



PROJECT ID: E12-0023

THE CITY OF NEW YORK
DEPARTMENT OF DESIGN AND CONSTRUCTION
DIVISION OF PUBLIC BUILDINGS

30-30 THOMSON AVENUE
LONG ISLAND CITY, NEW YORK 11101-3045
TELEPHONE (718) 391-1000
WEBSITE www.nyc.gov/buildnyc

LAW

VOLUME 1 OF 3

BID BOOKLET

FOR FURNISHING ALL LABOR AND MATERIALS
NECESSARY AND REQUIRED FOR:

PlaNYC Energy Audit Retrofit at Brooklyn Public Library

LOCATION: 2 Eastern Parkway
BOROUGH: Brooklyn 11238
CITY OF NEW YORK

CONTRACT NO. 1 HVAC WORK

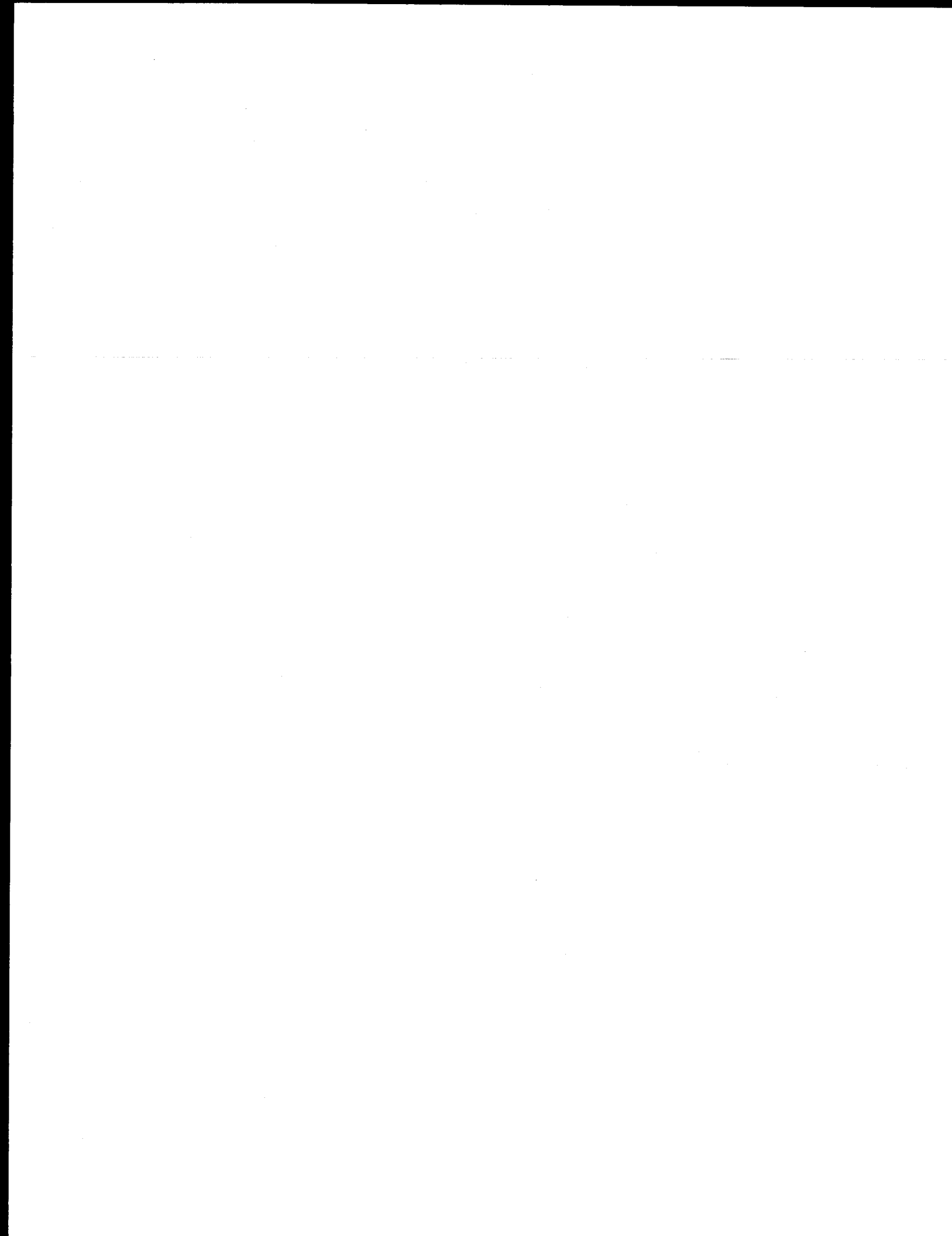
DCAS

Loring Consulting Engineers



Date: November 20, 2014

11 5-078



*Revised

Bid Tab

Description **PLANYC ENERGY AUDIT RETROFIT AT BROOKLYN
PUBLIC LIBRARY**

Bid Date **4/30/2015** **FMS ID** **E12-0023**

Estimated Cost **\$6,156,948.00** **Client Agency:** **DCAS**

Bid Security **Not less than 2%
of Total Price** **PLA:** **YES**

Time Allowed **720 CCD*** **Contract Manager:** **Phyllis Lopez**

Addendum **6** **Project Manager** **Blazevski-
Charpentie,
Kristina**

PIN **8502015LB0003C** **E-PIN** **85015B0065**

Selective Bidding Yes No **Consultant** **N/A**

Bid Rank	Vendor	Bid Amount	Security Type
1	CDE AIR CONDITIONING CO.	\$5,588,895.00	Bond
2	ACS SYSTEM ASSOCIATES, INC	\$5,890,580.00	Bond
3	AWL INDUSTRIES, INC	\$7,494,726.00	Bond
4	NORTHSTAR MECHANICAL CORP.	\$11,798,510.00	Bond

SUBCONTRACTORS:

ELECTRICAL: TRU-VAL Electric Corporation

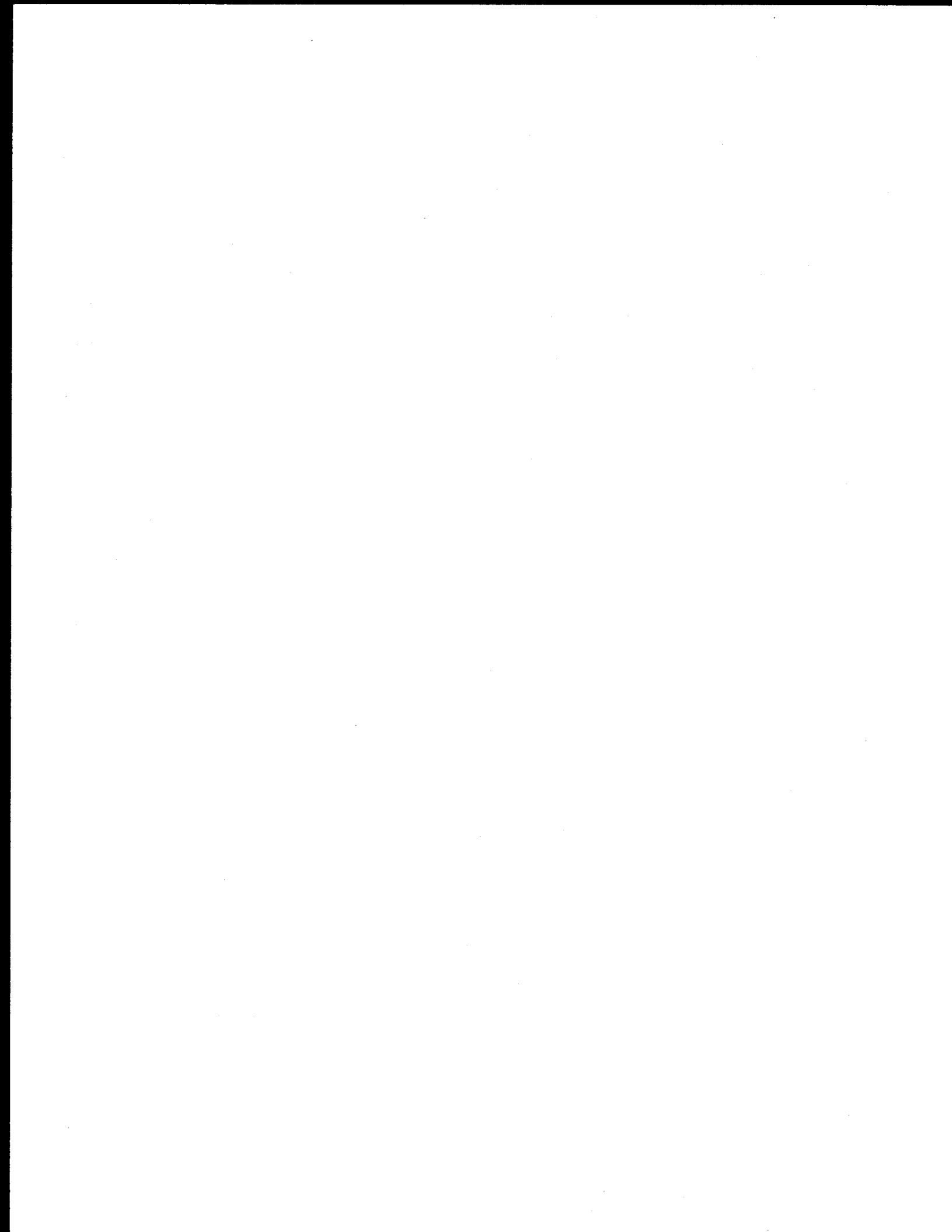
\$1,971,182.00

Recorder: Brenda Barreiro

Approver: 

Bid Tab
Pin: 8502015LB0003C

Page 1 of 1





**Department of
Design and
Construction**

**Dr. Feniosky Peña-Mora
Commissioner**

**Andrea Glick
Deputy Commissioner
Administration**

**John Goddard
Agency Chief
Contracting Officer**

**Lorraine Holley
Deputy ACCO
Competitive Sealed
Bid Contracts**

June 20, 2015

CERTIFIED MAIL - RETURN RECEIPT REQUEST

**CDE Air Conditioning Co., Inc.
321 39th Street
Brooklyn, NY 11232**

**RE: FMS ID: E12-0023
E-PIN: 85015B0065001
DDC PIN: 8502015LB0003C
PlaNYC Energy Audit Retrofit at Brooklyn Public
Library - Borough of Brooklyn
NOTICE OF AWARD**

Dear Contractor:

You are hereby awarded the above referenced contract based upon your bid in the amount of \$5,588,895.00 submitted at the bid opening on April 30, 2015. Within ten (10) days of your receipt of this notice of award, you are required to take the actions set forth in Paragraphs (1) through (3) below. For your convenience, attached please find a copy of Schedule A of the General Conditions to the Contract, which sets forth the types and amounts of insurance coverage required for this contract.

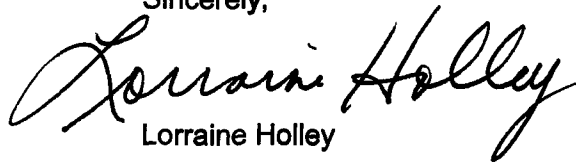
- (1) Execute four copies of the Agreement in the Contracts Unit, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York (IDCNY Building). A Commissioner of Deeds will be available to witness and notarize your signature. The Agreement must be signed by an officer of the corporation or a partner of the firm.
- (2) Submit to the Contracts Unit four properly executed performance and payment bonds. If required for this contract, copies of performance and payment bonds are attached.
- (3) Submit to the Contracts Unit the following insurance documentation: (a) original certificate of insurance for general liability in the amount required by Schedule A, and (b) original certificates of insurance or other proof of coverage for workers' compensation and disability benefits, as required by New York State Law. The insurance documentation specified in this paragraph is required for registration of the contract with the Comptroller's Office.



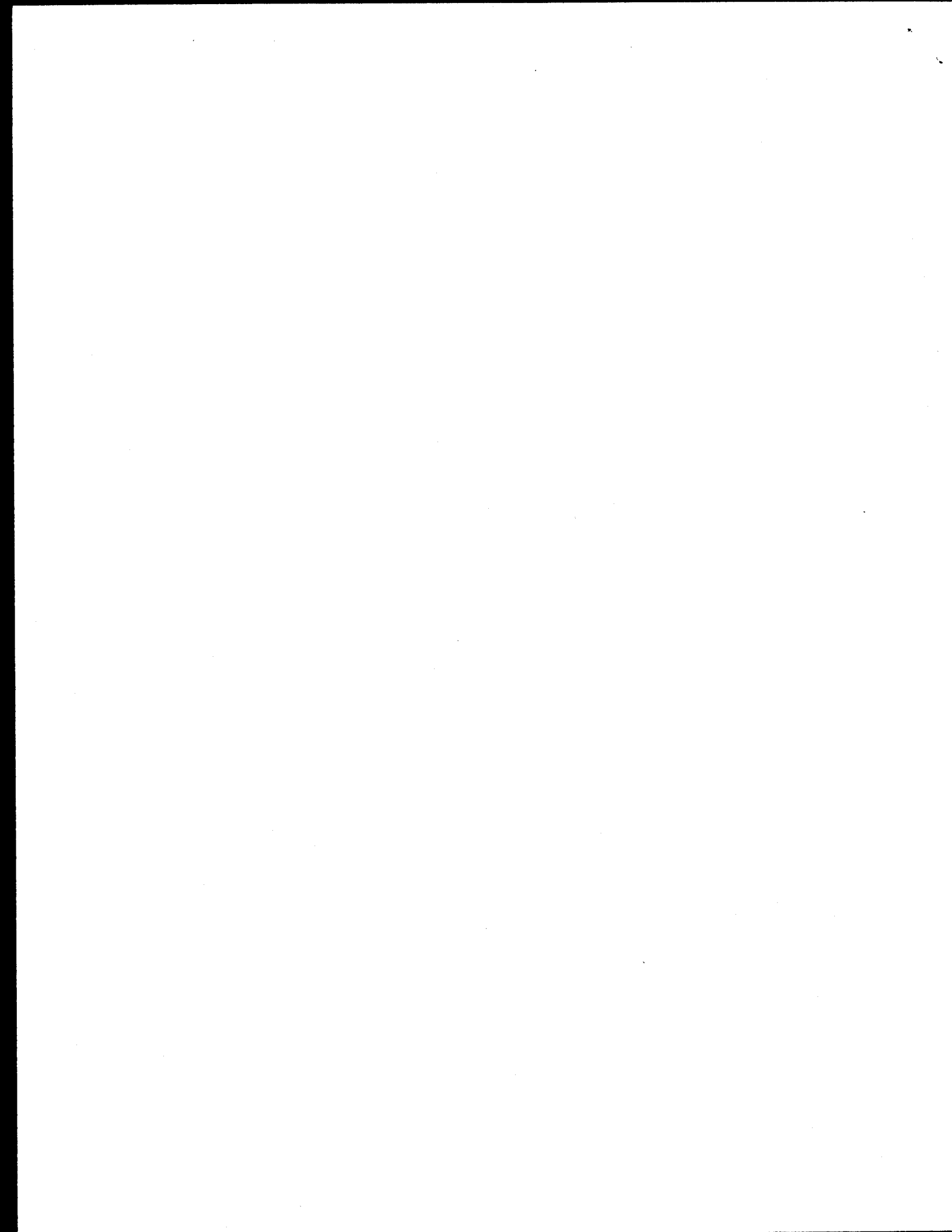
On or before the contract commencement date, you are required to submit all other certificates of insurance and/or policies in the types and amounts required by Schedule A. Such certificates of Insurance and/or policies must be submitted to the Agency Chief Contracting Office, Attention: Risk Manager, Fourth Floor at the above indicated department address.

Your attention is directed to the section of the Information for Bidders entitled "Failure to Execute Contract". As indicated in this section, in the event you fail to execute the contract and furnish the required bonds within the (10) days of your receipt of this notice of award, your bid security will be retained by the City and you will be liable for the difference between your bid price and the price for which the contract is subsequently awarded, less the amount of the bid security retained.

Sincerely,

A handwritten signature in cursive script that reads "Lorraine Holley". The signature is written in black ink and is positioned above the printed name.

Lorraine Holley



Qualification Form

Project ID: E12-0023

List previous projects completed to meet the special experience requirements for this contract. Please photocopy this form for submission of all required projects.

(see attached list of projects completed)

Name of Contractor: _____

Name of Project: _____

Location of Project: _____

Owner or Owner's representative (Architect or Engineer) who is familiar with the work performed:

Name: _____

Title: _____ Phone Number: _____

Brief description of work completed: _____

Was the work performed as a prime or a subcontractor: _____

Amount of Contract: _____

Date of Completion: _____

Name of Contractor: _____

Name of Project: _____

Location of Project: _____

Owner or Owner's representative (Architect or Engineer) who is familiar with the work performed:

Name: _____

Title: _____ Phone Number: _____

Brief description of work completed: _____

Was the work performed as a prime or a subcontractor: _____

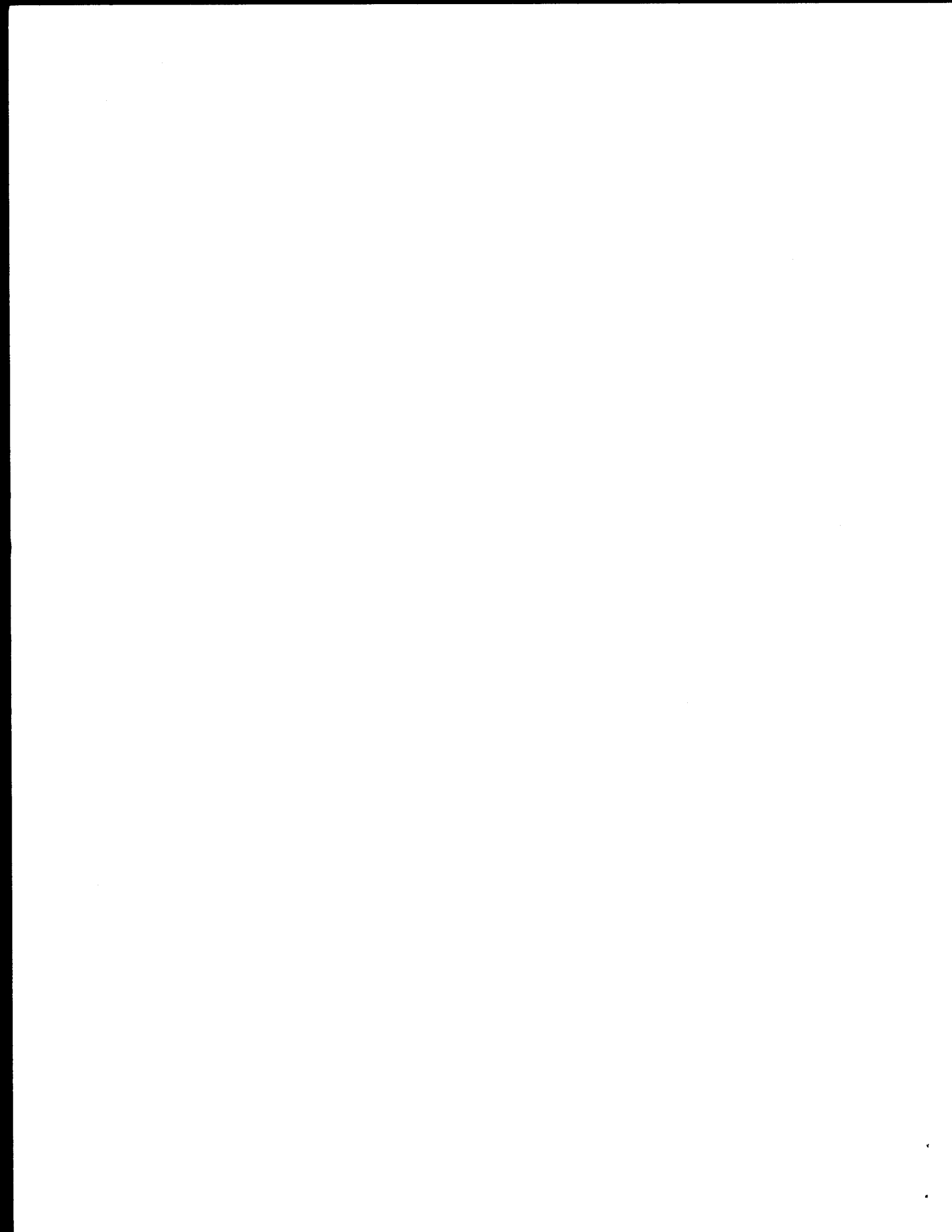
Amount of Contract: _____

Date of Completion: _____



**C.D.E. AIR CONDITIONING CO., INC.
PARTIAL LIST OF COMPLETED PROJECTS**

PROJECT NAME AND LOCATION	PROJECT NUMBER	OWNER/CONTACT	TELEPHONE NO.	FINAL CONTRACT PRICE	COMPLETION DATE
Queens Children's Library Children's Library Discovery Center	20040018658	Hill International/NYC DDC Marc Zaretsky, Vice President	(212) 244-3700	7,979,398	December, 14
United Nations South Screening Building		Skanska USA Building Raki Lavon	(917) 346-3739	76,588	December, 14
Queens College Science Building HVAC Work	CITY-W-CUCF-01-09-04-MECH	STV/CUNY Jeanny Cheung,	(212) 614-3382	478,898	November, 14
102 Precinct Station House New Air Cooled Chiller	CT 1 056 20131420928	NYPD Stephen Sailer, APM III, NYPD	(718) 476-8699 (347) 245-8365	638,138	October, 14
Newtown Creek WPCP, NC-36H 329 Greenpoint Ave., Brooklyn, NY 11222	Project WP-283 Contract NC-36H	Hazen & Sawyer/NYC DEP John Russo	(718) 609-8703	12,428,503	September, 14
Parks District Headquarters Bushwick Inlet Pak Kent Avenue, Between N. 9 th Street, Brooklyn, NY	BG-38250-507M	NYC Dept. of Parks Matthias Augustin Lorenzo Calabrese	(718) 760-6828	2,278,477	September, 14
Tavern of the Green Core and Shell Renovation Contract No. 1 - General Construction Work	Contract TAVREH	Hudson Insurance Terry Dahl	(212) 978-2835	3,473,822	August, 14
Central Park Police Precinct 86 th Street Transverse Road, New York NY	20060007059	URS Corp. - NY / NYC DDC Douglas Kerrigan	(646) 963-6011	4,268,423	July, 14
Pier 40 HVAC Restoration	LC4548	LiRo Program & Construction Mark Conti	(516) 938-5476	331,279	January, 14
Paerdegat Basin Water Quality Facility 1887 Ralph Avenue, Brooklyn, New York	WP-169 Contract # CSO-5H	Hazen & Sawyer, P.C. Pietro L. Palmari, P.E.	(7185) 241-2053	21,828,306	September, 13
71st Precinct Station House Replacement of Existing Boiler & Associated Accessories	20121419085	NYPD - Bldg. Maintenance Stephen Sailer, APM III Cell:	(718) 476-8699 (347) 245-8365	383,323	August, 13
Hunter College City University of New York Chiller Replacement of A/C Upgrades	CITY-CUCF-01-09-02-GC3	EPIC Management/CUNY Vincent Ramadani	(212) 601-2766	1,375,398	April, 13
Newtown Creek WPCP, NC-31H 329 Greenpoint Avenue, Brooklyn, NY	Project No. WP-283 Contract NC-31H	Malcolm Pirnie/NYC DEP Stan Damaris	(718) 383-7960	16,426,796	May, 13
Rikers Island Correctional Facility 800 Bed Addition at RMSC	20050016107	URS Corp. - NY/NYC DDC Frank Corona Cell	(212) 896-0140 (917) 578-5576	18,895,703	January, 13
Brooklyn VA Medical Center 800-Ton Chiller Replacement	GS-00P-07-BSD-0510 P.O. 3567	ConEd Solutions Mart Litwinko	(914) 286-7738	855,542	August, 12
Fort Totten Chiller Repairs		Paradigm Services, Inc. Shane Vazquez	((973) 989-5888	33,474	July, 12
Mitchell Field Naval Exchange HVAC Work	Contract N400085-08-81-730011	Dave Rosenberg, Iron Eagle	(516) 826-6848	452,000	July, 12



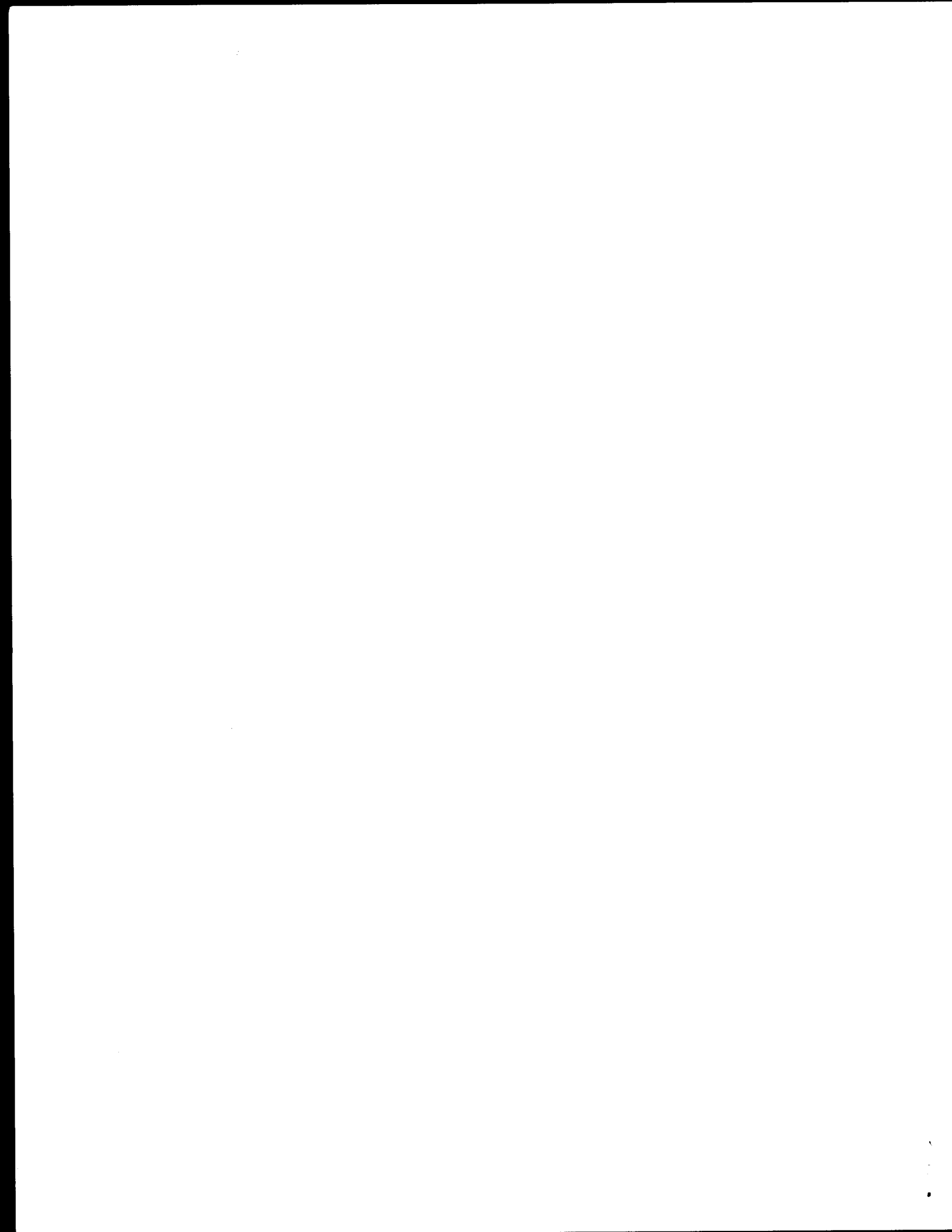
**C.D.E. AIR CONDITIONING CO., INC.
PARTIAL LIST OF COMPLETED PROJECTS**

PROJECT NAME AND LOCATION	PROJECT NUMBER	OWNER/CONTACT	TELEPHONE NO.	FINAL CONTRACT PRICE	COMPLETION DATE
7 West 51 st Street, New York, NY Replacement 50-Ton Rooftop A/C Unit & Return Fan		Sedesco/PREF 7 West 51 st LLC Matthew Johnson	(212) 317-2600	248,250	July, 12
FDNY EMS Station #27 68 East 133 rd Street, Bronx, NY	F175EMS 2090026482	The LiRo Group/NYC DDC Joseph Fox Michael Mascaro	(917) 681-7242 (347) 386-3839	1,631,490	June, 12
Newtown Creek WPCP, NC-32H 329 Greenpoint Avenue, Brooklyn, NY 11222	Project # WP-283 Contract NC-32H	Hazen & Sawyer/NYC DEP Stan Dimaris	(718) 389-7960	12,041,893	March, 12
Brooklyn VA Hospital – HVAC Controls Replacement, Phase II	630-80-407	Anthony Weathers David Rosenberg, Iron Eagle	(718) 836-6600 (516) 826-6848	1,440,814	May, 11
Spring Creek AWPCP – Upgrade HVAC Work 26 Ward WPC, Spring Creek. Basin Brooklyn, New York	Project # WP-225 Contract # SC-1H	CDM/NYC DEP Keith Kelly	(516) 496-8400	6,470,663	April, 11
Lincoln Center – Package No. 5 Concourse Garage Renovation – HVAC Work West 65 th Street & Broadway, New York NY	1266030	Edwin Ogando, Turner Const. Jed Gallagher, LCDP Dan Watson, LCDP	(212) 362-2775 (212) 875-5860 (212) 875-5828	6,465,870	February, 11
United Nations Development Corp. (UNDC) Elevator MER		UNDC Ken Coopersmith	(212) 888-1618	60,257	October, 10
Brooklyn VA Hospital – A/C No. 3 Brooklyn, New York	630A4-09-429	Doug Jones, DVA David Rosenberg, Iron Eagle	(718) 630-3007 (516) 286-6848	222,904	June, 10
EMD Brooklyn FDNY Dispatch 35 Empire Boulevard, Brooklyn, New York	20050015993	URS Corp. – NY/NYC DDC Kenneth O'Conner	(718) 622-0151	1,094,410	June, 10
St. George Ferry Terminal, Staten Island	11490057	Brickens Constr./NYC EDC Dennis O'Mahony	(914) 237-2709	264,957	June, 10
English Kills Aeration 1106 Grand Avenue, Brooklyn, New York	Project # WP-169 Cont. # EK-11H	NYC DEP Warren Gordon	(347)996-7790	469,970.	January, 10
Brooklyn VA - HVAC Controls Replacement 800 Poly Place, Brooklyn	630A4-06-407 Phase I	Patrick McDonald, DVA David Rosenberg, Iron Eagle	(718) 630-3586 (516) 826-6848	763,986	December, 09
Notre Dame Academy Arts & Dining Center		Pavillion Building Corp. Sal Tirro	(718) 948-1700	1,328,717	November, 09
Beach Channel Drive Houses Beach 41 st Street Boiler Replacement	4008967	LiRo/Hill/NYCHA Frank Franco	(212) 563-0280	3,053,776	September, 09
Co-op City Pumping Station – North & South Bronx, New York	WP-269 Contract PS-125	Spectraserv/NYC DEP John Kling	(973) 589-0277	129,477	February, 09
Leary Fire Fighters Foundation Randall's Island, New York		Brickens Constr/The LiRo Grp Michail Madlir	(914) 237-2709	79,207	December, 08



**C.D.E. AIR CONDITIONING CO., INC.
PARTIAL LIST OF COMPLETED PROJECTS**

PROJECT NAME AND LOCATION	PROJECT NUMBER	OWNER/CONTACT	TELEPHONE NO.	FINAL CONTRACT PRICE	COMPLETION DATE
F.D.N.Y. Dispatch Operations Rehab. of Borough Comm. Offices Bronx, Queens and Staten Island	F1755C099	URS Corp.- NY/NYC DDC Kenneth O'Connor	(718) 622-0151	5,823,323	September, 08
Queens Midtown Tunnel Exhaust Fan Replacement	Contract # QM-80	The LiRo Group/TBTA Alex Constantinides	(516) 938-5476	18,776,462	September, 08
Fort Washington Adult Day Care Center 99 Fort Washington Avenue New York, New York 10032	4008967	The LiRo Group/NYCHA Peter Venechanos	(212) 265-1207	458,794	June, 08
Hunter College - Loewe Theatre 138 East 68th Street, New York, NY	0519	URS Corp.- NY/CUNY Lawrence Large	(718) 922-2795 917) 335-0299	1,045,437	June, 08
Jamaica WPCP 150-20 134 th Street, Jamaica, New York	WP-247 Contract # JA-1H	Hazen & Sawyer/NYC DEP Thomas Walsh	(718) 647-6510	3,853,765	June, 08
Ocean Bay Apartments Daycare/Senior Social Center Far Rockway, NY 11692	PW193-21 Contract No. 3	The LiRo Group/NYCHA Elby Tineo Joseph Massa	(718) 318-7318 (516) 965-3411 (516) 214-8132	751,775	June, 08
Betances Houses IV & VI Community Center Renovation	4008967	The LiRo Group/NYCHA Sam Abdo	(718) 445-5295 (646) 404-6369	1,010,291	December, 07
Flight 587 Memorial & Comfort Station	20060007122	URS Corp -NY/NYC DDC Henry Santos	(718) 318-2506	157,529	September, 07
Jacob Riis Settlement House 10-25 41 st Avenue, L.I.C., New York	4008967	The LiRo Group/NYCHA Sam Abdo	(718) 445-5295 (646) 404-6369	262,733	May, 07
Manhattan Psychiatric Center , Bldg. 110 Wards Island Complex 600 East 125 th Street, New York, NY 10035	Complex 0500924	NYS Office of Mental Health Victor Boissiere	(646) 672-6563 (917) 247-0157	184,260	January, 07
G & H Industries 309 East 56 th Street, New York, NY 10022		Thomas Liddy, General Mgr.	(212) 451-6311	241,767	October, 06
W. 158 th Street Maintenance & Repair Facility W. 158 th Street & Riverside Drive, NY, NY	HWMF032 Contr. #3 HVAC	Liro Group/NYC DDC Bernard Markowitz	(516) 938-5476	5,016,118	September, 06
Police Headquarters - Electrical Improvements 1 Police Plaza, New York, New York	P070-HQEU	NYC DDC Larry Shim	(718) 391-1126	4,075,548	March, 06
Rikers Island - GMDC New Kitchen End of Shore Road, E. Elmhurst, New York	C141 SERV3	URS Corp./DDC Lawrence Large	(718) 922-2795	3,326,195	March, 06
F.D.N.Y. Radio Repair Shop Renovations 58-65 52 nd Road, Queens, New York	F175RADIO Contract # 3 HVAC	The LiRo Group/NYC DDC Nick Argiro	(718) 779-8489	356,108	December, 05
Yankee Stadium Pipe Tunnel Renovation	YANKCIP04 Contr. #1 HVAC	Liro Group/NYC DDC Robert Lorusso	(516) 938-5476	389,879	August, 05
Museum of The City of New York - Mechanical Work 1220 5 th Avenue, NYC	PV241-REN	Hill International/NYC DDC William Krauss	(212) 244-3700	157,345	June, 05
FDNY Fire Training Academy Randall's Island, New York	F204-RAND	LIRO Group/NYC DDC Nicholas Argiro	(212) 876-8220	3,428,346	November, 04



**BID FORM
THE CITY OF NEW YORK
DEPARTMENT OF DESIGN AND CONSTRUCTION
DIVISION OF PUBLIC BUILDINGS**

**BID FOR FURNISHING ALL LABOR AND
MATERIAL NECESSARY AND REQUIRED FOR:**

PROJECT ID: E12-0023

**PlaNYC Energy Audit Retrofit at Brooklyn Public Library
2 Eastern Parkway
Brooklyn 11238**

Name of Bidder: C.D.E. Air Conditioning Co., Inc.

Date of Bid Opening: April 30, 2015

Bidder is: (Check one, whichever applies) Individual () Partnership () Corporation (x)

Place of Business of Bidder: 321 39th Street, Brooklyn, New York 11232

Bidder's Telephone Number: 718-788-1040 Bidder's Fax Number: 718-788-2046

Bidder's Email Address: josepha@cdeair.com

Residence of Bidder (If Individual): _____

If Bidder is a Partnership, fill in the following blanks:

Names of Partners

Residence of Partners

_____	_____
_____	_____
_____	_____

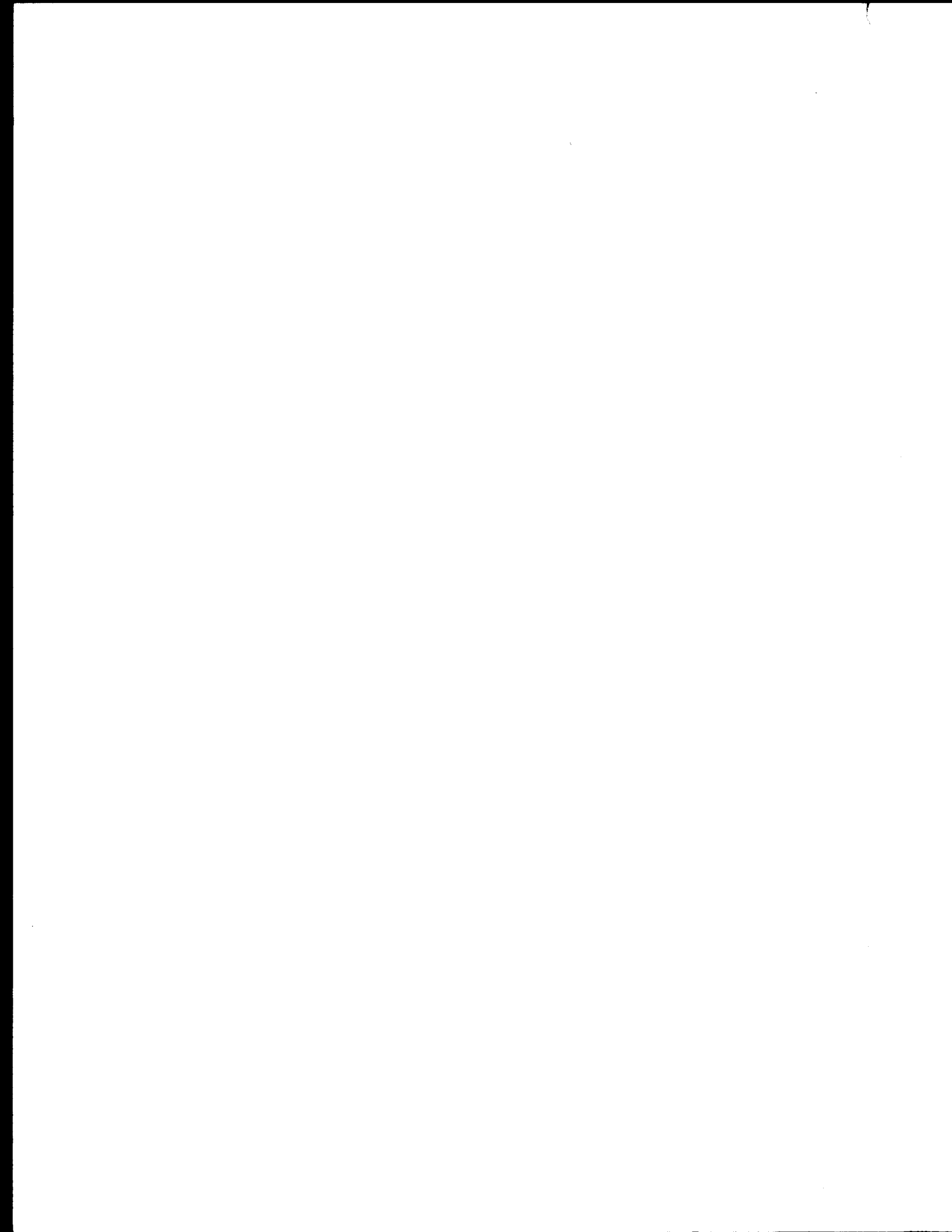
If Bidder is a Corporation, fill in the following blanks:

Organized under the laws of the State of New York

Name and Home Address of President: Joseph F. Azara, Jr.
215 Howard Avenue, Staten Island, New York 10301

Name and Home Address of Secretary: Brian J. Azara
251 7th Street, Apt. 8D, Brooklyn, New York 11215

Name and Home Address of Treasurer: Christine R. Azara
215 Howard Avenue, Staten Island, New York 10301



BID FORM

The above-named Bidder affirms and declares:

1. The said bidder is of lawful age and the only one interested in this bid; and no person, firm or corporation other than hereinbefore named has any interest in this bid, or in the Contract proposed to be taken.
2. 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 its 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 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.
3. No councilman or other officer or employee or person whose salary is payable in whole or in part from the City Treasury is directly or indirectly interested in this bid, or in the supplies, materials, equipment, work or labor to which it relates, or in any of the profits thereof.
4. The bidder is not in arrears to the City of New York upon debt or contract or taxes, and is not a defaulter, as surety or otherwise, upon any obligation of the City of New York, and has not been declared not responsible, or disqualified, by any agency of the City of New York or State of New York, nor is there any proceeding pending relating to the responsibility or qualification of the bidder to receive public contracts except as set forth on the Affirmation included as page 17 of this Bid Booklet.

The bidder hereby affirms that it has paid all applicable City income, excise and other taxes for all years it has conducted business activities in New York City.

5. The bidder, as an individual, or as a member, partner, director or officer of the bidder, if the same be a firm, partnership or corporation, executes this document expressly warranting and representing that should this bid be accepted by the City and the Contract awarded to him, he and his subcontractors engaged in the performance:
(1) will comply with the provisions of Section 6-108 of the Administrative Code of the City of New York and the non-discrimination provisions of Section 220a of the New York State Labor Law, as more expressly and in detail set forth in the Agreement; (2) will comply with Section 6-109 of the Administrative Code of the City of New York in relation to minimum wages and other stipulations as more expressly and in detail set forth in the Agreement; (3) have complied with the provisions of the aforesaid laws since their respective effective dates, and (4) will post notices to be furnished by the City, setting forth the requirements of the aforesaid laws in prominent and conspicuous places in each and every plant, factory, building and structure where employees engaged in the performance of the Contract can readily view it, and will continue to keep such notices posted until the supplies, materials and equipment, or work labor and services required to be furnished or rendered by the Contractor have been finally accepted by the City. In the event of any breach or violation of the foregoing, the Contractor may be subject to damages, liquidated or otherwise, cancellation of the Contract and suspension as a bidder for a period of three years. (The words, "the bidder", "he", "his", and "him" where used shall mean the individual bidder, firm, partnership or corporation executing this bid).



6. Compliance Report

The bidder, as an individual, or as a member, partner, director, or officer of the bidder, if the same be a firm, partnership, or corporation, (1) represents that his attention has been specifically drawn to Executive Order No. 50, dated April 25, 1980, on Equal Employment Compliance of the contract, and (2) warrants that he will comply with the provisions of Executive Order No. 50. The Employment Report must be submitted as part of the bid.

The bidder, as an individual, or as a member, partner, director, or officer of the bidder, if the same be a firm, partnership, or corporation, executes this document expressly warranting that he will comply with: (1) the provision of the contract on providing records, Chapter 8.

7. By submission of this bid, the bidder certifies that it now has and will continue to have the financial capability to fully perform the work required for this contract. Any award of this contract will be made in reliance upon such certification. Upon request therefor, the bidder will submit written verification of such financial capability in a form that is acceptable to the department.

8. In accordance with Section 165 of the State Finance Law, the bidder agrees that tropical hardwoods, as defined in Section 165 of the State Finance Law, shall not be utilized in the performance of this Contract, except as the same are permitted by the foregoing provision of law.

9. The bidder has visited and examined the site of the work and has carefully examined the Contract in the form approved by the Corporation Counsel, and will execute the Contract and perform all its items, covenants and conditions, and will provide, furnish and deliver all the work, materials, supplies, tools and appliances for all labor and materials necessary or required for the hereinafter named work, all in strict conformity with the Contract, for the prices set forth in the Bid Schedule:

10. **M/WBE UTILIZATION PLAN:** By signing its bid, the bidder agrees to the Vendor Certification and Required Affirmations set forth below, unless a full waiver of the Participation Goals is granted. The Vendor Certification and Required Affirmations will be deemed to satisfy the requirement to complete Section V of Part II of Schedule B: M/WBE Utilization Plan.

