



## **CONTRACT DOCUMENTS**

# **LOCAL PEDESTRIAN SAFETY ACTION PLAN**

**PIN 70PS.03  
LD036016**

**CITY OF PLATTSBURGH  
DEPARTMENT OF PUBLIC WORKS  
CLINTON COUNTY**

**CHRISTOPHER ROSENQUEST  
MAYOR**

**JANUARY 2023**

**CONTRACT DOCUMENTS**

**FOR THE**

**LOCAL PEDESTRIAN SAFETY**

**ACTION PLAN**

**CITY OF PLATTSBURGH**  
**CLINTON COUNTY**

**PIN 70PS.03**  
**LD036016**

***January 2023***

**Prepared by:**  
**C&S ENGINEERS, INC.**  
21 Arkansas Street  
Plattsburgh, New York 12903

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## **NOTICE TO BIDDERS**

The Common Council of City of Plattsburgh will receive bids for the “**Local Pedestrian Safety Action Plan**” at the City Clerk's office, City Hall, 41 City Hall Place, Plattsburgh, New York 12901, until **2:00 P.M.**, on **Tuesday, February 21<sup>st</sup>, 2023** at which time and place all bids will be publicly opened and read aloud for:

**PROJECT NO.: LD036016**

### **Local Pedestrian Safety Action Plan**

Plans and specifications may be examined on or after **Monday, January 23<sup>rd</sup>, 2023** at the Office of the City Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays, or by visiting the City of Plattsburgh website: <http://www.cityofplattsburgh-ny.gov/> and click on “Bid Opportunities”. Plans and specifications are available from this City of Plattsburgh website only. All contractors who intend to submit a bid package are required to register on the web site.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the CITY OF PLATTSBURGH as assurance that the bid is made in good faith.

Affirmative action goals for this project include a minority utilization of 2.6% and a utilization goal of 6.9% for women. There is no DBE utilization goal for this project.

The right is reserved to reject any or all bids, to waive any informality, and to accept the lowest responsible bid.

BY ORDER OF THE COMMON COUNCIL  
CITY OF PLATTSBURGH  
CLINTON COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY OF  
CITY OF PLATTSBURGH  
DEPARTMENT OF PUBLIC WORKS

CITY CLERK, CITY OF PLATTSBURGH

**DATED: January 23<sup>rd</sup>, 2023**

## **INFORMATION FOR BIDDERS**

### **BIDS FOR PROJECT**

The City of Plattsburgh, at the City Clerk's office, will receive SEALED PROPOSALS for:

### **LOCAL PEDESTRIAN SAFETY ACTION PLAN**

**PROJECT NO.: LD036016**

### **TIME AND PLACE OF BID**

Bids are to be submitted in sealed opaque envelopes, and will be received by the City of Plattsburgh, at the City Clerk's office, City Hall, 41 City Hall Place, Plattsburgh, New York, not later than **2:00 P.M.** prevailing time, on **Tuesday, February 21<sup>st</sup>, 2023** at which time and place they will be publicly opened and read aloud. Use of the mails shall be at the Bidder's own risk, and the Bidder shall be responsible for physical delivery of the bid at the time and place set for opening of bids.

### **BID ENVELOPE**

All proposals and either the certified check or bid bond must be placed in a sealed opaque envelope bearing the Bidder's firm name and address and marked, "PROJECT NO.: LD036016, LOCAL PEDESTRIAN SAFETY ACTION PLAN, CITY OF PLATTSBURGH, CLINTON COUNTY, NEW YORK", but otherwise unmarked. Bid package shall include all pages identified on, and including, the BID PROPOSAL CHECKLIST.

### **PLANS AND SPECIFICATIONS**

Plans and specifications may be examined on or after Monday, January 23<sup>rd</sup>, 2023 at the Office of the City Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays, or by visiting the City of Plattsburgh website: <http://www.cityofplattsburgh-ny.gov/> and click on "Bid Opportunities".

Plans and specifications are available from the aforementioned City of Plattsburgh website only. All contractors who intend to submit a bid package are required to register on the web site.

### **VERBAL ANSWERS**

The City of Plattsburgh, its agents, servants or employees, or the Engineer, will not be responsible in any manner for verbal answers to any inquiries regarding the meaning of the contract drawings or Specifications given prior to the awarding of the contract.

### **EXAMINATION OF SITE**

Bidders must satisfy themselves by personal examination of the location of the proposed work and of the actual conditions and requirements of the work and shall not, at any time after the submission of a

proposal, dispute or complain of such estimate or assert that there was any misunderstanding in regard to the depth or character of excavation to be made or the nature of the work to be done.

## **PROPOSAL**

The Proposal contained herein shall be used in making out bids. Any proposal not in accordance with these instructions or containing bids not asked for may be rejected. While separate prices are required for various items under this contract, it is understood that the contract will be awarded as a whole.

As the estimates of quantities of items stated in the Proposal are approximate only, bidders are required to submit their proposal upon and in the following express conditions, which shall apply and become part of every proposal received.

Bids will be compared by total amounts, said total amount being the sum of the products of the quantities multiplied by the unit price bid for the various items, with due consideration being given to the lump sum prices bid for any contingent or optional items. Unbalanced bids will not be accepted.

Each bidder shall fill out in ink, in both words and figures, in the spaces provided, its unit or lump sum bid, as the case may be, for each item in said Proposal for which it is submitting a bid. If there is any discrepancy between the prices in words and figures, the prices in words shall govern as unit and lump sum prices.

A bid which does not include bids for all items in the Proposal, or contains zero dollar unit price or lump sum bids, may not be considered valid.

