney-in-fact

Witness

Name

Name

**NEW YORK STATE'S SURETY BOND
Assistance Program Helps Small Business Contractors Secure Surety Bonding**

What is the NYS Surety Bond Assistance Program?

The NYS Surety Bond Assistance Program (NYSBAP) provides technical and financial assistance to help contractors secure surety bonding. Contractors may be eligible to receive a guarantee of up to 30% to secure a surety bond line, bid bond or a performance and payment bond on state projects.

How does the NYS Surety Bond Assistance Program work?

To apply for financial assistance, small business contractors should review eligibility requirements and fill out a pre-application assessment available at the Empire State Development (ESD) website.

If the assessment indicates you are eligible to submit an application, proceed with the Application and submit the required forms.

Guarantees of up to 30% on a bond line or individual contract bid bonds and payment/performance bonds are available from Empire State Development. Being eligible for this program does not automatically ensure bonding. Approval is based on both underwriting by a surety company and ESD's credit assessment. Participating surety companies will make a credit determination in accordance with their internal underwriting standards.

Small businesses can also enroll to receive training and technical support on how to become bond-ready by using the Contact Information below. The classroom training is held throughout New York State.

Who is eligible?

- Applicant must be a NYS small business or MWBE with at least two years of business operation.
- Maximum bond line or project size is \$2 million
- Minimum average gross revenue of \$400,000 in the last two fiscal or calendar years and maximum gross revenue not to exceed \$5 million in the most recent calendar or fiscal year.
- Minimum credit score of 600.
- Previous experience completing similar work to the contract opportunity being pursued.

Find Out More

If interested in training or financial support, please visit ESD's website:
<http://esd.ny.gov/BusinessPrograms/BondingAssistance.html>

For additional inquiries, please contact:
Ms. Huey-Min Chuang
Senior Director of Business & Economic Development
212-803-3238
BAP@esd.ny.gov

Offerer Disclosure of Prior Non-Responsibility Determinations

See instructions on next page before completing this form.

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address: _____

Name and Title of Person Submitting this Form: _____

Contract Procurement Number: _____ Date: _____

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle):

No

Yes

If yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle):

No

Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle):

No

Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below and attach additional pages as necessary.

Governmental Entity: _____

Date of Finding of Non-responsibility: _____

Basis of Finding of Non-Responsibility: _____

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please circle):

No

Yes

6. If yes, please provide details below and attach additional pages as necessary.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

Offerer certifies that all information provided to the Governmental Entity with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____

Signature