Section V: Vendor Certification and Required Affirmations:

I hereby:

- 1) acknowledge my understanding of the M/WBE participation requirements as set forth in this Contract and the pertinent provisions of Section 6-129 of the Administrative Code of the City of New York and the rules promulgated thereunder;
- 2) affirm that the information supplied in support of the M/WBE Utilization Plan is true and correct;
- 3) agree, if awarded this Contract, to comply with the M/WBE participation requirements of this Contract, the pertinent provisions of Section 6-129, and the rules promulgated thereunder, all of which shall be deemed to be material terms of this Contract;
- 4) agree and affirm that it is a material term of this Contract that the Vendor will award the total dollar value of the M/WBE Participation Goals to certified MBEs and/or WBEs, unless a full waiver is obtained or such goals are modified by the Agency; and
- 5) agree and affirm, if awarded this Contract, to make all reasonable, good faith efforts to meet the M/WBE Participation Goals, or If a partial waiver is obtained or such goals are modified by the Agency, to meet the modified Participation Goals by soliciting and obtaining the participation of certified MBE and/or WBE firms.



BID FORM

PROJECT ID: E12-0023

TOTAL BID PRICE: In the space provided below, the Bidder shall indicate the total bid price in figures.

A. **LUMP SUM PRICE** - Total price for all labor and material for all required work, excluding items (B), (C) and (D) set forth below. Total Price shall include all costs and expenses, i.e. labor, material overhead and profit for all the Work, described and shown in the drawings and specifications.

Total Price for
Material Sold and
Delivered

Total Price For
Labor

\$ 1,435,400.00 +

\$ 3,349,265.00

Total Price for Item A= \$ 4,784,665.00

B. **ALLOWANCE** for Incidental Asbestos Abatement
(Section 028013 of the Specifications)

\$15,000.00

C. **AMOUNT** for Proprietary Items (pages 2a)

\$610,580.00

D. **AMOUNT** for Unit Prices (from page 13-1) for extra work items

\$ 178,650.00

TOTAL BID PRICE (Add A + B + C + D)
(a/k/a BID PROPOSAL)

\$ 5,588,895.00

BB 4/30/18

BIDDER'S SIGNATURE AND AFFIDAVIT

* **SUBCONTRACTOR IDENTIFICATION:** You MUST complete and submit the form entitled "Bidder's Identification of Subcontractors" (page 17) at the time you submit your bid. You must submit this form in a separate, sealed envelope (BID ENVELOPE #2). In the event an award of contract is not made to the Bidder, the Bidder hereby authorizes the Agency to shred the form entitled "Bidder's Identification of Subcontractors". Yes No

Bidder: C.D.E. Air Conditioning Co., Inc.

By: 
(Signature of Partner or corporate officer)
Joseph F. Azara, Jr. - President

Attest:  Secretary of Corporate Bidder
(Corporate Seal) Brian J. Azara, Secretary

Affidavit on the following page should be subscribed and sworn to before a Notary Public



Unit Price Schedule

C.D.E. Air Conditioning Co., Inc.

Unit Price items: The items of work set forth in the Schedule below shall be performed by the contractor on a unit price basis for additional work. Such items of work shall be performed by the contractor only as directed in writing by the Commissioner.

The unit price for the items of work in the Schedule below are for EXTRA WORK ONLY i.e., work which is above and beyond that described in the Drawings and Specifications.

The bidder shall submit prices for all the items of work in the Schedule below. The bidder shall insert the total sum for all unit price items on the Bid Form, Item D - Allowance for Unit Prices. The unit price bid for each item shall include all costs and expense for the item, i.e., labor, material, overhead and profit. Quantities shown are approximate and for bid comparison purposes only. Actual amounts to be determined when the work is performed.

CSI #	Item #	Item Description	Quant.	Units	Unit Price	Total
083113	1	12" x 12" Ceiling Access Doors	50	EA	578.	28,900.
040140	2	DDC Instrumentation and Control Devices: duct-mounted temperature (probe) sensor	27	EA	595.	16,065.
230900	3	DDC Instrumentation and Control Devices: low-limit temperature sensors (freezestat)	9	EA	595.	5,355.
230900	4	DDC Instrumentation and Control Devices: duct-mounted humidity (probe) sensor	18	EA	710.	12,780.
230900	5	DDC Instrumentation and Control Devices: differential-pressure switch	36	EA	595.	21,420.
230900	6	DDC Instrumentation and Control Devices: duct-mounted static pressure sensor	6	EA	710.	4,260.
230900	7	DDC Instrumentation and Control Devices: duct-mounted CO2 sensor	8	EA	710.	5,680.
230900	8	DDC Instrumentation and Control Devices: airflow switch	20	EA	595.	11,900.
230900	9	DDC Instrumentation and Control Devices: low-voltage valve actuator	22	EA	1,000.	22,000.
230900	10	DDC Instrumentation and Control Devices: low-voltage damper actuator	26	EA	1,000.	26,000.
230900	11	DDC Instrumentation and Control Devices: airflow measuring station	2	EA	7,000.	14,000.
265100	12	Emergency Ballast: For provision of emergency ballasts in instances where emergency lighting fixtures are encountered	21	EA	490.	10,290.

Total Amount of Unit Price Work

\$178,650.*

* Insert Total amount of Unit Price Work on line D of Bid Form

Note: All quantities are approximate



BID FORM (TO BE NOTARIZED)

AFFIDAVIT WHERE BIDDERS IS AN INDIVIDUAL

STATE OF NEW YORK, COUNTY OF _____ ss:
_____ being duly sworn says:

I am the person described in and who executed the foregoing bid, and the several matters therein stated are in all respects true.

(Signature of the person who signed the Bid)

Subscribed and sworn to before me this
_____ day of _____,

Notary Public

AFFIDAVIT WHERE BIDDERS IS A PARTNERSHIP

STATE OF NEW YORK, COUNTY OF _____ ss:
_____ being duly sworn says:

I am a member of _____ the firm described in and which executed the foregoing bid.
I subscribed the name of the firm thereto on behalf of the firm, and the several matters therein stated are in all respects true.

(Signature of Partner who signed the Bid)

Subscribed and sworn to before me this
_____ day of _____,

Notary Public

AFFIDAVIT WHERE BIDDERS IS A CORPORATION

STATE OF NEW YORK, COUNTY OF Kings ss:
Joseph F. Azara, Jr. being duly sworn says:

I am the President of the above named corporation whose name is subscribed to and which executed
the foregoing bid. I reside at 215 Howard Avenue, Staten Island, New York 10301.
I have knowledge of the several matters therein stated, and they are in all respects true.



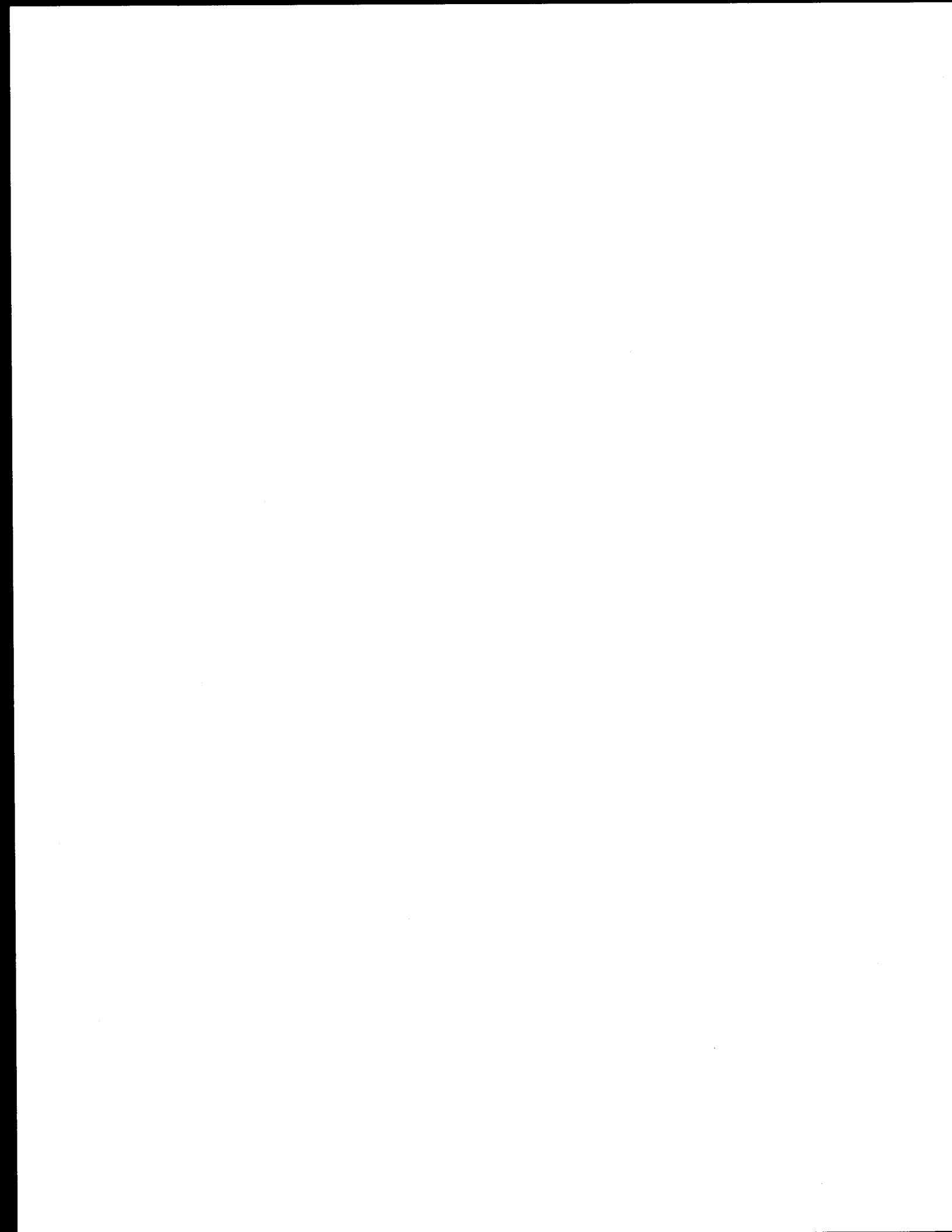
(Signature of Corporate Officer who signed the Bid)

Subscribed and sworn to before me this
30th day of April, 2015



Notary Public

ROBERT J. AYOUB
Notary Public, State of New York
No. 01AY4893555
Qualified in Kings County
Commission Expires May 11, 2015



AFFIRMATION

The undersigned bidder affirms and declares that said bidder is not in arrears to the City of New York upon debt, contract or taxes and is not a defaulter, as surety or otherwise, upon obligation to the City of New York, and has not been declared not responsible, or disqualified, by any agency of the City of New York, nor is there any proceeding pending relating to the responsibility or qualification of the bidder to receive public contracts except None.

(If none, the bidder shall insert the word "None" in the space provided above.)

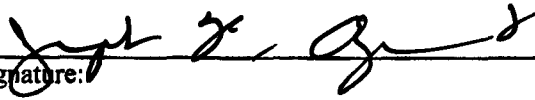
Full Name of Bidder: C.D.E. Air Conditioning Co., Inc.
Address: 321 39th Street
City: Brooklyn State: New York Zip Code: 11232

CHECK ONE BOX AND INCLUDE APPROPRIATE NUMBER:

- A - Individual or Sole Proprietorship *
SOCIAL SECURITY NUMBER

- B - Partnership, Joint Venture or other unincorporated organization
EMPLOYER IDENTIFICATION NUMBER

- C - Corporation
EMPLOYER IDENTIFICATION NUMBER
11-2217107

By: 
Signature:
Title: President

If a corporation, place seal here

This affirmation must be signed by an officer or duly authorized representative.

* Under the Federal Privacy Act the furnishing of Social Security Numbers by bidders on City contracts is voluntary. Failure to provide a Social Security Number will not result in a bidder's disqualification. Social Security Numbers will be used to identify bidders, proposers or vendors to ensure their compliance with laws, to assist the City in enforcement of laws, as well as to provide the City a means of identifying of businesses which seek City contracts.





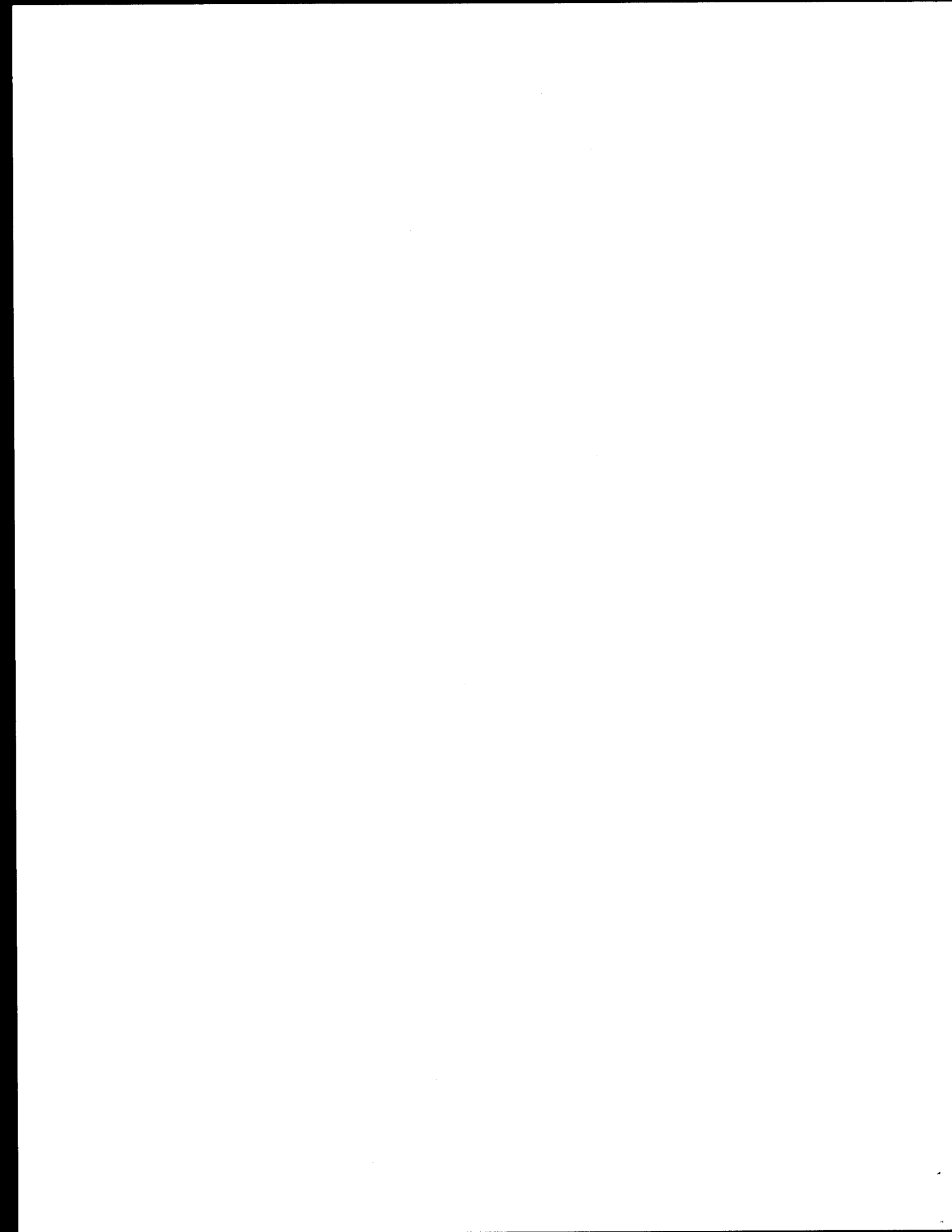
NEW YORK CITY DEPARTMENT OF
DESIGN + CONSTRUCTION

CONTRACTOR BID BREAKDOWN FORM

Project: PlaNYC Energy Audit Retrofit at Brooklyn Public Library
 Location: 2 Eastern Parkway, Brooklyn NY 11238
 Bidder: C.D.E. AIR CONDITIONING

FMS ID: E12-0023
 Client Agency: BPL

CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
CONTRACT 1 - HVAC WORK								
010000	GENERAL REQUIREMENTS							
	Mobilization		LS					\$ 223,000
	Weekly Clean-ups		LS					\$ 10,000
	Protection of existing work		LS					\$ 20,000
	Subtotal							\$ 253,000
019100	General Commissioning Requirement							
	Commissioning & Start-Up		LS					\$ 20,000
	Subtotal							\$ 20,000
DIV 2	EXISTING CONDITIONS							
024119	Selective Demolition							
	Selective Demolition		LS					\$ 10,000
	Subtotal							\$ 10,000
028213	Asbestos Abatement							
	Asbestos Abatement		LS					\$ 10,600
	Subtotal							\$ 10,600
DIV 7	THERMAL AND MOISTURE PROTECTION							
078400	Firestopping Smoke seals							
	Misc. Firestopping		LS					\$ 2,000
	Subtotal							\$ 2,000
DIV 8	OPENINGS							
083113	Access Doors							
	Misc. Access Doors & Access Covers	39	EA					\$ 21,000
	Subtotal							\$ 21,000
DIV 9	FINISHES							
092900	Gypsum Board Assemblies							
	Misc. Demo & Repair to walls to allow access for HVAC and Lighting scope		LS					\$ 10,000
	Misc. Demo & Repair to Ceilings to allow access for HVAC and Lighting scope		SF					\$ 10,000
	Subtotal							\$ 20,000





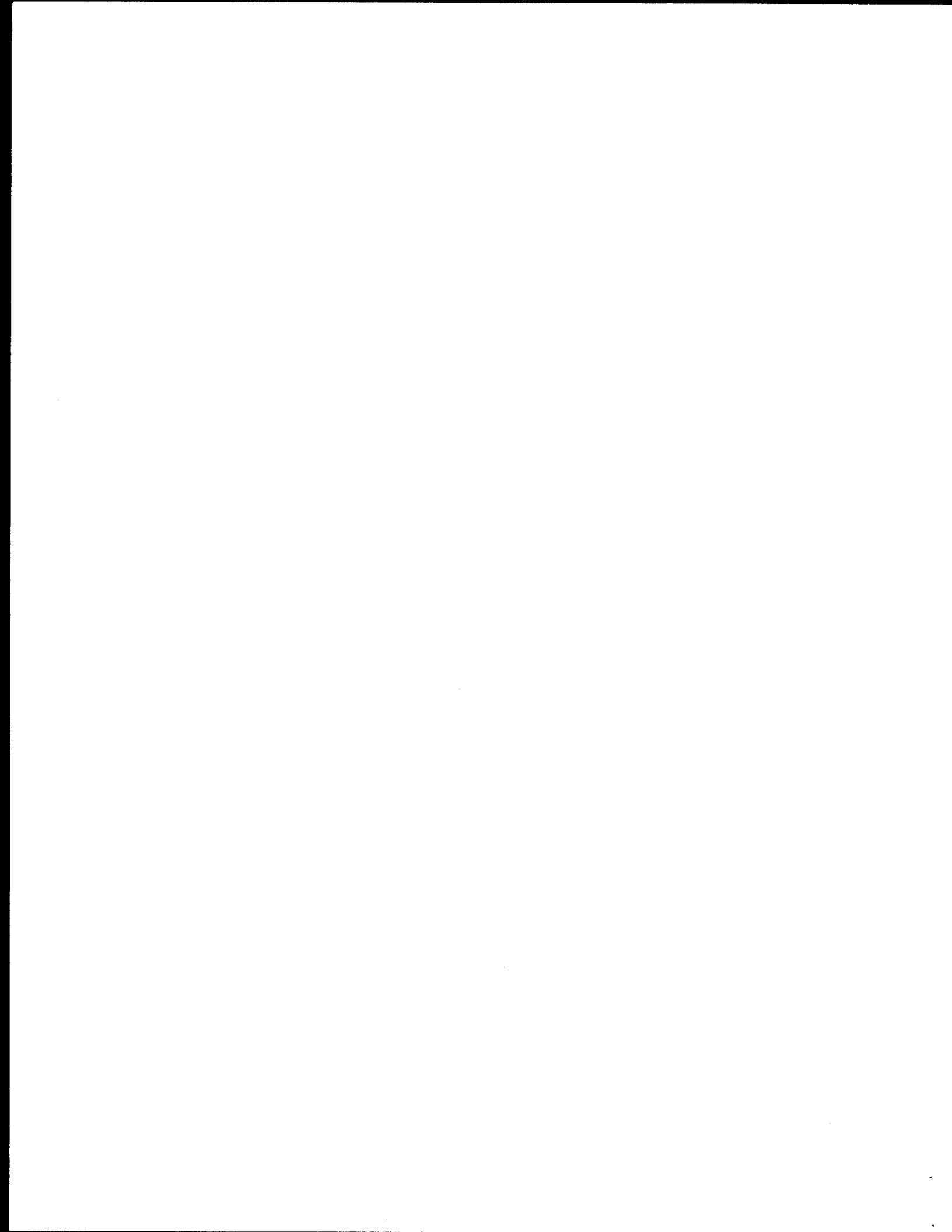
NEW YORK CITY DEPARTMENT OF
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CONTRACTOR BID BREAKDOWN FORM

Project: PlaNYC Energy Audit Retrofit at Brooklyn Public Library
 Location: 2 Eastern Parkway, Brooklyn NY 11238
 Bidder: C.D.E. AIR CONDITIONING

FMS ID: E12-0023
 Client Agency: BPL

CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
095113	Acoustical Ceilings							
	Remove and replace acoustical ceiling tiles		LS					\$ 29,000
	Subtotal							\$ 29,000
099000	Painting							
	Paint to walls and Ceilings		SF					\$ 34,000
	Subtotal							\$ 34,000
DIV 23	HVAC							
230500	General Mechanical Requirements (Included w/ 230503, 230513, 230514, 230523, 230529, 230553, 230593, 230700, 230900, 230923, 230993, 232116, 232216, 233100, 233300, 233400)							
230501	Scope of HVAC Work (Included w/ 230503, 230513, 230514, 230523, 230529, 230553, 230593, 230700, 230900, 230923, 230993, 232116, 232216, 233100, 233300, 233400)							
230503	Pipes and Tubes for HVAC Piping and Equipment							
	Low Pressure Steam Piping - 2"		LF					\$ 12,000
	Low Pressure Steam Piping - 1-1/2"		LF					\$ 10,000
	Low Pressure Steam Piping - 1"		LF					\$ 2,000
	Cap 4" Steam Line		LS					\$ 2,000
	Connect to existing steam lines		LS					\$ 4,000
	Subtotal							\$ 30,000
230513	Common Motor Requirements for HVAC Equipment							
	Replace AHU Fan Motors - 5hp	2	EA					\$ 16,300
	Replace AHU Fan Motors - 15hp	2	EA					\$ 21,000
	Replace Belt & Pulley	4	EA					\$ 1,600
	Subtotal							\$ 38,900
230514	Motor Controls							
	New VDF's, 5hp	2	EA					\$ 30,000
	New VDF's, 15hp	2	EA					\$ 45,000
	Refurbish Existing Starters		LS					\$ 10,000
	Subtotal							\$ 85,000





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FMS ID: E12-0023
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CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
230523	General-Duty Valves for HVAC Piping							
	Steam coil hookup assemblies	2	EA					\$ 35,000
	Replace Control Valves - Misc Sizes	28	EA					\$ 119,000
	Subtotal							\$ 154,000
230529	Hangers and Supports for HVAC Piping and Equipment							
	Misc. Metal Supports		LS					
	Subtotal							IN 230503
230553	Identification for HVAC Piping and Equipment (Included with 230503, 230513, 230514, 230523, 230700, 230923, 232216)							
230593	Testing, Adjusting, and Balancing for HVAC							
	Rebalance AHU's, AC Units		EA					
	Rebalance Fans		EA					
	Rebalance Heat Exchanger		EA					\$ 19,000
	Rebalance Pumps		EA					
	Rebalance Misc Equipment		LS					
	Subtotal							\$ 19,000
230700	HVAC Insulation							
	Replace Insulation, 6" dia		LF					
	Replace Insulation, 5" dia		LF					
	Replace Insulation, 4" dia		LF					
	Replace Insulation, 3" dia		LF					\$ 23,000
	Replace Insulation, 1-1/2" dia		LF					
	Replace damaged insulation allowance		LS					
	Steam Piping Insulation		LF					
	New Duct Insulation		SF					
	Subtotal							\$ 23,000
230900	Instrumentation and Control for HVAC							
	Replace Damper Actuator		EA					
	Replace Pneumatic Actuators with Electronic	60	EA					\$ 60,000
	Subtotal							\$ 60,000





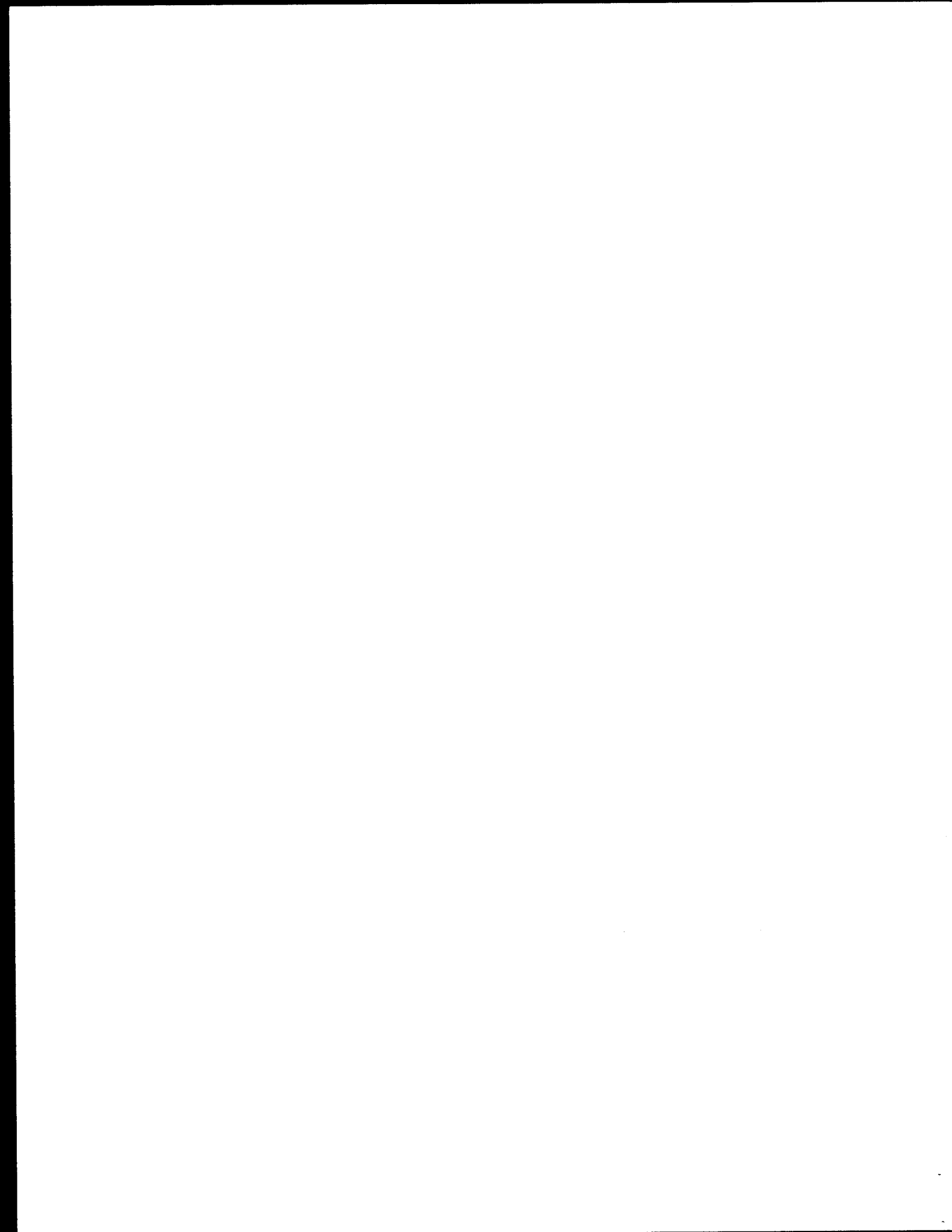
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CONTRACTOR BID BREAKDOWN FORM

Project: PlaNYC Energy Audit Retrofit at Brooklyn Public Library
 Location: 2 Eastern Parkway, Brooklyn NY 11238
 Bidder: C.D.E. AIR CONDITIONING

FMS ID: E12-0023
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CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
230923	DDC SYSTEM FOR HVAC							
	Replace Pneumatic Control Panel w/ DDC	26	EA					\$ 67,000
	Replace T-Stat	68	EA					\$ 17,000
	Replace T-stat & CO2 sensors	22	EA					\$ 13,500
	Provide fan interlock w/ Air Handler	19	EA					\$ 24,000
	Misc Sensors & Switches		LS					\$ 31,000
	Replace VAV box controllers	31	EA					\$ 7,800
	Interface DDC Panels with existing Fire Alarm Control Panel		LS					\$ 1,000
	Proprietary Items: Honeywell Web 600 (Primary BMS Controller) & Honeywell PUB6438SR (System Level Controller)							
	Tie DDC Panel into new BMS		LS					\$ 9,400
	New DDC Control Points - AHU's	12	EA					\$ 477,000
	New DDC Control Points - AC's	10	EA					\$ 337,000
	New DDC Control Points - H&V Units	2	EA					\$ 27,000
	New DDC Control Points - Fans	22	EA					\$ 340,000
	New DDC Control Points - Hot water system		LS					\$ 42,000
	New DDC Control Points - Chilled water system		LS					\$ 42,000
	New DDC Control Points - Condenser water system		LS					\$ 42,000
	New DDC Control Points - Miscellaneous		LS					\$ 32,000
	New BMS Computer, Front end (replace existing)		LS					\$ 9,400
	Subtotal							\$1,519,100
230993	Sequence of Operations for HVAC Controls (Included w/ 230923)							
232116	Hydronic Piping Specialties (Included w/ 230503)							
232216	Steam and Condensate Piping Specialties							
	Steam and Condensate Piping Specialties		LS					\$ 1,228
	Replace Electric Duct Heater w/ Steam Reheat Coil	1	EA					\$ 2,000
	Provide new Steam Reheat Coil	1	EA					\$ 1,800
	Subtotal							\$ 5,028
233100	HVAC Ducts and Casings							
	New Ductwork	900	LBS					\$ 11,000
	Connect Duct to Existing	5	EA					\$ 3,000
	Miscellaneous ductwork demolition		LS					\$ 3,000
	Subtotal							\$ 17,000





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CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
233300	Air Duct Accessories							
	Duct Accessories (VD's, etc.)		LS					\$ 3,200
	Repair Fire Damper Allowance	2	EA					\$ 600
	Repair Dampers (multi-zone dampers)		LS					\$ 19,000
	New Damper	70	SQ.FT.					\$ 36,000
	Replace duct flex connections	4	EA					\$ 2,500
	Subtotal							\$ 61,300
233400	HVAC Fans (Included w/ 230513, 230593)							
DIV 26	ELECTRICAL							
260500	General Electrical Requirements (Included w/ 260503, 260526, 260529, 260533, 260553, 260923, 260943, 262726, 262819, 265100)							
	Temporary Light Stringers		LS					\$ 19,000
	Subtotal							\$ 19,000
260503	Equipment Wiring Connections							
	#12 Wire Terminations	6	EA					\$ 825
	New Receptacles	2	EA					\$ 625
	<u>Mechanical Equipment & Connections</u>							
	Install & Wire DDC Panels	17	EA					\$ 22,000
	Connections to Control Panels	17	EA					\$ 16,000
	Disconnect existing Combo Starter & Disconnect Switch and Reinstall with new	4	EA					\$ 4,000
	Disconnect existing VAV box controllers and reconnect to new	31	EA					\$ 9,000
	<u>Fire Alarm Device Reconnections</u>							
	1/2" GF Connectors	12	EA					\$ 150
	Testing of existing fire alarm devices	14	EA					\$ 1,800
	Subtotal							\$ 54,400
260519	Low-Voltage Electrical Power Conductors and Cables							
	<u>Interior Lighting</u>							
	#12 Thhn	1,000	LF					\$ 1,400
	<u>Power to Bacnet Integration Panels: 3/4" Emt 3#12</u>							
	#12 Thhn	1,000	LF					\$ 1,400
	<u>Power to Receptacles: 3/4" Emt 3#12</u>							
	#12 Thhn	1,000	LF					\$ 1,400





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CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
	<u>Power to LVRC Panels: 3/4" Emt 3#12</u>							
	#12 Thhn	1,000	LF					\$ 1,400
	<u>LVRC Panel - Override Switch: 3/4" Emt (1) 1pr #22 Belden #9461</u>							
	1pr #22 Belden #9461		LF					
	<u>LVRC Panel - Override Switch: 3/4" Emt 3#12</u>							
	#12 Thhn	1,000	LF					\$ 1,400
	<u>LP Panels - LVRC Panel: 1 1/4" Emt 28#12</u>							
	#12 Thhn	6,000	LF					\$ 8,300
	<u>Mechanical Equipment & Connections</u>							
	#12 Wire	1,000	LF					\$ 1,400
	<u>Fire Alarm Device Reconnections</u>							
	3/4" Rgs	100	LF					\$ 500
	3/4" Rgs Couplings	10	EA					\$ 120
	3/4" Rgs Locknuts	6	EA					\$ 40
	3/4" Plastic Bushings	6	EA					\$ 40
	Subtotal							\$ 17,400
260526	Grounding and Bonding for Electrical Systems (Included w/ 260503 & 260519)							
260529	Hangers and Supports for Electrical Systems (Included w/ 260519 & 260533)							
260533	Raceway and Boxes for Electrical Systems							
	<u>Lighting Control Devices</u>							
	Junction Boxes w/ Face Plates	12	EA					\$ 900
	<u>Interior Lighting</u>							
	3/4" Emt	800	LF					\$ 2,100
	3/4" Emt Compression Connectors	80	EA					\$ 180
	3/4" Emt Compression Couplings	12	EA					\$ 27
	3/4" EMT Plastic Bushing	12	EA					\$ 30
	Junction Boxes w/ Face Plates	10	EA					\$ 750
	<u>Power to Bacnet Integration Panels: 3/4" Emt 3#12</u>							
	3/4" Emt	100	LF					\$ 260
	3/4" Emt Compression Connectors	10	EA					\$ 22
	3/4" Emt Compression Couplings	4	EA					\$ 9
	3/4" EMT Plastic Bushing	4	EA					\$ 10
	<u>Power to Receptacles: 3/4" Emt 3#12</u>							
	3/4" Emt	100	LF					\$ 260
	3/4" Emt Compression Connectors	10	EA					\$ 22





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FMS ID: E12-0023
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CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
	3/4" Emt Compression Couplings	4	EA					\$ 9
	3/4" EMT Plastic Bushing	4	EA					\$ 10
	<u>Power to LVRC Panels: 3/4" Emt 3#12</u>							
	3/4" Emt	100	LF					\$ 260
	3/4" Emt Compression Connectors	10	EA					\$ 22
	3/4" Emt Compression Couplings	4	EA					\$ 9
	3/4" EMT Plastic Bushing	4	EA					\$ 10
	<u>LVRC Panel - Overrider Switch: 3/4" Emt (1) 1pr #22 Belden #9461</u>							
	3/4" Emt	100	LF					\$ 260
	3/4" Emt Compression Connectors	10	EA					\$ 22
	3/4" Emt Compression Couplings	4	EA					\$ 9
	3/4" EMT Plastic Bushing	4	EA					\$ 10
	<u>LVRC Panel - Override Switch: 3/4" Emt 3#12</u>							
	3/4" Emt	100	LF					\$ 260
	3/4" Emt Compression Connectors	10	EA					\$ 22
	3/4" Emt Compression Couplings	4	EA					\$ 9
	3/4" EMT Plastic Bushing	4	EA					\$ 10
	<u>LP Panels - LVRC Panel: 1 1/4" Emt 28#12</u>							
	1 1/4" Emt	100	LF					\$ 500
	1 1/4" Emt Compression Connectors	10	EA					\$ 73
	1 1/4" Emt Compression Couplings	4	EA					\$ 37
	1 1/4" Emt Plastic Bushing	4	EA					\$ 675
	<u>Mechanical Equipment Control Panels</u>							
	3/4" Rgs	150	LF					\$ 750
	3/4" Rgs Couplings	15	EA					\$ 170
	3/4" Rgs Locknuts	4	EA					\$ 25
	3/4" Plastic Bushings	4	EA					\$ 25
	Subtotal							\$ 7,747
260553	Identification for Electrical Systems (Included w/ 260519, 260533, 260943)							





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CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
260923	Lighting Control devices							
	Wall mtd Vacancy Sensor Switches to replace existing Switches	3	EA					\$ 1,320
	Wall mtd Vacancy Occupancy Switches to replace existing Switches	7	EA					\$ 3,070
	Ceiling mtd Occupancy Vacancy Sensor Switches	7	EA					\$ 5,900
	Ceiling mtd Wireless Occupancy Vacancy Sensor Switches	11	EA					\$ 4,800
	Wall mtd Dimming Control Switch	9	EA					\$ 4,000
	Removal of existing switches	10	EA					\$ 1,500
	Override Control Switch lutron ntomx-KS	3	EA					\$ 1,300
	Subtotal							\$ 21,890
260943	Network Lighting Controls							
	LVRC Panels Lutron XPS	1	EA					\$ 29,000
	Lighting Bacnet Integration Panel (QP3)	2	EA					\$ 12,500
	Subtotal							\$ 41,500
262726	Wiring Devices (Included w/ 260923)							
262819	Enclosed Switches (Included w/ 260503)							
265100	Interior Lighting							
	Clean and Relamp Existing Light fixtures	3,103	EA					\$1,087,000
	Re-Socket Existing Light fixtures	150	EA					\$ 17,000
	Remove Ballasts in Existing Light fixtures	3,000	LS					\$ 300,000
	New Emergency Ballasts	206	EA					\$ 97,000
	New Instant Start Ballasts	1,850	EA					\$ 694,000
	New type A	8	EA					\$ 9,000
	New Type B	6	EA					\$ 6,800
	Subtotal							\$2,210,800
	ALLOWANCE, PROPRIETARY ITEMS AND UNIT PRICES		LS					\$ 804,230
	Subtotal							\$ 804,230
	TOTAL CONTRACT 1 - HVAC WORK							\$5,588,895



BIDDER'S IDENTIFICATION OF SUBCONTRACTORS

NOTICE TO BIDDERS

SUBMISSION: The Bidder must, at the time of the bid, submit the completed form on the next page ("BIDDER'S IDENTIFICATION OF SUBCONTRACTORS"). This form must be submitted in a separate, sealed envelope (BID ENVELOPE #2). Failure to do so will result in the disqualification of the bid as non-responsive.

Please be advised that pursuant to GML § 101(5) the Bidder is required to submit with its bid the names of subcontractors it intends to use to perform the following work on this contract, as well as the agreed-upon amount to be paid to each:

- plumbing and gas fitting;
- steam heating, hot water heating, ventilating and air conditioning apparatus; and
- electric wiring and standard illuminating fixtures.

NOTE: This project may not involve all of the above listed subcontractors. Please see the form on the next page which indicates the subcontractors required for this Project.

All listed subcontractors must be used to perform the work identified on this form for the amount listed. The listed subcontractors are not alternatives to each other. The list of subcontractors is to be submitted in a separate sealed envelope by completing the form 'Bidders Identification of Subcontractors' for any subcontractors intended to be used in any of the three trades listed above. If bidder intends to use its own forces for any of the above listed work, bidder should complete this form using its own name.

Failure to submit the completed form on the next page ("Bidder's Identification of Subcontractors") that includes the names of subcontractors and the agreed upon amounts to be paid to such subcontractors will render the bid non-responsive.

PLEASE NOTE: for any contract that is subject to M/WBE Participation Goals under Local Law 129, if the bidder's intention to use its own forces to do any of the above-referenced work would result in Bidder's failure to attain the Target Subcontracting Percentage identified in Schedule B (Subcontractor Utilization Plan), the bid will be non-responsive unless the bidder requests and obtains a Waiver of Target Subcontracting Percentage (Schedule B, Part III) in advance of bid submission. Failure to submit the completed 'BIDDERS IDENTIFICATION OF SUBCONTRACTORS' form that includes the names of subcontractors and the agreed upon amounts to be paid to such subcontractors will render the bid non-responsive.

After the low bid is announced, the sealed list submitted by the low bidder will be opened and the names of the subcontractors will be announced. The sealed lists of subcontractors submitted by all other bidders shall be maintained by the Agency unopened unless such bidder shall become the low bidder (e.g., the initial low bidder is found non-responsive). All unopened lists of subcontractors shall be returned to the bidders unopened after contract award, unless the bidder has given the agency permission to shred the form.

After bid submission, any change of subcontractor or agreed-upon amount to be paid to each shall require approval of the Agency upon a showing of a legitimate construction need which shall include, but not be limited to, a change in project specifications, a change in project material costs, a change to subcontractor status as determined pursuant to §222 (2)(e) of the Labor Law, or if the subcontractor has become otherwise unwilling, unable or unavailable to perform the subcontract.



BIDDER'S IDENTIFICATION OF SUBCONTRACTORS

Project ID: E12-0023

SUBMISSION: In addition to its Bid (Bid Envelope # 1), the Bidder must, at the time of the bid, complete and submit this form in a separate, sealed envelope (Bid Envelope # 2). To complete this form, the Bidder must identify the subcontractors it intends to use for the work listed below, as well as the dollar amount to be paid to each subcontractor. Failure to complete this form and submit it in a separate, sealed envelope will result in the disqualification of the bid as non-responsive.

The Bidder intends to use the following subcontractors. If the Bidder intends to do any of the work referenced below with its own forces, the Bidder should complete this form using its own name. If multiple subcontractors for any trade are proposed, Bidder may submit multiple copies of this form.

1. **ELECTRICAL CONTRACTOR:**

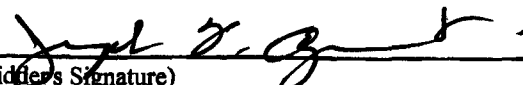
Description of Electrical Work:

Tru-Val Electric Corporation
(Print Name)

Electrical Work

Agreed amount to be paid Subcontractor: \$ 1,971,182.00

BIDDER'S SIGNATURE: The Bidder must sign and complete this form in the spaces provided below:


(Bidder's Signature)

Joseph F. Azara, Jr.
C.D.E. Air Conditioning Co., Inc.