If the contract is not awarded by the City within ninety (90) days after the receipt of bids, the obligation of the bidder under this Proposal may terminate at its option and it shall thereupon be entitled to a refund of its certified check or release of its bid bond furnished by it as security with its proposal.

## **SALES TAX EXEMPTION**

The City is exempt from the payment of Sales and Compensation Use Taxes of the State of New York and of cities and counties on all materials and supplies sold to the City pursuant to the provisions of this contract. These taxes are not to be included in bids. This exemption does not, however, apply to tools, machinery, equipment, or other property leased by or to the contractor or a subcontractor, or to materials and supplies of a kind which will not be incorporated into the completed project; and the contractor and his subcontractors shall be responsible for and pay any and all applicable taxes including Sales and Compensation Use Taxes on such leased tools, machinery, equipment, or property or on such unincorporated materials and supplies.

## **DBE/EEO GOALS**

There is no DBE utilization goal for this project. Affirmative action goals include a minority utilization of 2.6% and a utilization goal of 6.9% for women.

## **BID BOND OR CERTIFIED CHECK**

Each proposal from a Contractor shall be accompanied by a bid bond or certified check on a solvent bank of the State of New York, in the amount of five percent (5%) of the total bid. Such check shall be made payable to CITY OF PLATTBURGH, PLATTBURGH, NEW YORK, and the amount thereof shall be the measure of liquidated damages which the City may sustain by failure, neglect or refusal of the bidder to execute and deliver the contract, should the contract be awarded to it. The checks of all unsuccessful bidders will be returned upon the rejection of bids and the awarding of the contract; also, the check of the successful bidder will be returned upon the execution of the contract and the furnishing of the required bond.

## **NAME OF BIDDER**

Each bidder must state, in its proposal, its full name and business address, and the full name of every person, firm or corporation, interested in same, and the address of every person or firm, or president and secretary of every corporation, interested with it.

## **QUALIFICATIONS OF BIDDERS**

- (1) The City reserves the right to waive any informalities in, or reject any and all bids. The City further reserves the right to reject any and all bids which do not conform to the Proposal.
- (2) Upon request, bidders must prove to the satisfaction of the City that they are reputable, reliable and responsible, and that they possess the necessary qualifications (financial, labor, equipment and otherwise) to successfully complete the proposed work. Bidders shall submit evidence of competency and evidence of financial responsibility to the City within forty-eight (48) hours after the time such evidence is requested.
- (3) In determining the qualifications of a bidder, the City will consider its record in the performance of any contracts entered into by it for the work contemplated or of similar nature, may make such investigation as it deems necessary to determine the ability of the bidder to perform the work, and the bidder shall furnish all such information and data for this purpose as the City may request.
- (4) The City shall be the sole judge of the qualifications of the bidders and of the merits thereof and reserves the right to reject any bid if the record of the bidder in the performance of contracts, payment of bills and meeting of obligations to subcontractors, suppliers or employees is not satisfactory to the City, or if the evidence submitted by, or the investigation of, such bidders fails to satisfy the City that it is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein.

## **PERFORMANCE AND PAYMENT BONDS**

The Contractor shall furnish a Performance Bond and Labor and Materials Bond each in an amount equal to one hundred (100%) percent of the total contract price as security for its faithful performance of this contract, for the payment of all persons performing labor or furnishing materials in connection with this contract. Such bonds shall also cover any penalties, interest charges and assessments levied by any governmental unit for failure to comply with laws and/or regulations governing public work. The



contractor shall be required to furnish all guarantees and warranties of manufacturers of products in connection with this contract, but no manufacturer's limitation of time shall act to limit the responsibility of the contractor or its surety hereunder.

The surety must be licensed in the State of New York and have a BEST A rating, or the surety shall present information satisfactory to the CITY to permit the CITY to accept the bond.

At the time of submission of bonds or at any time thereafter, the City may evaluate the surety or sureties proposed, and demand a change of surety if it determines that the financial position of such surety does not provide for a proper protection of the interests of the City. The City shall be guided by its legal counsel, and insurance industry consultants in determining proper sureties for City public works contracts. If the City notifies the contractor in writing that a surety is unacceptable for any reason, then the contractor shall replace the surety and the bond in question within five (5) business days with a surety and bond deemed suitable by the said City. The premiums charged for all such bonds shall be a cost of the contractor and not the City. Upon notice to change surety being forwarded to a contractor, no further payments shall be made until a new bond in proper form naming an acceptable surety is provided.

#### **SIGNATURE OF CONTRACTOR**

The bidder to whom a contract may be awarded shall attend at the office of the City, with the sureties offered by it, within seven (7) days, Saturdays and Sundays excepted, after date of notification of the acceptance of its proposal, and there sign the contract in quadripartite for the work and furnish approved security for its performance.

In case of failure to do so, the bidder shall be considered as having abandoned the same, and the check accompanying its proposal shall be forfeited to the City, or the penalty of the bid bond shall be invoked.

#### **CONTRACTOR'S INSURANCE**

The Contractor shall not commence any work until it has obtained and had approved by the City all of the insurance specified and required by the Contract.

The Contractor shall not permit any subcontractor to commence any operation on the site until satisfactory proof of the required insurance coverage has been submitted to, and approved by, the City.

#### **LABOR RATES**

The Contractor shall pay not less than the minimum hourly wage rates on this contract as established in accordance with Section 220 of the Labor Law, as shown on the Wage Schedule and Prevailing Rate Schedule, either shown on the following pages or the current prevailing rates paid at the time of construction.