(Print Name)

321 39th Street, Brooklyn, New York 11232

(Address)

President

718-788-1040

718-788-2046

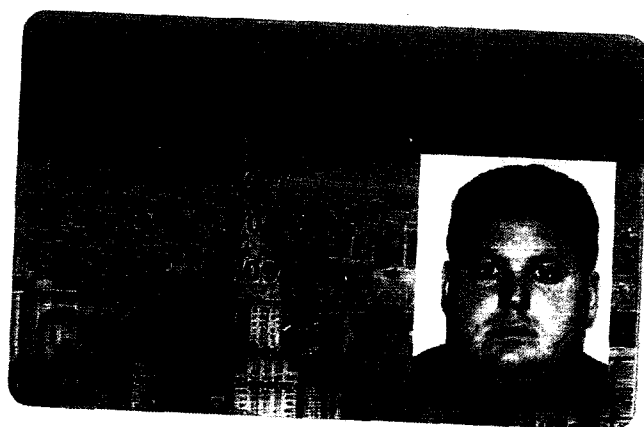
April 30, 2015

(Title)

(Phone #)

(Fax#)

(Date)



**BID BOND 1
FORM OF BID BOND**

KNOW ALL MEN BY THESE PRESENTS. That we, C.D.E. Air Conditioning Co., Inc.
321 39th Street
Brooklyn, New York 11232

hereinafter referred to as the "Principal", and Liberty Mutual Insurance Company
175 Berkeley Street
Boston, MA 02116

hereinafter referred to as the "Surety" are held and firmly bound to THE CITY OF NEW YORK, hereinafter referred to as the "CITY", or to its successors and assigns in the penal sum of Ten percent of amount bid

(\$10% of amount bid), Dollars lawful money of the United States, for the payment of which said sum of money well and truly to be made, we, and each of us, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Whereas, the Principal is about to submit (or has submitted) to the City the accompanying proposal, hereby made a part hereof, to enter into a contract in writing for Project No. E12-0023

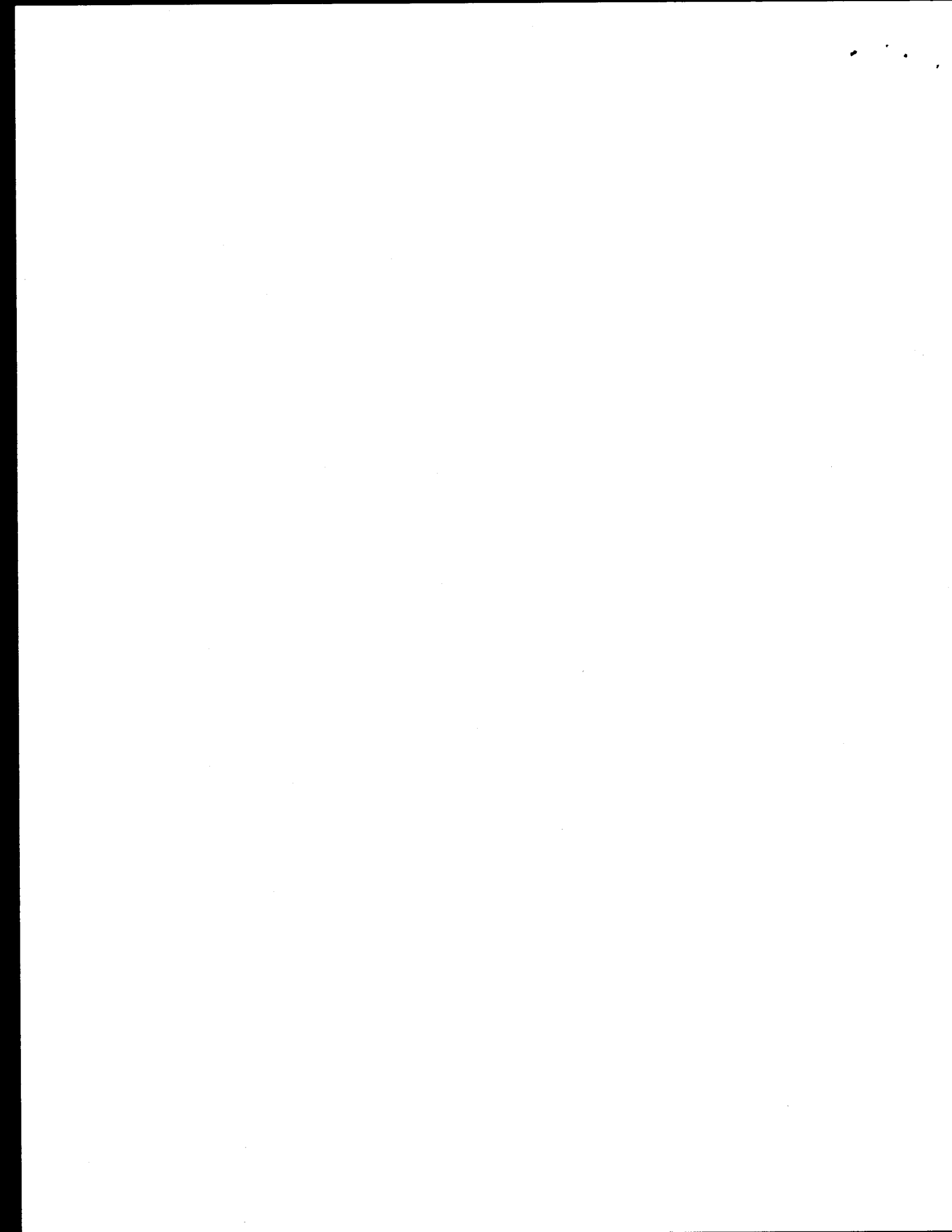
PlaNYC Energy Audit Retrofit at Brooklyn Public Library, Contract No. 1 - HVAC Work
2 Eastern Parkway, Brooklyn, NY 11238

NOW, THEREFORE, the conditions of this obligation are such that if the Principal shall not withdraw said Proposal without the consent of the City for a period of forty-five (45) days after the opening of bids and in the event of acceptance of the Principal's Proposal by the City, if the Principal shall:

(a) Within ten (10) days after notification by the City, execute in quadruplicate and deliver to the City all the executed counterparts of the Contract in the form set forth in the Contract Documents, in accordance with the proposal as accepted, and

(b) Furnish a performance bond and separate payment bond, as may be required by the City, for the faithful performance and proper fulfillment of such Contract, which bonds shall be satisfactory in all respects to the City and shall be executed by good and sufficient sureties, and

(c) In all respects perform the agreement created by the acceptance of said Proposal as provided in the Information for Bidders, bound herewith and made a part hereof, or if the City shall reject the aforesaid Proposal, then this obligation shall be null and void; otherwise to remain in full force and effect.



BID BOND 2

In the event that the Proposal of the Principal shall be accepted and the Contract be awarded to him the Surety hereunder agrees subject only to the payment by the Principal of the premium therefore, if requested by the City, to write the aforementioned performance and payment bonds in the form set forth in the Contract Documents.

It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

There shall be no liability under this bond if, in the event of the acceptance of the Principal's Proposal by the City, either a performance bond or payment bond, or both, shall not be required by the City on or before the 30th day after the date on which the City signs the Contract.

The surety, for the value received, hereby stipulates and agrees that the obligations of the Surety and its bond shall in no way be impaired or affected by any postponements of the date upon which the City will receive or open bids, or by any extensions of time within which the City may accept the Principal's Proposal, or by any waiver by the City of any of the requirements of the Information for Bidders, and the Surety hereby waives notice of any such postponements, extensions, or waivers.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers the 9th day of March, 2015.

(Seal)

C.D.E. Air Conditioning Co., Inc. (L.S.)
Principal

By:

Joseph E. Azara, Jr. President

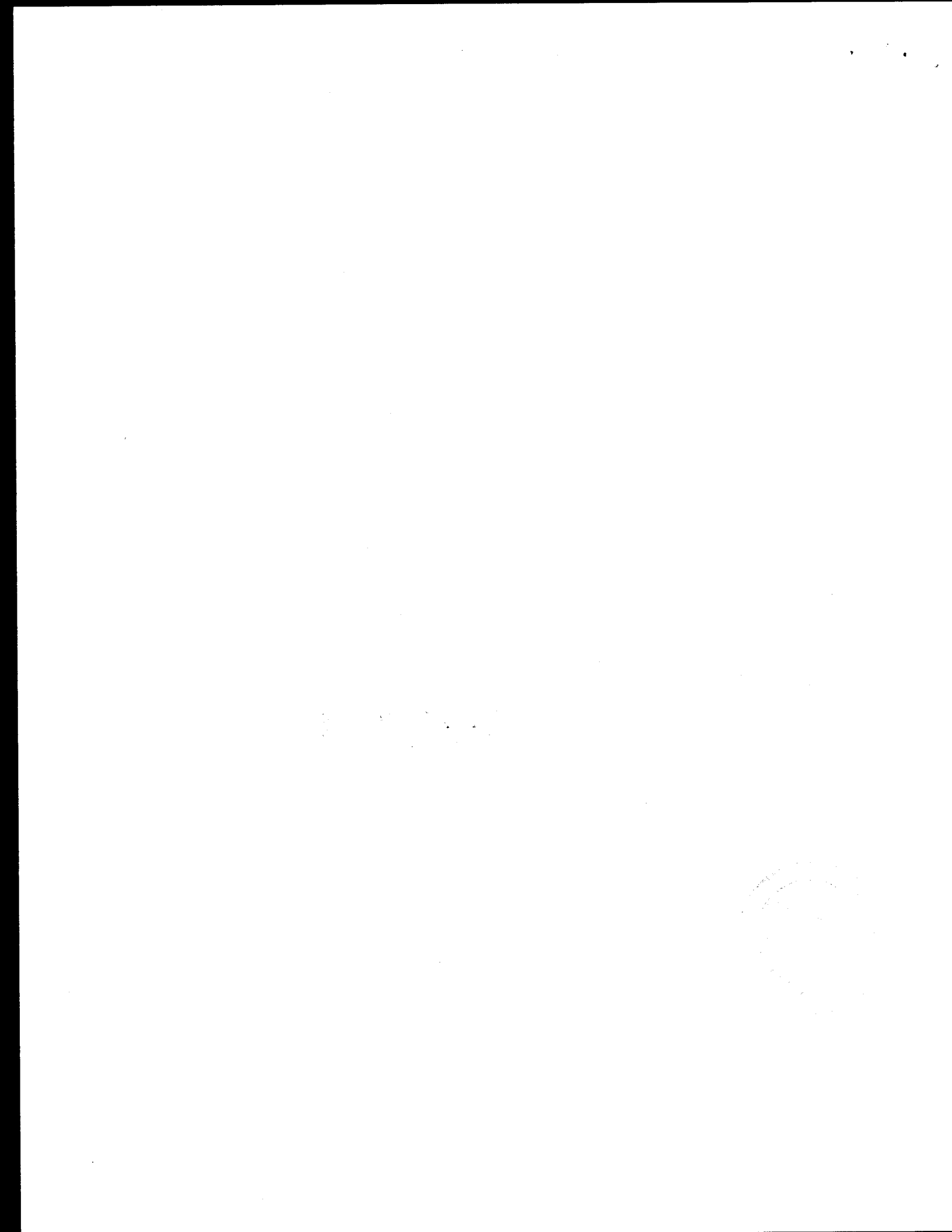
(Seal)

Liberty Mutual Insurance Company

Surety

By:

Anne Potter
Anne Potter, Attorney-in-Fact



BID BOND 3

ACKNOWLEDGEMENT OF PRINCIPAL, IF A CORPORATION

State of New York County of Kings ss:
On this 24th day of March, 2015, before me personally came Joseph F. Azara, Jr. to me known, who, being by me duly sworn, did depose and say that he resides at 215 Howard Avenue, Staten Island, New York 10301 that he is the President of C.D.E. Air Conditioning Co., Inc. the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that one of the seals affixed to said instrument is such seal; that it was so affixed by order of the directors of said corporation, and that he signed his name thereto by like order.

ROBERT J. AYOUB
Notary Public, State of New York
No. 01AY4893555
Qualified in Kings County
Commission Expires May 11, 2015



Notary Public

ACKNOWLEDGEMENT OF PRINCIPAL, IF A PARTNERSHIP

State of _____ County of _____ ss:
On this _____ day of _____, _____, before me personally appeared _____ to me known and known to me to be one of the members of the firm of _____ described in and who executed the foregoing instrument, and he acknowledged to me that he executed the same as and for the act and deed of said firm.

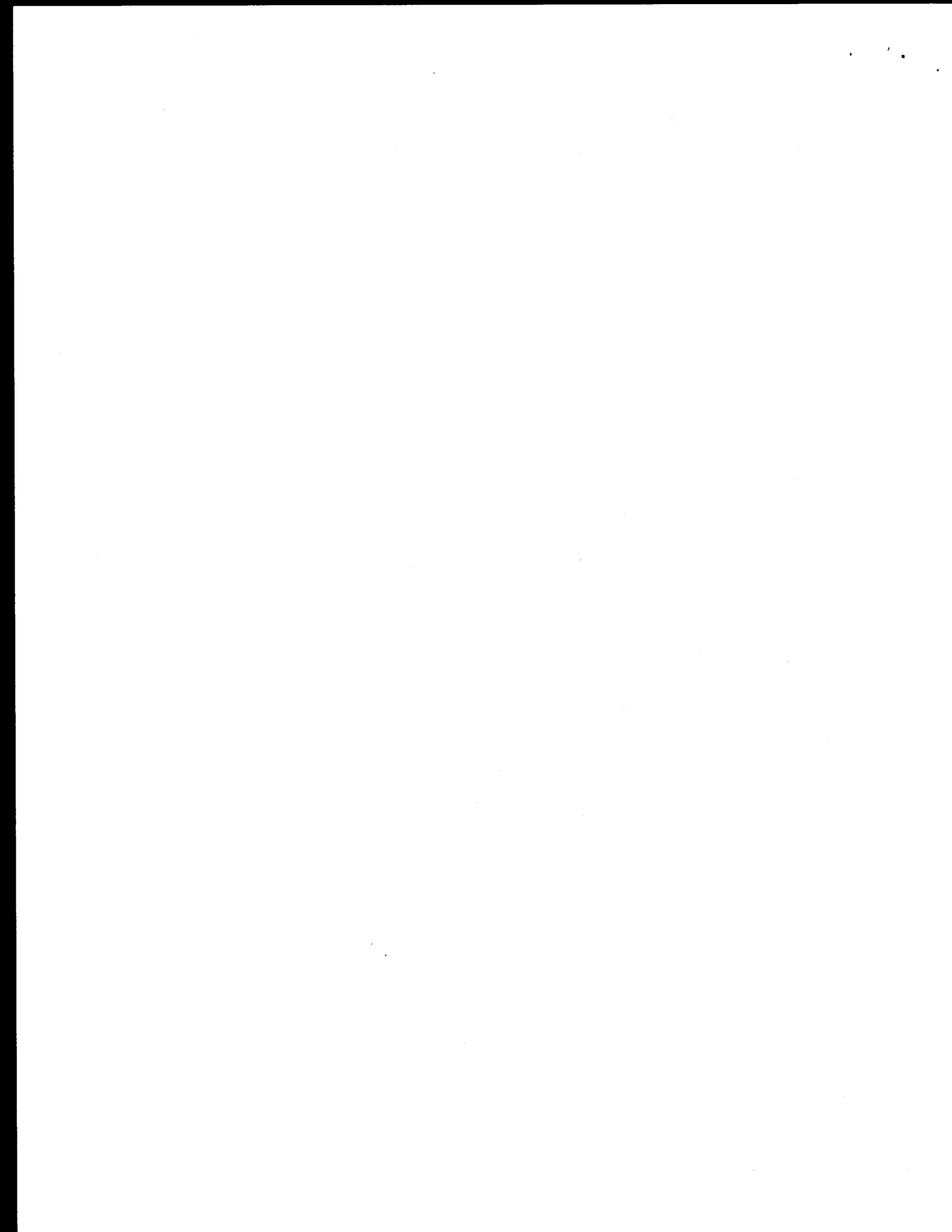
Notary Public

ACKNOWLEDGEMENT OF PRINCIPAL, IF AN INDIVIDUAL

State of _____ County of _____ ss:
On this _____ day of _____, _____, before me personally appeared _____ to me known and known to me to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same.

Notary Public

AFFIX ACKNOWLEDGEMENTS AND JUSTIFICATION OF SURETIES



ACKNOWLEDGEMENT OF SURETY

STATE OF New York,)
COUNTY OF Nassau,)

ON THE 9th DAY OF March, 2015 , BEFORE ME PERSONALLY CAME Anne Potter TO ME KNOWN, WHO, BEING BY ME DULY SWORN, DID DEPOSE AND SAY THAT (S)HE RESIDES AT Queens County, New York THAT (S)HE IS THE ATTORNEY-IN-FACT OF Liberty Mutual Insurance Company THE CORPORATION DESCRIBED IN AND WHICH EXECUTED THE ABOVE INSTRUMENT; THAT (S)HE KNOWS THE SEAL OF SAID CORPORATION; THAT ONE OF THE SEALS AFFIXED TO THE FOREGOING INSTRUMENT IS SUCH SEAL; THAT IT WAS SO AFFIXED BY ORDER OF THE BOARD OF DIRECTORS OF SAID CORPORATION; AND THAT (S)HE SIGNED HIS/HER NAME THERETO BY LIKE ORDER.

Valorie M. Spates

Notary Public

VALORIE M. SPATES
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01SP6135425
Qualified in Queens County
Commission Expires October 17, 2017



THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 6808950

American Fire and Casualty Company
The Ohio Casualty Insurance Company

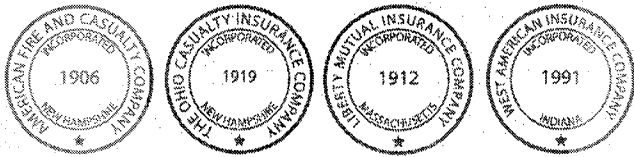
Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Andrea E. Gorbert; Anne Potter; Annette Leuschner; Beverly A. Woolford; David W. Rosehill; Nancy Schnee; Valorie Spates

all of the city of Jericho, state of NY each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 11th day of December, 2014.



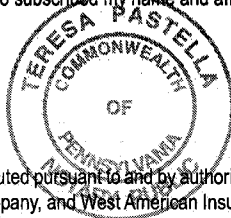
American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 11th day of December, 2014, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2017
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

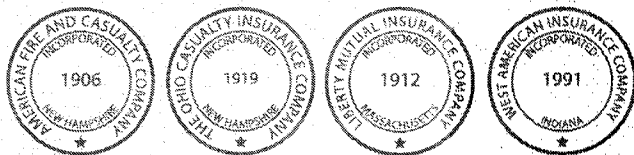
ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this MAR 09 2015 day of March, 2015.



By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.



LIBERTY MUTUAL INSURANCE COMPANY
 FINANCIAL STATEMENT — DECEMBER 31, 2013

Assets		Liabilities	
Cash and Bank Deposits	\$1,118,180,550	Unearned Premiums	\$5,940,431,054
*Bonds — U.S Government	1,888,225,943	Reserve for Claims and Claims Expense	17,305,063,560
*Other Bonds	12,039,490,815	Funds Held Under Reinsurance Treaties	212,659,311
*Stocks	9,030,962,112	Reserve for Dividends to Policyholders	1,226,236
Real Estate	251,301,907	Additional Statutory Reserve	63,348,980
Agents' Balances or Uncollected Premiums	4,781,042,931	Reserve for Commissions, Taxes and	
Accrued Interest and Rents	149,855,386	Other Liabilities	<u>5,826,683,629</u>
Other Admitted Assets	<u>15,216,749,451</u>	Total	<u>\$29,349,412,770</u>
		Special Surplus Funds	\$55,686,852
Total Admitted Assets	<u>\$44,475,809,095</u>	Capital Stock	11,250,000
		Paid in Surplus	7,898,288,167
		Unassigned Surplus	7,161,171,306
		Surplus to Policyholders	<u>15,126,396,325</u>
		Total Liabilities and Surplus	<u>\$44,475,809,095</u>



* Bonds are stated at amortized or investment value; Stocks at Association Market Values.
 The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2013, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 20th day of March, 2014.

TAMikolajewski

Assistant Secretary



Tax ID #: 11-2217107

APT E-
PIN#: 85015B0065

Contract # 1 - General Construction Work

SCHEDULE B - M/WBE Utilization Plan

Part I: M/WBE Participation Goals

Part I to be completed by contracting agency

Contract Overview

APT E-Pin # 85015B0065 FMS Project ID#: E12-0023
 Project Title/Agency PlaNYC Energy Audit Retrofit at Brooklyn Public Library
 PIN # 8502015LB0003C
 Bid/Proposal
 Response Date: TO BE DETERMINED BEFORE ISSUANCE
 Contracting Agency Department of Design and Construction
 Agency Address 30-30 Thomson Avenue City Long Island City State NY Zip Code 11101
 Contact Person Norma Negrón Title MWBE Liaison & Compliance Analyst
 Telephone # (718) 391-1502 Email negronn@ddc.nyc.gov

Project Description

This Project consists of implementing several energy conservation measures that were recommended by Dome-Tech, Inc. (also known as NORESKO) in their energy audit report dated December 29, 2010. The energy conservation measures include lighting system improvements such as refurbishing T8 and T12 fluorescent fixtures with LED lamps, installing networked lighting controls for lighting in public reading spaces, installing occupancy/vacancy sensors for lighting control in restrooms and other select spaces, and HVAC system improvements including the installation of a new building management system, upgrading several HVAC units with new direct digital controls, implementing demand controlled ventilation strategy for various HVAC units, implementing outside air economizer control strategy for various HVAC units, implementing supply air temperature reset for various HVAC units, implementing hot and chilled water supply temperature resets, retrofitting existing VAV RTUs that have variable inlet vanes with VFDs and VFD-compatible motors.

M/WBE Participation Goals

Prime Contract Industry: Construction

Group	Percentage
<u>Unspecified *</u>	<u>6 %</u>
OR	
<u>Black American</u>	<u>Unspecified %</u>
<u>Hispanic American</u>	<u>Unspecified %</u>
<u>Asian American</u>	<u>Unspecified %</u>
<u>Women</u>	<u>Unspecified %</u>
Total Participation Goals	6 %

Line 1

* Note: For this procurement, individual ethnicity and gender goals are not specified. The Total Participation Goals for construction contracts may be met by using Black American, Hispanic American, Asian American or Women certified firms or any combination of such firms.



Tax ID #: 11-2217107

APT E-

PIN#: 0

SCHEDULE B - Part II: M/WBE Participation Plan

Part II to be completed by the bidder/proposer:

Please note: For Non-M/WBE Prime Contractors who will NOT subcontract any services and will self-perform the entire contract, you must obtain a FULL waiver by completing the Waiver Application on pages 9 and 9a and timely submitting it to the contracting agency pursuant to the Notice to Prospective Contractors. Once a FULL WAIVER is granted, it must be included with your bid or proposal and you do not have to complete or submit this form with your bid or proposal.

Section I: Prime Contractor Contact Information			
Tax ID #	<u>11-2217107</u>	FMS Vendor ID #	<u>0000477680</u>
Business Name	<u>C.D.E. Air Conditioning Co., Inc.</u>	Contact Person	<u>Joseph F. Azara, Jr.</u>
Address	<u>321 39th Street, Brooklyn, New York 11232</u>		
Telephone #	<u>718-788-1040</u>	Email	<u>josepha@cdeair.com</u>

Section II: M/WBE Utilization Goal Calculation: Check the applicable box and complete subsection.

PRIME CONTRACTOR ADOPTING AGENCY M/WBE PARTICIPATION GOALS				
<input checked="" type="checkbox"/> For Prime Contractors (including Qualified Joint Ventures and M/WBE firms) adopting Agency M/WBE Participation Goals.	Total Bid/Proposal Value		Agency Total Participation Goals (Line 1, Page 6)	Calculated M/WBE Participation Amount
<p>Calculate the total dollar value of your total bid that you agree will be awarded to M/WBE subcontractors for services and/or credited to an M/WBE prime contractor or Qualified Joint Venture.</p> <p>Please review the Notice to Prospective Contractors for more information on how to obtain credit for M/WBE participation.</p>	\$5,588,895.00	X	6%	= \$ 335,333.70 Line 2

PRIME CONTRACTOR OBTAINED PARTIAL WAIVER APPROVAL: ADOPTING MODIFIED M/WBE PARTICIPATION GOALS				
<input type="checkbox"/> For Prime Contractors (including Qualified Joint Ventures and M/WBE firms) adopting Modified M/WBE Participation Goals.	Total Bid/Proposal Value		Adjusted Participation Goal (From Partial Waiver)	Calculated M/WBE Participation Amount
<p>Calculate the total dollar value of your total bid that you agree will be awarded to M/WBE subcontractors for services and/or credited to an M/WBE prime contractor or Qualified Joint Venture.</p> <p>Please review the Notice to Prospective Contractors for more information on how to obtain credit for M/WBE participation.</p>	\$	X		= \$ Line 3



Section III: M/WBE Utilization Plan: How Proposer/Bidder Will Fulfill M/WBE Participation Goals. Please review the Notice to Prospective Contractors for more information on how to obtain credit for M/WBE participation. Check applicable box. The Proposer or Bidder will fulfill the M/WBE Participation Goals:

- As an M/WBE Prime Contractor that will self-perform and/or subcontract to other M/WBE firms a portion of the contract the value of which is at least the amount located on Lines 2 or 3 above, as applicable. The value of any work subcontracted to non-M/WBE firms will not be credited towards fulfillment of M/WBE Participation Goals. Please check all that apply to Prime Contractor:
 MBE WBE
- As a Qualified Joint Venture with an M/WBE partner, in which the value of the M/WBE partner's participation and/or the value of any work subcontracted to other M/WBE firms is at least the amount located on Lines 2 or 3 above, as applicable. The value of any work subcontracted to non M/WBE firms will not be credited towards fulfillment of M/WBE Participation Goals.
- As a non M/WBE Prime Contractor that will enter into subcontracts with M/WBE firms the value of which is at least the amount located on Lines 2 or 3 above, as applicable.

Section IV: General Contract Information

What is the expected percentage of the total contract dollar value that you expect to award in subcontracts for services, regardless of M/WBE status? % 46

Enter brief description of the type(s) and dollar value of subcontracts for all work (including self-performed subcontracting) awarded this contract. For each item, indicate whether the work is performed or participation by MBEs and/or WBEs and the time frame in which each work is completed, planned and/or. Use additional sheets if necessary.

1.	Electrical Work	971,182.
2.	G.C. Work	65,000.
3.	Asbestos Abatement Work	8,500.
4.	Insulation Work	14,000.
5.	Balancing Work	14,000.
6.	Steamfitting Work	120,000.
7.	Sheet Metal Work (WBE)	55,000.
8.	Duct Cleaning Work	50,000.
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		

✓ Scopes of Subcontract Work

Section V: Vendor Certification and Required Affirmations

I hereby:

- 1) acknowledge my understanding of the M/WBE participation requirements as set forth herein and the pertinent provisions of Section 6-129 of the Administrative Code of the City of New York (Section 6-129), and the rules promulgated thereunder;
- 2) affirm that the information supplied in support of this M/WBE Utilization Plan is true and correct;
- 3) agree, if awarded this Contract, to comply with the M/WBE participation requirements of this Contract, the pertinent provisions of Section 6-129, and the rules promulgated thereunder, all of which shall be deemed to be material terms of this Contract
- 4) agree and affirm that it is a material term of this Contract that the Vendor will award the total dollar value of the M/WBE Participation Goals to certified MBEs and/or WBEs, unless a full waiver is obtained or such goals are modified by the Agency, and
- 5) agree and affirm, if awarded this Contract, to make all reasonable, good faith efforts to meet the M/WBE Participation Goals, or if a partial waiver is obtained or such goals are modified by the Agency, to meet the modified Participation Goals by soliciting and obtaining the participation of certified MBE and/or WBE firms.

Signature Joseph F. Azara, Jr.
Print Name Joseph F. Azara, Jr.

Date April 30, 2015
Title President



SAFETY QUESTIONNAIRE

The bidder must include, with its bid, all information requested on this Safety Questionnaire. Failure to provide a completed and signed Safety Questionnaire at the time of bid opening may result in disqualification of the bid as non-responsive.

1. Bidder Information:

Company Name: C.D.E. Air Conditioning Co., Inc.

DDC Project Number: E12-0023

Company Size: Ten (10) employees or less
 X Greater than ten (10) employees

 X Company has previously worked for DDC

2. Type(s) of Construction Work

TYPE OF WORK	LAST 3 YEARS	THIS PROJECT
General Building Construction	_____	_____
Residential Building Construction	_____	_____
Nonresidential Building Construction	_____	_____
Heavy Construction, except building	_____	_____
Highway and Street Construction	_____	_____
Heavy Construction, except highways	_____	_____
Plumbing, Heating, HVAC	_____X_____	_____X_____
Painting and Paper Hanging	_____	_____
Electrical Work	_____	_____
Masonry, Stonework and Plastering	_____	_____
Carpentry and Floor Work	_____	_____
Roofing, Siding, and Sheet Metal	_____	_____
Concrete Work	_____	_____
Specialty Trade Contracting	_____	_____
Asbestos Abatement	_____	_____
Other (specify)	_____	_____

3. Experience Modification Rate:

The Experience Modification Rate (EMR) is a rating generated by the National Council of Compensation Insurance (NCCI). This rating is used to determine the contractor's premium for worker's compensation insurance. The contractor may obtain its EMR by contacting its insurance broker or the NCCI. If the contractor cannot obtain its EMR, it must submit a written explanation as to why.



The Contractor must indicate its Intrastate and Interstate EMR for the past three years. [Note: For contractors with less than three years of experience, the EMR will be considered to be 1.00].

YEAR	INTRASTATE RATE	INTERSTATE RATE
<u>2014</u>	<u>0.840</u>	<u>N/A</u>
<u>2013</u>	<u>0.880</u>	<u>N/A</u>
<u>2012</u>	<u>0.870</u>	<u>N/A</u>

If the Intrastate and/or Interstate EMR for any of the past three years is greater than 1.00, the contractor must attach, to this questionnaire, a written explanation for the rating and identify what corrective action was taken to correct the situation resulting in that rating.

4. OSHA Information:

NO Contractor has received a willful violation issued by OSHA or New York City Department of Buildings (NYCDOB) within the last three years.

NO Contractor has had an incident requiring OSHA notification within 8 hours (i.e., fatality, or hospitalization of three or more employees).

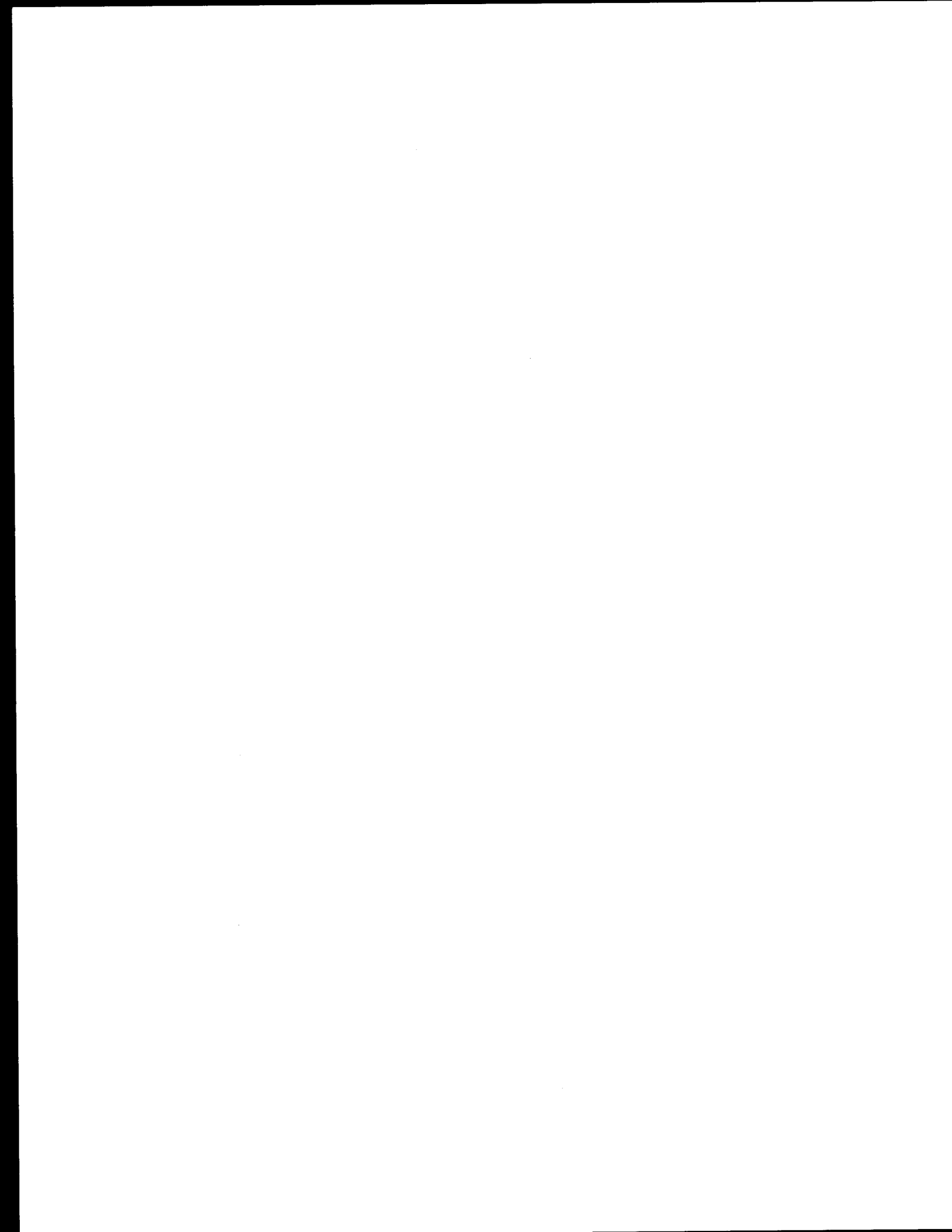
The Occupational Safety and Health Act (OSHA) of 1970 requires employers with ten or more employees, on a yearly basis to complete and maintain on file the form entitled "Log of Work-related Injuries and Illnesses". This form is commonly referred to as the OSHA 300 Log (OSHA 200 Log for 2001 and earlier).

The OSHA 300 Log must be submitted for the last three years for contractors with more than ten employees.

The Contractor must indicate the total number of hours worked by its employees, as reflected in payroll records for the past three years.

The contractor must submit the Incident Rate for Lost Time Injuries (the Incident Rate) for the past three years. The Incident Rate is calculated in accordance with the formula set forth below. For each given year, the total number of incidents is the total number of non-fatal injuries and illnesses reported on the OSHA 300 Log. The 200,000 hours represents the equivalent of 100 employees working forty hours a week, fifty weeks per year.

$$\text{Incident Rate} = \frac{\text{Total Number of Incidents} \times 200,000}{\text{Total Number of Hours Worked by Employees}}$$



YEAR	TOTAL NUMBERS OF HOURS WORKED BY EMPLOYEES	INCIDENT RATE
2014	38,240	0
2013	33,600	0
2012	41,600	0

If the contractor's Incident Rate for any of the past three years is one point higher than the Incident Rate for the type of construction it performs (listed below), the contractor must attach, to this questionnaire, a written explanation for the relatively high rate.

General Building Construction	8.5
Residential Building Construction	7.0
Nonresidential Building Construction	10.2
Heavy Construction, except building	8.7
Highway and Street Construction	9.7
Heavy Construction, except highways	8.3
Plumbing, Heating, HVAC	11.3
Painting and Paper Hanging	6.9
Electrical Work	9.5
Masonry, Stonework and Plastering	10.5
Carpentry and Floor Work	12.2
Roofing, Siding, and Sheet Metal	10.3
Concrete Work	8.6
Specialty Trade Contracting	8.6

5. Safety Performance on Previous DDC Project(s)

No. Contractor previously audited by the DDC Office of Site Safety.

DDC Project Number(s): _____

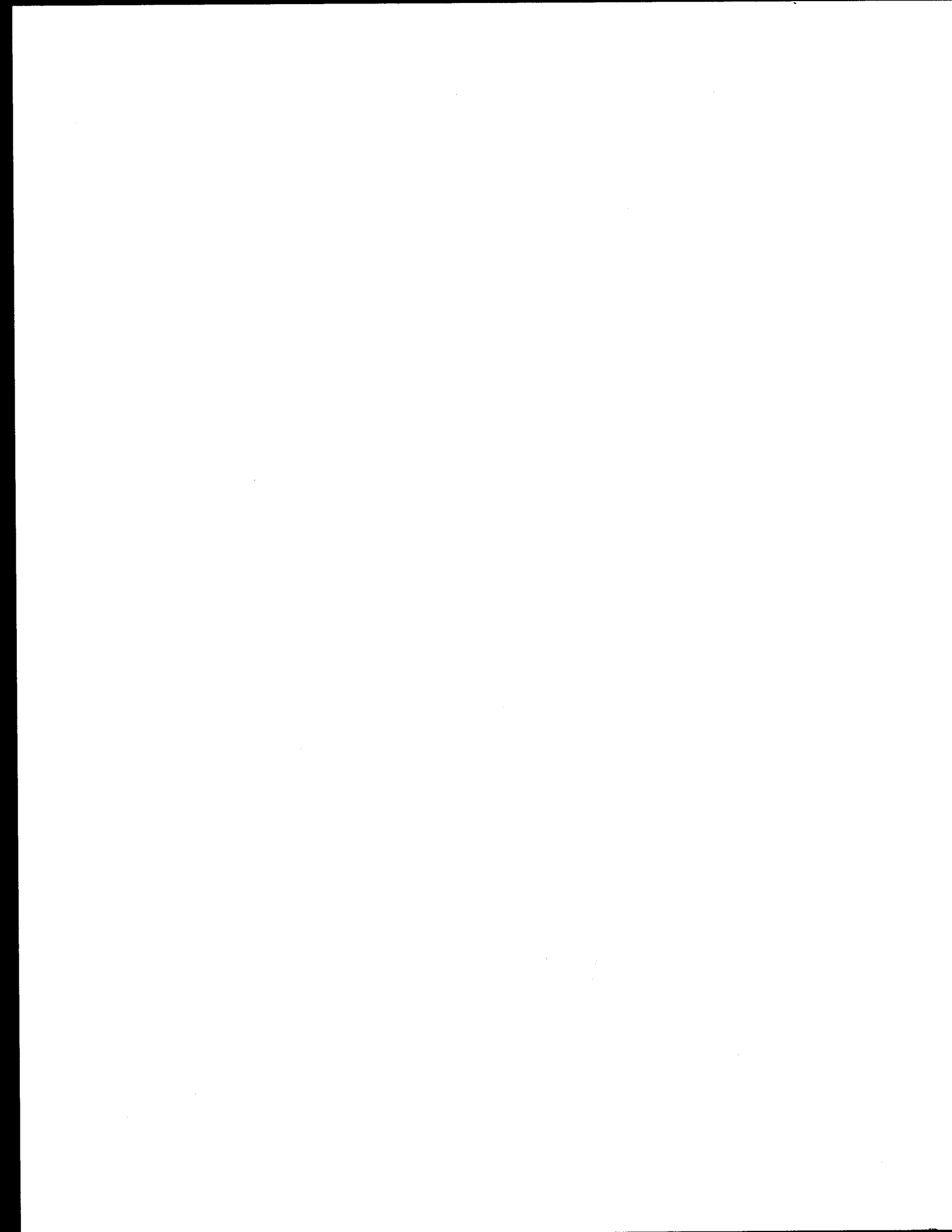
No Accident on previous DDC Project(s).

No Fatality or Life-altering Injury on DDC Project(s) within the last three years.
 [Examples of a life-altering injury include loss of limb, loss of a sense (e.g., sight, hearing), or loss of neurological function].

Date: 4/30/15

By: 
 (Signature of Owner, Partner, Corporate Officer)

Title: President



Summary of Work-Related Injuries and Illnesses

Year 2014



U.S. Department of Labor
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

All establishments covered by Part 1904 must complete this Summary page, even if no injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the log. If you had no cases write "0."

Employees former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR 1904.35, in OSHA's Recordkeeping rule, for further details on the access provisions for these forms.

Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
(G)	(H)	(I)	(J)

Number of Days

Total number of days of job transfer or restriction	Total number of days away from work
<u>0</u>	<u>0</u>
(K)	(L)

Injury and Illness Types

Total number of... (M)	(1) Injury	(2) Skin Disorder	(3) Respiratory Condition	(4) Poisoning	(5) All other illnesses
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>				
		<u>0</u>			

Post this Summary page from February 1 to April 30 of the year following the year covered by the form

Public reporting burden for this collection of information is estimated to average 50 minutes per response, including time to review the instruction, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistics, Room N-3644, 200 Constitution Ave. NW, Washington, DC 20210. Do not send the completed forms to this office.

Establishment Information

Your establishment name C.D.E. AIR CONDITIONING CO., INC.
 Street 321 39TH STREET
 City BROOKLYN State NY Zip 11232-2903
 Industry description (e.g., Manufacture of motor truck trailers)
HVAC CONTRACTING
 Standard Industrial Classification (SIC), if known (e.g., SIC 3715)
1 7 1 1
 NAICS Code 238220

Employment Information

Annual average number of employees 16
 Total hours worked by all employees last year 38,240

Sign here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Mattew J. P.
 Company executive

Vice-President
 Title

718-788-1040
 Phone

2/28/15
 Date



OSHA's Form 300

Log of Work-Related Injuries and Illnesses

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.



Year 2014

U.S. Department of Labor
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

You must record information about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid. You must also record significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional. You must also record work-related injuries and illnesses that meet any of the specific recording criteria listed in 29 CFR 1904.8 through 1904.12. Feel free to use two lines for a single case if you need to. You must complete an injury and illness incident report (OSHA Form 301) or equivalent form for each injury or illness recorded on this form. If you're not sure whether a case is recordable, call your local OSHA office for help.

Establishment name C. D. E. AIR CONDITIONING CO., INC.

City BROOKLYN State NEW YORK

Identify the person

Describe the case

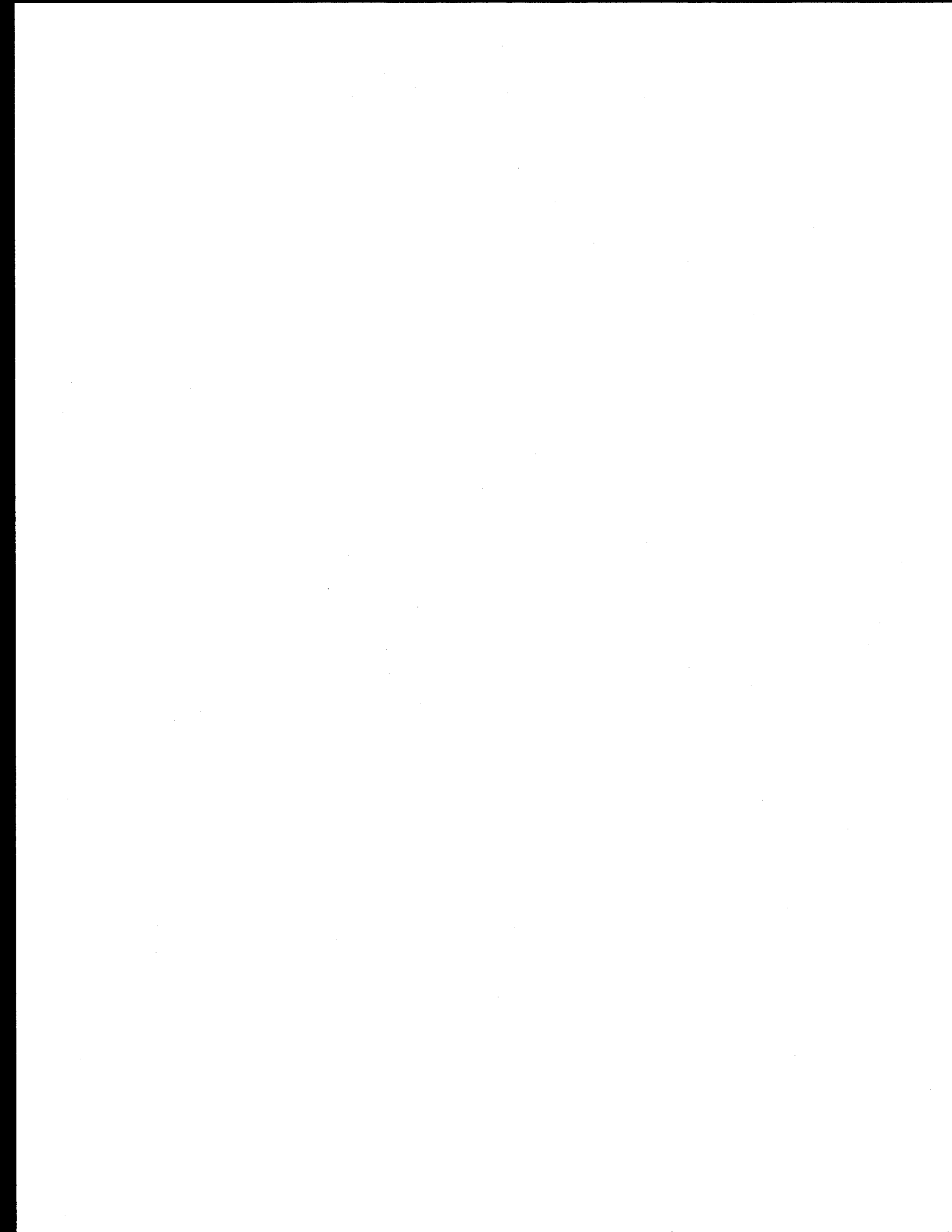
Classify the case

(A) Case No.	(B) Employee's Name	(C) Job Title (e.g., Welder)	(D) Date of injury or onset of illness (mo./day)	(E) Where the event occurred (e.g. Loading dock north end)	(F) Describe injury or illness, parts of body affected, and object/substance that directly injured or made person ill (e.g. Second degree burns on right forearm from acetylene torch)	Using these categories, check ONLY the most serious result for each case:				Enter the number of days the injured or ill worker was:		Check the "injury" column & choose one type of illness:								
						Death	Days away from work	Remained at work		On job transfer or restriction (days)	Away from work (days)	Injury (M)	Skin Disorder	Respiratory Condition	Poisoning	All other illnesses				
								Job transfer or restriction	Other recordable cases								(K)	(L)	(1)	(2)
(G)	(H)	(I)	(J)	(K)	(L)	(1)	(2)	(3)	(4)	(5)										
	None																			
Page totals						0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Be sure to transfer these totals to the Summary page (Form 300A) before you post it.

Public reporting burden for this collection of information is estimated to average 14 minutes per response, including time to review the instruction, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistics, Room N-3644, 200 Constitution Ave, NW, Washington, DC 20210. Do not send the completed forms to this office.

Injury (1) Skin Disorder (2) Respiratory Condition (3) Poisoning (4) All other illnesses (5)



Summary of Work-Related Injuries and Illnesses

Year 2013

U.S. Department of Labor
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

All establishments covered by Part 1904 must complete this Summary page, even if no injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete.

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the log. If you had no cases write "0."

Employees former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR 1904.35, in OSHA's Recordkeeping rule, for further details on the access provisions for these forms.

Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	0	0	0
(G)	(H)	(I)	(J)

Number of Days

Total number of days of job transfer or restriction	Total number of days away from work
0	0
(K)	(L)

Injury and Illness Types

Total number of...			
(1) Injury	0	(4) Poisoning	0
(2) Skin Disorder	0	(5) All other illnesses	0
(3) Respiratory Condition	0		

Post this Summary page from February 1 to April 30 of the year following the year covered by the form

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Establishment Information

Your establishment name C.D.E. AIR CONDITIONING CO., INC.

Street 321 39TH STREET

City BROOKLYN State NY Zip 11232-2903

Industry description (e.g., Manufacture of motor truck trailers)
HVAC CONTRACTING

Standard Industrial Classification (SIC), if known (e.g., SIC 3715)

NAICS Code 1 7 1 1
238220

Employment information

Annual average number of employees 16

Total hours worked by all employees last year 33600

Sign here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Michael R.
Company Executive

Vice-President
Title

718-788-1040
Phone

03/04/14
Date



OSHA's Form 300 Log of Work-Related Injuries and Illnesses

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

Form approved OMB no. 1218-0176

You must record information about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid. You must also record significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional. You must also record work-related injuries and illnesses that meet any of the specific recording criteria listed in 29 CFR 1904.8 through 1904.12. Feel free to use two lines for a single case if you need to. You must complete an injury and illness incident report (OSHA Form 301) or equivalent form for each injury or illness recorded on this form. If you're not sure whether a case is recordable, call your local OSHA office for help.

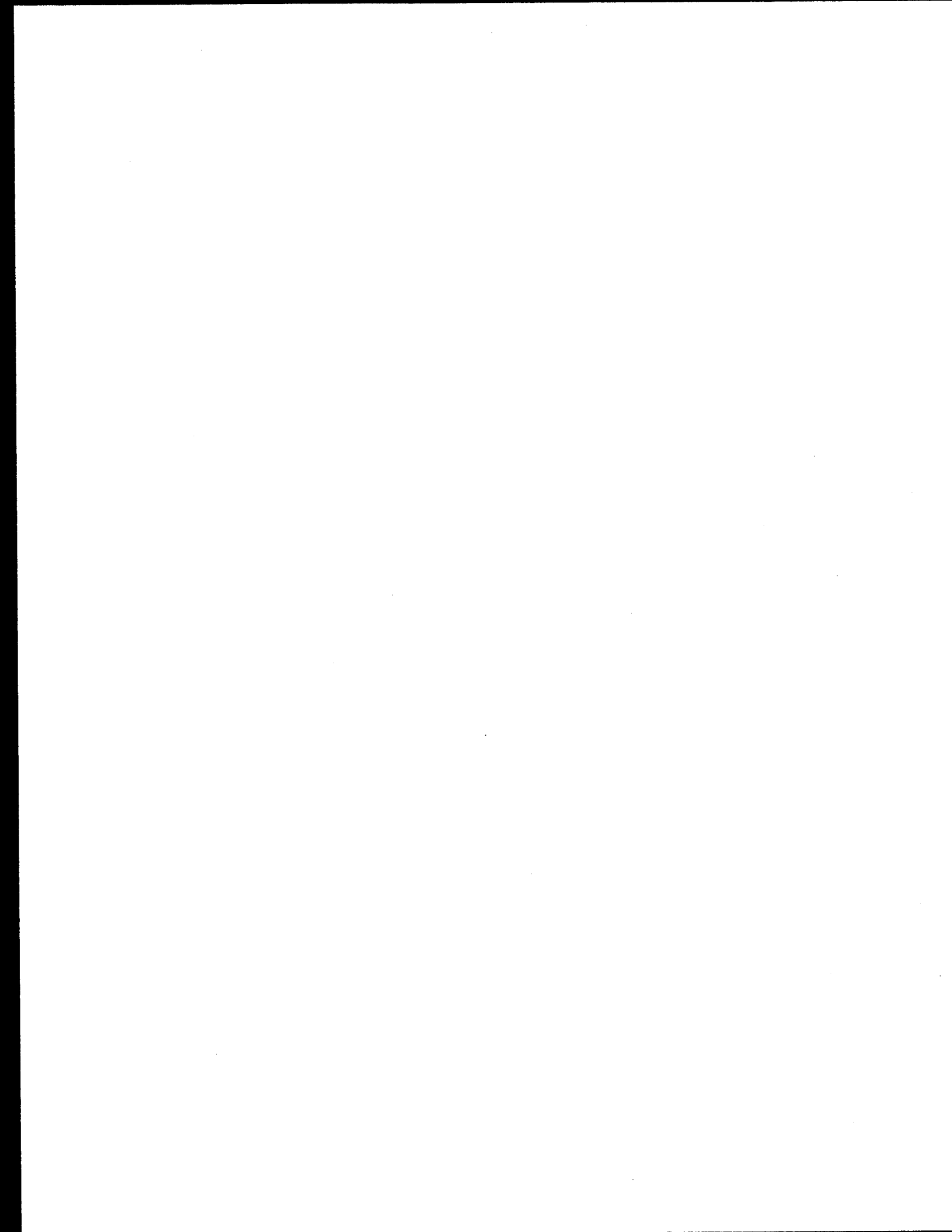
Establishment name C.D.E. AIR CONDITIONING CO., INC.
City BROOKLYN State NEW YORK

Identify the person			Describe the case			Classify the case				Enter the number of days the injured or ill worker was:		Check the "injury" column or choose one type of illness:							
(A) Case No.	(B) Employee's Name	(C) Job Title (e.g., Welder)	(D) Date of injury or onset of illness (mo./day)	(E) Where the event occurred (e.g. Loading dock north end)	(F) Describe injury or illness, parts of body affected, and object/substance that directly injured or made person ill (e.g. Second degree burns on right forearm from acetylene torch)	Using these categories, check ONLY the most serious result for each case:				On job transfer or restriction (days) (K)	Away from work (days) (L)	(M)							
						Death (G)	Days away from work (H)	Job transfer or restriction (I)	Other recordable cases (J)			Injury (1)	Skin Disorder (2)	Respiratory Condition (3)	Poisoning (4)	All other illnesses (5)			
	None																		
Page totals						0	0	0	0	0	0	0	0	0	0	0	0	0	0

Be sure to transfer these totals to the Summary page (Form 300A) before you post it.

Public reporting burden for this collection of information is estimated to average 14 minutes per response, including time to review the instruction, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistics, Room N-3644, 200 Constitution Ave, NW, Washington, DC 20210. Do not send the completed forms to this office.

Injury (1) Skin Disorder (2) Respiratory Condition (3) Poisoning (4) All other illnesses (5)



Summary of Work-Related Injuries and Illnesses



All establishments covered by Part 1904 must complete this Summary page, even if no injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the log. If you had no cases write "0."

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Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	0	0	0
(G)	(H)	(I)	(J)

Number of Days

Total number of days of job transfer or restriction	Total number of days away from work
0	0
(K)	(L)

Injury and Illness Types

Total number of... (M)	
(1) Injury	0
(2) Skin Disorder	0
(3) Respiratory Condition	0
(4) Poisoning	0
(5) All other illnesses	0

Post this Summary page from February 1 to April 30 of the year following the year covered by the form

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Establishment Information

Your establishment name C.D.E. AIR CONDITIONING CO., INC.

Street 321 39TH STREET

City BROOKLYN State NY Zip 11232-2903

Industry description (e.g., Manufacture of motor truck trailers)
HVAC CONTRACTING

Standard Industrial Classification (SIC), if known (e.g., SIC 3715)
1 7 1 1

NAICS Code 238220

Employment Information

Annual average number of employees 20

Total hours worked by all employees last year 41,600

Sign here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Matthew M. ... Vice-President
Company executive Title

718-788-1040 1/17/13
Phone Date



OSHA's Form 300

Log of Work-Related Injuries and Illnesses

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

Form approved OMB no. 1218-0176

You must record information about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid. You must also record significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional. You must also record work-related injuries and illnesses that meet any of the specific recording criteria listed in 29 CFR 1904.8 through 1904.12. Feel free to use two lines for a single case if you need to. You must complete an injury and illness incident report (OSHA Form 301) or equivalent form for each injury or illness recorded on this form. If you're not sure whether a case is recordable, call your local OSHA office for help.

Establishment name C.D.E. AIR CONDITIONING CO., INC.
 City BROOKLYN State NEW YORK

Identify the person			Describe the case			Classify the case				Enter the number of days the injured or ill worker was:		Check the "injury" column if choose one type of illness:				
(A) Case No.	(B) Employee's Name	(C) Job Title (e.g., Welder)	(D) Date of injury or onset of illness (mo./day)	(E) Where the event occurred (e.g. Loading dock north end)	(F) Describe injury or illness, parts of body affected, and object/substance that directly injured or made person ill (e.g. Second degree burns on right forearm from acetylene torch)	Using these categories, check ONLY the most serious result for each case:						(M)				
						Death	Days away from work	Remained at work		On job transfer or restriction (days)	Away from work (days)	Injury	Skin Disorder	Respiratory Condition	Poisoning	All other illnesses
						(G)	(H)	Job transfer or restriction (I)	Other recordable cases (J)	(K)	(L)	(1)	(2)	(3)	(4)	(5)
	None															
Page totals						0	0	0	0	0	0	0	0	0	0	0

Be sure to transfer these totals to the Summary page (Form 300A) before you post it.

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Injury (1)
 Skin Disorder (2)
 Respiratory Condition (3)
 Poisoning (4)
 All other illnesses (5)



A. PROJECT REFERENCES – SIMILAR CONTRACTS COMPLETED BY THE BIDDER

(See attached list of contracts completed)

List all contracts substantially completed within the last 4 years similar to the contract being awarded, up to a maximum of 10, in descending order of date of substantial completion.

Project & Location	Contract Type	Contract Amount (\$000)	Date Completed	Owner Reference & Tel. No.	Architect/Engineer Reference & Tel. No. if different from owner



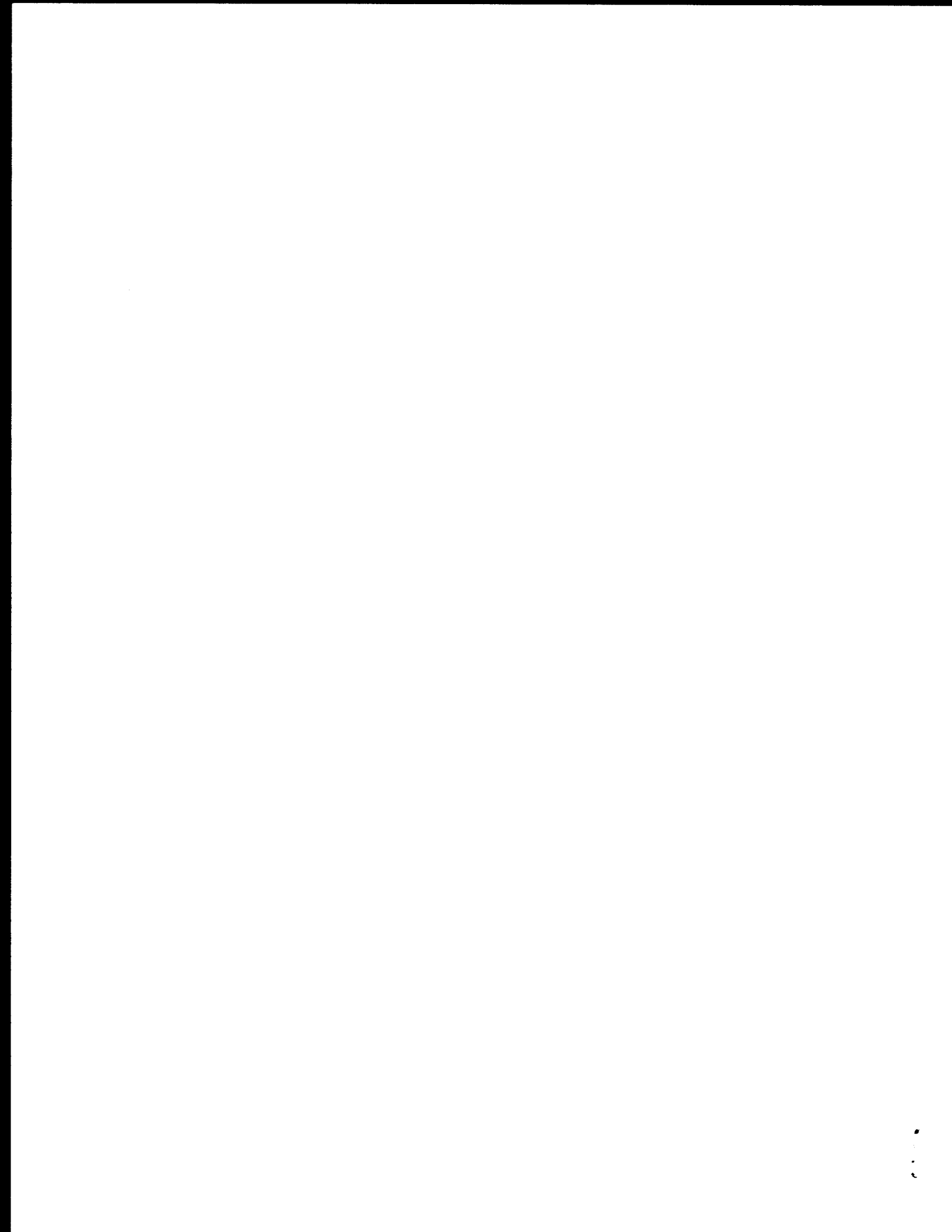
**C.D.E. AIR CONDITIONING CO., INC.
PARTIAL LIST OF COMPLETED PROJECTS**

PROJECT NAME AND LOCATION	PROJECT NUMBER	OWNER/CONTACT	TELEPHONE NO.	FINAL CONTRACT PRICE	COMPLETION DATE
Queens Children's Library Children's Library Discovery Center	20040018658	Hill International/NYC DDC Marc Zaretsky, Vice President	(212) 244-3700	7,979,398	December, 14
United Nations South Screening Building		Skanska USA Building Raki Lavon	(917) 346-3739	76,588	December, 14
Queens College Science Building HVAC Work	CITY-W-CUCF-01-09-04-MECH	STV/CUNY Jeanny Cheung,	(212) 614-3382	478,898	November, 14
102 Precinct Station House New Air Cooled Chiller	CT 1 056 20131420928	NYPD Stephen Sailer, APM III, NYPD	(718) 476-8699 (347) 245-8365	638,138	October, 14
Newtown Creek WPCP, NC-36H 329 Greenpoint Ave., Brooklyn, NY 11222	Project WP-283 Contract NC-36H	Hazen & Sawyer/NYC DEP John Russo	(718) 609-8703	12,428,503	September, 14
Parks District Headquarters Bushwick Inlet Pak Kent Avenue, Between N. 9 th Street, Brooklyn, NY	BG-38250-507M	NYC Dept. of Parks Matthias Augustin Lorenzo Calabrese	(718) 760-6828	2,278,477	September, 14
Tavern of the Green Core and Shell Renovation Contract No. 1 - General Construction Work	Contract TAVREH	Hudson Insurance Terry Dahl	(212) 978-2835	3,473,822	August, 14
Central Park Police Precinct 86 th Street Transverse Road, New York NY	20060007059	URS Corp. - NY / NYC DDC Douglas Kerrigan	(646) 963-6011	4,268,423	July, 14
Pier 40 HVAC Restoration	LC4548	LiRo Program & Construction Mark Conti	(516) 938-5476	331,279	January, 14
Paerdegat Basin Water Quality Facility 1887 Ralph Avenue, Brooklyn, New York	WP-169 Contract # CSO-5H	Hazen & Sawyer, P.C. Pietro L. Palmari, P.E.	(7185) 241-2053	21,828,306	September, 13
71st Precinct Station House Replacement of Existing Boiler & Associated Accessories	20121419085	NYPD - Bldg. Maintenance Stephen Sailer, APM III Cell:	(718) 476-8699 (347) 245-8365	383,323	August, 13
Hunter College City University of New York Chiller Replacement of A/C Upgrades	CITY-CUCF-01-09-02-GC3	EPIC Management/CUNY Vincent Ramadani	(212) 601-2766	1,375,398	April, 13
Newtown Creek WPCP, NC-31H 329 Greenpoint Avenue, Brooklyn, NY	Project No. WP-283 Contract NC-31H	Malcolm Pirnie/NYC DEP Stan Damaris	(718) 383-7960	16,426,796	May, 13
Rikers Island Correctional Facility 800 Bed Addition at RMSC	20050016107	URS Corp. - NY/NYC DDC Frank Corona Cell	(212) 896-0140 (917) 578-5576	18,895,703	January, 13
Brooklyn VA Medical Center 800-Ton Chiller Replacement	GS-00P-07-BSD-0510 P.O. 3567	ConEd Solutions Mart Litwinko	(914) 286-7738	855,542	August, 12
Fort Totten Chiller Repairs		Paradigm Services, Inc. Shane Vazquez	((973) 989-5888	33,474	July, 12
Mitchell Field Naval Exchange HVAC Work	Contract N400085-08-81-730011	Dave Rosenberg, Iron Eagle	(516) 826-6848	452,000	July, 12



**C.D.E. AIR CONDITIONING CO., INC.
PARTIAL LIST OF COMPLETED PROJECTS**

PROJECT NAME AND LOCATION	PROJECT NUMBER	OWNER/CONTACT	TELEPHONE NO.	FINAL CONTRACT PRICE	COMPLETION DATE
7 West 51 st Street, New York, NY Replacement 50-Ton Rooftop A/C Unit & Return Fan		Sedesco/PREF 7 West 51 st LLC Matthew Johnson	(212) 317-2600	248,250	July, 12
FDNY EMS Station #27 68 East 133 rd Street, Bronx, NY	F17SEMS 2090026482	The LiRo Group/NYC DDC Joseph Fox Michael Mascaro	(917) 681-7242 (347) 386-3839	1,631,490	June, 12
Newtown Creek WPCP, NC-32H 329 Greenpoint Avenue, Brooklyn, NY 11222	Project # WP-283 Contract NC-32H	Hazen & Sawyer/NYC DEP Stan Dimaris	(718) 389-7960	12,041,893	March, 12
Brooklyn VA Hospital – HVAC Controls Replacement, Phase II	630-80-407	Anthony Weathers David Rosenberg, Iron Eagle	(718) 836-6600 (516) 826-6848	1,440,814	May, 11
Spring Creek AWPCP – Upgrade HVAC Work 26 Ward WPC, Spring Creek. Basin Brooklyn, New York	Project # WP-225 Contract # SC-1H	CDM/NYC DEP Keith Kelly	(516) 496-8400	6,470,663	April, 11
Lincoln Center – Package No. 5 Concourse Garage Renovation – HVAC Work West 65 th Street & Broadway, New York NY	1266030	Edwin Ogando, Turner Const. Jed Gallagher, LCDP Dan Watson, LCDP	(212) 362-2775 (212) 875-5860 (212) 875-5828	6,465,870	February, 11
United Nations Development Corp. (UNDC) Elevator MER		UNDC Ken Coopersmith	(212) 888-1618	60,257	October, 10
Brooklyn VA Hospital – A/C No. 3 Brooklyn, New York	630A4-09-429	Doug Jones, DVA David Rosenberg, Iron Eagle	(718) 630-3007 (516) 286-6848	222,904	June, 10
EMD Brooklyn FDNY Dispatch 35 Empire Boulevard, Brooklyn, New York	20050015993	URS Corp. – NY/NYC DDC Kenneth O'Conner	(718) 622-0151	1,094,410	June, 10
St. George Ferry Terminal, Staten Island	11490057	Brickens Constr./NYC EDC Dennis O'Mahony	(914) 237-2709	264,957	June, 10
English Kills Aeration 1106 Grand Avenue, Brooklyn, New York	Project # WP-169 Cont. # EK-11H	NYC DEP Warren Gordon	(347)996-7790	469,970.	January, 10
Brooklyn VA - HVAC Controls Replacement 800 Poly Place, Brooklyn	630A4-06-407 Phase I	Patrick McDonald, DVA David Rosenberg, Iron Eagle	(718) 630-3586 (516) 826-6848	763,986	December, 09
Notre Dame Academy Arts & Dining Center		Pavillion Building Corp. Sal Tirro	(718) 948-1700	1,328,717	November, 09
Beach Channel Drive Houses Beach 41 st Street Boiler Replacement	4008967	LiRo/Hill/NYCHA Frank Franco	(212) 563-0280	3,053,776	September, 09
Co-op City Pumping Station – North & South Bronx, New York	WP-269 Contract PS-125	Spectraserv/NYC DEP John Kling	(973) 589-0277	129,477	February, 09
Leary Fire Fighters Foundation Randall's Island, New York		Brickens Constr./The LiRo Grp Michail Madlir	(914) 237-2709	79,207	December, 08



**C.D.E. AIR CONDITIONING CO., INC.
PARTIAL LIST OF COMPLETED PROJECTS**

PROJECT NAME AND LOCATION	PROJECT NUMBER	OWNER/CONTACT	TELEPHONE NO.	FINAL CONTRACT PRICE	COMPLETION DATE
F.D.N.Y. Dispatch Operations Rehab. of Borough Comm. Offices Bronx, Queens and Staten Island	F1755C099	URS Corp.- NY/NYC DDC Kenneth O'Connor	(718) 622-0151	5,823,323	September, 08
Queens Midtown Tunnel Exhaust Fan Replacement	Contract # QM-80	The LiRo Group/TBTA Alex Constantinides	(516) 938-5476	18,776,462	September, 08
Fort Washington Adult Day Care Center 99 Fort Washington Avenue New York, New York 10032	4008967	The LiRo Group/NYCHA Peter Venechanos	(212) 265-1207	458,794	June, 08
Hunter College - Loewe Theatre 138 East 68th Street, New York, NY	0519	URS Corp.- NY/CUNY Lawrence Large	(718) 922-2795 917) 335-0299	1,045,437	June, 08
Jamaica WPCP 150-20 134 th Street, Jamaica, New York	WP-247 Contract # JA-1H	Hazen & Sawyer/NYC DEP Thomas Walsh	(718) 647-6510	3,853,765	June, 08
Ocean Bay Apartments Daycare/Senior Social Center Far Rockway, NY 11692	PW193-21 Contract No. 3	The LiRo Group/NYCHA Elby Tineo Joseph Massa	(718) 318-7318 (516) 965-3411 (516) 214-8132	751,775	June, 08
Betances Houses IV & VI Community Center Renovation	4008967	The LiRo Group/NYCHA Sam Abdo	(718) 445-5295 (646) 404-6369	1,010,291	December, 07
Flight 587 Memorial & Comfort Station	20060007122	URS Corp -NY/NYC DDC Henry Santos	(718) 318-2506	157,529	September, 07
Jacob Riis Settlement House 10-25 41 st Avenue, L.I.C., New York	4008967	The LiRo Group/NYCHA Sam Abdo	(718) 445-5295 (646) 404-6369	262,733	May, 07
Manhattan Psychiatric Center, Bldg. 110 Wards Island Complex 600 East 125 th Street, New York, NY 10035	Complex 0500924	NYS Office of Mental Health Victor Boissiere	(646) 672-6563 (917) 247-0157	184,260	January, 07
G & H Industries 309 East 56 th Street, New York, NY 10022		Thomas Liddy, General Mgr.	(212) 451-6311	241,767	October, 06
W. 158 th Street Maintenance & Repair Facility W. 158 th Street & Riverside Drive, NY, NY	HWMF032 Contr. #3 HVAC	Liro Group/NYC DDC Bernard Markowitz	(516) 938-5476	5,016,118	September, 06
Police Headquarters - Electrical Improvements 1 Police Plaza, New York, New York	P070-HQEU	NYC DDC Larry Shim	(718) 391-1126	4,075,548	March, 06
Rikers Island - GMDC New Kitchen End of Shore Road, E. Elmhurst, New York	C141 SERV3	URS Corp/DDC Lawrence Large	(718) 922-2795	3,326,195	March, 06
F.D.N.Y. Radio Repair Shop Renovations 58-65 52 nd Road, Queens, New York	F175RADIO Contract # 3 HVAC	The LiRo Group/NYC DDC Nick Argiro	(718) 779-8489	356,108	December, 05
Yankee Stadium Pipe Tunnel Renovation	YANKCIP04 Contr. #1 HVAC	Liro Group/NYC DDC Robert Lorusso	(516) 938-5476	389,879	August, 05
Museum of The City of New York - Mechanical Work 1220 5 th Avenue, NYC	PV241-REN	Hill International/NYC DDC William Krauss	(212) 244-3700	157,345	June, 05
FDNY Fire Training Academy Randall's Island, New York	F204-RAND	LIRO Group/NYC DDC Nicholas Argiro	(212) 876-8220	3,428,346	November, 04

Completed Projects 12.31.14

B. PROJECT REFERENCES – CONTRACTS CURRENTLY UNDER CONSTRUCTION BY THE BIDDER
 (See attached list of contracts-in-progress)

List all contracts currently under construction even if they are not similar to the contract being awarded.

Project & Location	Contract Type	Contract Amount (\$000)	Subcontracted to Others (\$000)	Uncompleted Portion (\$000)	Date Scheduled to Complete	Owner Reference & Tel. No.	Architect/Engineer Reference & Tel. No. if different from owner



C.D.E. AIR CONDITIONING CO., INC.
CONTRACTS IN PROGRESS DECEMBER 31, 2014

PROJECT NAME AND LOCATION	PROJECT NUMBER	CONTACT /OWNER	TEL. NO.	CONTRACT PRICE INCL C.O.'S	PERCENT COMPLETE
Animal Care & Control Center Reconstruction Staten Island, NY	20141408086	Minelli Construction William Jette	(631) 232-0222	704,702	5
Asser Levy Bathhouse Boiler Reconstruction Asser Levy Place, New York NY	M164-213M	NYC Dept of Parks & Recreation Dan Merkl	(718) 760-6643	1,381,499	2
Bowery Bay WPCP 4301 Berrian Blvd., Astoria, New York	Project # WP-237 Contract BB-57H	Hazen & Sawyer/NYC DEP Vincent Kopicki	(347) 923-8490	28,719,670	*
Bowery Bay WPCP Anaerobic Digester Gas System Improvements 4301 Berrian Blvd., Astoria, New York	Contract BB-210	Spectraserv - CDM/NYPA John Kling	(973) 589-0277 Ext 3321	2,073,687	86
Christopher Street Substation - PATH Replacement and Upgrade HVAC Work	PAT-624.154	Mass Electric Construction Co. Bilal Cheema	(201) 522-0781	808,079	12
Dapolito Recreation & John Jay Pool Reconstruction of Boilers	MG-113	NYC Dept of Parks & Recreation Henry Erhardt	(718) 430-4654 (917) 635-4230	849,791	78
DEP Digester Gas System Improvement Various Locations - Oakwood Beach, Staten Island, 26th Ward & Red Hook, Brooklyn, New York	ES-GSN-0149	Spectraserv - CDM/NYPA John Kling	(973) 589-0277 Ext 3321	3,796,308	*
Kingsbridge Heights Community Center Construction of HVAC System	Contract No. X250-109MA1	NYC Dept of Parks & Recreation Fred Hammerling	(718) 760-6643	880,721	*
Manhattan Pumping Station Newtown Creek WPCP	Project # WP-283 Contract NC-40H	Hazen & Sawyer/NYC DEP Alex Klar, P.E.	(718) 609-8701	12,623,793	*
Manhattan Psychiatric Center Wards Island Manhattan Forensic Relocation Package No. 1	Contract 44579	Sea Crest Construction Corp. Victor Czartorysky	(516) 868-3000	347,000	0
Manhattan Theater Club Renovation at Freidman Theater.	FMS ID PV256-FRI	NYC Dep. Of Design & Construction Charles Lin	(718) 391-1138 (917) 506-0551	767,870	*
Metropolitan Hospital Center Energy Conservation HVAC Work	ES-GSN-0543	Parson Brinckerhoff Frank Verni, RA	(212) 423-7881 (917) 658-4811	1,526,132	86

* Denotes project substantially complete
Contracts In Progress List 12.31.14.doc



**C.D.E. AIR CONDITIONING CO., INC.
CONTRACTS IN PROGRESS DECEMBER 31, 2014**

PROJECT NAME AND LOCATION	PROJECT NUMBER	CONTACT /OWNER	TEL. NO.	CONTRACT PRICE INCL C.O.'S	PERCENT COMPLETE
New York Psychiatric Institute Conversion of 4th Floor to Wet Lab	44220-C	Fratello Construction Steven Cianci	(631) 414-7171	2,390,258	35
120 Schermerhorn Street, Brooklyn, NY Boiler Feedwater System Replacement	Project No. C0281BOIL	NYC DCAS Naum Fitterson	(212) 386-0669	1,518,657	*
Pre-K 66 (Staten Island) 1625 Forest Avenue, Staten Island, NY	C000013711	Arnell Construction Cliff Hughes	(718) 852-8500	4,012,000	0
PS 11 (Queens) 54-25 Skillman Avenue, Woodside, NY	C000013556	Citnalta Construction Philip Milo	(631) 564-2614 (516) 672-8693	14,200,000	2
PS 181 (K) 1023 York Avenue, Brooklyn NY	C000013191	Triangle General Contractors Anant Niraula	(718) 462-6262	19,641	6
PS 195 (Queens) 253-50 149th Avenue, Rosedale NY 11422	C000013531	NYC SCA Mohammed Akbar	(917) 416-2608	6,076,727	12
PS 199 (Queens) Annex at St. Teresa 55-15 44th Street, Sunnyside, NY	C000013478	Delric Construction Jay Mistry	(973) 427-0058	628,236	25
PS 360 (Bronx) 2880 Kingsbridge Terrace Bronx, NY	C000013495	NYC SCA Muhammad F. Sharif	(646) 879-1762	3,249,133	2
SCA Headquarters Data Center 30-30 Thomson Avenue, LIC, NY	C000013304	Iannelli Construction Vincent Iannelli	(718) 836-2000	1,180,000	21
South West Brooklyn Marine Transfer Station 1824 Shore Parkway, Brooklyn NY	20141418737	Prismatic Develop./NYC DDC Grant MacDonald, Prismatic Juan Cuevo, NYC DDC	(973) 882-1133 Cell: 445-2900 (718) 391-1178	8,096,000	3
Susan Wagner High School, IS 323 - Black Box 1200 Manor Road, Staten Island, NY	C000013573	Triton Structural - East Coast Mitch Miller	(877) 874-8669	4,141,000	1
26 th Ward Water Pollution Control Plant 122-66 Flatlands Avenue, Brooklyn, New York	Project # WP-205 Contract 26W-12H	Hazen & Sawyer/NYC DEP Naresh Shah	(718) 647-6510	13,170,586	*
The Scholars Academy IS 323 320 Beach 104th Street, Rockaway Park, NY	C000013533	NYC SCA Reinaldo Rosales	(718) 472-8237 (917) 418-3510	13,563,283	2
United Nations Package 3 - Airside Capital Master Plan	Contract B Package 3	Skanska USA Building Bryan Kob Sam Alacha	(917) 367-2246 (917) 444-0573 (212) 963-2477 Cell: (646) 208-1552	8,972,433	99

* Denotes project substantially complete
Contracts In Progress List 12.31.14.doc



C. PROJECT REFERENCES – PENDING CONTRACTS NOT YET STARTED BY THE BIDDER

List all contracts awarded to or won by the bidder but not yet started.

Project & Location	Contract Type	Contract Amount (\$000)	Date Scheduled to Start	Owner Reference & Tel. No.	Architect/Engineer Reference & Tel. No. if different from owner
CUNY Computer Room A/C 555 West 57th Street, NYC	16th Floor Computer Room A/C Unit Replacement	\$354,818.	June 2015	CUNY	Epic Management, CM Dennis Hagerty, P.E. 212-601-2766



VENDEX COMPLIANCE

(A) **Vendex Fees:** Pursuant to Procurement Policy Board Rule 2-08(f)(2), the contractor will be charged a fee for the administration of the VENDEX system, including the Vendor Name Check process, if a Vendor Name Check review is required to be conducted by the Department of Investigation. The contractor shall also be required to pay the applicable required fees for any of its subcontractors for which Vendor Name Check reviews are required. The fee(s) will be deducted from payments made to the contractor under the contract. For contracts with an estimated value of less than or equal to \$1,000,000, the fee will be \$175 per Vendor Name Check review. For contracts with an estimated value of greater than \$1,000,000, the fee will be \$350 per Vendor Name Check review.

(B) **Confirmation of Vendex Compliance:** The Bidder shall submit this Confirmation of Vendex Compliance to the Department of Design and Construction, Contracts Section, 30-30 Thomson Avenue – First Floor, Long Island City, NY 11101.


Bid Information: The Bidder shall complete the bid information set forth below.

Name of Bidder: C.D.E. Air Conditioning Co., Inc.
Bidder's Address: 321 39th Street, Brooklyn, NY 11232
Bidder's Telephone Number: 718-788-1040
Bidder's Fax Number: 718-788-2046
Date of Bid Opening: April 30, 2015
Project ID: E12-0023

Vendex Compliance: To demonstrate compliance with Vendex requirements, the Bidder shall complete either Section (1) or Section (2) below, whichever applies.

(1) **Submission of Vendex Questionnaires to MOCS:** By signing in the space provided below, the Bidder certifies that as of the date specified below, the Bidder has submitted Vendex Questionnaires to the Mayor's Office of Contract Services, Attn: VENDEX, 253 Broadway, 9th Floor, New York, New York 10007.

Date of Submission: 5/15/14

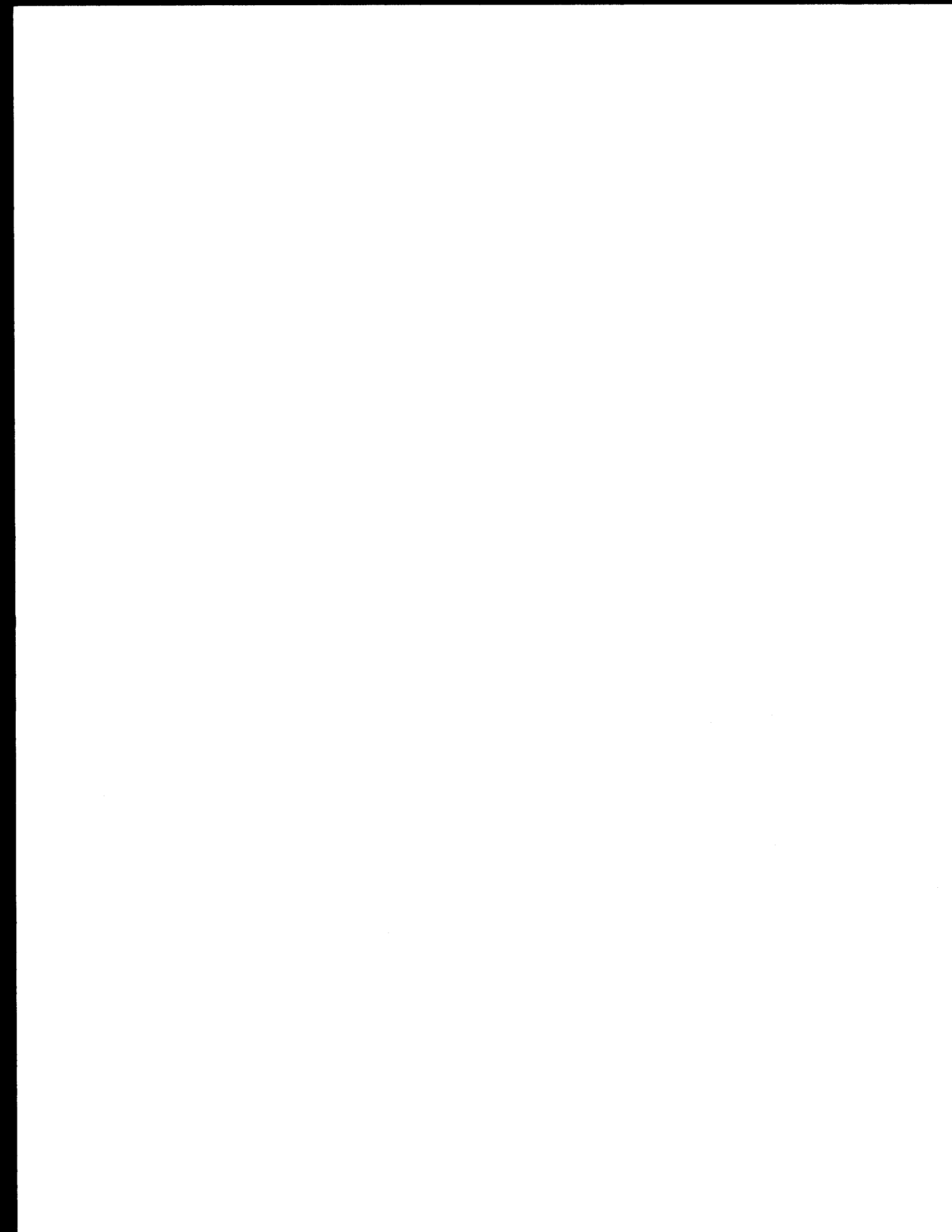
By: 
(Signature of Partner or corporate officer)

Print Name: _____

(2) **Submission of Certification of No Change to DDC:** By signing in the space provided below, the Bidder certifies that it has read the instructions in a "Vendor's Guide to Vendex" and that such instructions do not require the Bidder to submit Vendex Questionnaires. The Bidder has completed **TWO ORIGINALS** of the Certification of No Change set forth on the next page of this Bid Booklet.

By: _____
(Signature of Partner or corporate officer)

Print Name: _____



**DIRECTIONS: Please execute two originals (both with original signature).
Please forward directly to the agency (not M.O.C.S.).**

Certificate of No Change Form



- Please submit two completed forms. Copies will not be accepted.
- Please send both copies to the agency that requested it, unless you are advised to send it directly to the Mayor's Office of Contract Services (MOCS).
- A materially false statement willfully or fraudulently made in connection with this certification, and/or the failure to conduct appropriate due diligence in verifying the information that is the subject of this certification, may result in rendering the submitting entity non-responsible for the purpose of contract award.
- A materially false statement willfully or fraudulently made in connection with this certification may subject the person making the false statement to criminal charges

I, Joseph F. Azara, Jr., being duly sworn, state that I have read
Enter Your Name

and understand all the items contained in the vendor questionnaire and any submission of change as identified on page one of this form and certify that as of this date, these items have not changed. I further certify that, to the best of my knowledge, information and belief, those answers are full, complete, and accurate; and that, to the best of my knowledge, information, and belief, those answers continue to be full, complete, and accurate.

In addition, I further certify on behalf of the submitting vendor that the information contained in the principal questionnaire(s) and any submission of change identified on page two of this form have not changed and have been verified and continue, to the best of my knowledge, to be full, complete and accurate.

I understand that the City of New York will rely on the information supplied in this certification as additional inducement to enter into a contract with the submitting entity.

Vendor Questionnaire *This section is required.*

This refers to the vendor questionnaire(s) submitted for the vendor doing business with the City.

Name of Submitting Entity: C.D.E. Air Conditioning Co., Inc.

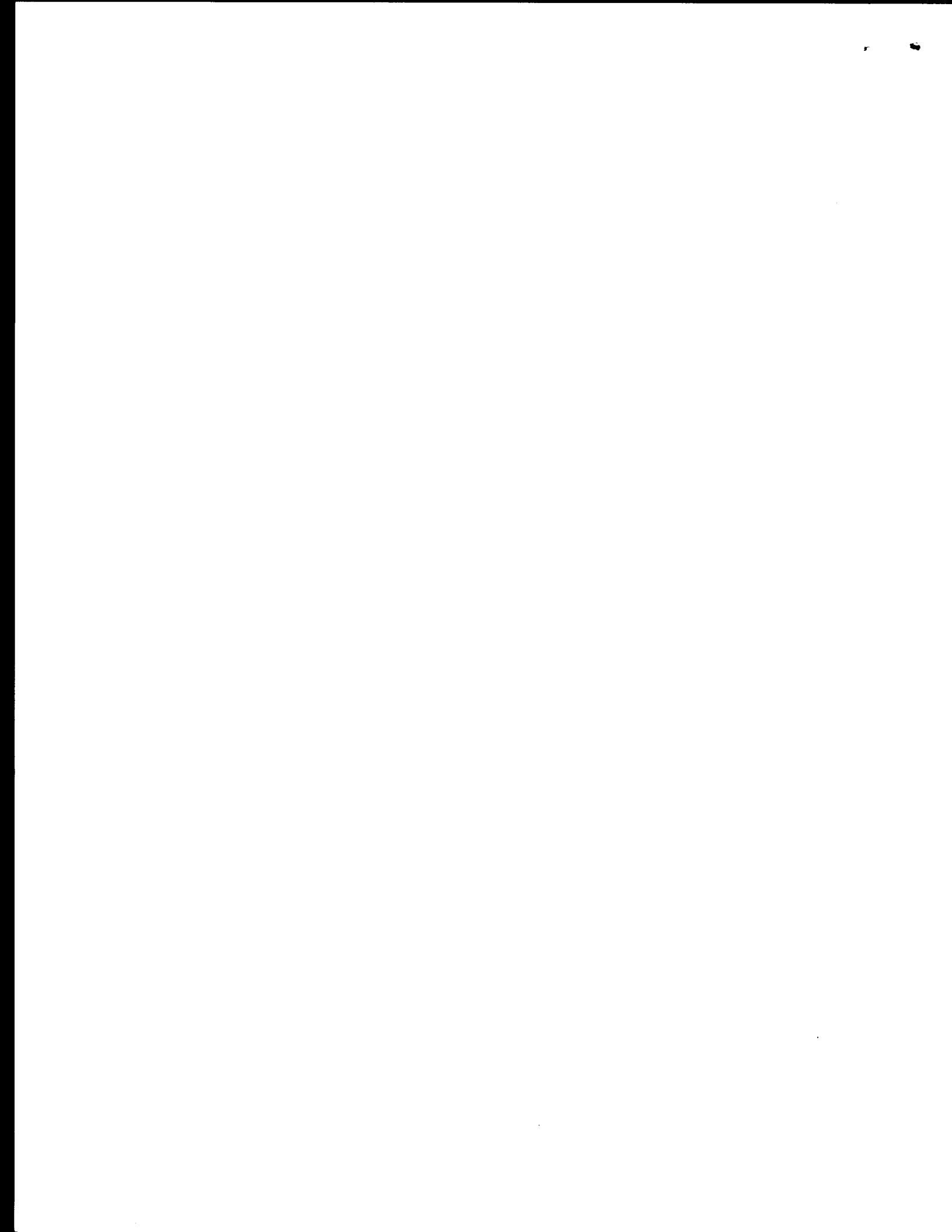
Vendor's Address: 321 39th Street, Brooklyn, New York 11232

Vendor's EIN or TIN: 11-2217107 Requesting Agency: NYC Dept. of Design & Constr.