#### **COMPLETION OF WORK**

Work is required to be completed to the satisfaction of the City's representative and the Engineer, and in substantial accordance with the Plans and Specifications of this Contract and all change orders

amended to the Contract. See Liquidated Damages and Engineering Charges section included in the Technical Information of this proposal book.

#### **RESPONSIBILITY OF CONTRACTOR**

Attention is hereby particularly directed to the provisions of the contract whereby the Contractor will be responsible for any loss or damage that may happen to the work or any part thereof during its progress; and also whereby the Contractor shall make good any defects or faults that may occur during the progress of the work. Any progress payments made by the City during the completion of this contract by the Contractor shall not be a waiver of the foregoing provision.

COMMON COUNCIL  
CITY OF PLATTBURGH  
CLINTON COUNTY, NEW YORK

**END OF SECTION**

# BIDDING & CONTRACT REQUIREMENTS

## BID PROPOSAL CHECKLIST

(All pages of this color to be completed by  
Bidder PRIOR to Bid Submission)

ADDENDA ACKNOWLEDGEMENT: Requires Bidder's Signature.

☐

BID PRICES: All blanks appropriately filled in ink with both words and figures.

☐

BID SUBMISSION FORMS: All blanks appropriately filled and signed.

☐

DISCLOSURE OF LOBBYING ACTIVITIES: Requires completion and Bidder's signature.

☐

NON-COLLUSIVE BIDDING CERTIFICATION: Requires Bidder's signature.

☐

WAIVER OF IMMUNITY: Requires Bidder's Signature.

☐

CERTIFICATION OF BIDDER REGARDING EEO: Requires Bidder's signature.

☐

RESOLUTION ACCOMPANYING BID: Requires Bidder's signature.

☐

STATEMENT OF SURETY'S INTENT: Requires completion and signature by Surety's Representative.

☐

BID SECURITY: Attach Bid Security to page labeled "BID SECURITY"  
(ATTACH HERE - CERTIFIED CHECK, CASH OR BID BOND).

☐

BIDDERS ADDRESS: Requires Bidder's signature.

☐

CONFLICT OF INTEREST: Requires Bidder's signature.

☐

BIDDER REFERENCES: Requires completion.

☐

DBE GOAL SHEET: Requires completion.

☐

IRAN DIVESTMENT ACT CERTIFICATION: Requires Bidder's Signature.

☐

NOTE: To Bid the Contract, the Bidder must fill in all pages this color.

## **ADDENDA ACKNOWLEDGEMENT**

Bidder acknowledges receipt and inclusion of the following addenda (if none, state "NONE"):

Addendum No. \_\_\_\_\_ Dated: \_\_\_\_\_

Addendum No. \_\_\_\_\_ Dated: \_\_\_\_\_

Addendum No. \_\_\_\_\_ Dated: \_\_\_\_\_

Addendum No. \_\_\_\_\_ Dated: \_\_\_\_\_

Addendum No. \_\_\_\_\_ Dated: \_\_\_\_\_

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Signature of Bidder)

BID PROPOSAL FORM  
LOCAL PEDESTRIAN SAFETY ACTION PLAN  
CONTRACT No. LD036016

SUBMIT TO: City Clerk's Office  
41 City Hall Place  
Plattsburgh, NY 12901

BID DATE: 2:00 P.M., Tuesday, February 21<sup>th</sup>, 2023

The undersigned hereby certifies he/she has examined and fully comprehends the requirements and intent of these specifications and offers to furnish all labor, materials required, equipment and supplies and related to do the work as specified herein at the following prices:

DESCRIPTION	BID PRICE IN FIGURES	BID PRICE IN WORDS
Total Gross Sum		

The undersigned hereby acknowledges receipt of the following addenda and agrees that they are bound by same:

Addendum # \_\_\_\_\_ Addendum # \_\_\_\_\_ Addendum # \_\_\_\_\_

=====

NAME OF FIRM: \_\_\_\_\_

AUTHORIZED REPRESENTATIVE SIGNATURE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

TELEPHONE #: \_\_\_\_\_ FAX #: \_\_\_\_\_

EMAIL: \_\_\_\_\_ DATE: \_\_\_\_\_

BIDDER'S NAME \_\_\_\_\_

			BROUGHT FORWARD			
			UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CTS	DOLLARS	CTS
ITEM NUMBER	ESTIMATE OF QUANTITIES	ITEMS WITH UNIT BID PRICE WRITTEN IN WORDS				
203.02	12	UNCLASSIFIED EXCAVATION AND DISPOSAL  FOR ..... PER CY				
203.03	5	EMBANKMENT IN PLACE  FOR ..... PER CY				
206.03	70	CONDUIT EXCAVATION AND BACKFILL INCLUDING SURFACE RESTORATION  FOR ..... PER LF				
608.0101	12	CONCRETE SIDEWALKS AND DRIVEWAYS  FOR ..... PER CY				
608.21000003	16	CAST IRON EMBEDDED DETECTABLE WARNING UNITS  FOR ..... PER SY				
619.01	NEC	BASIC WORK ZONE TRAFFIC CONTROL  FOR ..... PER LS				
619.04	8	TYPE III CONSTRUCTION BARRICADE  FOR ..... PER EA				
			CARRY FORWARD			