Are you submitting this Certification as a parent? (Please circle one) Yes No

Signature date on the last full vendor questionnaire signed for the submitting vendor: 05/15/2014

Signature date on change submission for the submitting vendor: _____



Principal Questionnaire

This section refers to the most recent principal questionnaire submissions.



	Principal Name	Date of signature on last full Principal Questionnaire	Date(s) of signature on submission of change
1	Joseph F. Azara, Jr., President	05/15/2014	
2	Mitchell I. Merdinger, Vice-Pres.	05/15/2014	
3	Brian J. Azara, Secretary	05/15/2014	
4	Christine R. Azara, Treasurer	05/15/2014	
5			
6			

Check if additional changes were submitted and attach a document with the date of additional submissions.

Certification This section is required.

This form must be signed and notarized. Please complete this twice. Copies will not be accepted.

Certified By:

Joseph F. Azara, Jr.

Name (Print)

President

Title

C.D.E. Air Conditioning Co., Inc.

Name of Submitting Entity

Signature

03/24/15
Date

Notarized By: Robert J. Ayoub

Notary Public

Kings
County License Issued

01AY4893555
License Number

Sworn to before me on: March 24, 2015
Date

ROBERT J. AYOUB
Notary Public, State of New York
No. 01AY4893555
Qualified in Kings County
Commission Expires May 11, 2015

**IRAN DIVESTMENT ACT COMPLIANCE RIDER
FOR NEW YORK CITY CONTRACTORS**

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 City, 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 State Finance Law 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 State Finance Law. In any case where the bidder or proposer cannot certify that they are 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 City of New York may award a bid to a bidder who cannot make the certification 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 City makes a determination that the goods or services are necessary for the City to perform its functions and that, absent such an exemption, the City 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.



**BIDDER'S CERTIFICATION OF COMPLIANCE WITH
IRAN DIVESTMENT ACT**

Pursuant to General Municipal Law §103-g, which generally prohibits the City from entering into contracts with persons engaged in investment activities in the energy sector of Iran, the bidder/proposer submits the following certification:


[Please Check One]

BIDDER'S CERTIFICATION

By submission of this bid or proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer 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 its knowledge and belief, that each bidder/proposer is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law.

I am unable to certify that my name and the name of the bidder/proposer does not appear on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law. I have attached a signed statement setting forth in detail why I cannot so certify.

Dated: Brooklyn, New York
April 30, 20 15



SIGNATURE

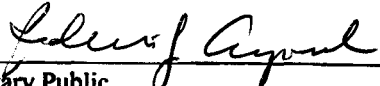
Joseph F. Azara, Jr.

PRINTED NAME

President

TITLE

Sworn to before me this
30th day of Apr, 20 15



Notary Public

Dated: April 30, 2015

ROBERT J. AYOUB
Notary Public, State of New York
No. 01AY4893555
Qualified in Kings County
Commission Expires May 11, 2015





Small Business
Services

Maria Torres-Springer
Commissioner

215CY196

May 28, 2015

Mr. Mitchell I. Merdinger, Vice President
C.D.E. Air Conditioning Co., Inc.
321 39th Street
Brooklyn, NY 11232

RE: **NYC Department of Design and Construction Contract (DDC);** Project No. E12-0023; Pin No. 850215LB0003C; PLANYC Energy Audit Retrofit at The Brooklyn Public Library; Borough of Brooklyn; Contract Value: \$5,528,895.00; **Continued Certificate of Approval.**

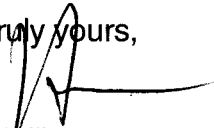
Dear Mr. Merdinger:

Please be advised that C.D.E. Air Conditioning Co., Inc. has already received notice of its approval for the three **(3)** year period indicated in the Department of Small Business Services/Division of Labor Services (DLS) Certificate of Approval dated June 12, 2014 – DLS File No. 214CY176.

As your organization continues to meet the equal employment opportunity requirements of the City of New York, DLS approves the awarding of the above referenced contract. This approval does not extend the initial three **(3)** year approval **(June 12, 2014 – June 11, 2017)** referred to above.

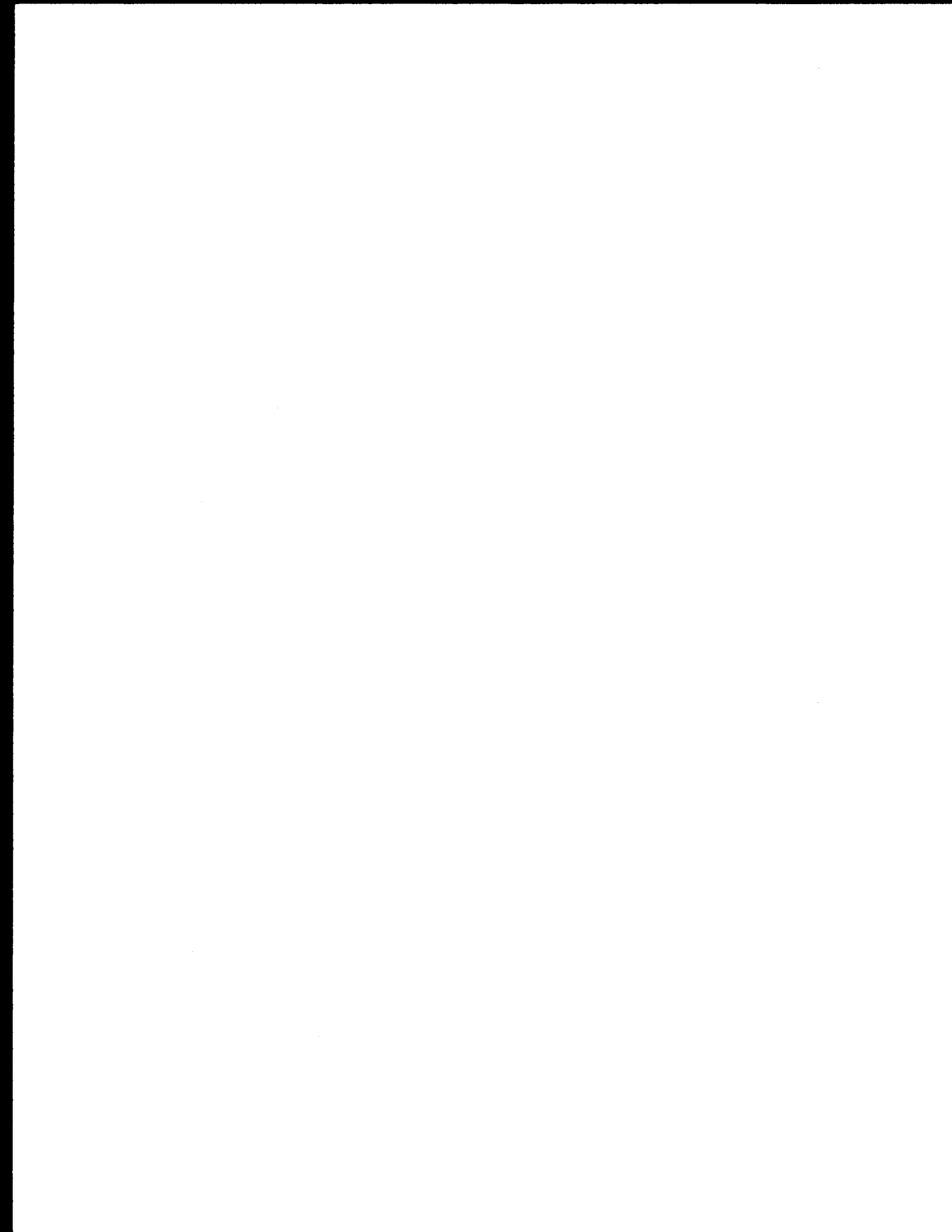
If, you have any questions regarding this letter, you may call Ms. Rosalyn Dawson at (212) 618-8843 or e-mail her at rdawson@sbs.nyc.gov.

Very truly yours,


Helen Wilson
Assistant Commissioner
Division of Labor Services

Christine Espinal (DDC)
Rosalyn Dawson
File

110 William Street, New York, NY 10038
Tel 212.513.6300 *Fax 212.618.8991*TDD 212.513.6306
WWW.nyc.gov/sbs



CITY OF NEW YORK

DIVISION OF LABOR SERVICES

CONSTRUCTION EMPLOYMENT REPORT



The City of New York Department of Small Business Services
Division of Labor Services Contract Compliance Unit
110 William Street, New York, New York 10038
Phone: (212) 513 - 6323
Fax: (212) 618-8879

CONSTRUCTION EMPLOYMENT REPORT

GENERAL INFORMATION

1. Your contractual relationship in this contract is: Prime contractor Subcontractor
- 1a. Are M/WBE goals attached to this project? Yes No
2. Please check one of the following if your firm would like information on how to certify with the City of New York as a:
- Minority Owned Business Enterprise Locally Based Business Enterprise
 Women Owned Business Enterprise Emerging Business Enterprise
 Disadvantaged Business Enterprise
- 2a. If you are certified as an MBE, WBE, LBE, EBE or DBE, what city/state agency are you certified with? _____ Are you DBE certified? Yes No
3. Please indicate if you would like assistance from SBS in identifying certified M/WBEs for contracting opportunities: Yes No
4. Is this project subject to a project labor agreement? Yes No
5. Are you a Union contractor? Yes No If yes, please list which local(s) you affiliated with _____
6. Are you a Veteran owned company? Yes No

PART I: CONTRACTOR/SUBCONTRACTOR INFORMATION

7. 11-2217107 josepha@cdeair.com
Employer Identification Number or Federal Tax I.D. Email Address
8. C.D.E. Air Conditioning Co., Inc.
Company Name
9. 321 39th Street, Brooklyn, New York 11232
Company Address and Zip Code
10. Joseph F. Azara, Jr. 718-788-1040
Chief Operating Officer Telephone Number
11. Same.
Designated Equal Opportunity Compliance Officer Telephone Number
(if same as Item #10, write "same")
12. Same.
Name of Prime Contractor and Contact Person
(if same as Item #8, write "same")



13. Number of employees in your company: 16

14. Contract information:

(a) NYC Dept. of Design & Construction
Contracting Agency (City Agency)

(b) \$ 5,588,895.
Contract Amount

(c) 8502015LB0003C
Procurement Identification Number (PIN)

(d) _____
Contract Registration Number (CT#)

(e) _____
Projected Commencement Date

(f) _____
Projected Completion Date

(g) Description and location of proposed contract:

PlaNYC Energy Audit Retrofit at Brooklyn Public Library,

2 Eastern Parkway, Brooklyn, New York 11238 Contract No. 1 - HVAC Work

15. Has your firm been reviewed by the Division of Labor Services (DLS) within the past 36 months and issued a Certificate of Approval? Yes No

If yes, attach a copy of certificate. Attached

16. Has DLS within the past month reviewed an Employment Report submission for your company and issued a Conditional Certificate of Approval? Yes No

If yes, attach a copy of certificate.

NOTE: DLS WILL NOT ISSUE A CONTINUED CERTIFICATE OF APPROVAL IN CONNECTION WITH THIS CONTRACT UNLESS THE REQUIRED CORRECTIVE ACTIONS IN PRIOR CONDITIONAL CERTIFICATES OF APPROVAL HAVE BEEN TAKEN.

17. Has an Employment Report already been submitted for a different contract (not covered by this Employment Report) for which you have not yet received compliance certificate? Yes No If yes,

Date submitted: _____

Agency to which submitted: _____

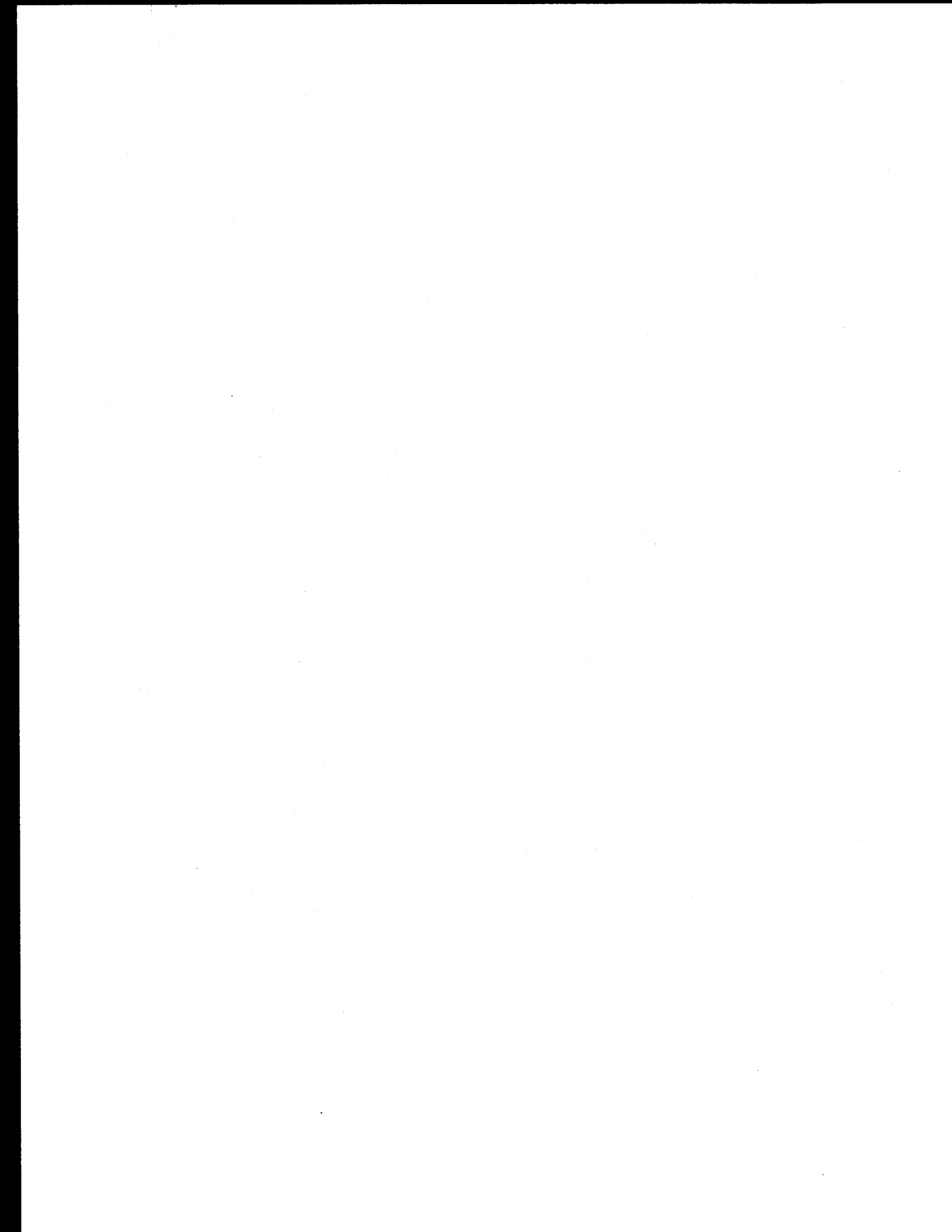
Name of Agency Person: _____

Contract No: _____

Telephone: _____

18. Has your company in the past 36 months been audited by the United States Department of Labor, Office of Federal Contract Compliance Programs (OFCCP)? Yes No

If yes,





Maria Torres-Springer
Commissioner

213CY050

August 6, 2014

Mr. Mitchell Merdinger, VP
C.D.E. Air Conditioning Co., Inc.
321 39th Street
Brooklyn, NY 11232

Re: Department of Design and Construction Contract; sub to Prismatic Development Corporation; Pin No. 8502013TR0001C, S216-399A; HVAC work at the Southwest Brooklyn Marine Transfer Station located at 1824 Shore Parkway; Borough of Brooklyn; Contract Value: \$8,000,000;
Continued Certificate of Approval

Dear Mr. Merdinger:

Please be advised that C.D.E. Air Conditioning Company, Inc. has already received notice of its approval status for the three (3) year period indicated in the Department of Small Business Services/Division of Labor Services' (DLS) Certificate of Approval letter effective June 12, 2014 for file number 214CY176.

As your organization continues to meet the equal employment opportunity requirements of the City of New York, DLS approves the awarding of the above-referenced contract. This approval does not extend the initial 3-year approval (**June 12, 2014 to June 11, 2017**) referred to above.

If you have any questions, please call Ms. Lisa Middleton at (212) 618-8823 or email her at lmiddleton@sbs.nyc.gov.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kim Muldrow-Maxwell".

Kim Muldrow-Maxwell
Director
Division of Labor Services

cc: Lisa Middleton
Lorraine Holley
FILE



(a) Name and address of OFCCP office.

(b) Was a Certificate of Equal Employment Compliance issued within the past 36 months?
Yes___ No___

If yes, attach a copy of such certificate.

(c) Were any corrective actions required or agreed to? Yes___ No___

If yes, attach a copy of such requirements or agreements.

(d) Were any deficiencies found? Yes___ No___

If yes, attach a copy of such findings.

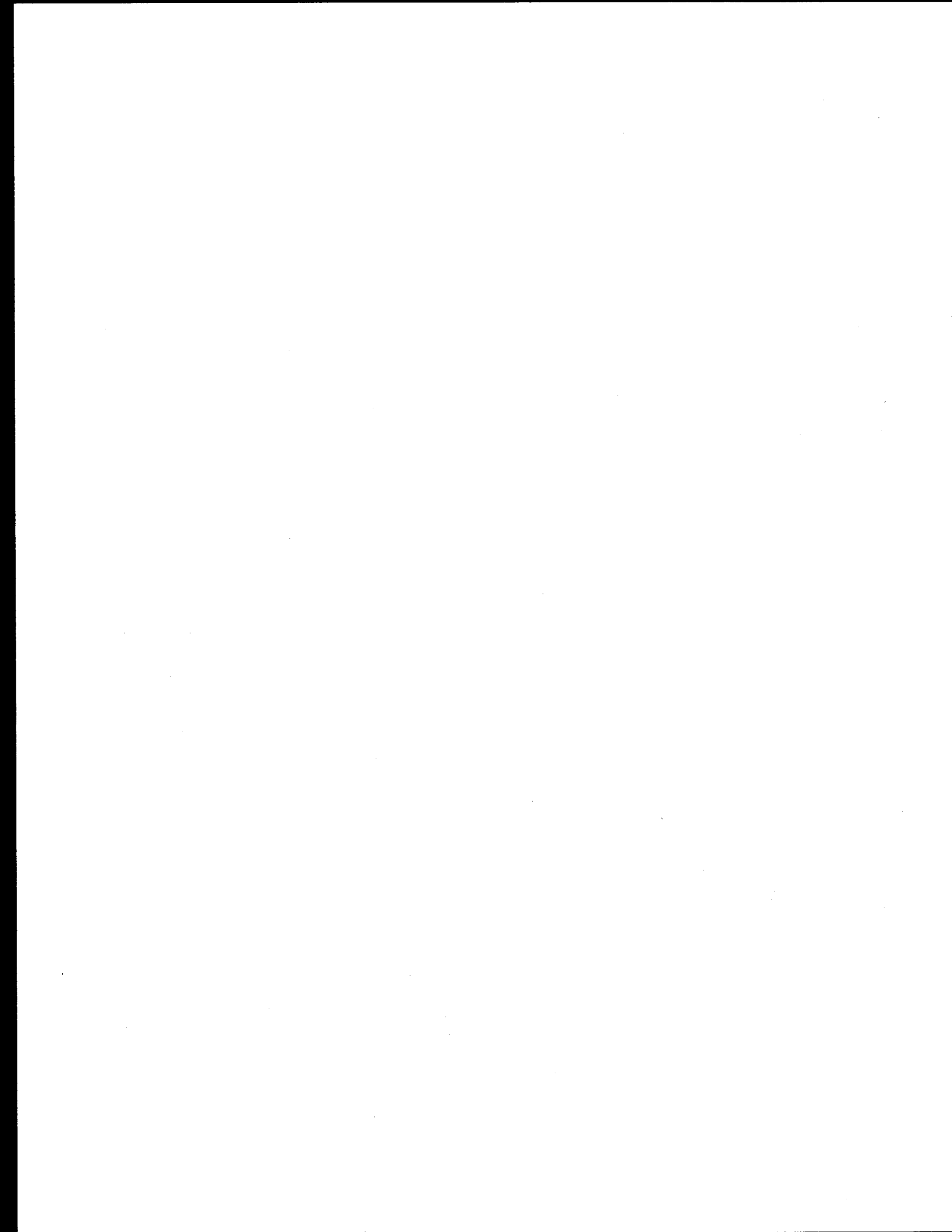
19. Is your company or its affiliates a member or members of an employers' trade association which is responsible for negotiating collective bargaining agreements (CBA) which affect construction site hiring? Yes___ No X

If yes, attach a list of such associations and all applicable CBA's.

PART II: DOCUMENTS REQUIRED

20. For the following policies or practices, attach the relevant documents (e.g., printed booklets, brochures, manuals, memoranda, etc.). If the policy(ies) are unwritten, attach a full explanation of the practices. See instructions.

- ___ (a) Health benefit coverage/description(s) for all management, nonunion and union employees (whether company or union administered)
- ___ (b) Disability, life, other insurance coverage/description
- ___ (c) Employee Policy/Handbook
- ___ (d) Personnel Policy/Manual
- ___ (e) Supervisor's Policy/Manual
- ___ (f) Pension plan or 401k coverage/description for all management, nonunion and union employees, whether company or union administered
- ___ (g) Collective bargaining agreement(s).
- ___ (h) Employment Application(s)
- ___ (i) Employee evaluation policy/form(s).
- ___ (j) Does your firm have medical and/or non-medical (i.e. education, military, personal, pregnancy, child care) leave policy?



EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

It is the policy of C.D.E. Air Conditioning Co., Inc.

not to discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, age, disability, marital status, sexual orientation or citizenship status. We will take specific action to ensure that applicants are employed and that employees are treated during employment, without regard to their race, creed, color, national origin, sex, age, disability, marital status, sexual orientation or citizenship status. Such action shall include, but not be limited to the following: recruitment, hiring, compensation, training and apprenticeship, promotion, upgrading, demotion, downgrading, transfer, lay-off and termination, and all other Terms and Conditions of Employment except as provided by law.

Joseph F. Azara, Jr. - President

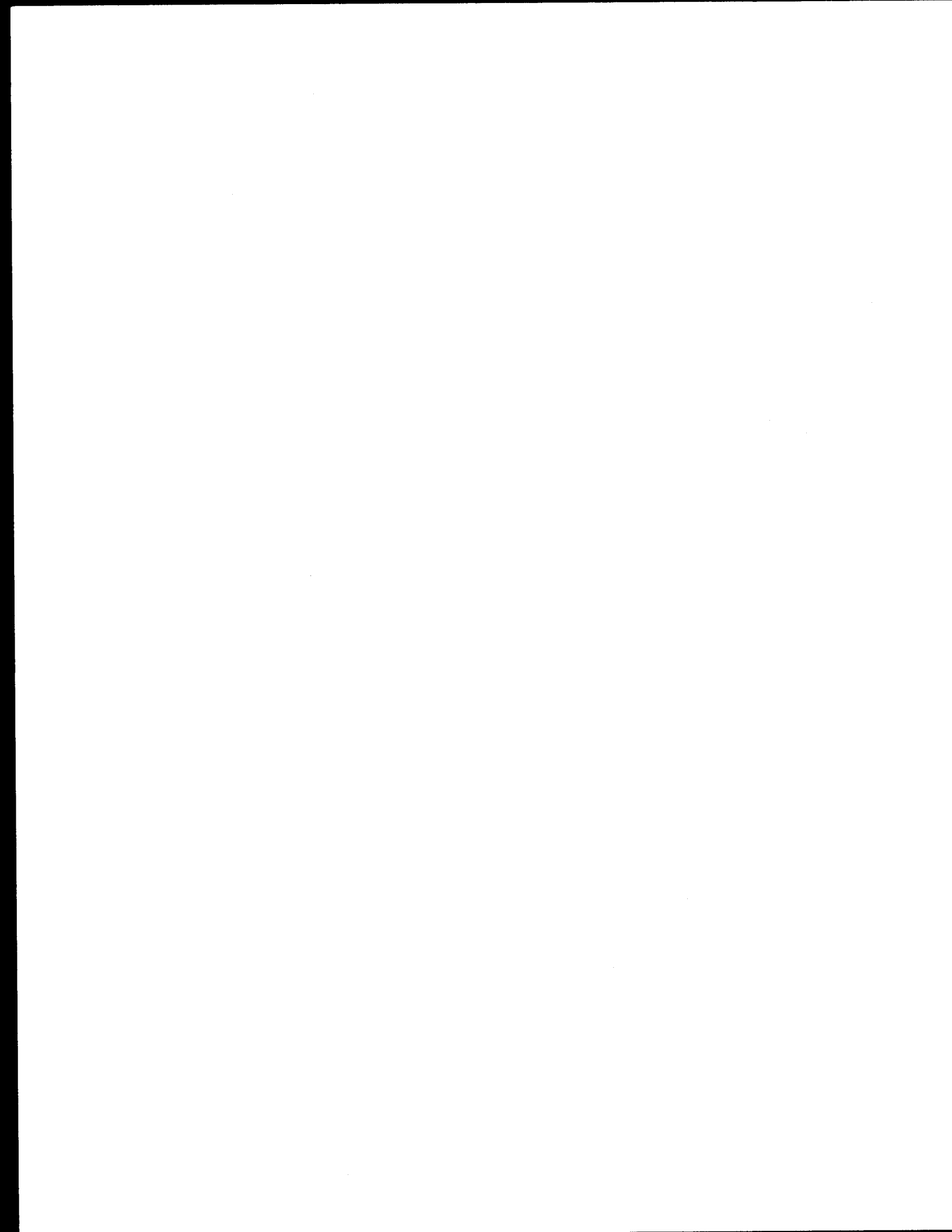
NAME & TITLE (PRINT)



SIGNATURE (CEO)

May 11, 2015

DATE



21. To comply with the Immigration Reform and Control Act of 1986 when and of whom does your firm require the completion of an I-9 Form?

- | | |
|--|---------------------|
| (a) Prior to job offer | Yes ___ No ___ |
| (b) After a conditional job offer | Yes ___ No ___ |
| (c) After a job offer | Yes <u>X</u> No ___ |
| (d) Within the first three days on the job | Yes ___ No ___ |
| (e) To some applicants | Yes ___ No ___ |
| (f) To all applicants | Yes ___ No ___ |
| (g) To some employees | Yes ___ No ___ |
| (h) To all employees | Yes ___ No ___ |

22. Explain where and how completed I-9 Forms, with their supportive documentation, are maintained and made accessible.
Completed at our office after a job offer. Forms are maintained at our office in our employment files.

23. Does your firm or any of its collective bargaining agreements require job applicants to take a medical examination? Yes ___ No X

If yes, is the medical examination given:

- | | |
|-----------------------------------|----------------|
| (a) Prior to a job offer | Yes ___ No ___ |
| (b) After a conditional job offer | Yes ___ No ___ |
| (c) After a job offer | Yes ___ No ___ |
| (d) To all applicants | Yes ___ No ___ |
| (e) Only to some applicants | Yes ___ No ___ |

If yes, list for which applicants below and attach copies of all medical examination or questionnaire forms and instructions utilized for these examinations.

24. Do you have a written equal employment opportunity (EEO) policy? Yes X No ___

If yes, list the document(s) and page number(s) where these written policies are located.
On file at our office.

25. Does the company have a current affirmative action plan(s) (AAP)

___ Minorities and Women

___ Individuals with handicaps

___ Other. Please specify _____

26. Does your firm or collective bargaining agreement(s) have an internal grievance procedure with respect to EEO complaints? Yes ___ No X

If yes, please attach a copy of this policy.

If no, attach a report detailing your firm's unwritten procedure for handling EEO complaints.



27. Has any employee, within the past three years, filed a complaint pursuant to an internal grievance procedure or with any official of your firm with respect to equal employment opportunity? Yes___ No X

If yes, attach an internal complaint log. See instructions.

28. Has your firm, within the past three years, been named as a defendant (or respondent) in any administrative or judicial action where the complainant (plaintiff) alleged violation of any anti-discrimination or affirmative action laws? Yes___ No X

If yes, attach a log. See instructions.

29. Are there any jobs for which there are physical qualifications? Yes X No___

If yes, list the job(s), submit a job description and state the reason(s) for the qualification(s).
Steamfitters, A/C Mechanics, Laborers. Employee must be physically
able to perform labor related tasks of the position.

30. Are there any jobs for which there are age, race, color, national origin, sex, creed, disability, marital status, sexual orientation, or citizenship qualifications? Yes___ No X

If yes, list the job(s), submit a job description and state the reason(s) for the qualification(s).



SIGNATURE PAGE

I, (print name of authorized official signing) Joseph F. Azara, Jr. hereby certify that the information submitted herewith is true and complete to the best of my knowledge and belief and submitted with the understanding that compliance with New York City's equal employment requirements, as contained in Chapter 56 of the City Charter, Executive Order No. 50 (1980), as amended, and the implementing Rules and Regulations, is a contractual obligation. I also agree on behalf of the company to submit a certified copy of payroll records to the Division of Labor Services on a monthly basis.

C.D.E. Air Conditioning Co., Inc.

Contractor's Name

Joseph F. Azara, Jr.

President

Name of person who prepared this Employment Report

Title

Joseph F. Azara, Jr.

President

Name of official authorized to sign on behalf of the contractor

Title

718-788-1040

Telephone Number

Signature of authorized official



Date

3/24/15

If contractors are found to be underutilizing minorities and females in any given trade based on Chapter 56 Section 3H, the Division of Labor Services reserves the right to request the contractor's workforce data and to implement an employment program.

Contractors who fail to comply with the above mentioned requirements or are found to be in noncompliance may be subject to the withholding of final payment.

Willful or fraudulent falsifications of any data or information submitted herewith may result in the termination of the contract between the City and the bidder or contractor and in disapproval of future contracts for a period of up to five years. Further, such falsification may result in civil and/or criminal prosecution.

To the extent permitted by law and consistent with the proper discharge of DLS' responsibilities under Charter Chapter 56 of the City Charter and Executive Order No. 50 (1980) and the implementing Rules and Regulations, all information provided by a contractor to DLS shall be confidential.

Only original signatures accepted.

Sworn to before me this 24th day of March 20 15

Notary Public

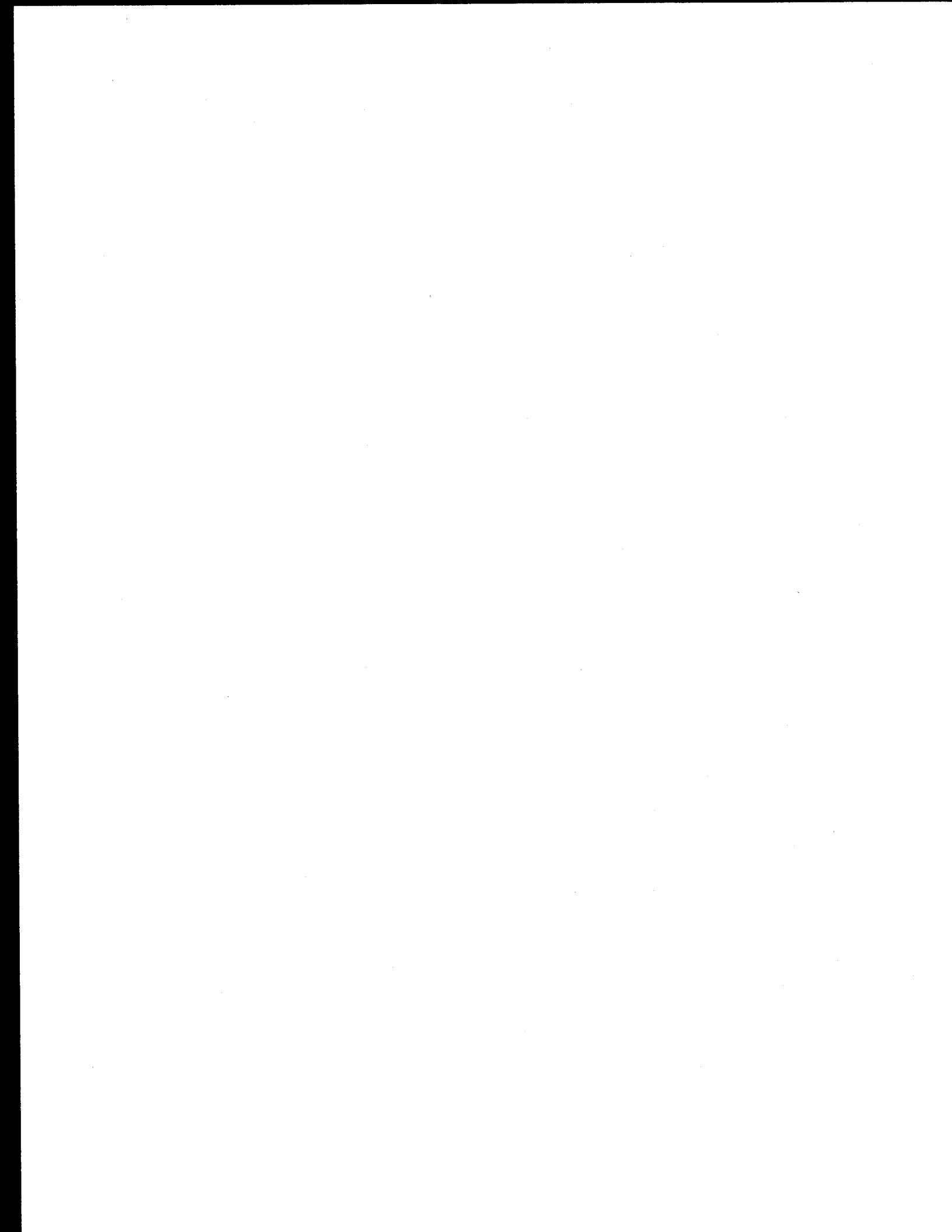


Authorized Signature

Date

3/24/15

ROBERT J. AYOUB
Notary Public, State of New York
No. 01AY4893555
Qualified in Kings County
Commission Expires May 11, 2015



FORM B: PROJECTED WORKFORCE

TRADE CLASSIFICATION CODES

(J) Journeylevel Workers (A) Apprentice
 (H) Helper (TRN) Trainee
 (TOT) Total by Column

For each trade to be engaged by your company for this project, enter the projected workforce for Males and Females by trade classification on the charts below.

Trade:
Steamfitters

Union Affiliation, if applicable
Local Union 638

Total (Col. #1-10):
3

Total Minority, Male & Female
 (Col. #2,3,4,5,7,8,9, & 10):
1

Total Female
 (Col. #6 - 10):
0

	MALES					FEMALES				
	(1) White Non Hisp.	(2) Black Non Hisp.	(3) Hisp.	(4) Asian	(5) Native Amer.	(6) White Non Hisp.	(7) Black Non Hisp.	(8) Hisp.	(9) Asian	(10) Native Amer.
J	2									
H										
A				1						
TRN										
TOT	2			1						

What are the recruitment sources for you projected hires (i.e., unions, government employment office, job tap center, community outreach)?



FORM B: PROJECTED WORKFORCE

Trade:
Engineering

Union Affiliation, if applicable
N/A

Total (Col. #1-10):
10

Total Minority, Male & Female
(Col. #2,3,4,5,7,8,9, & 10):
4

Total Female
(Col. #6 - 10):
0

		MALES					FEMALES				
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		White Non Hisp.	Black Non Hisp.	Hisp.	Asian	Native Amer.	White Non Hisp.	Black Non Hisp.	Hisp.	Asian	Native Amer.
J		6	2		2						
H											
A											
TRN											
TOT		6	2		2						

What are the recruitment sources for you projected hires (i.e., unions, government employment office, job tap center, community outreach)?



FORM C: CURRENT WORKFORCE

TRADE CLASSIFICATION CODES

(J) Journeylevel Workers (A) Apprentice
 (H) Helper (TRN) Trainee
 (TOT) Total by Column

For each trade currently engaged by your company for all work performed in New York City, enter the current workforce for Males and Females by trade classification on the charts below.

Trade:
Clerical

Union Affiliation, if applicable
N/A

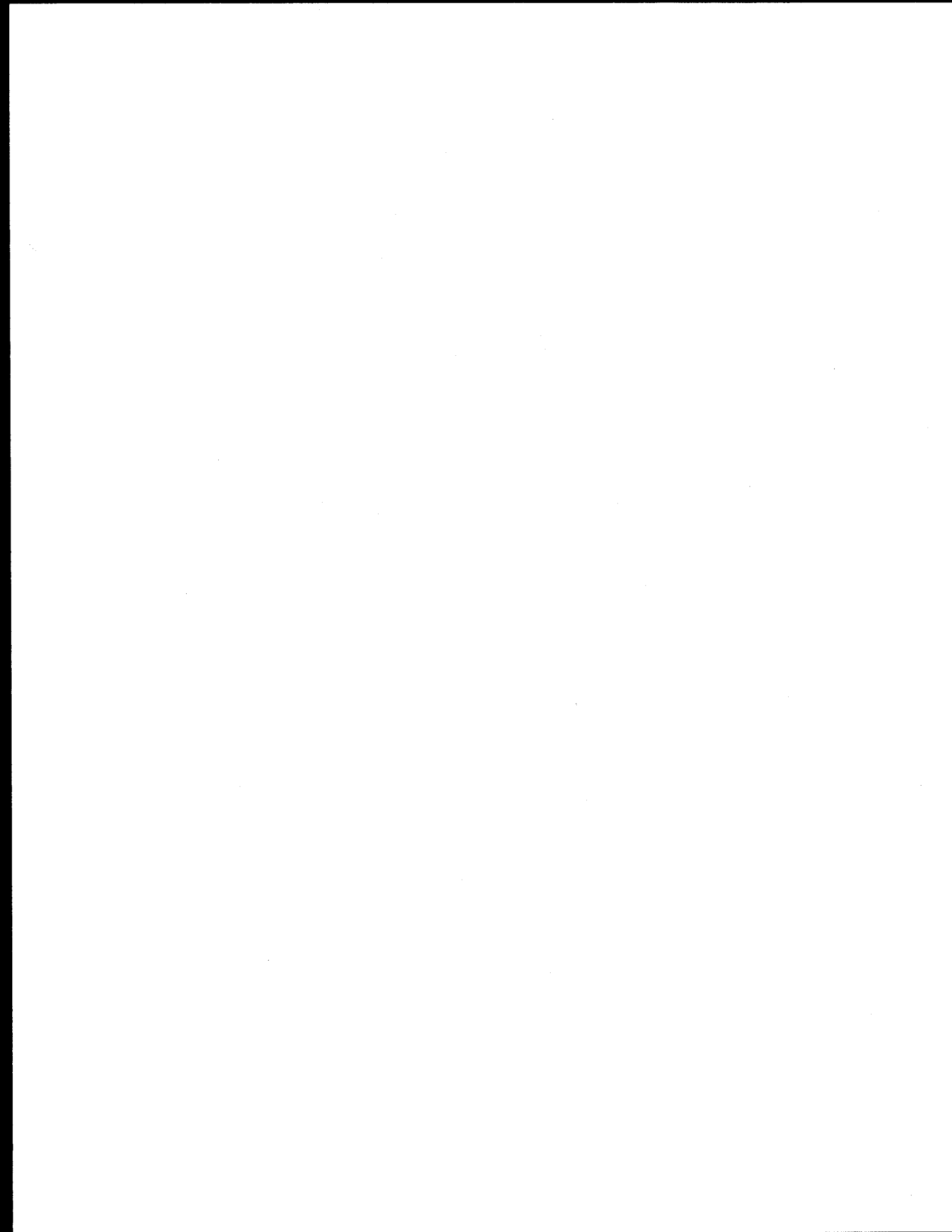
Total (Col. #1-10):
3

Total Minority, Male & Female
 (Col. #2,3,4,5,7,8,9, & 10):
2

Total Female
 (Col. #6 - 10):
1

	MALES					FEMALES				
	(1) White Non Hisp.	(2) Black Non Hisp.	(3) Hisp.	(4) Asian	(5) Native Amer.	(6) White Non Hisp.	(7) Black Non Hisp.	(8) Hisp.	(9) Asian	(10) Native Amer.
J	1	1					1			
H										
A										
TRN										
TOT	1	1					1			

What are the recruitment sources for you projected hires (i.e., unions, government employment office, job tap center, community outreach)?



THE CITY OF NEW YORK
DEPARTMENT OF DESIGN AND CONSTRUCTION
DIVISION OF PUBLIC BUILDINGS

March 5, 2015

ADDENDUM No. # 1

FOR FURNISHING ALL LABOR AND MATERIAL NECESSARY AND REQUIRED FOR:

E12-0023

PlaNYC Energy Audit Retrofit at Brooklyn Public Library

This addendum is issued for the purpose of amending the requirements of the Bid and Contract Documents and is hereby made a part of said Bid and Contract Documents to the same extent as though it were originally included therein.

The bidder is advised that the items listed below apply to the project:

1. **The Bid Opening for the contract described below scheduled for March 10, 2015, at 2:00 pm is rescheduled to March 24, at 2:00 pm.**

Contract #1 – HVAC Work

2. **Bidders Questions and Responses to Questions:**
See Attachment A.

THIS ADDENDUM MUST BE SIGNED BY ALL BIDDERS AND ATTACHED TO THEIR BIDS.

If additional information is required, please contact the Department of Design and Construction, Contract Section at (718) 391-2200, (718) 391-1283, or by fax at (718) 391-2615.



Sergio Silveira, RA
Assistant Commissioner
Human Services/DCAS/PlaNYC

C.D.E. Air Conditioning Co., Inc.
Name of Bidder

By: 

THE CITY OF NEW YORK
DEPARTMENT OF DESIGN AND CONSTRUCTION
DIVISION OF PUBLIC BUILDINGS

March 11, 2015

ADDENDUM No. # 2

FOR FURNISHING ALL LABOR AND MATERIAL NECESSARY AND REQUIRED FOR:

E12-0023

PlaNYC Energy Audit Retrofit at Brooklyn Public Library

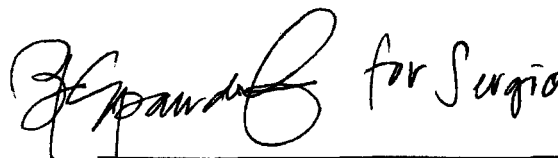
This addendum is issued for the purpose of amending the requirements of the Bid and Contract Documents and is hereby made a part of said Bid and Contract Documents to the same extent as though it were originally included therein.

The bidder is advised that the items listed below apply to the project:

1. **Bidders Questions and Responses to Questions:**
See Attachment A.

THIS ADDENDUM MUST BE SIGNED BY ALL BIDDERS AND ATTACHED TO THEIR BIDS.