BIDDER'S NAME \_\_\_\_\_

			BROUGHT FORWARD			
			UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CTS	DOLLARS	CTS
ITEM NUMBER	ESTIMATE OF QUANTITIES	ITEMS WITH UNIT BID PRICE WRITTEN IN WORDS				
619.1613	2	MAINTAIN TRAFFIC SIGNAL EQUIPMENT (REQUIREMENT C)  FOR ..... PER INTM				
625.01	NEC	SURVEY OPERATIONS  FOR ..... PER LS				
635.0103	3070	CLEANING AND PREPARATION OF PAVEMENT SURFACES - LINES  FOR ..... PER LF				
645.81	1	TYPE A SIGN POSTS  FOR ..... PER EA				
645.85	1	POLE MOUNTED SIGN SUPPORT SYSTEM (BAND MOUNTED)  FOR ..... PER EA				
647.31	1	RELOCATE SIGN PANEL, SIGN PANEL ASSEMBLY SIZE I (UNDER 30 SF)  FOR ..... PER EA				
647.61	1	REMOVE AND DISPOSE GROUND MOUNTED TYPE A SIGN SUPPORT(S), FOUNDATIONS, AND ANY ATTACHED SIGNS - SIZE I  FOR ..... PER EA				
			CARRY FORWARD			

BIDDER'S NAME \_\_\_\_\_

			BROUGHT FORWARD			
			UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CTS	DOLLARS	CTS
ITEM NUMBER	ESTIMATE OF QUANTITIES	ITEMS WITH UNIT BID PRICE WRITTEN IN WORDS				
680.5001	3.2	POLE EXCAVATION AND CONCRETE FOUNDATION  FOR ..... PER CY				
680.510501	5	PULLBOX - RECTANGULAR, 26" X 18", REINFORCED CONCRETE  FOR ..... PER EA				
680.520106	70	CONDUIT, METAL STEEL, ZINC COATED, 2 "  FOR ..... PER LF				
680.520108	440	CONDUIT, METAL STEEL, ZINC COATED, 3 "  FOR ..... PER LF				
680.53	440	CONDUIT JACKING OR BORING  FOR ..... PER LF				
680.6708	8	TRAFFIC SIGNAL POLE - POST TOP MOUNT, 8 FEET MOUNTING HEIGHT  FOR ..... PER EA				
680.730714	1780	SIGNAL CABLE 7 CONDUCTORS, 14 AWG  FOR ..... PER LF				
			CARRY FORWARD			



BIDDER'S NAME \_\_\_\_\_

BROUGHT FORWARD				CARRY FORWARD			
ITEM NUMBER	ESTIMATE OF QUANTITIES	ITEMS WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID		
			DOLLARS	CTS	DOLLARS	CTS	
680.78010005	4	ALTER PULLBOX FOR CONDUITS  FOR ..... PER EA					
680.813103	32	PEDESTRIAN SIGNAL SECTION - TYPE 1, 12 INCH  FOR ..... PER EA					
680.813105	16	PEDESTRIAN SIGNAL MODULE - 12 INCH, BI-MODAL HAND/MAN SYMBOLS, LED  FOR ..... PER EA					
680.81330010	16	AUDIBLE PEDESTRIAN SIGNAL  FOR ..... PER EA					
680.8142	8	PEDESTRIAN SIGNAL POST TOP MOUNT ASSEMBLY  FOR ..... PER EA					
680.81500010	16	PEDESTRIAN COUNTDOWN TIMER MODULE  FOR ..... PER EA					
680.8204	2	OVERHEAD SIGN ASSEMBLY, TYPE D  FOR ..... PER EA					
			CARRY FORWARD				

BIDDER'S NAME \_\_\_\_\_

			BROUGHT FORWARD			
			UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CTS	DOLLARS	CTS
685.11120009	ESTIMATE OF QUANTITIES 2380	ITEMS WITH UNIT BID PRICE WRITTEN IN WORDS EPOXY REFLECTORIZED PAVEMENT STRIPES 20 MILS - HAND WORK  FOR ..... PER LF				
697.03	13000	FIELD CHANGE PAYMENT				
698.04	100	For ONE DOLLAR AND NO CENTS PER DC ASPHALT PRICE ADJUSTMENT		\$1 .00	\$13,000 .00	
698.05	100	For ONE DOLLAR AND NO CENTS PER DC FUEL PRICE ADJUSTMENT		\$1 .00	\$100 .00	
698.06	100	For ONE DOLLAR AND NO CENTS PER DC STEEL/IRON PRICE ADJUSTMENT		\$1 .00	\$100 .00	
XXXXXXXX	XXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX  FOR ..... PER	XXXXXXXXXX	XXX	XXXXXXXXXX	XXX
XXXXXXXX	XXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX  FOR ..... PER	XXXXXXXXXX	XXX	XXXXXXXXXX	XXX
			CARRY FORWARD			

BIDDER'S NAME \_\_\_\_\_

ITEM NUMBER		ESTIMATE OF QUANTITIES	ITEMS WITH UNIT BID PRICE WRITTEN IN WORDS	BROUGHT FORWARD				
				UNIT BID PRICE		AMOUNT BID		
				DOLLARS	CTS	DOLLARS	CTS	
SUBTOTAL \$								
699.040001	NEC	MOBILIZATION, MUST NOT EXCEED 4.00 % OF SUBTOTAL SHOWN ABOVE. SEE SPECIFICATION FOR THIS ITEM.						
			FOR ..... PER LUMP SUM					
PLEASE BE <u>SURE</u> BID IS ENTERED FOR EACH ITEM, EXCEPT AS DIRECTED FOR OPTIONAL ITEMS.								
TOTAL OR GROSS SUM WRITTEN IN WORDS _____				\$ _____				

EACH PROPOSAL MUST BE ACCOMPANIED BY CASH, CERTIFIED CHECK OR BID BOND PAYABLE TO THE ORDER OF THE "CITY OF PLATTSBURGH" IN AN AMOUNT NOT LESS THAN FIVE PERCENT (5%) OF THE GROSS SUM BID.