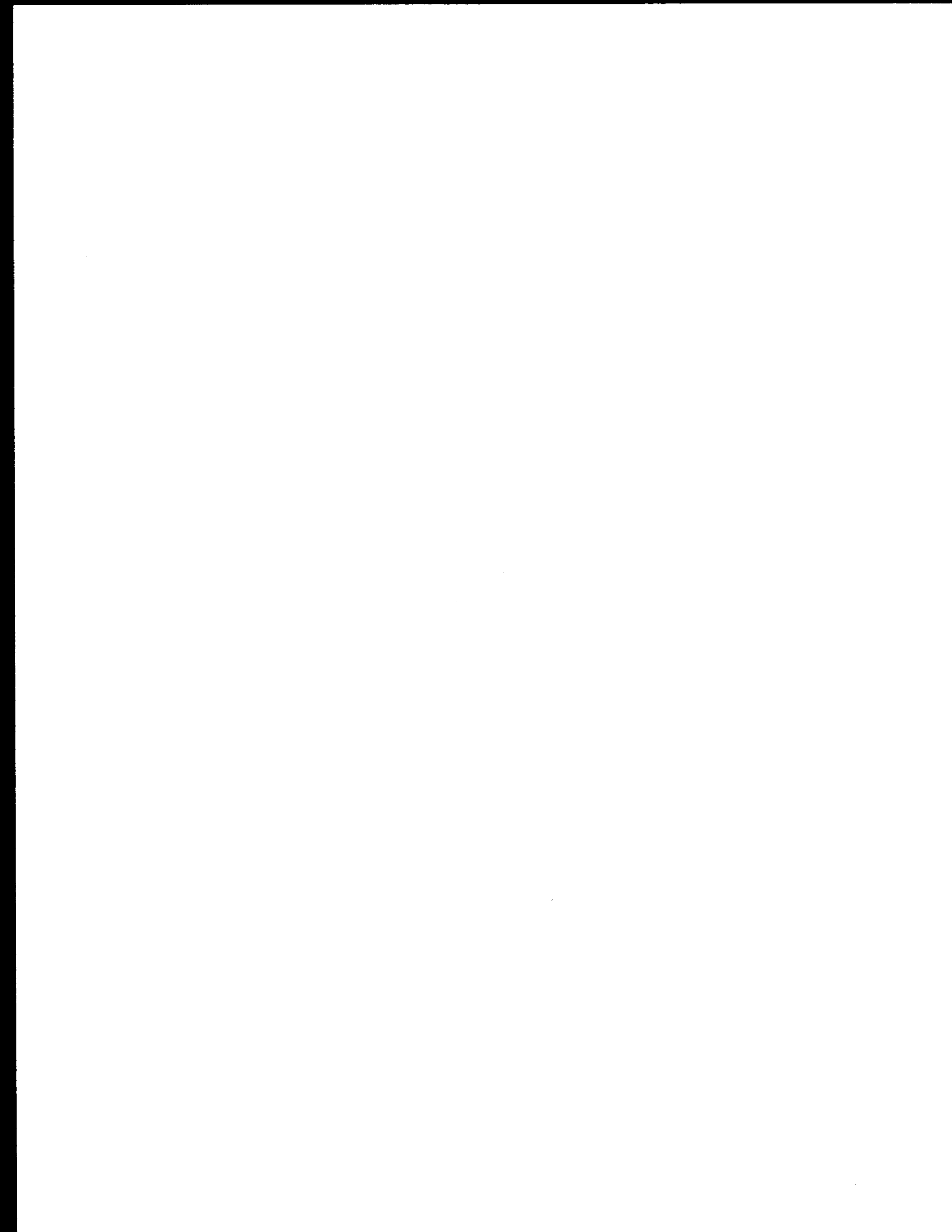
If additional information is required, please contact the Department of Design and Construction, Contract Section at (718) 391-2200, (718) 391-1283, or by fax at (718) 391-2615.



Sergio Silveira, RA
Assistant Commissioner
Human Services/DCAS/PlaNYC

C.D.E. Air Conditioning Co., Inc.
Name of Bidder

By: 



THE CITY OF NEW YORK
DEPARTMENT OF DESIGN AND CONSTRUCTION
DIVISION OF PUBLIC BUILDINGS

March 20, 2015

ADDENDUM No. # 3

FOR FURNISHING ALL LABOR AND MATERIAL NECESSARY AND REQUIRED FOR:

E12-0023

PlaNYC Energy Audit Retrofit at Brooklyn Public Library

This addendum is issued for the purpose of amending the requirements of the Bid and Contract Documents and is hereby made a part of said Bid and Contract Documents to the same extent as though it were originally included therein.

The bidder is advised that the items listed below apply to the project:

1. **The Bid Opening for the contract described below scheduled for March 24, 2015, at 2:00 pm is rescheduled to April 2, at 2:00 pm.**
Contract #1 – HVAC Work
2. **Revisions to the Bid Booklet:**
Delete pages 3 and 21-4 replace with page 3R and 21-4R included with this Addendum.
3. **Bidders Questions and Responses to Questions:**
See Attachment A

THIS ADDENDUM MUST BE SIGNED BY ALL BIDDERS AND ATTACHED TO THEIR BIDS.

If additional information is required, please contact the Department of Design and Construction, Contract Section at (718) 391-2200, (718) 391-1283, or by fax at (718) 391-2615.



Sergio Silveira, RA
Assistant Commissioner
Human Services/DCAS/PlaNYC

C.D.E. Air Conditioning Co., Inc.
Name of Bidder

By: 



THE CITY OF NEW YORK
DEPARTMENT OF DESIGN AND CONSTRUCTION
DIVISION OF PUBLIC BUILDINGS

April 2, 2015

ADDENDUM No. # 4

FOR FURNISHING ALL LABOR AND MATERIAL NECESSARY AND REQUIRED FOR:

E12-0023

PlaNYC Energy Audit Retrofit at Brooklyn Public Library

This addendum is issued for the purpose of amending the requirements of the Bid and Contract Documents and is hereby made a part of said Bid and Contract Documents to the same extent as though it were originally included therein.

The bidder is advised that the items listed below apply to the project:

1. **Pre-Bid Conference Date:**
An additional Pre-Bid Conference/ Site Visit for the Contract described below is scheduled for April 10, 2015.
Contract #1 – HVAC Work
2. **The Bid Opening for the contract described below scheduled for April 2, 2015 at 2:00 pm is rescheduled to April 30, 2015 at 2:00 pm.**
Contract #1 – HVAC Work

THIS ADDENDUM MUST BE SIGNED BY ALL BIDDERS AND ATTACHED TO THEIR BIDS.

If additional information is required, please contact the Department of Design and Construction, Contract Section at (718) 391-2200, (718) 391-1283, or by fax at (718) 391-2615.


Sergio Silveira, RA
Assistant Commissioner
Human Services/DCAS/PlaNYC

C.D.E. Air Conditioning Co., Inc.
Name of Bidder

By: 



THE CITY OF NEW YORK
DEPARTMENT OF DESIGN AND CONSTRUCTION
DIVISION OF PUBLIC BUILDINGS

April 8, 2015

ADDENDUM No. # 5

FOR FURNISHING ALL LABOR AND MATERIAL NECESSARY AND REQUIRED FOR:

E12-0023

PlaNYC Energy Audit Retrofit at Brooklyn Public Library

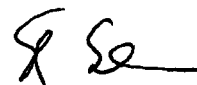
This addendum is issued for the purpose of amending the requirements of the Bid and Contract Documents and is hereby made a part of said Bid and Contract Documents to the same extent as though it were originally included therein.

The bidder is advised that the items listed below apply to the project:

1. **Bidders Questions and Responses to Questions:**
See Attachment A.

THIS ADDENDUM MUST BE SIGNED BY ALL BIDDERS AND ATTACHED TO THEIR BIDS.

If additional information is required, please contact the Department of Design and Construction, Contract Section at (718) 391-3170, (718) 391-1016, or by fax at (718) 391-2615.



Sergio Silveira, RA
Assistant Commissioner
Human Services/DCAS/PlaNYC

C.D.E. Air Conditioning Co., Inc.
Name of Bidder

By: 

THE CITY OF NEW YORK
DEPARTMENT OF DESIGN AND CONSTRUCTION
DIVISION OF PUBLIC BUILDINGS

April 20, 2015

ADDENDUM No. # 6

FOR FURNISHING ALL LABOR AND MATERIAL NECESSARY AND REQUIRED FOR:

E12-0023

PlaNYC Energy Audit Retrofit at Brooklyn Public Library

This addendum is issued for the purpose of amending the requirements of the Bid and Contract Documents and is hereby made a part of said Bid and Contract Documents to the same extent as though it were originally included therein.

The bidder is advised that the items listed below apply to the project:

1. **Bidders Questions and Responses to Questions:**
See Attachment A.

THIS ADDENDUM MUST BE SIGNED BY ALL BIDDERS AND ATTACHED TO THEIR BIDS.

If additional information is required, please contact the Department of Design and Construction, Contract Section at (718) 391-3170, (718) 391-1016, or by fax at (718) 391-2615.

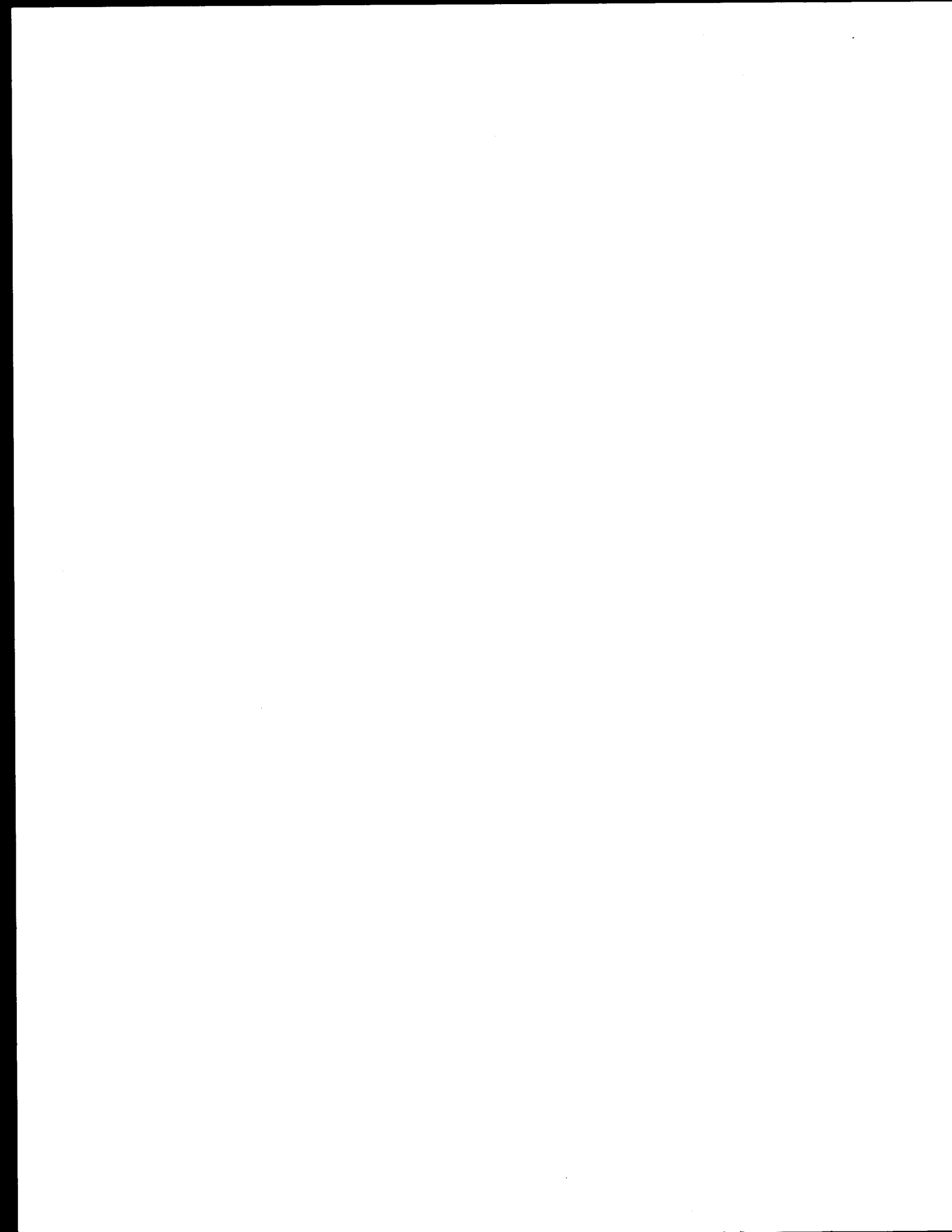

Sergio Silveira, RA
Assistant Commissioner
Human Services/DCAS/PlaNYC

C.D.E. Air Conditioning Co., Inc.

Name of Bidder

By:





Project Labor Agreement -- Letter of Assent

Dear: NYC Dept. of Design & Construction

The undersigned party confirms that it agrees to be a party to and be bound by the New York Agency, Project Labor Agreement as such Agreement may, from time to time, be amended by the parties or interpreted pursuant to its terms. The terms of the Project Labor Agreement, its Schedules, Addenda and Exhibits are hereby incorporated by reference herein.

The undersigned, as a Contractor or Subcontractor (hereinafter Contractor) on the Project known as Bklyn. Public Lib. and located at 2 Eastern Pkwy, Bklyn. (hereinafter PROJECT), for and in consideration of the award to it of a contract to perform work on said PROJECT, and in further consideration of the mutual promises made in the Project Labor Agreement, a copy of which was received and is acknowledged, hereby:

- (1) Accepts and agrees to be bound by the terms and conditions of the Agreement, together with any and all schedules; amendments and supplements now existing or which are later made thereto;
- (2) Agrees to be bound by the legally established collective bargaining agreements and local trust agreements as set forth in the Project Labor Agreement and this Agreement but only to the extent of Program Work and as required by the PLA.
- (3) Authorizes the parties to such local trust agreements to appoint trustees and successor trustees to administer the trust funds and hereby ratifies and accepts the trustees so appointed as if made by the Contractor but only to the extent of Program Work as required by the PLA.
- (4) Certifies that it has no commitments or agreements that would preclude its full and complete compliance with the terms and conditions of said Agreement. The Contractor agrees to employ labor that can work in harmony with all other labor on the Project and shall require labor harmony from every lower tier subcontractor it has engaged or may engage to work on the Project. Labor harmony disputes/issues shall be subject to the Labor Management Committee provisions.
- (5) Agrees to secure from any Contractor(s) (as defined in said Agreement) which is or becomes a Subcontractor (of any tier), to it, a duly executed Agreement to be Bound in from identical to this document.

Dated: May 28, 2015

N/A
(Name of CM; GC; Contractor or Higher Level Subcontractor)

C.D.E. Air Conditioning Co., Inc.

(Name of Contractor or subcontractor)
Joseph F. Azara, Jr. President

(Authorized Officer & Title)
Joseph F. Azara, Jr.

321 39th Street, Brooklyn, NY 11232
(Address)

718-788-1040 / 718-788-2046
(Phone) (Fax)

Contractor's State License
N/A

Sworn to before me this
28th day of May, 2015

Robert J. Ayoub
Notary Public

ROBERT J. AYOUB
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01AY4893555
QUALIFIED IN KINGS COUNTY
MY COMMISSION EXPIRES MAY 11, 2019

RECEIVED
FEB 10 1964
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.

NOTICE TO BIDDERS:

- **PROJECT LABOR AGREEMENT:** This contract is subject to a Project Labor Agreement (“PLA”) entered into between the City and the Building and Construction Trades Council of Greater New York (“BCTC”) affiliated Local Unions. By submitting a bid, the Contractor agrees that the PLA is binding on the Contractor and all subcontractors of all tiers. The bidder to be awarded the contract will be required to execute a “Letter of Assent” prior to award.

The Bidder is advised to review the following: (1) Notice regarding the PLA, (2) the PLA, and (3) the Letter of Assent, all of which are set forth at the beginning of Volume 2 of the Contract Documents.

- **SINGLE CONTRACT:** As stated above, this contract is subject to a PLA. The requirements of the Wicks Law for separate prime contractors DO NOT APPLY to any project that is covered by a PLA. Accordingly, the requirements of the Wicks Law for separate prime contractors do not apply to this Project. The Project consists of a single contract, the Contract for General Construction Work.

The Bidder is advised to review the Notice set forth at the beginning of Volume 2 of the Contract Documents. The Notice specifies revisions to the Contract Documents to provide that the Project consists of a single contract and to delete any and all references to separate prime contractors.

SPECIAL NOTICE TO BIDDERS

The New York City Department of Small Business Services (SBS), in conjunction with the New York Business Development Corporation (NYBDC), have established a NYC Construction Loan pilot program to provide prime contractors and subcontractors financing for mobilization costs on certain City construction projects.

Under this initiative, loans are available for early stage mobilization needs such as insurance, labor, supplies and equipment. Bidders are strongly encouraged to visit “Growing Your Business” at www.nyc.gov/nycbusiness to learn more about the loan or contact constructionloan@sbs.nyc.gov / (212) 513-6444 to obtain details and to determine preliminary eligibility.

A successful loan applicant will be required to make an assignment of its contract (or subcontract) payments to the lender NYBDC until the loan is repaid. If the loan is to a subcontractor, a prime contractor must honor the terms of such an assignment.

A prime contractor may not discriminate against a subcontractor or potential subcontractor by reason of the subcontractor’s participation, or nonparticipation, in the NYC Construction Loan program.

**BID BOOKLET
PART A**

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PROJECT ID: E12-0023

CITY OF NEW YORK
DEPARTMENT OF DESIGN AND CONSTRUCTION
DIVISION OF PUBLIC BUILDINGS

BID BOOKLET

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**CITY OF NEW YORK
DEPARTMENT OF DESIGN AND CONSTRUCTION
DIVISION OF PUBLIC BUILDINGS**

SPECIAL NOTICE TO BIDDERS

BID SUBMISSION REQUIREMENTS

THE BID SHALL CONSIST OF TWO (2) SEPARATE, SEALED ENVELOPES. THE DOCUMENTS THAT MUST BE COMPLETED AND INCLUDED IN EACH SEPARATE ENVELOPE ARE LISTED BELOW.

BID ENVELOPE #1: Bid Envelope #1 shall contain the following items:

- Bid Form, including Affirmation
- Bid Security (if required, see page 22)
- Schedule B: M/WBE Utilization Plan (if participation goals have been established)

BID ENVELOPE #2: Bid Envelope #2 shall contain **ONLY** the following item:

- Bidder's Identification of Subcontractors (see pages 16 & 17)

**FAILURE TO SUBMIT THE FOUR ITEMS LISTED ABOVE
WILL RESULT IN THE DISQUALIFICATION OF THE BID**

BID ENVELOPE #1: In addition to the items listed above, Bid Envelope #1 shall also contain the following items: **DO NOT** Include the items listed below in Bid Envelope #2.

- Bid Breakdown (if required, see page 21)
- Safety Questionnaire
- Construction Employment Report (if bid is \$1,000,000 or more)
- Contract Certificate (if bid is less than \$1,000,000)
- Confirmation of Vendex Compliance
- Bidder's Certification of Compliance with Iran Divestment Act
- Special Experience Requirements Qualification Form (if required, see pages 3, 4)
- Any Addenda issued prior to the receipt of bids

**FAILURE TO SUBMIT THE EIGHT ITEMS LISTED ABOVE
MAY RESULT IN THE DISQUALIFICATION OF THE BID.**

- NOTES:**
- (1) All of the above referred to blank forms to be completed and submitted with the bid are included in the BID BOOKLET.
 - (2) If the bidder has any questions or requires additional information, please contact the Department of Design and Construction by phone (718-391-2601) or by fax (718-391-2615).
 - (3) **VENDEX QUESTIONNAIRES:** Vendex Questionnaires, as well as detailed instructions, may be obtained at www.nyc.gov/vendex. The bidder may also obtain Vendex forms and instructions by contacting the Agency Chief Contracting Officer or the contact person for this contract.
 - (4) **SPECIAL EXPERIENCE REQUIREMENTS:** The Bidder is advised that Special Experience Requirements may apply to this contract. Such requirements are set forth on pages 3 and 4 of this Bid Booklet.
 - (5) **SPECIAL EXPERIENCE REQUIREMENTS FOR ASBESTOS:** The Bidder is advised that this contract contains strict requirements regarding the prior experience and licensing of the subcontractor who will perform any required asbestos abatement work. These special experience requirements are set forth in the section of the specifications which describes any required asbestos abatement work.

Special Notice to Bidders – Proprietary Items

- A. General: A proprietary item required for the Project is specified below. The contractor is required to provide and install such proprietary item. The Contractor must provide the specified item from the designated manufacturer. Substitutions are not permissible and will not be approved. More detailed information regarding the item is set forth in the Specifications. Such information includes item description, as well as requirements for installation and related materials.
- B. Payment: For the required proprietary item, an allowance amount is indicated. The allowance provides a stipulated amount to reimburse the Contractor for the purchase of the proprietary item from the designated manufacturer. Payment from the allowance shall be limited to the purchase price of the specified proprietary item and shall exclude any costs above and beyond the purchase price. Payment from the allowance shall not include any of the following costs with respect to the specified proprietary item: (1) any mark-up for the Contractor's overhead and profit, (2) any costs for transportation, including delivery, shipping or special handling costs, (3) any costs for installation, and (4) any costs for related materials. Payment for the specified proprietary item shall be based on the invoice actually provided by the manufacturer.
- C. Bid Form: A total allowance amount for the purchase of all required proprietary items is set forth on the Bid Form. In preparing the lump sum portion of its bid, the Contractor shall:
- (1) Exclude from its bid any costs for the purchase of the proprietary items, and
 - (2) Include in its bid any costs above and beyond the purchase price, including without limitation, costs for transportation, delivery, installation, related materials and overhead.
- D. Required Proprietary Item(s):

CONTRACT NO. 1:

- | | |
|------------------------|--|
| 1. Proprietary Item: | <i>Direct Digital Control System</i> |
| Specification Section: | <i>230923</i> |
| Manufacturer: | <i>Honeywell web 600 (primary BMS controller), Honeywell PUB6438SR (system-level controller)</i> |
| Allowance Amount: | <i>Not to Exceed \$ 610,580</i> |

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SPECIAL EXPERIENCE REQUIREMENTS

Bidders are advised that the special experience requirements set forth below apply to the General Construction Contractor if a check mark is indicated before the word "Yes". Compliance with these special experience requirements will be determined solely by the City. Failure to meet these special experience requirements will result in the rejection of the bid as non-responsive.

Electrical Contractor

X YES

NO

- (A) **EXPERIENCE REQUIREMENTS FOR THE BIDDER (PRIME CONTRACTOR):** The special experience requirements set forth below apply to the bidder. Compliance with such special experience requirements will be evaluated at the time of the bid.
- 1) The bidder must, with the last five (5) consecutive years prior to the bid opening, have successfully completed in a timely fashion at least three (3) projects similar in scope and type to the required work.
- (B) **QUALIFICATION FORM:** For each project submitted to meet the experience requirements set forth above, the bidder must complete and submit with its bid the Qualification Form set forth in this Bid Booklet. All information on the Qualification Form must be provided.
- (C) **CONDITIONS:** The City may, in determining compliance with the special experience requirements set forth above, consider prior projects completed by principal(s) or other employees of the bidder while affiliated with another entity, subject to the conditions set forth below.
- 1) Any principal or other employee on whose prior experience the bidder is relying to demonstrate compliance with this special experience requirement must have held the following: (a) a significant management role in the prior entity with which he/she was affiliated, and (b) a significant management role in the entity submitting the bid for a period of six months or from the inception of the bidding entity.
- 2) The bidder may not rely on the experience of its principals or other employees to demonstrate compliance with any other requirements, including without limitation, financial requirements or requirements for a specified minimum amount of annual gross revenues.
- (D) **JOINT VENTURES:** In the event the bidder is a joint venture, at least one firm in the joint venture must meet the above described experience requirements.
- (E) **COMPLIANCE:** Compliance with the experience requirements set forth herein will be determined solely by the City. The bidder is advised that failure to meet the above described experience will result in the rejection of the bid as non-responsive.

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Qualification Form

Project ID: E12-0023

List previous projects completed to meet the special experience requirements for this contract. Please photocopy this form for submission of all required projects.

Name of Contractor: _____

Name of Project: _____

Location of Project: _____

Owner or Owner's representative (Architect or Engineer) who is familiar with the work performed:

Name: _____

Title: _____ Phone Number: _____

Brief description of work completed: _____

Was the work performed as a prime or a subcontractor: _____

Amount of Contract: _____

Date of Completion: _____

Name of Contractor: _____

Name of Project: _____

Location of Project: _____

Owner or Owner's representative (Architect or Engineer) who is familiar with the work performed:

Name: _____

Title: _____ Phone Number: _____

Brief description of work completed: _____

Was the work performed as a prime or a subcontractor: _____

Amount of Contract: _____

Date of Completion: _____

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MWBE PROGRAM

M/WBE UTILIZATION PLAN

M/WBE Program Requirements: The requirements for the M/WBE Program are set forth on the following pages of this Bid Booklet, in the section entitled “Notice to All Prospective Contractors”.

Schedule B: M/WBE Utilization Plan: Schedule B: M/WBE Utilization Plan for this Contract is set forth in this Bid Booklet on the pages following the section entitled “Notice to All Prospective Contractors”. The M/WBE Utilization Plan (Part I) indicates whether Participation Goals have been established for this Contract. If Participation Goals have been established for this Contract, the bidder must submit an M/WBE Utilization Plan (Part II) with its bid.

Waiver: The bidder may seek a full or partial pre-award waiver of the Participation Goals in accordance with the “Notice to All Prospective Contractors” (See Part A, Section 10). The bidder’s request for a waiver must be submitted at least seven (7) calendar days prior to the bid date. Waiver requests submitted after the deadline will not be considered. The form for requesting a waiver of the Participation Goals is set forth in the M/WBE Utilization Plan (Part III).

Rejection of the Bid: The bidder must complete Schedule B: M/WBE Utilization Plan (Part II) set forth in this Bid Booklet on the pages following the section entitled “Notice to All Prospective Contractors”. A Schedule B submitted by the bidder which does not include the Vendor Certification and Required Affirmations (See Section V of Part II) will be deemed to be non-responsive, unless a full waiver of the Participation Goals is granted (Schedule B, Part III). In the event that the City determines that the bidder has submitted a Schedule B where the Vendor Certification and Required Affirmations are completed but other aspects of the Schedule B are not complete, or contain a copy or computation error that is at odds with the Vendor Certification and Required Affirmations, the bidder will be notified by the Agency and will be given four (4) calendar days from receipt of notification to cure the specified deficiencies and return a completed Schedule B to the Agency. Failure to do so will result in a determination that the Bid is non-responsive.

Receipt of notification is defined as the date notice is emailed or faxed (if the bidder has provided an email address or fax number), or no later than five (5) days from the date of mailing or upon delivery, if delivered.

Impact on LBE Requirements: If Participation Goals have been established for the participation of M/WBEs, the contractor is not required to comply with the Locally Based Enterprise Program (“LBE”). The LBE Program is set forth in Article 67 of the Contract.

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NOTICE TO ALL PROSPECTIVE CONTRACTORS

**PARTICIPATION BY MINORITY-OWNED AND WOMEN-OWNED BUSINESS
ENTERPRISES IN CITY PROCUREMENT**

ARTICLE I. M/WBE PROGRAM

Local Law No. 129 of 2005 added and Local Law 1 of 2013 amended Section 6-129 of the Administrative Code of the City of New York (hereinafter "Section 6-129"). Section 6-129 establishes the program for participation in City procurement ("M/WBE Program") by minority- owned business enterprises ("MBEs") and women-owned business enterprises ("WBEs"), certified in accordance with Section 1304 of the New York City Charter. As stated in Section 6-129, the intent of the program is to address the impact of discrimination on the City's procurement process, and to promote the public interest in avoiding fraud and favoritism in the procurement process, increasing competition for City business, and lowering contract costs. The contract provisions contained herein are pursuant to Section 6-129, and the rules of the Department of Small Business Services ("DSBS") promulgated thereunder.

If this Contract is subject to the M/WBE Program established by Section 6-129, the specific requirements of MBE and/or WBE participation for this Contract are set forth in Schedule B of the Contract (entitled the "M/WBE Utilization Plan"), and are detailed below. The Contractor must comply with all applicable MBE and WBE requirements for this Contract.

All provisions of Section 6-129 are hereby incorporated in the Contract by reference and all terms used herein that are not defined herein shall have the meanings given such terms in Section 6-129. Article I, Part A, below, sets forth provisions related to the participation goals for construction, standard and professional services contracts. Article I, Part B, below, sets forth miscellaneous provisions related to the M/WBE Program.

PART A

**PARTICIPATION GOALS FOR CONSTRUCTION, STANDARD
AND PROFESSIONAL SERVICES CONTRACTS OR TASK ORDERS**

1. The **MBE and/or WBE Participation Goals** established for this Contract or Task Orders issued pursuant to this Contract, ("Participation Goals"), as applicable, are set forth on Schedule B, Part I to this Contract (see Page 1, line 1 Total Participation Goals) or will be set forth on Schedule B, Part I to Task Orders issued pursuant to this Contract, as applicable.

The **Participation Goals** represent a percentage of the total dollar value of the Contract or Task Order, as applicable, that may be achieved by awarding subcontracts to firms certified with New York City Department of Small Business Services as MBEs and/or WBEs, and/or by crediting the participation of prime contractors and/or qualified joint ventures as provided in Section 3 below, unless the goals have been waived or modified by Agency in accordance with Section 6-129 and Part A, Sections 10 and 11 below, respectively.

2. If **Participation Goals** have been established for this Contract or Task Orders issued pursuant to this Contract, Contractor agrees or shall agree as a material term of the Contract that Contractor shall be subject to the **Participation Goals**, unless the goals are waived or modified by Agency in accordance with Section 6-129 and Part A, Sections 10 and 11 below, respectively.

3. If **Participation Goals** have been established for this Contract or Task Order issued pursuant to this Contract, a Contractor that is an MBE and/or WBE shall be permitted to count its own participation toward fulfillment of the relevant **Participation Goal**, provided that in accordance with Section 6-129 the value of Contractor's participation shall be determined by subtracting from the total value of the Contract or Task Order, as applicable, any amounts that the Contractor pays to direct subcontractors (as defined in Section 6-129(c)(13)), and provided further that a Contractor that is certified as both an MBE and a WBE may count its own participation either toward the goal for MBEs or the goal for WBEs, but not both.

A Contractor that is a qualified joint venture (as defined in Section 6-129(c)(30)) shall be permitted to count a percentage of its own participation toward fulfillment of the relevant **Participation Goal**. In accordance with Section 6-129, the value of Contractor's participation shall be determined by subtracting from the total value of the Contract or Task Order, as applicable, any amounts that Contractor pays to direct subcontractors, and then multiplying the remainder by the percentage to be applied to total profit to

determine the amount to which an MBE or WBE is entitled pursuant to the joint venture agreement, provided that where a participant in a joint venture is certified as both an MBE and a WBE, such amount shall be counted either toward the goal for MBEs or the goal for WBEs, but not both.

4. A. If **Participation Goals** have been established for this Contract, a prospective contractor shall be required to submit with its bid or proposal, as applicable, a completed Schedule B, M/WBE Utilization Plan, Part II (see Pages 2-4) indicating: (a) whether the contractor is an MBE or WBE, or qualified joint venture; (b) the percentage of work it intends to award to direct subcontractors; and (c) in cases where the contractor intends to award direct subcontracts, a description of the type and dollar value of work designated for participation by MBEs and/or WBEs, and the time frames in which such work is scheduled to begin and end. In the event that this M/WBE Utilization Plan indicates that the bidder or proposer, as applicable, does not intend to meet the **Participation Goals**, the bid or proposal, as applicable, shall be deemed non-responsive, unless Agency has granted the bidder or proposer, as applicable, a pre-award waiver of the Participation Goals in accordance with Section 6-129 and Part A, Section 10 below.

B. (i) If this Contract is for a master services agreement or other requirements type contract that will result in the issuance of Task Orders that will be individually registered ("Master Services Agreement") and is subject to M/WBE **Participation Goals**, a prospective contractor shall be required to submit with its bid or proposal, as applicable, a completed Schedule B, M/WBE Participation Requirements for Master Services Agreements That Will Require Individually Registered Task Orders, Part II (page 2) indicating the prospective contractor's certification and required affirmations to make all reasonable good faith efforts to meet participation goals established on each individual Task Order issued pursuant to this Contract, or if a partial waiver is obtained or such goals are modified by the Agency, to meet the modified **Participation Goals** by soliciting and obtaining the participation of certified MBE and/or WBE firms. In the event that the Schedule B indicates that the bidder or proposer, as applicable, does not intend to meet the **Participation Goals** that may be established on Task Orders issued pursuant to this Contract, the bid or proposal, as applicable, shall be deemed non-responsive.

(ii) **Participation Goals** on a Master Services Agreement will be established for individual Task Orders issued after the Master Services Agreement is awarded. If **Participation Goals** have been established on a Task Order, a contractor shall be required to submit a Schedule B – M/WBE Utilization Plan For Independently Registered Task Orders That Are Issued Pursuant to Master Services Agreements, Part II (see Pages 2-4) indicating: (a) whether the contractor is an MBE or WBE, or qualified joint venture; (b) the percentage of work it intends to award to direct subcontractors; and (c) in cases where the contractor intends to award direct subcontracts, a description of the type and dollar value of work designated for participation by MBEs and/or WBEs, and the time frames in which such work is scheduled to begin and end. The contractor must engage in good faith efforts to meet the **Participation Goals** as established for the Task Order unless Agency has granted the contractor a pre-award waiver of the Participation Goals in accordance with Section 6-129 and Part A, Section 10 below.

C. THE BIDDER/PROPOSER MUST COMPLETE THE SCHEDULE B INCLUDED HEREIN (SCHEDULE B, PART II). A SCHEDULE B SUBMITTED BY THE BIDDER/PROPOSER WHICH DOES NOT INCLUDE THE VENDOR CERTIFICATION AND REQUIRED AFFIRMATIONS (SEE SECTION V OF PART II) WILL BE DEEMED TO BE NON-RESPONSIVE, UNLESS A FULL WAIVER OF THE PARTICIPATION GOALS IS GRANTED (SCHEDULE B, PART III). IN THE EVENT THAT THE CITY DETERMINES THAT THE BIDDER/PROPOSER HAS SUBMITTED A SCHEDULE B WHERE THE VENDOR CERTIFICATION AND REQUIRED AFFIRMATIONS ARE COMPLETED BUT OTHER ASPECTS OF THE SCHEDULE B ARE NOT COMPLETE, OR CONTAIN A COPY OR COMPUTATION ERROR THAT IS AT ODDS WITH THE VENDOR CERTIFICATION AND AFFIRMATIONS, THE BIDDER/PROPOSER WILL BE NOTIFIED BY THE AGENCY AND WILL BE GIVEN FOUR (4) CALENDAR DAYS FROM RECEIPT OF NOTIFICATION TO CURE THE SPECIFIED DEFICIENCIES AND RETURN A COMPLETED SCHEDULE B TO THE AGENCY. FAILURE TO DO SO WILL RESULT IN A DETERMINATION THAT THE BID/PROPOSAL IS NON-RESPONSIVE. RECEIPT OF NOTIFICATION IS DEFINED AS THE DATE NOTICE IS E-MAILED OR FAXED (IF THE BIDDER/PROPOSER HAS PROVIDED AN E-MAIL ADDRESS OR FAX NUMBER), OR NO LATER THAN FIVE (5) CALENDAR DAYS FROM THE DATE OF MAILING OR UPON DELIVERY, IF DELIVERED.

5. Where an M/WBE Utilization Plan has been submitted, the Contractor shall, within 30 days of issuance by Agency of a notice to proceed, submit a list of proposed persons or entities to which it intends to award subcontracts within the subsequent 12 months. In the case of multi-year contracts, such list shall also be submitted every year thereafter. The Agency may also require the Contractor to report periodically about the contracts awarded by its direct subcontractors to indirect subcontractors (as defined in Section 6-129(c)(22)).

PLEASE NOTE: If this Contract is a public works project subject to GML §101(5) (i.e., a contract valued at or

below \$3M for projects in New York City) or if the Contract is subject to a project labor agreement in accordance with Labor Law §222, and the bidder is required to identify at the time of bid submission its intended subcontractors for the Wicks trades (plumbing and gas fitting; steam heating, hot water heating, ventilating and air conditioning (HVAC); and electric wiring), the Contractor must identify all those to which it intends to award construction subcontracts for any portion of the Wicks trade work at the time of bid submission, regardless of what point in the life of the contract such subcontracts will occur. In identifying intended subcontractors in the bid submission, bidders may satisfy any Participation Goals established for this Contract by proposing one or more subcontractors that are MBEs and/or WBEs for any portion of the Wicks trade work. In the event that the Contractor's selection of a subcontractor is disapproved, the Contractor shall have a reasonable time to propose alternate subcontractors.

6. MBE and WBE firms must be certified by DSBS in order for the Contractor to credit such firms' participation toward the attainment of the **Participation Goals**. Such certification must occur prior to the firms' commencement of work. A list of MBE and WBE firms may be obtained from the DSBS website at www.nyc.gov/buycertified, by emailing DSBS at buyer@sbs.nyc.gov, by calling (212) 513-6356, or by visiting or writing DSBS at 110 William St., New York, New York, 10038, 7th floor. Eligible firms that have not yet been certified may contact DSBS in order to seek certification by visiting www.nyc.gov/getcertified, emailing MWBE@sbs.nyc.gov, or calling the DSBS certification helpline at (212) 513-6311. A firm that is certified as both an MBE and a WBE may be counted either toward the goal for MBEs or the goal for WBEs, but not both. No credit shall be given for participation by a graduate MBE or graduate WBE, as defined in Section 6-129(c)(20).

7. Where an M/WBE Utilization Plan has been submitted, the Contractor shall, with each voucher for payment, and/or periodically as Agency may require, submit statements, certified under penalty of perjury, which shall include, but not be limited to, the total amount the Contractor paid to its direct subcontractors, and, where applicable pursuant to Section 6-129(j), the total amount direct subcontractors paid to indirect subcontractors; the names, addresses and contact numbers of each MBE or WBE hired as a subcontractor by the Contractor, and, where applicable, hired by any of the Contractor's direct subcontractors; and the dates and amounts paid to each MBE or WBE. The Contractor shall also submit, along with its voucher for final payment: the total amount it paid to subcontractors, and, where applicable pursuant to Section 6-129(j), the total amount its direct subcontractors paid directly to their indirect subcontractors; and a final list, certified under penalty of perjury, which shall include the name, address and contact information of each subcontractor that is an MBE or WBE, the work performed by, and the dates and amounts paid to each.

8. If payments made to, or work performed by, MBEs or WBEs are less than the amount specified in the Contractor's M/WBE Utilization Plan, Agency shall take appropriate action, in accordance with Section 6-129 and Article II below, unless the Contractor has obtained a modification of its M/WBE Utilization Plan in accordance with Section 6-129 and Part A, Section 11 below.

9. Where an M/WBE Utilization Plan has been submitted, and the Contractor requests a change order the value of which exceeds the greater of 10 percent of the Contract or Task Order, as applicable, or \$500,000, Agency shall review the scope of work for the Contract or Task Order, as applicable, and the scale and types of work involved in the change order, and determine whether the **Participation Goals** should be modified.

10. Pre-award waiver of the **Participation Goals**. (a) A bidder or proposer, or contractor with respect to a Task Order, may seek a pre-award full or partial waiver of the **Participation Goals** in accordance with Section 6-129, which requests that Agency change one or more **Participation Goals** on the grounds that the **Participation Goals** are unreasonable in light of the availability of certified firms to perform the services required, or by demonstrating that it has legitimate business reasons for proposing a lower level of subcontracting in its M/WBE Utilization Plan.

(b) To apply for a full or partial waiver of the **Participation Goals**, a bidder, proposer, or contractor, as applicable, must complete Part III (Page 5) of Schedule B and submit such request no later than seven (7) calendar days prior to the date and time the bids, proposals, or Task Orders are due, in writing to the Agency by email at poped@ddc.nyc.gov or via facsimile at (718) 391-1886. Bidders, proposers, or contractors, as applicable, who have submitted requests will receive an Agency response by no later than two (2) calendar days prior to the due date for bids, proposals, or Task Orders; provided, however, that if that date would fall on a weekend or holiday, an Agency response will be provided by close-of-business on the business day before such weekend or holiday date.

(c) If the Agency determines that the **Participation Goals** are unreasonable in light of the availability of certified firms to perform the services required, it shall revise the solicitation and extend the deadline for bids and proposals, or revise the Task Order, as applicable.

(d) Agency may grant a full or partial waiver of the Participation Goals to a bidder, proposer or contractor, as applicable, who demonstrates—before submission of the bid, proposal or Task Order, as applicable—that it has legitimate business reasons for proposing the level of subcontracting in its M/WBE Utilization Plan. In making its determination, Agency shall consider factors that shall include, but not be limited to, whether the bidder, proposer or contractor, as applicable, has the capacity and the bona fide intention to perform the Contract without any subcontracting, or to perform the Contract without awarding the amount of subcontracts represented by the Participation Goals. In making such determination, Agency may consider whether the M/WBE Utilization Plan is consistent with past subcontracting practices of the bidder, proposer or contractor, as applicable, whether the bidder, proposer or contractor, as applicable, has made efforts to form a joint venture with a certified firm, and whether the bidder, proposer, or contractor, as applicable, has made good faith efforts to identify other portions of the Contract that it intends to subcontract.

11. **Modification of M/WBE Utilization Plan.** (a) A Contractor may request a modification of its M/WBE Utilization Plan after award of this Contract. PLEASE NOTE: If this Contract is a public works project subject to GML §101(5) (i.e., a contract valued at or below \$3M for projects in New York City) or if the Contract is subject to a project labor agreement in accordance with Labor Law §222, and the bidder is required to identify at the time of bid submission its intended subcontractors for the Wicks trades (plumbing and gas fitting; steam heating, hot water heating, ventilating and air conditioning (HVAC); and electric wiring), the Contractor may request a Modification of its M/WBE Utilization Plan as part of its bid submission. The Agency may grant a request for Modification of a Contractor's M/WBE Utilization Plan if it determines that the Contractor has established, with appropriate documentary and other evidence, that it made reasonable, good faith efforts to meet the Participation Goals. In making such determination, Agency shall consider evidence of the following efforts, as applicable, along with any other relevant factors:

- (i) The Contractor advertised opportunities to participate in the Contract, where appropriate, in general circulation media, trade and professional association publications and small business media, and publications of minority and women's business organizations;
- (ii) The Contractor provided notice of specific opportunities to participate in the Contract, in a timely manner, to minority and women's business organizations;
- (iii) The Contractor sent written notices, by certified mail or facsimile, in a timely manner, to advise MBEs or WBEs that their interest in the Contract was solicited;
- (iv) The Contractor made efforts to identify portions of the work that could be substituted for portions originally designated for participation by MBEs and/or WBEs in the M/WBE Utilization Plan, and for which the Contractor claims an inability to retain MBEs or WBEs;
- (v) The Contractor held meetings with MBEs and/or WBEs prior to the date their bids or proposals were due, for the purpose of explaining in detail the scope and requirements of the work for which their bids or proposals were solicited;
- (vi) The Contractor made efforts to negotiate with MBEs and/or WBEs as relevant to perform specific subcontracts, or act as suppliers or service providers;
- (vii) Timely written requests for assistance made by the Contractor to Agency's M/WBE liaison officer and to DSBS;
- (viii) Description of how recommendations made by DSBS and Agency were acted upon and an explanation of why action upon such recommendations did not lead to the desired level of participation of MBEs and/or WBEs.

Agency's M/WBE officer shall provide written notice to the Contractor of the determination.

(b) The Agency may modify the **Participation Goals** when the scope of the work has been changed by the Agency in a manner that affects the scale and types of work that the Contractor indicated in its **M/WBE Utilization Plan** would be awarded to subcontractors.

12. If this Contract is for an indefinite quantity of construction, standard or professional services or is a requirements type contract and the Contractor has submitted an **M/WBE Utilization Plan** and has committed to subcontract work to MBEs and/or WBEs in order to meet the **Participation Goals**, the Contractor will not be deemed in violation of the M/WBE Program requirements for this Contract with regard to any work which was intended to be subcontracted to an MBE and/or WBE to the extent that the Agency has determined that such work is not needed.

13. If **Participation Goals** have been established for this Contract or a Task Order issued pursuant to this Contract, at least once annually during the term of the Contract or Task Order, as applicable, Agency shall review the Contractor's progress toward attainment of its **M/WBE Utilization Plan**, including but not limited to, by reviewing the percentage of work the Contractor has actually awarded to MBE and/or WBE subcontractors and the payments the Contractor made to such subcontractors.

14. If **Participation Goals** have been established for this Contract or a Task Order issued pursuant to this Contract, Agency shall evaluate and assess the Contractor's performance in meeting those goals, and such evaluation and assessment shall become part of the Contractor's overall contract performance evaluation.