**DISCLOSURE OF LOBBYING ACTIVITIES**

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352 (See reverse for public burden disclosure.)

<b>1. Type of Federal Action:</b>		<b>2. Status of Federal Action:</b>		<b>3. Report Type:</b>	
a. contract		a. bid/offer/application		a. initial filing	
b. grant		b. initial award		b. material change	
c. cooperative agreement		c. post-award		<b>For Material Change Only:</b>	
d. loan				year                      quarter	
e. loan guarantee				date of last report	
f. loan insurance					
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier                      , if known:			<b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b>		
Congressional District, if known:			Congressional District, if known:		
<b>6. Federal Department/Agency:</b>			<b>7. Federal Program Name/Description:</b>		
			CFDA Number, if applicable:		
<b>8. Federal Action Number, if known:</b>			<b>9. Award Amount, if known:</b>		
			\$		
<b>10. a. Name and Address of Lobbying Registrant</b> (if individual, last name, first name, MI):			<b>b. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI):		
<b>11.</b> Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.			Signature:		
			Print Name:		
			Title:		
			Telephone No.:		
<b>Federal Use Only:</b>					Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

REQUIREMENTS REGARDING LOBBYING ACTIVITIES ON FEDERAL AID CONTRACTS

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by  
OMB  
0348-0046

Continuation Sheet

Reporting Entity: \_\_\_\_\_ Page \_\_\_\_\_ Of \_\_\_\_\_

Authorized for Local Reproduction - Standard Form LLL

## NON-COLLUSIVE BIDDING CERTIFICATIONS

### REQUIRED BY SECTION 139-D, STATE FINANCE LAW and SECTION 103-D OF GENERAL MUNICIPAL LAW

“Section 139-d, SFL and Section 103-d, GML, “Statement of non-collusion in bids to the state.”

1. Every bid hereafter made to the state or any public department, agency, or official thereof, where competitive bidding is required by statute, rule, or regulation, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury:

Non-collusive bidding certification.

(a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his knowledge and belief:

(1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

(2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

(3) No attempt has been made or will be made by the bidder to induce any other person, partnership, or corporation to submit or not to submit a bid for the purpose of restricting competition.

(b) A bid shall not be considered for award nor shall any award be made where (a)(1)(2) and (3) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (a)(1)(2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the state, public department, or agency to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that the bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of subparagraph one (a).

2. Any bid hereafter made to the state or any public department, agency, or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, or regulation, and where such bid contains the certification referred to in subdivision one of this section, shall be deemed to have been authorized by the board of directors of the bidder and such authorization shall be deemed to have included the signing and submission of the bid and the inclusion therein of the certificate as to non collusion as the act and deed of the corporation."

**REQUIRED BY TITLE 23, U. S. CODE, AND SECTION 112. A NON-COLLUSIVE BIDDING CERTIFICATION MUST BE INCLUDED IN EVERY BID PROPOSAL REGARDLESS OF WHETHER NYSDOT SPECIFICATIONS OR LOCAL SPECIFICATIONS ARE USED.**

(A) 2

"By submission of this bid, the bidder does hereby tender to the Owner this sworn statement pursuant to Section 1128 of Title 23, U. S. Code-Highways and does hereby certify, in conformance with said Section 112 of Title 23, U. S. Code-Highways that the said Contractor has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the above contract."

**REQUIRED BY TITLE 49, CFR, VOLUME 1, SUBTITLE A, PART 29**

"The signatory to the proposal, being duly sworn, certifies that, EXCEPT AS NOTED BELOW, his/her company and any person associated therewith in the capacity of owner, partner, director, officer, or major stockholder (of five percent or more ownership):

1. Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any Federal agency;
2. Has not been suspended, debarred, voluntarily excluded, or determined ineligible by any Federal agency within the past three years;
3. Does not have a proposed debarment pending; and
4. Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three years.

EXCEPTIONS: The Contractor should list any relevant information, attaching additional sheets to the proposal if necessary. (Exceptions will not necessarily result in disapproval, but will be considered in determining responsibility. For any exception noted, the Contractor should indicate to whom it applies, the initiating agency, and the dates of actions. Providing false information may result in criminal prosecution or administrative sanctions).

**THESE MUST BE INCLUDED IN ALL FEDERAL AID CONTRACTS. HOWEVER, THE NYS COLLUSIVE BIDDING CERTIFICATION AND MANY IN USE BY LOCAL GOVERNMENTS ARE ALMOST IDENTICAL AND ARE ACCEPTABLE.**

**THE FOLLOWING PAGES ARE THE REQUIRED CERTIFICATION REGARDING NON-COLLUSIVE BIDDING PROCEDURES AND THE CONTRACTOR'S ELIGIBILITY TO SUBMIT A BID UNDER FEDERAL LAW. THE LAST PAGE IS A GENERAL BIDDER INFORMATION FORM. ALL SHOULD BE INCLUDED IN THE CONTRACT DOCUMENTS, IMMEDIATELY FOLLOWING THE PAGE(S) WHICH CONTAINS THE NON-COLLUSIVE BIDDING REQUIREMENTS. BY SIGNING ONE OF THESE CERTIFICATIONS, THE CONTRACTOR CERTIFIES THAT HE UNDERSTANDS AND AGREES TO BE BOUND BY THE PROVISIONS OF THE FOLLOWING LAWS:**

1. NEW YORK STATE FINANCE LAW, ARTICLE 9, SECTION 139-d
2. TITLE 49, CFR, PART 29
3. TITLE 23, U. S. CODE-HIGHWAYS, SECTION 112

THE CONTRACTOR SHOULD CHOOSE THE APPROPRIATE NOTARIZATION WHICH CORRESPONDS TO THE TYPE OF COMPANY (SOLE PROPRIETORSHIP, PARTNERSHIP, OR CORPORATION) THAT HE/SHE REPRESENTS OR IS AFFILIATED WITH. ALL BIDDERS SHOULD FILL OUT THE APPROPRIATE SECTION OF THE BIDDER INFORMATION SHEET.

BY EXECUTING THIS DOCUMENT, THE CONTRACTOR AGREES TO:

1. Perform all work listed in accordance with the Contract Documents at the unit prices bid; subject to the provisions of Section 104 -04, Standard Specifications, Construction and Materials, published by the New York State Department of Transportation, and dated May 4, 2006, if applicable;
2. All the terms and conditions of the non-collusive bidding certifications required by Section 139-d of the State Finance Law, and Section 112, Title 23, U.S. Code;
3. Certification of Specialty Items category selected, if contained in this proposal;
4. Certification of any other clauses required by this proposal and contained herein;
5. Certification, under penalty of perjury, as to the current history regarding suspensions, debarments, voluntary exclusions, determinations of ineligibility, indictments, convictions, or civil judgments required by 49 CFR Part 29.

Date:

(Legal Name of Person, Corporation, or Firm Which  
is Submitting Bid or Proposal)

BY: \_\_\_\_\_  
(Signature of Person Representing Above)



AS: \_\_\_\_\_  
(Official Title of Signator in Above Firm)  
(Acknowledgment by Individual Contractor, If a Corporation)

STATE OF NEW YORK                    )  
  ) SS:  
COUNTY OF                            )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me  
personally came \_\_\_\_\_, to me known and known  
to me to be the person who executed the above instrument, who being duly sworn by me, did  
depose and say that he/she resides at \_\_\_\_\_

\_\_\_\_\_, and that he/she is the  
of the \_\_\_\_\_

the corporation described in and which executed the above instrument, and that he/she signed  
his/her name thereto on behalf of said Corporation by order of the Board of Directors of said  
Corporation.

Notary Public

(Acknowledgment by Co-Partnership Contractor)

STATE OF NEW YORK                    )  
  ) SS:  
COUNTY OF                            )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before  
me  
personally came \_\_\_\_\_, to me known and known  
to  
me to be the person described in and who executed the above instrument, who, being duly  
sworn  
by me, did for himself/herself depose and say that he/she is a member of the firm of  
, consisting of himself/ herself and  
, and that he/she executed the foregoing instrument in the firm name of  
and that  
he/she had authority to sign same, and did duly acknowledge to me that he/she executed same  
as  
the act and deed of said firm of \_\_\_\_\_ for the uses  
and  
purposes mentioned herein.

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF )

known to me to be described in and who executed the foregoing instrument, and that he/she acknowledged that he/she executed the same.

## NON-COLLUSIVE BIDDING CERTIFICATION BIDDER INFORMATION

Bidder Address: \_\_\_\_\_  
Street or P. O. Box No. \_\_\_\_\_

City \_\_\_\_\_  
State \_\_\_\_\_ ZIP \_\_\_\_\_

Federal Identification No.: \_\_\_\_\_

Name of Contact Person: \_\_\_\_\_

Phone # of Contact Person: \_\_\_\_\_

If Bidder is a Corporation:

President's Name & Address:

Secretary's Name & Address:

Treasurer's Name & Address:

If Bidder is a Partnership:

Partner's Name & Address:

---

Partner's Name & Address:

---

If Bidder is a Sole Proprietorship:

Owner's Name & Address:

---

**REPORTING VIOLATIONS OF NON-COLLUSIVE BIDDING PROCEDURES,  
MISCONDUCT, OR OTHER PROHIBITED CONTRACT ACTIVITIES**

U. S. DEPARTMENT OF TRANSPORTATION HOTLINE. Persons with knowledge of bid collusion (i.e., contractors, suppliers, workers, etc.) or other questionable contract related practices (inadequate materials, poor workmanship, theft of materials, etc.) are encouraged to report such activities by calling the U. S. D. O. T. HOTLINE. The HOTLINE number is 1-800-424-9071 and calls will be answered from 8:00 A.M. to 5:00 P.M. EST, Monday thru Friday. This HOTLINE is under the direction of the U.S.D.O.T.'s Inspector General. All information will be treated confidentially and the caller's anonymity will be respected.

NEW YORK STATE INSPECTOR GENERAL HOTLINE. Reports of New York State Governmental Misconduct may be made in strict confidence to the New York State Inspector General on the Toll Free Statewide HOTLINE or by writing to the Office of the Inspector General. The Toll Free Statewide HOTLINE telephone number is 1-800-367-4448 and calls will be answered between 8:00 A.M. and 4:30 P.M., Monday through Friday. The address of the Office of the State Inspector General is the State Capitol, Executive Chamber, Albany, New York 12224.

**THIS IS REQUIRED IN ALL FEDERAL AID CONTRACTS.**

**WAIVER OF IMMUNITY PURSUANT TO 103a  
OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK**

The Contractor and/or Vendor and/or Supplier, pursuant to General Municipal Law, section 103a, hereby agrees to the provisions in the law which require that upon refusal of a person, when called before a Grand Jury to testify concerning any transaction or contract had with the State, any political subdivision thereof, a Public Authority or with any public department, agency or official of the State or of any political subdivision thereof or of a public authority, to sign a Waiver of Immunity against subsequent criminal prosecution or to answer any relevant question concerning such transaction or contract.