PART B: MISCELLANEOUS

1. The Contractor shall take notice that, if this solicitation requires the establishment of an **M/WBE Utilization Plan**, the resulting contract may be audited by DSBS to determine compliance with Section 6-129. See §6-129(e)(10). Furthermore, such resulting contract may also be examined by the City's Comptroller to assess compliance with the **M/WBE Utilization Plan**.
2. Pursuant to DSBS rules, construction contracts that include a requirement for an **M/WBE Utilization Plan** shall not be subject to the law governing Locally Based Enterprises set forth in Section 6-108.1 of the Administrative Code of the City of New York.
3. DSBS is available to assist contractors and potential contractors in determining the availability of MBEs and/or WBEs to participate as subcontractors, and in identifying opportunities that are appropriate for participation by MBEs and/or WBEs in contracts.
4. Prospective contractors are encouraged to enter into qualified joint venture agreements with MBEs and/or WBEs as defined by Section 6-129(c)(30).
5. By submitting a bid or proposal the Contractor hereby acknowledges its understanding of the **M/WBE Program** requirements set forth herein and the pertinent provisions of Section 6-129, and any rules promulgated thereunder, and if awarded this Contract, the Contractor hereby agrees to comply with the **M/WBE Program** requirements of this Contract and pertinent provisions of Section 6-129, and any rules promulgated thereunder, all of which shall be deemed to be material terms of this Contract. The Contractor hereby agrees to make all reasonable, good faith efforts to solicit and obtain the participation of MBEs and/or WBEs to meet the required **Participation Goals**.

ARTICLE II. ENFORCEMENT

1. If Agency determines that a bidder or proposer, as applicable, has, in relation to this procurement, violated Section 6-129 or the DSBS rules promulgated pursuant to Section 6-129, Agency may disqualify such bidder or proposer, as applicable, from competing for this Contract and the Agency may revoke such bidder's or proposer's prequalification status, if applicable.
2. Whenever Agency believes that the Contractor or a subcontractor is not in compliance with Section 6-129 or the DSBS rules promulgated pursuant to Section 6-129, or any provision of this Contract that implements Section 6-129, including, but not limited to any **M/WBE Utilization Plan**, Agency shall send a written notice to the Contractor describing the alleged noncompliance and offering the Contractor an opportunity to be heard. Agency shall then conduct an investigation to determine whether such Contractor or subcontractor is in compliance.
3. In the event that the Contractor has been found to have violated Section 6-129, the DSBS rules promulgated pursuant to Section 6-129, or any provision of this Contract that implements Section 6-129, including, but not limited to, any **M/WBE Utilization Plan**, Agency may determine that one of the following actions should be taken:
 - (a) entering into an agreement with the Contractor allowing the Contractor to cure the violation;
 - (b) revoking the Contractor's pre-qualification to bid or make proposals for future contracts;
 - (c) making a finding that the Contractor is in default of the Contract;
 - (d) terminating the Contract;
 - (e) declaring the Contractor to be in breach of Contract;
 - (f) withholding payment or reimbursement;
 - (g) determining not to renew the Contract;
 - (h) assessing actual and consequential damages;

- (i) assessing liquidated damages or reducing fees, provided that liquidated damages may be based on amounts representing costs of delays in carrying out the purposes of the M/WBE Program, or in meeting the purposes of the Contract, the costs of meeting utilization goals through additional procurements, the administrative costs of investigation and enforcement, or other factors set forth in the Contract;
- (j) exercising rights under the Contract to procure goods, services or construction from another contractor and charge the cost of such contract to the Contractor that has been found to be in noncompliance; or
- (k) taking any other appropriate remedy.

4. If an **M/WBE Utilization Plan** has been submitted, and pursuant to this Article II, Section 3, the Contractor has been found to have failed to fulfill its **Participation Goals** contained in its **M/WBE Utilization Plan** or the **Participation Goals** as modified by Agency pursuant to Article I, Part A, Section 11, Agency may assess liquidated damages in the amount of ten percent (10%) of the difference between the dollar amount of work required to be awarded to MBE and/or WBE firms to meet the **Participation Goals** and the dollar amount the Contractor actually awarded and paid, and/or credited, to MBE and/or WBE firms. In view of the difficulty of accurately ascertaining the loss which the City will suffer by reason of Contractor's failure to meet the **Participation Goals**, the foregoing amount is hereby fixed and agreed as the liquidated damages that the City will suffer by reason of such failure, and not as a penalty. Agency may deduct and retain out of any monies which may become due under this Contract the amount of any such liquidated damages; and in case the amount which may become due under this Contract shall be less than the amount of liquidated damages suffered by the City, the Contractor shall be liable to pay the difference.

5. Whenever Agency has reason to believe that an MBE and/or WBE is not qualified for certification, or is participating in a contract in a manner that does not serve a commercially useful function (as defined in Section 6-129(c)(8)), or has violated any provision of Section 6-129, Agency shall notify the Commissioner of DSBS who shall determine whether the certification of such business enterprise should be revoked.

6. Statements made in any instrument submitted to Agency pursuant to Section 6-129 shall be submitted under penalty of perjury and any false or misleading statement or omission shall be grounds for the application of any applicable criminal and/or civil penalties for perjury. The making of a false or fraudulent statement by an MBE and/or WBE in any instrument submitted pursuant to Section 6-129 shall, in addition, be grounds for revocation of its certification.

7. The Contractor's record in implementing its **M/WBE Utilization Plan** shall be a factor in the evaluation of its performance. Whenever Agency determines that a Contractor's compliance with an **M/WBE Utilization Plan** has been unsatisfactory, Agency shall, after consultation with the City Chief Procurement Officer, file an advice of caution form for inclusion in VENDEX as caution data.

Tax ID #: _____

APT E-
PIN#: 85015B0065

Contract # 1 - General Construction Work

SCHEDULE B - MWBE Utilization Plan

Part I: MWBE Participation Goals

Part I to be completed by contracting agency

Contract Overview

APT E-Pin # 85015B0065 FMS Project ID#: E12-0023

Project Title/Agency PlaNYC Energy Audit Retrofit at Brooklyn Public Library

PIN # 8502015LB0003C

Bid/Proposal Response Date: TO BE DETERMINED BEFORE ISSUANCE

Contracting Agency Department of Design and Construction

Agency Address 30-30 Thomson Avenue City Long Island City State NY Zip Code 11101

Contact Person Norma Negrón Title MWBE Liaison & Compliance Analyst

Telephone # (718) 391-1502 Email negronn@ddc.nyc.gov

Project Description (attach additional pages if necessary)

This Project consists of implementing several energy conservation measures that were recommended by Dome-Tech, Inc. (also known as NORESKO) in their energy audit report dated December 29, 2010. The energy conservation measures include lighting system improvements such as refurbishing T8 and T12 fluorescent fixtures with LED lamps, installing networked lighting controls for lighting in public reading spaces, installing occupancy/vacancy sensors for lighting control in restrooms and other select spaces, and HVAC system improvements including the installation of a new building management system, upgrading several HVAC units with new direct digital controls, implementing demand controlled ventilation strategy for various HVAC units, implementing outside air economizer control strategy for various HVAC units, implementing supply air temperature reset for various HVAC units, implementing hot and chilled water supply temperature resets, retrofitting existing VAV RTUs that have variable inlet vanes with VFDs and VFD-compatible motors.

M/WBE Participation Goals for Services

Enter the percentage amount for each group or for an unspecified goal. Please note that there are no goals for Asian Americans in Professional Services

Prime Contract Industry: Construction

Group	Percentage
<u>Unspecified *</u>	<u>6 %</u>
<u>OR</u>	
<u>Black American</u>	<u>Unspecified %</u>
<u>Hispanic American</u>	<u>Unspecified %</u>
<u>Asian American</u>	<u>Unspecified %</u>
<u>Women</u>	<u>Unspecified %</u>
Total Participation Goals	6 %

Line 1

* Note: For this procurement, individual ethnicity and gender goals are not specified. The Total Participation Goals for construction contracts may be met by using Black American, Hispanic American, Asian American or Women certified firms or any combination of such firms.

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Tax ID #: _____

SCHEDULE B - Part II: M/WBE Participation Plan

Part II to be completed by the bidder/proposer:

Please note: For Non-M/WBE Prime Contractors who will NOT subcontract any services and will self-perform the entire contract, you must obtain a FULL waiver by completing the Waiver Application on pages 9 and 9a and timely submitting it to the contracting agency pursuant to the Notice to Prospective Contractors. Once a FULL WAIVER is granted, it must be included with your bid or proposal and you do not have to complete or submit this form with your bid or proposal.

Section I: Prime Contractor Contact Information	
Tax ID # _____	FMS Vendor ID # _____
Business Name _____	Contact Person _____
Address _____	
Telephone # _____	Email _____

Section II: M/WBE Utilization Goal Calculation: Check the applicable box and complete subsection.

PRIME CONTRACTOR ADOPTING AGENCY M/WBE PARTICIPATION GOALS				
<input type="checkbox"/> For Prime Contractors (including Qualified Joint Ventures and M/WBE firms) adopting Agency M/WBE Participation Goals.	Total Bid/Proposal Value		Agency Total Participation Goals (Line 1, Page 6)	Calculated M/WBE Participation Amount
Calculate the total dollar value of your total bid that you agree will be awarded to M/WBE subcontractors for services and/or credited to an M/WBE prime contractor or Qualified Joint Venture. Please review the Notice to Prospective Contractors for more information on how to obtain credit for M/WBE participation.	\$	X		= \$ Line 2
PRIME CONTRACTOR OBTAINED PARTIAL WAIVER APPROVAL: ADOPTING MODIFIED M/WBE PARTICIPATION GOALS				
<input type="checkbox"/> For Prime Contractors (including Qualified Joint Ventures and M/WBE firms) adopting Modified M/WBE Participation Goals.	Total Bid/Proposal Value		Adjusted Participation Goal (From Partial Waiver)	Calculated M/WBE Participation Amount
Calculate the total dollar value of your total bid that you agree will be awarded to M/WBE subcontractors for services and/or credited to an M/WBE prime contractor or Qualified Joint Venture. Please review the Notice to Prospective Contractors for more information on how to obtain credit for M/WBE participation.	\$	X		= \$ Line 3

Section III: M/WBE Utilization Plan: How Proposer/Bidder Will Fulfill M/WBE Participation Goals. Please review the Notice to Prospective Contractors for more information on how to obtain credit for M/WBE participation. Check applicable box. The Proposer or Bidder will fulfill the M/WBE Participation Goals:

As an M/WBE Prime Contractor that will self-perform and/or subcontract to other M/WBE firms a portion of the contract the value of which is at least the amount located on Lines 2 or 3 above, as applicable. The value of any work subcontracted to non-M/WBE firms will not be credited towards fulfillment of M/WBE Participation Goals. Please check all that apply to Prime Contractor:

MBE WBE

As a Qualified Joint Venture with an M/WBE partner, in which the value of the M/WBE partner's participation and/or the value of any work subcontracted to other M/WBE firms is at least the amount located on Lines 2 or 3 above, as applicable. The value of any work subcontracted to non M/WBE firms will not be credited towards fulfillment of M/WBE Participation Goals.

As a non M/WBE Prime Contractor that will enter into subcontracts with M/WBE firms the value of which is at least the amount located on Lines 2 or 3 above, as applicable.

Section IV: General Contract Information

What is the expected percentage of the total contract dollar value that you expect to award in subcontracts for services, regardless of M/WBE status? % _____

Enter brief description of the type(s) and dollar value of subcontracts for all any services you plan on subcontracting if awarded this contract. For each item, indicate whether the work is designated for participation by MBEs and/or WBEs and the time frame in which such work is scheduled to begin and end. Use additional sheets if necessary.

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____
- 16. _____
- 17. _____

✓ Scopes of Subcontract Work

Section V: Vendor Certification and Required Affirmations

I hereby:

- 1) acknowledge my understanding of the M/WBE participation requirements as set forth herein and the pertinent provisions of Section 6-129 of the Administrative Code of the City of New York (Section 6-129), and the rules promulgated thereunder;
- 2) affirm that the information supplied in support of this M/WBE Utilization Plan is true and correct;
- 3) agree, if awarded this Contract, to comply with the M/WBE participation requirements of this Contract, the pertinent provisions of Section 6-129, and the rules promulgated thereunder, all of which shall be deemed to be material terms of this Contract
- 4) agree and affirm that it is a material term of this Contract that the Vendor will award the total dollar value of the M/WBE Participation Goals to certified MBEs and/or WBEs, unless a full waiver is obtained or such goals are modified by the Agency; and
- 5) agree and affirm, if awarded this Contract, to make all reasonable, good faith efforts to meet the M/WBE Participation Goals, or if a partial waiver is obtained or such goals are modified by the Agency, to meet the modified Participation Goals by soliciting and obtaining the participation of certified MBE and/or WBE firms.

Signature _____
Print Name _____

Date _____
Title _____

SCHEDULE B – PART III – REQUEST FOR WAIVER OF M/WBE PARTICIPATION REQUIREMENT

Contract Overview

Tax ID # _____ FMS Vendor ID # _____

Business Name _____

Contact Name _____ Telephone # _____ Email _____

Type of Procurement Competitive Sealed Bids Other Bid/Response Due Date _____

APT E-PIN # (for this procurement): _____ Contracting Agency: _____

M/WBE Participation Goals as described in bid/solicitation documents

_____ % Agency M/WBE Participation Goal

Proposed M/WBE Participation Goal as anticipated by vendor seeking waiver

_____ % of the total contract value anticipated in good faith by the bidder/proposer to be subcontracted for services and/or credited to an M/WBE Prime Contractor or Qualified Joint Venture.

Basis for Waiver Request: Check appropriate box & explain in detail below (attach additional pages if needed)

- Vendor does not subcontract services, and has the capacity and good faith intention to perform all such work itself with its own employees.
- Vendor subcontracts *some* of this type of work but at a *lower* % than bid/solicitation describes, and has the capacity and good faith intention to do so on this contract. (Attach subcontracting plan outlining services that the vendor will self-perform and subcontract to other vendors or consultants.)
- Vendor has other legitimate business reasons for proposing the M/WBE Participation Goal above. Explain under separate cover.

References
 List 3 most recent contracts performed for NYC agencies (if any). Include information for each subcontract awarded in performance of such contracts. Add more pages if necessary.

CONTRACT NO.	AGENCY	DATE COMPLETED
Total Contract Amount \$ _____	Total Amount Subcontracted \$ _____	_____
Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____
CONTRACT NO. _____	AGENCY _____	DATE COMPLETED _____
Total Contract Amount \$ _____	Total Amount Subcontracted \$ _____	_____
Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____
CONTRACT NO. _____	AGENCY _____	DATE COMPLETED _____
Total Contract Amount \$ _____	Total Amount Subcontracted \$ _____	_____
Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____

List 3 most recent contracts performed for other entities. Include information for each subcontract awarded in performance of such contracts. Add more pages if necessary.

(Complete ONLY if vendor has performed fewer than 3 New York City contracts.)

TYPE OF Contract _____	ENTITY _____	DATE COMPLETED _____
Manager at entity that hired vendor (Name/Phone No./Email) _____		
Total Contract Amount \$ _____	Total Amount Subcontracted \$ _____	_____
Type of Work Subcontracted _____	_____	_____

TYPE OF Contract _____	AGENCY/ENTITY _____	DATE COMPLETED _____
Manager at agency/entity that hired vendor (Name/Phone No./Email) _____		
Total Contract Amount \$ _____	Total Amount Subcontracted \$ _____	_____
Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____

TYPE OF Contract _____	AGENCY/ENTITY _____	DATE COMPLETED _____
Manager at entity that hired vendor (Name/Phone No./Email) _____		
Total Contract Amount \$ _____	Total Amount Subcontracted \$ _____	_____
Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____

VENDOR CERTIFICATION: I hereby affirm that the information supplied in support of this waiver request is true and correct, and that this request is made in good faith.

Signature: _____ **Date:** _____
Print Name: _____ **Title:** _____

Shaded area below is for agency completion only

AGENCY CHIEF CONTRACTING OFFICER APPROVAL
Signature: _____ **Date:** _____

CITY CHIEF PROCUREMENT OFFICER APPROVAL
Signature: _____ **Date:** _____

Waiver Determination
 Full Waiver Approved:
 Waiver Denied:
 Partial Waiver Approved:
 Revised Participation Goal: _____ %

**BID FORM
THE CITY OF NEW YORK
DEPARTMENT OF DESIGN AND CONSTRUCTION
DIVISION OF PUBLIC BUILDINGS**

**BID FOR FURNISHING ALL LABOR AND
MATERIAL NECESSARY AND REQUIRED FOR:**

PROJECT ID: E12-0023

**PlaNYC Energy Audit Retrofit at Brooklyn Public Library
2 Eastern Parkway
Brooklyn 11238**

Name of Bidder: _____

Date of Bid Opening: _____

Bidder is: (Check one, whichever applies) Individual () Partnership () Corporation ()

Place of Business of Bidder: _____

Bidder's Telephone Number: _____ Bidder's Fax Number: _____

Bidder's Email Address: _____

Residence of Bidder (If Individual): _____

If Bidder is a Partnership, fill in the following blanks:

Names of Partners

Residence of Partners

If Bidder is a Corporation, fill in the following blanks:

Organized under the laws of the State of _____

Name and Home Address of President: _____

Name and Home Address of Secretary: _____

Name and Home Address of Treasurer: _____

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BID FORM

The above-named Bidder affirms and declares:

1. The said bidder is of lawful age and the only one interested in this bid; and no person, firm or corporation other than hereinbefore named has any interest in this bid, or in the Contract proposed to be taken.
2. 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 its 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 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.
3. No councilman or other officer or employee or person whose salary is payable in whole or in part from the City Treasury is directly or indirectly interested in this bid, or in the supplies, materials, equipment, work or labor to which it relates, or in any of the profits thereof.
4. The bidder is not in arrears to the City of New York upon debt or contract or taxes, and is not a defaulter, as surety or otherwise, upon any obligation of the City of New York, and has not been declared not responsible, or disqualified, by any agency of the City of New York or State of New York, nor is there any proceeding pending relating to the responsibility or qualification of the bidder to receive public contracts except as set forth on the Affirmation included as page 17 of this Bid Booklet.

The bidder hereby affirms that it has paid all applicable City income, excise and other taxes for all years it has conducted business activities in New York City.

5. The bidder, as an individual, or as a member, partner, director or officer of the bidder, if the same be a firm, partnership or corporation, executes this document expressly warranting and representing that should this bid be accepted by the City and the Contract awarded to him, he and his subcontractors engaged in the performance:
(1) will comply with the provisions of Section 6-108 of the Administrative Code of the City of New York and the non-discrimination provisions of Section 220a of the New York State Labor Law, as more expressly and in detail set forth in the Agreement; (2) will comply with Section 6-109 of the Administrative Code of the City of New York in relation to minimum wages and other stipulations as more expressly and in detail set forth in the Agreement; (3) have complied with the provisions of the aforesaid laws since their respective effective dates, and (4) will post notices to be furnished by the City, setting forth the requirements of the aforesaid laws in prominent and conspicuous places in each and every plant, factory, building and structure where employees engaged in the performance of the Contract can readily view it, and will continue to keep such notices posted until the supplies, materials and equipment, or work labor and services required to be furnished or rendered by the Contractor have been finally accepted by the City. In the event of any breach or violation of the foregoing, the Contractor may be subject to damages, liquidated or otherwise, cancellation of the Contract and suspension as a bidder for a period of three years. (The words, "the bidder", "he", "his", and "him" where used shall mean the individual bidder, firm, partnership or corporation executing this bid).

6. Compliance Report

The bidder, as an individual, or as a member, partner, director, or officer of the bidder, if the same be a firm, partnership, or corporation, (1) represents that his attention has been specifically drawn to Executive Order No. 50, dated April 25, 1980, on Equal Employment Compliance of the contract, and (2) warrants that he will comply with the provisions of Executive Order No. 50. The Employment Report must be submitted as part of the bid.

The bidder, as an individual, or as a member, partner, director, or officer of the bidder, if the same be a firm, partnership, or corporation, executes this document expressly warranting that he will comply with: (1) the provision of the contract on providing records, Chapter 8.

7. By submission of this bid, the bidder certifies that it now has and will continue to have the financial capability to fully perform the work required for this contract. Any award of this contract will be made in reliance upon such certification. Upon request therefor, the bidder will submit written verification of such financial capability in a form that is acceptable to the department.

8. In accordance with Section 165 of the State Finance Law, the bidder agrees that tropical hardwoods, as defined in Section 165 of the State Finance Law, shall not be utilized in the performance of this Contract, except as the same are permitted by the foregoing provision of law.

9. The bidder has visited and examined the site of the work and has carefully examined the Contract in the form approved by the Corporation Counsel, and will execute the Contract and perform all its items, covenants and conditions, and will provide, furnish and deliver all the work, materials, supplies, tools and appliances for all labor and materials necessary or required for the hereinafter named work, all in strict conformity with the Contract, for the prices set forth in the Bid Schedule:

10. **M/WBE UTILIZATION PLAN:** By signing its bid, the bidder agrees to the Vendor Certification and Required Affirmations set forth below, unless a full waiver of the Participation Goals is granted. The Vendor Certification and Required Affirmations will be deemed to satisfy the requirement to complete Section V of Part II of Schedule B: M/WBE Utilization Plan.

Section V: Vendor Certification and Required Affirmations:

I hereby:

- 1) acknowledge my understanding of the M/WBE participation requirements as set forth in this Contract and the pertinent provisions of Section 6-129 of the Administrative Code of the City of New York and the rules promulgated thereunder;
- 2) affirm that the information supplied in support of the M/WBE Utilization Plan is true and correct;
- 3) agree, if awarded this Contract, to comply with the M/WBE participation requirements of this Contract, the pertinent provisions of Section 6-129, and the rules promulgated thereunder, all of which shall be deemed to be material terms of this Contract;
- 4) agree and affirm that it is a material term of this Contract that the Vendor will award the total dollar value of the M/WBE Participation Goals to certified MBEs and/or WBEs, unless a full waiver is obtained or such goals are modified by the Agency; and
- 5) agree and affirm, if awarded this Contract, to make all reasonable, good faith efforts to meet the M/WBE Participation Goals, or If a partial waiver is obtained or such goals are modified by the Agency, to meet the modified Participation Goals by soliciting and obtaining the participation of certified MBE and/or WBE firms.

BID FORM

PROJECT ID: E12-0023

TOTAL BID PRICE: In the space provided below, the Bidder shall indicate the total bid price in figures.

- A. LUMP SUM PRICE - Total price for all labor and material for all required work, excluding items (B), (C) and (D) set forth below. Total Price shall include all costs and expenses, i.e. labor, material overhead and profit for all the Work, described and shown in the drawings and specifications.

Total Price for
Material Sold and
Delivered

Total Price For
Labor

\$ _____ + \$ _____ Total Price for Item A= \$ _____

B. ALLOWANCE for Incidental Asbestos Abatement (Section 028013 of the Specifications) \$15,000.00

C. AMOUNT for Proprietary Items (pages 2a) \$610,580.00

D. AMOUNT for Unit Prices (from page 13-1) for extra work items \$

TOTAL BID PRICE (Add A + B + C + D) \$
(a/k/a BID PROPOSAL)

BIDDER'S SIGNATURE AND AFFIDAVIT

* **SUBCONTRACTOR IDENTIFICATION:** You MUST complete and submit the form entitled "Bidder's Identification of Subcontractors" (page 17) at the time you submit your bid. You must submit this form in a separate, sealed envelope (BID ENVELOPE #2). In the event an award of contract is not made to the Bidder, the Bidder hereby authorizes the Agency to shred the form entitled "Bidder's Identification of Subcontractors". _____ Yes _____ No

Bidder: _____

By: _____
(Signature of Partner or corporate officer)

Attest: _____ Secretary of Corporate Bidder
(Corporate Seal)

Affidavit on the following page should be subscribed and sworn to before a Notary Public

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Unit Price Schedule

Unit Price items: The items of work set forth in the Schedule below shall be performed by the contractor on a unit price basis for additional work. Such items of work shall be performed by the contractor only as directed in writing by the Commissioner.

The unit price for the items of work in the Schedule below are for EXTRA WORK ONLY i.e., work which is above and beyond that described in the Drawings and Specifications.

The bidder shall submit prices for all the items of work in the Schedule below. The bidder shall insert the total sum for all unit price items on the Bid Form, Item D - Allowance for Unit Prices. The unit price bid for each item shall include all costs and expense for the item, i.e., labor, material, overhead and profit. Quantities shown are approximate and for bid comparison purposes only. Actual amounts to be determined when the work is performed.

CSI #	Item #	Item Description	Quant.	Units	Unit Price	Total
083113	1	12" x 12" Ceiling Access Doors	50	EA		
040140	2	DDC Instrumentation and Control Devices: duct-mounted temperature (probe) sensor	27	EA		
230900	3	DDC Instrumentation and Control Devices: low-limit temperature sensors (freezestat)	9	EA		
230900	4	DDC Instrumentation and Control Devices: duct-mounted humidity (probe) sensor	18	EA		
230900	5	DDC Instrumentation and Control Devices: differential-pressure switch	36	EA		
230900	6	DDC Instrumentation and Control Devices: duct-mounted static pressure sensor	6	EA		
230900	7	DDC Instrumentation and Control Devices: duct-mounted CO2 sensor	8	EA		
230900	8	DDC Instrumentation and Control Devices: airflow switch	20	EA		
230900	9	DDC Instrumentation and Control Devices: low-voltage valve actuator	22	EA		
230900	10	DDC Instrumentation and Control Devices: low-voltage damper actuator	26	EA		
230900	11	DDC Instrumentation and Control Devices: airflow measuring station	2	EA		
265100	12	Emergency Ballast: For provision of emergency ballasts in instances where emergency lighting fixtures are encountered	21	EA		

Total Amount of Unit Price Work

\$ _____ *

* Insert Total amount of Unit Price Work on line D of Bid Form

Note: All quantities are approximate

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BID FORM (TO BE NOTARIZED)

AFFIDAVIT WHERE BIDDERS IS AN INDIVIDUAL

STATE OF NEW YORK, COUNTY OF _____ ss:

_____ being duly sworn says:

I am the person described in and who executed the foregoing bid, and the several matters therein stated are in all respects true.

(Signature of the person who signed the Bid)

Subscribed and sworn to before me this
_____ day of _____,

Notary Public

AFFIDAVIT WHERE BIDDERS IS A PARTNERSHIP

STATE OF NEW YORK, COUNTY OF _____ ss:

_____ being duly sworn says:

I am a member of _____ the firm described in and which executed the foregoing bid. I subscribed the name of the firm thereto on behalf of the firm, and the several matters therein stated are in all respects true.

(Signature of Partner who signed the Bid)

Subscribed and sworn to before me this
_____ day of _____,

Notary Public

AFFIDAVIT WHERE BIDDERS IS A CORPORATION

STATE OF NEW YORK, COUNTY OF _____ ss:

_____ being duly sworn says:

I am the _____ of the above named corporation whose name is subscribed to and which executed the foregoing bid. I reside at _____. I have knowledge of the several matters therein stated, and they are in all respects true.

(Signature of Corporate Officer who signed the Bid)

Subscribed and sworn to before me this
_____ day of _____,

Notary Public

AFFIRMATION

The undersigned bidder affirms and declares that said bidder is not in arrears to the City of New York upon debt, contract or taxes and is not a defaulter, as surety or otherwise, upon obligation to the City of New York, and has not been declared not responsible, or disqualified, by any agency of the City of New York, nor is there any proceeding pending relating to the responsibility or qualification of the bidder to receive public contracts except _____

(If none, the bidder shall insert the word "None" in the space provided above.)

Full Name of Bidder: _____
Address: _____
City: _____ State: _____ Zip Code: _____

CHECK ONE BOX AND INCLUDE APPROPRIATE NUMBER:

A - Individual or Sole Proprietorship *
SOCIAL SECURITY NUMBER

B - Partnership, Joint Venture or other unincorporated organization
EMPLOYER IDENTIFICATION NUMBER

C - Corporation
EMPLOYER IDENTIFICATION NUMBER

By: _____
Signature:

Title: _____

If a corporation, place seal here

This affirmation must be signed by an officer or duly authorized representative.

* Under the Federal Privacy Act the furnishing of Social Security Numbers by bidders on City contracts is voluntary. Failure to provide a Social Security Number will not result in a bidder's disqualification. Social Security Numbers will be used to identify bidders, proposers or vendors to ensure their compliance with laws, to assist the City in enforcement of laws, as well as to provide the City a means of identifying of businesses which seek City contracts.

BIDDER'S IDENTIFICATION OF SUBCONTRACTORS

NOTICE TO BIDDERS

SUBMISSION: The Bidder must, at the time of the bid, submit the completed form on the next page ("BIDDER'S IDENTIFICATION OF SUBCONTRACTORS"). This form must be submitted in a separate, sealed envelope (BID ENVELOPE #2). Failure to do so will result in the disqualification of the bid as non-responsive.

Please be advised that pursuant to GML § 101(5) the Bidder is required to submit with its bid the names of subcontractors it intends to use to perform the following work on this contract, as well as the agreed-upon amount to be paid to each:

- plumbing and gas fitting;
- steam heating, hot water heating, ventilating and air conditioning apparatus; and
- electric wiring and standard illuminating fixtures.

NOTE: This project may not involve all of the above listed subcontractors. Please see the form on the next page which indicates the subcontractors required for this Project.

All listed subcontractors must be used to perform the work identified on this form for the amount listed. The listed subcontractors are not alternatives to each other. The list of subcontractors is to be submitted in a separate sealed envelope by completing the form 'Bidders Identification of Subcontractors' for any subcontractors intended to be used in any of the three trades listed above. If bidder intends to use its own forces for any of the above listed work, bidder should complete this form using its own name.

Failure to submit the completed form on the next page ("Bidder's Identification of Subcontractors") that includes the names of subcontractors and the agreed upon amounts to be paid to such subcontractors will render the bid non-responsive.

PLEASE NOTE: for any contract that is subject to M/WBE Participation Goals under Local Law 129, if the bidder's intention to use its own forces to do any of the above-referenced work would result in Bidder's failure to attain the Target Subcontracting Percentage identified in Schedule B (Subcontractor Utilization Plan), the bid will be non-responsive unless the bidder requests and obtains a Waiver of Target Subcontracting Percentage (Schedule B, Part III) in advance of bid submission. Failure to submit the completed 'BIDDERS IDENTIFICATION OF SUBCONTRACTORS' form that includes the names of subcontractors and the agreed upon amounts to be paid to such subcontractors will render the bid non-responsive.

After the low bid is announced, the sealed list submitted by the low bidder will be opened and the names of the subcontractors will be announced. The sealed lists of subcontractors submitted by all other bidders shall be maintained by the Agency unopened unless such bidder shall become the low bidder (e.g., the initial low bidder is found non-responsive). All unopened lists of subcontractors shall be returned to the bidders unopened after contract award, unless the bidder has given the agency permission to shred the form.

After bid submission, any change of subcontractor or agreed-upon amount to be paid to each shall require approval of the Agency upon a showing of a legitimate construction need which shall include, but not be limited to, a change in project specifications, a change in project material costs, a change to subcontractor status as determined pursuant to §222 (2)(e) of the Labor Law, or if the subcontractor has become otherwise unwilling, unable or unavailable to perform the subcontract.

BIDDER'S IDENTIFICATION OF SUBCONTRACTORS

Project ID: E12-0023

SUBMISSION: In addition to its Bid (Bid Envelope # 1), the Bidder must, at the time of the bid, complete and submit this form in a separate, sealed envelope (Bid Envelope # 2). To complete this form, the Bidder must identify the subcontractors it intends to use for the work listed below, as well as the dollar amount to be paid to each subcontractor. Failure to complete this form and submit it in a separate, sealed envelope will result in the disqualification of the bid as non-responsive.

The Bidder intends to use the following subcontractors. If the Bidder intends to do any of the work referenced below with its own forces, the Bidder should complete this form using its own name. If multiple subcontractors for any trade are proposed, Bidder may submit multiple copies of this form.

1.	ELECTRICAL CONTRACTOR:	Description of Electrical Work:
	_____	_____
	(Print Name)	
	Agreed amount to be paid Subcontractor: \$ _____	_____

BIDDER'S SIGNATURE: The Bidder must sign and complete this form in the spaces provided below:

_____		_____	
(Bidder's Signature)		(Print Name)	

(Address)			

(Title)	(Phone #)	(Fax#)	(Date)

BID BOND 1
FORM OF BID BOND

KNOW ALL MEN BY THESE PRESENTS. That we, _____

hereinafter referred to as the "Principal", and _____

hereinafter referred to as the "Surety" are held and firmly bound to THE CITY OF NEW YORK, hereinafter referred to as the "CITY", or to its successors and assigns in the penal sum of _____

(\$ _____), Dollars lawful money of the United States, for the payment of which said sum of money well and truly to be made, we, and each of us, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Whereas, the Principal is about to submit (or has submitted) to the City the accompanying proposal, hereby made a part hereof, to enter into a contract in writing for _____

NOW, THEREFORE, the conditions of this obligation are such that if the Principal shall not withdraw said Proposal without the consent of the City for a period of forty-five (45) days after the opening of bids and in the event of acceptance of the Principal's Proposal by the City, if the Principal shall:

(a) Within ten (10) days after notification by the City, execute in quadruplicate and deliver to the City all the executed counterparts of the Contract in the form set forth in the Contract Documents, in accordance with the proposal as accepted, and

(b) Furnish a performance bond and separate payment bond, as may be required by the City, for the faithful performance and proper fulfillment of such Contract, which bonds shall be satisfactory in all respects to the City and shall be executed by good and sufficient sureties, and

(c) In all respects perform the agreement created by the acceptance of said Proposal as provided in the Information for Bidders, bound herewith and made a part hereof, or if the City shall reject the aforesaid Proposal, then this obligation shall be null and void; otherwise to remain in full force and effect.

BID BOND 2

In the event that the Proposal of the Principal shall be accepted and the Contract be awarded to him the Surety hereunder agrees subject only to the payment by the Principal of the premium therefore, if requested by the City, to write the aforementioned performance and payment bonds in the form set forth in the Contract Documents.

It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

There shall be no liability under this bond if, in the event of the acceptance of the Principal's Proposal by the City, either a performance bond or payment bond, or both, shall not be required by the City on or before the 30th day after the date on which the City signs the Contract.

The surety, for the value received, hereby stipulates and agrees that the obligations of the Surety and its bond shall in no way be impaired or affected by any postponements of the date upon which the City will receive or open bids, or by any extensions of time within which the City may accept the Principal's Proposal, or by any waiver by the City of any of the requirements of the Information for Bidders, and the Surety hereby waives notice of any such postponements, extensions, or waivers.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers the _____ day of _____, _____.

(Seal)

Principal (L.S.)

By: _____

(Seal)

Surety

By: _____

BID BOND 3

ACKNOWLEDGEMENT OF PRINCIPAL, IF A CORPORATION

State of _____ County of _____ ss:
On this _____ day of _____, _____, before me personally came _____ to me known, who, being by me duly sworn, did depose and say that he resides at _____ that he is the _____ of _____ the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that one of the seals affixed to said instrument is such seal; that it was so affixed by order of the directors of said corporation, and that he signed his name thereto by like order.

Notary Public

ACKNOWLEDGEMENT OF PRINCIPAL, IF A PARTNERSHIP

State of _____ County of _____ ss:
On this _____ day of _____, _____, before me personally appeared _____ to me known and known to me to be one of the members of the firm of _____ described in and who executed the foregoing instrument, and he acknowledged to me that he executed the same as and for the act and deed of said firm.

Notary Public

ACKNOWLEDGEMENT OF PRINCIPAL, IF AN INDIVIDUAL

State of _____ County of _____ ss:
On this _____ day of _____, _____, before me personally appeared _____ to me known and known to me to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same.

Notary Public

AFFIX ACKNOWLEDGEMENTS AND JUSTIFICATION OF SURETIES

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BID BREAKDOWN

Submission: Bidders are advised that the requirement to submit a Bid Breakdown applies to each contract for which an "X" is indicated before the word "Yes". If required, the bidder must submit, with its bid, a completed Bid Breakdown. Failure to provide a completed Bid Breakdown may result in rejection of the bid as non-responsive.

 X YES NO

Limitations on Use of Bid Breakdown:

Bidders are advised that the Bid Breakdown shall be used for bid analysis purposes only and shall not be binding for any other purposes under the Contract, including, without limitation, for payment purposes or in connection with a contractor claim for extra work. If the form for the Bid Breakdown does not include an item of work required by the Contract Documents, such omission shall have no effect whatsoever, nor shall it be used by the contractor in connection with a claim for extra work (i.e., work for which the contractor is entitled to a change order).

Instructions for Preparing Bid Breakdown:

- (A) The Bid Breakdown is set forth on the following pages of this Bid Booklet and is in accordance with the Construction Specification Institute (CSI) format. For all items of work listed in the Bid Breakdown, the bidder must indicate the price for labor and the price for material, as well as the estimated quantities required.
- (B) In preparing its Bid Breakdown, the bidder shall submit prices that include all costs for overhead and profit. Overhead shall include, without limitation, all costs in connection with the following: administration, management, superintendence, small tools, insurance, bonds, and provision of services or items required by the General Conditions [except for Security/Fire Guard Services and Temporary Heat]. If the Project requires Security/Fire Guard Services and/or Temporary Heat, such service(s) will be included as separate line items in the Bid Breakdown.
- (C) If an item is set forth in the Bid Breakdown, but is not included in the Contract Documents (Drawings, Specifications, General Conditions, and/or Addenda), the bidder is advised to leave the item blank and exclude the cost of the item from its grand total. In an attachment to its Bid Breakdown, the bidder shall provide a list of all items left blank.
- (D) If an item is not set forth in the Bid Breakdown, but is included in the Contract Documents (Drawings, Specifications, General Conditions, and/or Addenda), the bidder is advised to add the item to its Bid Breakdown and include the cost of the item in its grand total. In an attachment to its Bid Breakdown, the bidder shall provide a list of all items added.