(a) Such person, and any firm, partnership or corporation of which he is a member, partner, director or officer shall be disqualified from thereafter selling to or submitting bids to or receiving awards from or entering into any contract with any municipal corporation or fire district or any public department, agency or official thereof, for goods, work or services, for a period of five years after such refusal, and to provide also that

(b) Any and all contracts made with any municipal corporation or any public department, agency or official thereof, since the effective date of this Law, by such person, and by any firm, partnership, or corporation of which he is a member, partner, director or officer may be canceled or terminated by the municipal corporation or fire district without incurring any penalty or damages on account of such cancellation or termination, but any monies owing by the municipal corporation or fire district for goods delivered or work done prior to the cancellation or termination shall be paid.

\_\_\_\_\_  
Authorized Signature for Bidder

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

(Corporate Seal, if any)  
(If no seal, write "No Seal"  
Across this place and sign)

## **CERTIFICATION OF BIDDER REGARDING EQUAL EMPLOYMENT OPPORTUNITY**

This certification is required pursuant to Executive Order 11246 (30F.R.1231925). The implementing rules and regulations provide that any bidder or prospective contractor, or any of their proposed sub-contractors, shall state as an initial part of the bid or negotiations of the contract whether it has participated in any previous contract or sub-contract subject to the Equal Opportunity Clause; and if so, whether it has filed all compliance reports due under applicable instructions.

Where the certification indicated that the bidder has not filed a compliance report due under applicable instructions, such bidder shall be required to submit a compliance report within seven (7) calendar days after bid opening. No contract shall be awarded unless such report is submitted.

### **CERTIFICATION OF BIDDER:**

Bidder's Name: \_\_\_\_\_

Address and Zip Code: \_\_\_\_\_

1. Has bidder participated in a previous contract or sub-contract subject to the Equal Opportunity Clause?

Yes \_\_\_\_ No \_\_\_\_

If answer is yes, identify the most recent contract: \_\_\_\_\_

2. Were compliance reports required to be filed in connection with such contract or sub-contract?

Yes \_\_\_\_ No \_\_\_\_

If answer is yes, identify the most recent contract: \_\_\_\_\_

- a. Has bidder filed all compliance reports due under applicable instructions?

Yes \_\_\_\_ No \_\_\_\_ None Required \_\_\_\_

4. If answer to Item 2.a is "No", please explain in detail.

CERTIFICATION: The information above is true and complete to the best of my knowledge and belief.

_____ Signature	_____ Date	_____ Name & Title Typed
--------------------	---------------	-----------------------------

**RESOLUTION ACCOMPANYING BID**

(Corporate Bidders Only)

TO: \_\_\_\_\_

City of Plattsburgh

I HEREBY CERTIFY that the following is a true and correct copy of resolutions duly adopted at a meeting of the Board of Directors of \_\_\_\_\_ a corporation, incorporated under the laws of the State of \_\_\_\_\_ duly called and held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, a quorum then being present; that the said resolutions have been entered upon the regular minute book of the corporation and are in accordance with the certificate of incorporation and the bylaws and are now in full force and effect:

RESOLVE that the below listed officer(s) of this corporation is/are authorized on behalf of this corporation to sign the bid proposal and the contract for the following project: Local Pedestrian Safety Action Plan, and to include in such bid proposal the certificate as to non-collusion required by law as the act and deed of such corporation, and for all inaccuracies or mis-statements in such certificate this corporation shall be liable under the penalty of perjury; and to enter into the contract if awarded to this corporation;

NAME

TITLE

_____	_____
_____	_____
_____	_____
_____	_____

Secretary:

\_\_\_\_\_

Date:

\_\_\_\_\_

(Corporate Seal if any. If no seal, write "NO SEAL" across this place and sign.)

## STATEMENT OF SURETY'S INTENT

TO: CITY OF PLATTSBURGH:

We have reviewed the bid of \_\_\_\_\_ (Contractor)  
of \_\_\_\_\_  
(Address)

for: Local Pedestrian Safety Action Plan  
City of Plattsburgh, New York

Bids for which will be received on:

\_\_\_\_\_, 20\_\_, (bid opening date) and wish to advise that should this Bid of the Contractor be accepted and the Contract awarded to him, it is our present intention to become surety on the performance bond and labor and material bond required by the Contract. Any arrangement for the bonds required by the Contract is a matter between the Contractor and ourselves and we assume no liability to you or third parties if for any reason we do not execute the requisite bonds.

We are duly authorized to do business in the State of New York.

Attest:

(Surety's Authorized Signature)

## Attached Power of Attorney

(Corporate seal, if any. If no seal, write "NO SEAL" across this place and sign.)

## **BID SECURITY**

**(ATTACH HERE – CERTIFIED CHECK, CASH, OR BID BOND)**



## **BIDDER'S ADDRESS**

(This form must be completed prior to the Submission of the Bid). PLEASE COMPLETE THE INFORMATION REQUESTED BELOW:

The post office address of the bidder is

\_\_\_\_\_  
(Street)

\_\_\_\_\_  
(City and State)

IF A CORPORATION:

NAME

ADDRESS

\_\_\_\_\_  
President \_\_\_\_\_

\_\_\_\_\_  
Secretary \_\_\_\_\_

\_\_\_\_\_  
Treasurer \_\_\_\_\_

IF A FIRM:

NAME

ADDRESS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## **CONFLICT OF INTEREST**

### **(A) AFFIDAVIT:**

At the time the Contractor submits a bid, or, if no bid is submitted, prior to performing any services, the Contractor shall serve upon the City Attorney the attached Affidavit certifying that the Contractor has no interest and will not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of services to the City. The affidavit shall further state that the Contractor agrees that in the rendering of services to the City no persons having any such interest shall be employed by the Contractor. The Contractor assumes full responsibility for knowing whether its employees or agents have any such interest and in certifying the absence of such conflict to the City.