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NEW YORK CITY DEPARTMENT OF
DESIGN + CONSTRUCTION

Project: PlaNYC Energy Audit Retrofit at Brooklyn Public Library
Location: 2 Eastern Parkway, Brooklyn NY 11238
Bidder:

CONTRACTOR BID BREAKDOWN FORM

FMS ID: E12-0023
Client Agency: BPL

CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
CONTRACT 1 - HVAC WORK								
010000	GENERAL REQUIREMENTS							
	Mobilization		LS					
	Weekly Clean-ups		LS					
	Protection of existing work		LS					
	Subtotal							
019100	General Commissioning Requirement							
	Commissioning & Start-Up		LS					
	Subtotal							
DIV 2	EXISTING CONDITIONS							
024119	Selective Demolition							
	Selective Demolition		LS					
	Subtotal							
028213	Asbestos Abatement							
	Asbestos Abatement		LS					
	Subtotal							
DIV 7	THERMAL AND MOISTURE PROTECTION							
078400	Firestopping Smoke seals							
	Misc. Firestopping		LS					
	Subtotal							
DIV 8	OPENINGS							
083113	Access Doors							
	Misc. Access Doors & Access Covers		EA					
	Subtotal							
DIV 9	FINISHES							
092900	Gypsum Board Assemblies							
	Misc. Demo & Repair to walls to allow access for HVAC and Lighting scope		LS					
	Misc. Demo & Repair to Ceilings to allow access for HVAC and Lighting scope		SF					
	Subtotal							

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NEW YORK CITY DEPARTMENT OF
DESIGN + CONSTRUCTION

Project: PlaNYC Energy Audit Retrofit at Brooklyn Public Library
Location: 2 Eastern Parkway, Brooklyn NY 11238
Bidder:

CONTRACTOR BID BREAKDOWN FORM

FMS ID: E12-0023
Client Agency: BPL

CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
095113	Acoustical Ceilings							
	Remove and replace acoustical ceiling tiles		LS					
	Subtotal							
099000	Painting							
	Paint to walls and Ceilings		SF					
	Subtotal							
DIV 23	HVAC							
230500	General Mechanical Requirements (Included w/ 230503, 230513, 230514, 230523, 230529, 230553, 230593, 230700, 230900, 230923, 230993, 232116, 232216, 233100, 233300, 233400)							
230501	Scope of HVAC Work (Included w/ 230503, 230513, 230514, 230523, 230529, 230553, 230593, 230700, 230900, 230923, 230993, 232116, 232216, 233100, 233300, 233400)							
230503	Pipes and Tubes for HVAC Piping and Equipment							
	Low Pressure Steam Piping - 2"		LF					
	Low Pressure Steam Piping - 1-1/2"		LF					
	Low Pressure Steam Piping - 1"		LF					
	Cap 4" Steam Line		EA					
	Connect to existing steam lines		EA					
	Subtotal							
230513	Common Motor Requirements for HVAC Equipment							
	Replace AHU Fan Motors - 5hp		EA					
	Replace AHU Fan Motors - 15hp		EA					
	Replace Belt & Pulley		EA					
	Subtotal							
230514	Motor Controls							
	New VDF's, 5hp		EA					
	New VDF's, 15hp		EA					
	Refurbish Existing Starters		EA					
	Subtotal							

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NEW YORK CITY DEPARTMENT OF
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Project: PlaNYC Energy Audit Retrofit at Brooklyn Public Library
 Location: 2 Eastern Parkway, Brooklyn NY 11238
 Bidder:

CONTRACTOR BID BREAKDOWN FORM

FMS ID: E12-0023
 Client Agency: BPL

CSI DIV. #	DESCRIPTION OF WORK	QNTY	UNIT	MATERIAL		LABOR		TOTAL Material + Labor
			UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
230523	General-Duty Valves for HVAC Piping							
	Steam coil hookup assemblies		EA					
	Replace Control Valves - Misc Sizes		EA					
	Subtotal							
230529	Hangers and Supports for HVAC Piping and Equipment							
	Misc. Metal Supports		LS					
	Subtotal							
230553	Identification for HVAC Piping and Equipment (Included with 230503, 230513, 230514, 230523, 230700, 230923, 232216)							
230593	Testing, Adjusting, and Balancing for HVAC							
	Rebalance AHU's, AC Units		EA					
	Rebalance Fans		EA					
	Rebalance Heat Exchanger		EA					
	Rebalance Pumps		EA					
	Rebalance Misc Equipment		LS					
	Subtotal							
230700	HVAC Insulation							
	Replace Insulation, 6" dia		LF					
	Replace Insulation, 5" dia		LF					
	Replace Insulation, 4" dia		LF					
	Replace Insulation, 3" dia		LF					
	Replace Insulation, 1-1/2" dia		LF					
	Replace damaged insulation allowance		LS					
	Steam Piping Insulation		LF					
	New Duct Insulation		SF					
	Subtotal							
230900	Instrumentation and Control for HVAC							
	Replace Damper Actuator		EA					
	Replace Pneumatic Actuators with Electronic		EA					
	Subtotal							

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NEW YORK CITY DEPARTMENT OF
DESIGN + CONSTRUCTION

Project: PlaNYC Energy Audit Retrofit at Brooklyn Public Library
 Location: 2 Eastern Parkway, Brooklyn NY 11238
 Bidder:

FMS ID: E12-0023
 Client Agency: BPL

CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
230923	DDC SYSTEM FOR HVAC							
	Replace Pneumatic Control Panel w/ DDC		EA					
	Tie DDC Panel into new BMS		EA					
	Replace T-Stat		EA					
	Replace T-stat & CO2 sensors		EA					
	Provide fan interlock w/ Air Handler		EA					
	Misc Sensors & Switches		LS					
	New DDC Control Points - AHU's		EA					
	New DDC Control Points - AC's		EA					
	New DDC Control Points - H&V Units		EA					
	New DDC Control Points - Fans		EA					
	New DDC Control Points - Hot water system		EA					
	New DDC Control Points - Chilled water system		EA					
	New DDC Control Points - Condenser water system		EA					
	New DDC Control Points - Miscellaneous		EA					
	NewBMS Computer, Front end (replace existing)		LS					
	Replace VAV box controllers		EA					
	Interface DDC Panels with existing Fire Alarm Control Panel		EA					
	Subtotal							
230993	Sequence of Operations for HVAC Controls (Included w/ 230923)							
232116	Hydronic Piping Specialties (Included w/ 230503)							
232216	Steam and Condensate Piping Specialties							
	Steam and Condensate Piping Specialties		LS					
	Replace Electric Duct Heater w/ Steam Reheat Coil		EA					
	Provide new Steam Reheat Coil		EA					
	Subtotal							
233100	HVAC Ducts and Casings							
	New Ductwork		LBS					
	Connect Duct to Existing		EA					
	Miscellaneous ductwork demolition		LS					
	Subtotal							

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NEW YORK CITY DEPARTMENT OF
DESIGN + CONSTRUCTION

Project: PlaNYC Energy Audit Retrofit at Brooklyn Public Library
 Location: 2 Eastern Parkway, Brooklyn NY 11238
 Bidder:

FMS ID: E12-0023
 Client Agency: BPL

CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
233300	Air Duct Accessories							
	Duct Accessories (VD's, etc.)		LS					
	Repair Fire Damper Allowance		EA					
	Repair Dampers (multi-zone dampers)		LS					
	New Damper		EA					
	Replace duct flex connections		EA					
	Subtotal							
233400	HVAC Fans (Included w/ 230513, 230593)							
DIV 26	ELECTRICAL							
260500	General Electrical Requirements (Included w/ 260503, 260526, 260529, 260533, 260553, 260923, 260943, 262726, 262819, 265100)							
	Temporary Light Stringers		LS					
	Subtotal							
260503	Equipment Wiring Connections							
	#12 Wire Terminations		EA					
	New Receptacles		EA					
	<u>Mechanical Equipment & Connections</u>							
	Install & Wire DDC Panels		EA					
	Connections to Control Panels		EA					
	Disconnect existing Combo Starter & Disconnect Switch and Reinstall with new		EA					
	Disconnect existing VAV box controllers and reconnect to new		EA					
	<u>Fire Alarm Device Reconnections</u>							
	1/2" GF Connectors		EA					
	Testing of existing fire alarm devices		EA					
	Subtotal							
260519	Low-Voltage Electrical Power Conductors and Cables							
	<u>Interior Lighting</u>							
	#12 Thhn		LF					
	<u>Power to Bacnet Integration Panels: 3/4" Emt 3#12</u>							
	#12 Thhn		LF					
	<u>Power to Receptacles: 3/4" Emt 3#12</u>							

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NEW YORK CITY DEPARTMENT OF
DESIGN + CONSTRUCTION

Project: PlaNYC Energy Audit Retrofit at Brooklyn Public Library
 Location: 2 Eastern Parkway, Brooklyn NY 11238
 Bidder:

FMS ID: E12-0023
 Client Agency: BPL

CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
	#12 Thhn		LF					
	<u>Power to LVRC Panels: 3/4" Emt 3#12</u>							
	#12 Thhn		LF					
	<u>LVRC Panel - Override Switch: 3/4" Emt (1) 1pr #22 Belden #9461</u>							
	1pr #22 Belden #9461		LF					
	<u>LVRC Panel - Override Switch: 3/4" Emt 3#12</u>							
	#12 Thhn		LF					
	<u>LP Panels - LVRC Panel: 1 1/4" Emt 28#12</u>							
	#12 Thhn		LF					
	<u>Mechanical Equipment & Connections</u>							
	#12 Wire		LF					
	<u>Fire Alarm Device Reconnections</u>							
	3/4" Rgs		LF					
	3/4" Rgs Couplings		EA					
	3/4" Rgs Locknuts		EA					
	3/4" Plastic Bushings		EA					
	Subtotal							
260526	Grounding and Bonding for Electrical Systems (Included w/ 260503 & 260519)							
260529	Hangers and Supports for Electrical Systems (Included w/ 260519 & 260533)							
260533	Raceway and Boxes for Electrical Systems							
	<u>Lighting Control Devices</u>							
	Junction Boxes w/ Face Plates		EA					
	<u>Interior Lighting</u>							
	3/4" Emt		LF					
	3/4" Emt Compression Connectors		EA					
	3/4" Emt Compression Couplings		EA					
	3/4" EMT Plastic Bushing		EA					
	Junction Boxes w/ Face Plates		EA					
	<u>Power to Bacnet Integration Panels: 3/4" Emt 3#12</u>							
	3/4" Emt		LF					
	3/4" Emt Compression Connectors		EA					
	3/4" Emt Compression Couplings		EA					
	3/4" EMT Plastic Bushing		EA					
	<u>Power to Receptacles: 3/4" Emt 3#12</u>							
	3/4" Emt		LF					

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NEW YORK CITY DEPARTMENT OF
DESIGN + CONSTRUCTION

CONTRACTOR BID BREAKDOWN FORM

Project: PlaNYC Energy Audit Retrofit at Brooklyn Public Library
 Location: 2 Eastern Parkway, Brooklyn NY 11238
 Bidder:

FMS ID: E12-0023
 Client Agency: BPL

CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
	3/4" Emt Compression Connectors		EA					
	3/4" Emt Compression Couplings		EA					
	3/4" EMT Plastic Bushing		EA					
	<u>Power to LVRC Panels: 3/4" Emt 3#12</u>							
	3/4" Emt		LF					
	3/4" Emt Compression Connectors		EA					
	3/4" Emt Compression Couplings		EA					
	3/4" EMT Plastic Bushing		EA					
	<u>LVRC Panel - Override Switch: 3/4" Emt (1) 1pr #22 Belden #9461</u>							
	3/4" Emt		LF					
	3/4" Emt Compression Connectors		EA					
	3/4" Emt Compression Couplings		EA					
	3/4" EMT Plastic Bushing		EA					
	<u>LVRC Panel - Override Switch: 3/4" Emt 3#12</u>							
	3/4" Emt		LF					
	3/4" Emt Compression Connectors		EA					
	3/4" Emt Compression Couplings		EA					
	3/4" EMT Plastic Bushing		EA					
	<u>LP Panels - LVRC Panel: 1 1/4" Emt 28#12</u>							
	1 1/4" Emt		LF					
	1 1/4" Emt Compression Connectors		EA					
	1 1/4" Emt Compression Couplings		EA					
	1 1/4" Emt Plastic Bushing		EA					
	1 1/4" Emt Elbows		EA					
	<u>Mechanical Equipment Control Panels</u>							
	3/4" Rgs		LF					
	3/4" Rgs Couplings		EA					
	3/4" Rgs Locknuts		EA					
	3/4" Plastic Bushings		EA					
	Subtotal							
260553	Identification for Electrical Systems (Included w/ 260519, 260533, 260943)							

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Project: PlaNYC Energy Audit Retrofit at Brooklyn Public Library
 Location: 2 Eastern Parkway, Brooklyn NY 11238
 Bidder:

FMS ID: E12-0023
 Client Agency: BPL

CSI DIV. #	DESCRIPTION OF WORK	UNIT		MATERIAL		LABOR		TOTAL Material + Labor
		QNTY	UNIT Type	UNIT COST	TOTAL	UNIT COST	TOTAL	
260923	Lighting Control devices							
	Wall mtd Vacancy Sensor Switches to replace exising Switches		EA					
	Wall mtd Vacancy Occupancy Switches to replace exising Switches		EA					
	Ceiling mtd Occupancy Vacancy Sensor Switches		EA					
	Ceiling mtd Wireless Occupancy Vacancy Sensor Switches		EA					
	Wall mtd Dimming Control Switch		EA					
	Removal of existing switches		EA					
	Override Control Switch lutron ntomx-KS		EA					
	Subtotal							
260943	Network Lighting Controls							
	LVRC Panels Lutron XPS		EA					
	Lighting Bacnet Integration Panel (QP3)		EA					
	Subtotal							
262726	Wiring Devices (Included w/ 260923)							
262819	Enclosed Switches (Included w/ 260503)							
265100	Interior Lighting							
	Clean and Relamp Existing Light fixtures		EA					
	Re-Socket Existing Light fixtures		EA					
	Remove Ballasts in Existing Light fixtures		LS					
	New Emergency Ballasts		EA					
	New Instant Start Ballasts		EA					
	New type A		EA					
	New Type B		EA					
	Subtotal							
	TOTAL CONTRACT 1 - HVAC WORK							

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PLA PROJECT

**ATTACHMENT 1 - BID INFORMATION
PROJECT ID: E12-0023**

DESCRIPTION AND LOCATION OF WORK:

**PlaNYC ENERGY AUDIT RETROFIT AT BROOKLYN PUBLIC LIBRARY
2 Eastern Parkway
Brooklyn 11238
City of New York**

DOCUMENTS AVAILABLE AT:

Department of Design and Construction, Contract Section
30-30 Thomson Avenue - First Floor, Long Island City, NY 11101

SUBMISSION OF BIDS BEFORE BID OPENING:

TIME TO SUBMIT:

On or Before: **TUESDAY, MARCH 10, 2015**

BIDS MUST BE CLOCKED IN PRIOR TO BID OPENING

PLACE TO SUBMIT:

Department of Design and Construction, Contract Section (located behind Security Desk)
30-30 Thomson Avenue - First Floor, Long Island City, NY 11101

BID OPENING:

PLACE OF BID OPENING:	Department of Design and Construction Contract Section 30-30 Thomson Avenue – First Floor Long Island City, NY 11101
DATE AND HOUR:	TUESDAY, MARCH 10, 2015 @ 2:00 PM
	LATE BIDS WILL NOT BE ACCEPTED

PRE-BID CONFERENCE:

PLACE	BROOKLYN PUBLIC LIBRARY 2 Eastern Parkway Brooklyn, NY 11238
DATE AND HOUR	WEDNESDAY, FEBRUARY 18, 2015 AT 10:00AM
MANDATORY OR OPTIONAL	OPTIONAL

BID SECURITY:

Bid Security is required in the amount set forth below; provided, however, bid security is not required if the TOTAL BID PRICE set forth on the Bid Form is less than \$1,000,000.

- (1) Bond in an amount not less than 10% of the TOTAL BID PRICE set forth on the Bid Form, OR
- (2) Certified Check in an amount not less than 2% of the TOTAL BID PRICE set forth on the Bid Form

PERFORMANCE AND PAYMENT SECURITY:

Required for Contracts in the amount of \$1,000,000.00 or more. Performance and Payment Security shall each be in an amount equal to 100% of the Contract Price

AGENCY CONTACT PERSON:

Lorraine Holley, 30-30 Thomson Avenue - First Floor, Long Island City, Queens, NY 11101
Telephone (718) 391-2200 or (718) 391-1016 Fax: (718) 391-2615

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**BID BOOKLET
PART B**

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SAFETY QUESTIONNAIRE

The bidder must include, with its bid, all information requested on this Safety Questionnaire. Failure to provide a completed and signed Safety Questionnaire at the time of bid opening may result in disqualification of the bid as non-responsive.

1. Bidder Information:

Company Name: _____

DDC Project Number: _____

Company Size: _____ Ten (10) employees or less
_____ Greater than ten (10) employees

Company has previously worked for DDC _____ YES _____ NO

2. Type(s) of Construction Work

TYPE OF WORK	LAST 3 YEARS	THIS PROJECT
General Building Construction	_____	_____
Residential Building Construction	_____	_____
Nonresidential Building Construction	_____	_____
Heavy Construction, except building	_____	_____
Highway and Street Construction	_____	_____
Heavy Construction, except highways	_____	_____
Plumbing, Heating, HVAC	_____	_____
Painting and Paper Hanging	_____	_____
Electrical Work	_____	_____
Masonry, Stonework and Plastering	_____	_____
Carpentry and Floor Work	_____	_____
Roofing, Siding, and Sheet Metal	_____	_____
Concrete Work	_____	_____
Specialty Trade Contracting	_____	_____
Asbestos Abatement	_____	_____
Other (specify)	_____	_____

3. Experience Modification Rate:

The Experience Modification Rate (EMR) is a rating generated by the National Council of Compensation Insurance (NCCI). This rating is used to determine the contractor's premium for worker's compensation insurance. The contractor may obtain its EMR by contacting its insurance broker or the NCCI. If the contractor cannot obtain its EMR, it must submit a written explanation as to why.

The Contractor must indicate its Intrastate and Interstate EMR for the past three years. [Note: For contractors with less than three years of experience, the EMR will be considered to be 1.00].

YEAR	<u>INTRASTATE RATE</u>	<u>INTERSTATE RATE</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

If the Intrastate and/or Interstate EMR for any of the past three years is greater than 1.00, the contractor must attach, to this questionnaire, a written explanation for the rating and identify what corrective action was taken to correct the situation resulting in that rating.

4. OSHA Information:

____ YES ____ NO Contractor has received a willful violation issued by OSHA or New York City Department of Buildings (NYCDOB) within the last three years.

____ YES ____ NO Contractor has had an incident requiring OSHA notification within 8 hours (i.e., fatality, or hospitalization of three or more employees).

The Occupational Safety and Health Act (OSHA) of 1970 requires employers with ten or more employees, on a yearly basis to complete and maintain on file the form entitled "Log of Work-related Injuries and Illnesses". This form is commonly referred to as the OSHA 300 Log (OSHA 200 Log for 2001 and earlier).

The OSHA 300 Log must be submitted for the last three years for contractors with more than ten employees.

The Contractor must indicate the total number of hours worked by its employees, as reflected in payroll records for the past three years.

The contractor must submit the Incident Rate for Lost Time Injuries (the Incident Rate) for the past three years. The Incident Rate is calculated in accordance with the formula set forth below. For each given year, the total number of incidents is the total number of non-fatal injuries and illnesses reported on the OSHA 300 Log. The 200,000 hours represents the equivalent of 100 employees working forty hours a week, fifty weeks per year.

$$\text{Incident Rate} = \frac{\text{Total Number of Incidents} \times 200,000}{\text{Total Number of Hours Worked by Employees}}$$

YEAR	TOTAL NUMBERS OF HOURS WORKED BY EMPLOYEES	INCIDENT RATE
_____	_____	_____
_____	_____	_____
_____	_____	_____

If the contractor's Incident Rate for any of the past three years is one point higher than the Incident Rate for the type of construction it performs (listed below), the contractor must attach, to this questionnaire, a written explanation for the relatively high rate.

General Building Construction	8.5
Residential Building Construction	7.0
Nonresidential Building Construction	10.2
Heavy Construction, except building	8.7
Highway and Street Construction	9.7
Heavy Construction, except highways	8.3
Plumbing, Heating, HVAC	11.3
Painting and Paper Hanging	6.9
Electrical Work	9.5
Masonry, Stonework and Plastering	10.5
Carpentry and Floor Work	12.2
Roofing, Siding, and Sheet Metal	10.3
Concrete Work	8.6
Specialty Trade Contracting	8.6

5. Safety Performance on Previous DDC Project(s)

YES NO Contractor previously audited by the DDC Office of Site Safety.
 DDC Project Number(s): _____, _____, _____

YES NO Accident on previous DDC Project(s).
 DDC Project Number(s): _____, _____, _____

YES NO Fatality or Life-altering Injury on DDC Project(s) within the last three years.
 [Examples of a life-altering injury include loss of limb, loss of a sense (e.g., sight, hearing), or loss of neurological function].
 DDC Project Number(s): _____, _____, _____

Date: _____

By: _____
 (Signature of Owner, Partner, Corporate Officer)

Title: _____

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Pre-Award Process

The bidder is advised that as part of the pre-award review of its bid, it may be required to submit the information described in Sections (A) through (D) below. If required, the bidder must submit such information within five (5) business days following receipt of notification from DDC that it is among the low bidders. Such notification from DDC will be by facsimile or in writing and will specify the types of information which must be submitted.

In the event the bidder fails to submit the required information within the specified time frame, its bid may be rejected as nonresponsive.

(A) **Project Reference Form:** If required, the bidder must complete and submit the Project Reference Form set forth on pages 28 through 30 of this Bid Booklet. The Project Reference Form consists of 3 parts: (1) Similar Contracts Completed by the Bidder, (2) Contracts Currently Under Construction by the Bidder, and (3) Pending Contracts Not Yet Started by the Bidder.

(B) **Copy of License:** If required, the bidder must submit a copy of the license under which the bidder will be performing the work. Such license must clearly show the following: (1) Name of the Licensee, (2) License Number, and (3) Expiration date of the License. A copy of the license will be required from bidders for the following contracts: Plumbing Work, Electrical Work and Asbestos Abatement.

(C) **Financial Information:** If required, the bidder must submit the financial information described below:

- (1) **Audited Financial Statements:** Financial statements (Balance Sheet and Income Statement) of the entity submitting the bid, as audited by an independent auditor licensed to practice as a certified public accountant (CPA). Audited financial statements for the three most recent fiscal years must be submitted. Each such financial statement must include the auditor's standard report.

If the bidder does not have audited financial statements, it must submit an affidavit attesting to the fact that the bidder does not have such statements. In addition, the bidder must submit the following documentation covering the three most recent fiscal years: signed federal tax returns, unaudited financial statements, and a "certified review letter" from a certified public accountant (CPA) verifying the unaudited financial statements.

Unless the most recent audited or unaudited financial statement was issued within ninety (90) days, the bidder must submit interim financial information that includes data on financial position and results of operation (income data) for the current fiscal year. Such information may be summarized on a monthly or quarterly basis or at other intervals.

- (2) Schedule of Aged Accounts Receivable, including portion due within ninety (90) days.

(D) **Project Specific Information:** If required, the bidder must submit the project specific information described below:

- (1) Statement indicating the number of years of experience the bidder has had and in what type of construction.
- (2) Resumes of all key personnel to be involved in the project, including the proposed project superintendent.
- (3) List of significant pieces of equipment expected to be used for the contract, and whether such equipment is owned or leased.

- (4) Description of work expected to be subcontracted, and to what firms, if known.
- (5) List of key material suppliers.
- (6) Preliminary bar chart time schedule
- (7) Contractor's expected means of financing the project. This should be based on the assumption that the contractor is required to finance 2X average monthly billings throughout the contract period.
- (8) Any other issues the contractor sees as impacting his ability to complete the project according to the contract.

In addition to the information described in Sections (A) through (D) above, the bidder shall submit such additional information as the Commissioner may require, including without limitation, an explanation or justification for specific unit price items.

The bidder is further advised that it may be required to attend a pre-award meeting with DDC representatives. If such a meeting is convened, the bidder will be advised as to any additional material to be provided.

A. PROJECT REFERENCES – SIMILAR CONTRACTS COMPLETED BY THE BIDDER

List all contracts substantially completed within the last 4 years similar to the contract being awarded, up to a maximum of 10, in descending order of date of substantial completion.

Project & Location	Contract Type	Contract Amount (\$000)	Date Completed	Owner Reference & Tel. No.	Architect/Engineer Reference & Tel. No. if different from owner

B. PROJECT REFERENCES – CONTRACTS CURRENTLY UNDER CONSTRUCTION BY THE BIDDER

List all contracts currently under construction even if they are not similar to the contract being awarded.

Project & Location	Contract Type	Contract Amount (\$000)	Subcontracted to Others (\$000)	Uncompleted Portion (\$000)	Date Scheduled to Complete	Owner Reference & Tel. No.	Architect/Engineer Reference & Tel. No. if different from owner

C. PROJECT REFERENCES – PENDING CONTRACTS NOT YET STARTED BY THE BIDDER

List all contracts awarded to or won by the bidder but not yet started.

Project & Location	Contract Type	Contract Amount (\$000)	Date Scheduled to Start	Owner Reference & Tel. No.	Architect/Engineer Reference & Tel. No. if different from owner

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**OFFICE OF THE MAYOR
BUREAU OF LABOR SERVICES
CONTRACT CERTIFICATE**

To be completed if the contract is less than \$1,000,000

Contractor: _____

Address: _____

Telephone Number: _____

Name and Title of Signatory: _____

Contracting Agency or Owner: _____

Project Number: _____

Proposed Contract Amount: _____

Description and Address of Proposed Contract: _____

Names of Subcontractors in the amount of 750,000 or more on this contract (if not known at this time, so state indicating that trades will be subcontracted):

I, (fill in name of person signing) _____,
hereby affirm that I am authorized by the above-named contractor to certify that said contractor's proposed contract with the above-named owner or city agency is less than \$1,000,000. This affirmation is made in accordance with Executive Order No. 50 (1980) as amended and its implementing regulations.

Date

Signature

WILLFUL OR FRAUDULENT FALSIFICATION OF ANY DATA OR INFORMATION SUBMITTED HEREWITH MAY RESULT IN THE TERMINATION OF ANY CONTRACT BETWEEN THE CITY AND THE BIDDER OR CONTRACTOR AND BAR THE BIDDER OR CONTRACTOR FROM PARTICIPATION IN ANY CITY CONTRACT FOR A PERIOD OF UP TO THREE YEARS. FURTHER, SUCH FALSIFICATION MAY RESULT IN CRIMINAL PROSECUTION.

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VENDEX COMPLIANCE

(A) **Vendex Fees:** Pursuant to Procurement Policy Board Rule 2-08(f)(2), the contractor will be charged a fee for the administration of the VENDEX system, including the Vendor Name Check process, if a Vendor Name Check review is required to be conducted by the Department of Investigation. The contractor shall also be required to pay the applicable required fees for any of its subcontractors for which Vendor Name Check reviews are required. The fee(s) will be deducted from payments made to the contractor under the contract. For contracts with an estimated value of less than or equal to \$1,000,000, the fee will be \$175 per Vendor Name Check review. For contracts with an estimated value of greater than \$1,000,000, the fee will be \$350 per Vendor Name Check review.

(B) **Confirmation of Vendex Compliance:** The Bidder shall submit this Confirmation of Vendex Compliance to the Department of Design and Construction, Contracts Section, 30-30 Thomson Avenue – First Floor, Long Island City, NY 11101.

Bid Information: The Bidder shall complete the bid information set forth below.

Name of Bidder: _____
Bidder's Address: _____
Bidder's Telephone Number: _____
Bidder's Fax Number: _____
Date of Bid Opening: _____
Project ID: _____

Vendex Compliance: To demonstrate compliance with Vendex requirements, the Bidder shall complete either Section (1) or Section (2) below, whichever applies.

(1) **Submission of Vendex Questionnaires to MOCS:** By signing in the space provided below, the Bidder certifies that as of the date specified below, the Bidder has submitted Vendex Questionnaires to the Mayor's Office of Contract Services, Attn: VENDEX, 253 Broadway, 9th Floor, New York, New York 10007.

Date of Submission: _____

By: _____
(Signature of Partner or corporate officer)

Print Name: _____

(2) **Submission of Certification of No Change to DDC:** By signing in the space provided below, the Bidder certifies that it has read the instructions in a "Vendor's Guide to Vendex" and that such instructions do not require the Bidder to submit Vendex Questionnaires. The Bidder has completed **TWO ORIGINALS** of the Certification of No Change set forth on the next page of this Bid Booklet.

By: _____
(Signature of Partner or corporate officer)

Print Name: _____

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DIRECTIONS: Please execute two originals (both with original signature).
Please forward directly to the agency (not M.O.C.S.).



Certificate of No Change Form

- Please submit two completed forms. Copies will not be accepted.
- Please send both copies to the agency that requested it, unless you are advised to send it directly to the Mayor's Office of Contract Services (MOCS).
- A materially false statement willfully or fraudulently made in connection with this certification, and/or the failure to conduct appropriate due diligence in verifying the information that is the subject of this certification, may result in rendering the submitting entity non-responsible for the purpose of contract award.
- A materially false statement willfully or fraudulently made in connection with this certification may subject the person making the false statement to criminal charges

I, _____, being duly sworn, state that I have read
Enter Your Name

and understand all the items contained in the vendor questionnaire and any submission of change as identified on page one of this form and certify that as of this date, these items have not changed. I further certify that, to the best of my knowledge, information and belief, those answers are full, complete, and accurate; and that, to the best of my knowledge, information, and belief, those answers continue to be full, complete, and accurate.

In addition, I further certify on behalf of the submitting vendor that the information contained in the principal questionnaire(s) and any submission of change identified on page two of this form have not changed and have been verified and continue, to the best of my knowledge, to be full, complete and accurate.

I understand that the City of New York will rely on the information supplied in this certification as additional inducement to enter into a contract with the submitting entity.

Vendor Questionnaire *This section is required.*

This refers to the vendor questionnaire(s) submitted for the vendor doing business with the City.

Name of Submitting Entity: _____

Vendor's Address: _____

Vendor's EIN or TIN: _____ Requesting Agency: _____

Are you submitting this Certification as a parent? (Please circle one) Yes No

Signature date on the last full vendor questionnaire signed for the submitting vendor: _____

Signature date on change submission for the submitting vendor: _____

Principal Questionnaire

This section refers to the most recent principal questionnaire submissions.



Principal Name	Date of signature on last full Principal Questionnaire	Date(s) of signature on submission of change
1		
2		
3		
4		
5		
6		

Check if additional changes were submitted and attach a document with the date of additional submissions.

Certification *This section is required.*

This form must be signed and notarized. Please complete this twice. Copies will not be accepted.

Certified By:

Name (Print)

Title

Name of Submitting Entity

Signature

Date

Notarized By:

Notary Public

County License Issued

License Number

Sworn to before me on: _____
Date

DIRECTIONS: Please execute two originals (both with original signature).
Please forward directly to the agency (not M.O.C.S.).



Certificate of No Change Form

- Please submit two completed forms. Copies will not be accepted.
- Please send both copies to the agency that requested it, unless you are advised to send it directly to the Mayor's Office of Contract Services (MOCS).
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- A materially false statement willfully or fraudulently made in connection with this certification may subject the person making the false statement to criminal charges

I, _____, being duly sworn, state that I have read
Enter Your Name

and understand all the items contained in the vendor questionnaire and any submission of change as identified on page one of this form and certify that as of this date, these items have not changed. I further certify that, to the best of my knowledge, information and belief, those answers are full, complete, and accurate; and that, to the best of my knowledge, information, and belief, those answers continue to be full, complete, and accurate.

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Vendor Questionnaire *This section is required.*

This refers to the vendor questionnaire(s) submitted for the vendor doing business with the City.

Name of Submitting Entity: _____

Vendor's Address: _____

Vendor's EIN or TIN: _____ Requesting Agency: _____

Are you submitting this Certification as a parent? (Please circle one) Yes No

Signature date on the last full vendor questionnaire signed for the submitting vendor: _____

Signature date on change submission for the submitting vendor: _____

Principal Questionnaire

This section refers to the most recent principal questionnaire submissions.



Principal Name	Date of signature on last full Principal Questionnaire	Date(s) of signature on submission of change
1		
2		
3		
4		
5		
6		

Check if additional changes were submitted and attach a document with the date of additional submissions.

Certification *This section is required.*

This form must be signed and notarized. Please complete this twice. Copies will not be accepted.

Certified By:

Name (Print)

Title

Name of Submitting Entity

Signature

Date

Notarized By:

Notary Public

County License Issued

License Number

Sworn to before me on: _____
Date

**IRAN DIVESTMENT ACT COMPLIANCE RIDER
FOR NEW YORK CITY CONTRACTORS**

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 City, 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 State Finance Law 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 State Finance Law. In any case where the bidder or proposer cannot certify that they are 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 City of New York may award a bid to a bidder who cannot make the certification 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 City makes a determination that the goods or services are necessary for the City to perform its functions and that, absent such an exemption, the City 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.

**BIDDER'S CERTIFICATION OF COMPLIANCE WITH
IRAN DIVESTMENT ACT**

Pursuant to General Municipal Law §103-g, which generally prohibits the City from entering into contracts with persons engaged in investment activities in the energy sector of Iran, the bidder/proposer submits the following certification:

[Please Check One]

BIDDER'S CERTIFICATION

- By submission of this bid or proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer 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 its knowledge and belief, that each bidder/proposer is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law.
- I am unable to certify that my name and the name of the bidder/proposer does not appear on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law. I have attached a signed statement setting forth in detail why I cannot so certify.

Dated: _____, New York
_____, 20__

SIGNATURE

PRINTED NAME

TITLE

Sworn to before me this
_____ day of _____, 20__

Notary Public

Dated:

CITY OF NEW YORK

DIVISION OF LABOR SERVICES

CONSTRUCTION EMPLOYMENT REPORT

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The City of New York Department of Small Business Services
Division of Labor Services Contract Compliance Unit
110 William Street, New York, New York 10038
Phone: (212) 513 - 6323
Fax: (212) 618-8879

CONSTRUCTION EMPLOYMENT REPORT

GENERAL INFORMATION

1. Your contractual relationship in this contract is: Prime contractor ___ Subcontractor ___
- 1a. Are M/WBE goals attached to this project? Yes ___ No ___
2. Please check one of the following if your firm would like information on how to certify with the City of New York as a:

___ Minority Owned Business Enterprise ___ Locally Based Business Enterprise
___ Women Owned Business Enterprise ___ Emerging Business Enterprise
___ Disadvantaged Business Enterprise
- 2a. If you are certified as an **MBE, WBE, LBE, EBE** or **DBE**, what city/state agency are you certified with? _____ Are you DBE certified? Yes ___ No ___
3. Please indicate if you would like assistance from SBS in identifying certified M/WBEs for contracting opportunities: Yes ___ No ___
4. Is this project subject to a project labor agreement? Yes ___ No ___
5. Are you a Union contractor? Yes ___ No ___ If yes, please list which local(s) you affiliated with _____
6. Are you a Veteran owned company? Yes ___ No ___

PART I: CONTRACTOR/SUBCONTRACTOR INFORMATION

7. _____
Employer Identification Number or Federal Tax I.D. Email Address
8. _____
Company Name
9. _____
Company Address and Zip Code
10. _____
Chief Operating Officer Telephone Number
11. _____
Designated Equal Opportunity Compliance Officer Telephone Number
(If same as Item #10, write "same")
12. _____
Name of Prime Contractor and Contact Person
(If same as Item #8, write "same")

13. Number of employees in your company: _____

14. Contract information:

(a) _____ (b) _____
Contracting Agency (City Agency) Contract Amount

(c) _____ (d) _____
Procurement Identification Number (PIN) Contract Registration Number (CT#)

(e) _____ (f) _____
Projected Commencement Date Projected Completion Date

(g) Description and location of proposed contract:

15. Has your firm been reviewed by the Division of Labor Services (DLS) within the past 36 months and issued a Certificate of Approval? Yes ___ No ___

If yes, attach a copy of certificate.

16. Has DLS within the past month reviewed an Employment Report submission for your company and issued a Conditional Certificate of Approval? Yes ___ No ___

If yes, attach a copy of certificate.

NOTE: DLS WILL NOT ISSUE A CONTINUED CERTIFICATE OF APPROVAL IN CONNECTION WITH THIS CONTRACT UNLESS THE REQUIRED CORRECTIVE ACTIONS IN PRIOR CONDITIONAL CERTIFICATES OF APPROVAL HAVE BEEN TAKEN.

17. Has an Employment Report already been submitted for a different contract (not covered by this Employment Report) for which you have not yet received compliance certificate? Yes ___ No ___ If yes,

Date submitted: _____

Agency to which submitted: _____

Name of Agency Person: _____

Contract No: _____

Telephone: _____

18. Has your company in the past 36 months been audited by the United States Department of Labor, Office of Federal Contract Compliance Programs (OFCCP)? Yes ___ No ___

If yes,

(a) Name and address of OFCCP office.

(b) Was a Certificate of Equal Employment Compliance issued within the past 36 months?
Yes___ No___

If yes, attach a copy of such certificate.

(c) Were any corrective actions required or agreed to? Yes___ No___

If yes, attach a copy of such requirements or agreements.

(d) Were any deficiencies found? Yes___ No___

If yes, attach a copy of such findings.

19. Is your company or its affiliates a member or members of an employers' trade association which is responsible for negotiating collective bargaining agreements (CBA) which affect construction site hiring? Yes___ No___

If yes, attach a list of such associations and all applicable CBA's.

PART II: DOCUMENTS REQUIRED

20. For the following policies or practices, attach the relevant documents (e.g., printed booklets, brochures, manuals, memoranda, etc.). If the policy(ies) are unwritten, attach a full explanation of the practices. See instructions.

- ___ (a) Health benefit coverage/description(s) for all management, nonunion and union employees (whether company or union administered)
- ___ (b) Disability, life, other insurance coverage/description
- ___ (c) Employee Policy/Handbook
- ___ (d) Personnel Policy/Manual
- ___ (e) Supervisor's Policy/Manual
- ___ (f) Pension plan or 401k coverage/description for all management, nonunion and union employees, whether company or union administered
- ___ (g) Collective bargaining agreement(s).
- ___ (h) Employment Application(s)
- ___ (i) Employee evaluation policy/form(s).
- ___ (j) Does your firm have medical and/or non-medical (i.e. education, military, personal, pregnancy, child care) leave policy?

21. To comply with the Immigration Reform and Control Act of 1986 when and of whom does your firm require the completion of an I-9 Form?

- (a) Prior to job offer Yes ___ No ___
- (b) After a conditional job offer Yes ___ No ___
- (c) After a job offer Yes ___ No ___
- (d) Within the first three days on the job Yes ___ No ___
- (e) To some applicants Yes ___ No ___
- (f) To all applicants Yes ___ No ___
- (g) To some employees Yes ___ No ___
- (h) To all employees Yes ___ No ___

22. Explain where and how completed I-9 Forms, with their supportive documentation, are maintained and made accessible.

23. Does your firm or any of its collective bargaining agreements require job applicants to take a medical examination? Yes ___ No ___

If yes, is the medical examination given:

- (a) Prior to a job offer Yes ___ No ___
- (b) After a conditional job offer Yes ___ No ___
- (c) After a job offer Yes ___ No ___
- (d) To all applicants Yes ___ No ___
- (e) Only to some applicants Yes ___ No ___

If yes, list for which applicants below and attach copies of all medical examination or questionnaire forms and instructions utilized for these examinations.

24. Do you have a written equal employment opportunity (EEO) policy? Yes ___ No ___

If yes, list the document(s) and page number(s) where these written policies are located.

25. Does the company have a current affirmative action plan(s) (AAP)

- ___ Minorities and Women
- ___ Individuals with handicaps
- ___ Other. Please specify _____

26. Does your firm or collective bargaining agreement(s) have an internal grievance procedure with respect to EEO complaints? Yes ___ No ___

If yes, please attach a copy of this policy.

If no, attach a report detailing your firm's unwritten procedure for handling EEO complaints.

27. Are there any jobs for which there are physical qualifications? Yes ___ No ___

If yes, list the job(s), submit a job description and state the reason(s) for the qualification(s).

28. Are there any jobs for which there are age, race, color, national origin, sex, creed, disability, marital status, sexual orientation, or citizenship qualifications? Yes ___ No ___

If yes, list the job(s), submit a job description and state the reason(s) for the qualification(s).

SIGNATURE PAGE

I, (print name of authorized official signing) _____ hereby certify that the information submitted herewith is true and complete to the best of my knowledge and belief and submitted with the understanding that compliance with New York City's equal employment requirements, as contained in Chapter 56 of the City Charter, Executive Order No. 50 (1980), as amended, and the implementing Rules and Regulations, is a contractual obligation.

I also agree on behalf of the company to submit a certified copy of payroll records to the Division of Labor Services on a monthly basis.

Contractor's Name

Name of person who prepared this Employment Report

Title

Name of official authorized to sign on behalf of the contractor

Title

Telephone Number

Signature of authorized official

Date

If contractors are found to be underutilizing minorities and females in any given trade based on Chapter 56 Section 3H, the Division of Labor Services reserves the right to request the contractor's workforce data and to implement an employment program.

Contractors who fail to comply with the above mentioned requirements or are found to be in noncompliance may be subject to the withholding of final payment.

Willful or fraudulent falsifications of any data or information submitted herewith may result in the termination of the contract between the City and the bidder or contractor and in disapproval of future contracts for a period of up to five years. Further, such falsification may result in civil and/or criminal prosecution.

To the extent permitted by law and consistent with the proper discharge of DLS' responsibilities under Charter Chapter 56 of the City Charter and Executive Order No. 50 (1980) and the implementing Rules and Regulations, all information provided by a contractor to DLS shall be confidential.

Only original signatures accepted.

Sworn to before me this _____ day of _____ 20 _____

Notary Public

Authorized Signature

Date

FORM A. CONTRACT BID INFORMATION: USE OF SUBCONTRACTORS/TRADES

1. Do you plan to subcontractor work on this contract? Yes___ No___
2. If yes, complete the chart below.

NOTE: All proposed subcontractors with a subcontract in excess of \$750,000 must complete an Employment Report for review and approval before the contract may be awarded and work commences.

SUBCONTRACTOR'S NAME*	OWNERSHIP (ENTER APPROPRIATE CODE LETTERS BELOW)	WORK TO BE PERFORMED BY SUBCONTRACTOR	TRADE PROJECTED FOR USE BY SUBCONTRACTOR	PROJECTED DOLLAR VALUE OF SUBCONTRACT

*If subcontractor is presently unknown, please enter the trade (craft name).

OWNERSHIP CODES

- W: White
- B: Black
- H: Hispanic
- A: Asian
- N: Native American
- F: Female

FORM B: PROJECTED WORKFORCE

TRADE CLASSIFICATION CODES

- (J) Journeylevel Workers
- (H) Helper
- (TOT) Total by Column
- (A) Apprentice
- (TRN) Trainee

For each trade to be engaged by your company for this project, enter the projected workforce for Males and Females by trade classification on the charts below.

Trade: _____

Union Affiliation, if applicable _____

Total (Col. #1-10): _____

Total Minority, Male & Female (Col. #2,3,4,5,7,8,9, & 10): _____

Total Female (Col. #6 -- 10): _____

		MALES					FEMALES				
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		White Non Hisp.	Black Non Hisp.	Hisp.	Asian	Native Amer.	White Non Hisp.	Black Non Hisp.	Hisp.	Asian	Native Amer.
J											
H											
A											
TRN											
TOT											

What are the recruitment sources for you projected hires (i.e., unions, government employment office, job tap center, community outreach)?

FORM B: PROJECTED WORKFORCE

Trade: _____

Union Affiliation, if applicable _____

Total (Col. #1-10): _____

Total Minority, Male & Female (Col. #2,3,4,5,7,8,9, & 10): _____

Total Female (Col. #6 - 10): _____

MALES

FEMALES

	(1) White Non Hisp.	(2) Black Non Hisp.	(3) Hisp.	(4) Asian	(5) Native Amer.	(6) White Non Hisp.	(7) Black Non Hisp.	(8) Hisp.	(9) Asian	(10) Native Amer.
J										
H										
A										
TRN										
TOT										

What are the recruitment sources for you projected hires (i.e., unions, government employment office, job tap center, community outreach)?

FORM C: CURRENT WORKFORCE

TRADE CLASSIFICATION CODES

- (J) Journeylevel Workers (A) Apprentice
- (H) Helper (TRN) Trainee
- (TOT) Total by Column

For each trade currently engaged by your company for all work performed in New York City, enter the current workforce for Males and Females by trade classification on the charts below.

Trade: _____

Union Affiliation, if applicable _____

Total (Col. #1-10): _____

Total Minority, Male & Female (Col. #2,3,4,5,7,8,9, & 10): _____

Total Female (Col. #6 -- 10): _____

		MALES					FEMALES				
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		White Non Hisp.	Black Non Hisp.	Hisp.	Asian	Native Amer.	White Non Hisp.	Black Non Hisp.	Hisp.	Asian	Native Amer.
J											
H											
A											
TRN											
TOT											

What are the recruitment sources for you projected hires (i.e., unions, government employment office, job tap center, community outreach)?

FORM C: CURRENT WORKFORCE

Trade: _____

Union Affiliation, if applicable _____

Total (Col. #1-10): _____

Total Minority, Male & Female
(Col. #2,3,4,5,7,8,9, & 10): _____

Total Female
(Col. #6 - 10): _____

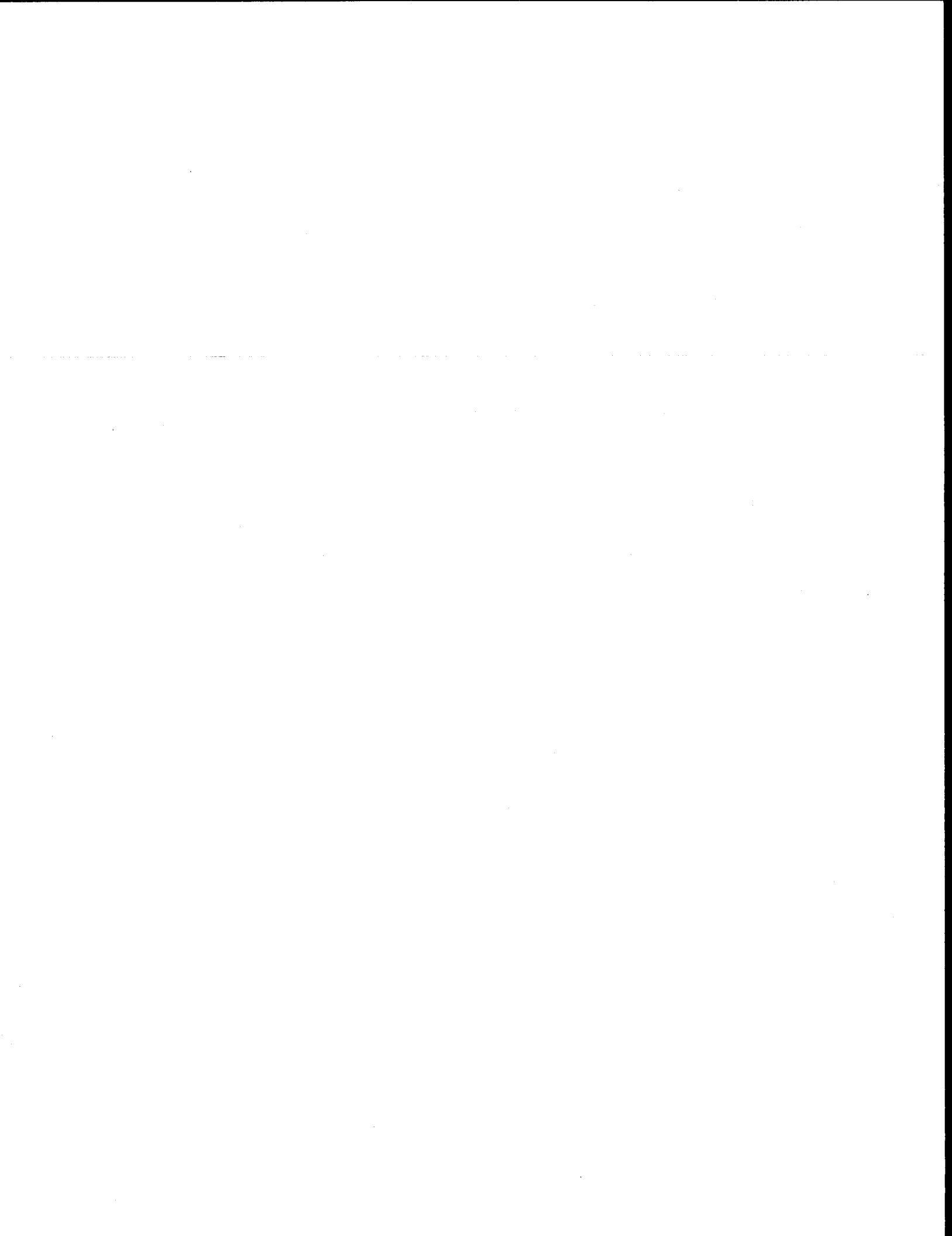
MALES

FEMALES

	(1) White Non Hisp.	(2) Black Non Hisp.	(3) Hisp.	(4) Asian	(5) Native Amer.	(6) White Non Hisp.	(7) Black Non Hisp.	(8) Hisp.	(9) Asian	(10) Native Amer.
J										
H										
A										
TRN										
TOT										

What are the recruitment sources for you projected hires (i.e., unions, government employment office, job tap center, community outreach)?

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FMS ID: E12-0023



**THE CITY OF NEW YORK
DEPARTMENT OF DESIGN AND CONSTRUCTION
DIVISION OF PUBLIC BUILDINGS**

30-30 THOMSON AVENUE LONG ISLAND CITY, NEW YORK 11101-3045
TELEPHONE (718) 391-1000 WEBSITE www.nyc.gov/buildnyc

Contract for Furnishing all Labor and Material Necessary and Required for:

CONTRACT NO. 1 HVAC WORK

PlaNYC Energy Audit Retrofit at Brooklyn Public Library

**LOCATION: 2 Eastern Parkway
BOROUGH: Brooklyn 11238
CITY OF NEW YORK**

C. D. E. Air conditioning Co., Inc.
Contractor

Dated _____, 20____

Entered in the Comptroller's Office

First Assistant Bookkeeper

Dated _____, 20____