### **(B) DUTY TO DISCLOSE:**

During the course of performing services for the City, the Contractor agrees to disclose immediately to the City, by Affidavit, every known or apparent conflict of interest and every ostensible or potential conflict of interest of the Contractor, its employees and agents. The duty to disclose is a continuing duty. The Contractor agrees that disclosure is a material obligation of the contract and that failure to comply with these provisions affords the City the right to pursue any and all remedies for breach of contract. In the event of an apparent or actual conflict of interest during the course of performance, the Contractor agrees that all work, services and payments shall be suspended pending final approval by the City or the city Board of Ethics. If the conflict cannot be resolved to the satisfaction of the city, the City may terminate the contract by written notice. Nothing herein shall be construed as limiting or waiving the City's rights to pursue damages or other remedies.

A conflict of interest includes any circumstance which might influence or appear to influence the judgment of the Contractor, and the Contractor shall disclose the same. The Contractor shall disclose further the acceptance of compensation, monetary or otherwise, from more than one (1) payer or party for services on the same project or related project. The Contractor shall disclose further the direct or indirect solicitation or acceptance of financial or other consideration parties other than the City for work on the project to which the contract pertains. If applicable, the Contractor shall disclose further the direct or indirect acquisition of any interest in the real estate which is the subject of the project or in the immediate vicinity thereof. A conflict of interest on the part of the Contractor's employees or agents shall be deemed a conflict of interest on the part of the Contractor, giving rise to the same duty to disclose.

### **(C) DUTY TO MAINTAIN CONFIDENTIALITY:**

The Contractor agrees not to disclose any data, facts or information concerning services performed for the City or obtained while performing such services, except as authorized by the City in writing or as may be required by law.

**CONFLICT OF INTEREST**

**AFFIDAVIT**

STATE OF NEW YORK)

ss:

CITY OF PLATTSBURGH)

\_\_\_\_\_, being duly sworn, disposes and says that:

1. I, \_\_\_\_\_, am an independent contractor, and have this date signed a contract to provide services to the City of Plattsburgh.
2. I certify that, as the Contractor, I have no interest nor will I acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of these services to the City.
3. I agree that in the rendering of services to the City, no persons having any such interest shall be employed by me. I assume full responsibility for knowing whether my employees or agents have any such interest and hereby certify that no such interest exists.

Dated: \_\_\_\_\_ 20\_\_

By: \_\_\_\_\_

Sworn before this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## **BIDDER REFERENCES**

All bidders will be required to complete this form providing five references of past performance. References should involve projects and/or service situations of similar size and scope to this bid. References must have dealings with the Bidder within the last thirty-six (36) months. The City reserves the right to contact any or all of the references supplied for an evaluation of past performance in order to establish the responsibility of the Bidder before the actual award of the bid and / or contract. Completion of the reference form is required.

**BIDDER'S NAME:** \_\_\_\_\_

**Date Filed:** \_\_\_\_\_

1. **Reference's Name:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_ **Project Value \$** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Contact Person:** \_\_\_\_\_

2. **Reference's Name:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_ **Project Value \$** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Contact Person:** \_\_\_\_\_

3. **Reference's Name:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_ **Project Value \$** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Contact Person:** \_\_\_\_\_

4. **Reference's Name:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_ **Project Value \$** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Contact Person:** \_\_\_\_\_

5. **Reference's Name:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_ **Project Value \$** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Contact Person:** \_\_\_\_\_

**FEDERAL AID PROJECT**  
**DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION**  
**GOALS**

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION**  
**DISADVANTAGED BUSINESS ENTERPRISE**  
**UTILIZATION REQUIREMENTS**

The Department has established the following Disadvantaged Business Enterprise (DBE) utilization goals for this contract. The goal is expressed as a percentage of the total bid price.

**DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION GOAL – 0%**

Information related to the current certification status of Disadvantaged Business Enterprises can be obtained by contacting the:

NYS Department of Transportation  
Office of Equal Opportunity Development and Compliance  
1220 Washington Avenue  
Building 4, Room G-16  
Albany, NY 12232  
(518)457-1128 or 457-1129

Disadvantaged Business Enterprise Officer:

The Bidder shall designate and enter below the name of a Disadvantaged Business Enterprise Officer who will have the responsibility for and must be capable of effectively administering and promoting an active Disadvantaged Business Enterprise Program and who must be assigned adequate authority and responsibility to do so.

Bidder Designated DBE Officer

\_\_\_\_\_ (Name, Title)

Telephone Number \_\_\_\_\_

**RETURN THIS PAGE WITH BID**

UNIFORM REPORT OF DBE AWARDS OR COMMITMENTS AND PAYMENTS																			
**Please refer to the instructions sheet for directions on filling out this form**																			
1. Submitted to (check only one)		<input type="checkbox"/> X <input type="checkbox"/> FHWA		<input type="checkbox"/> FAA		<input type="checkbox"/> FTA--Vendor Number													
2. PIN:																			
3. Federal fiscal year in which reporting period falls:		FY 201X		4. Date This Report Submitted:															
5. Reporting Period		<input type="checkbox"/> Report due June 1 (for period Oct. 1 - Mar. 31)		<input type="checkbox"/> Report due Dec. 1 (for period April 1 - Sept. 30)															
6. Name of Recipient:																			
7. Annual DBE Goal(s):		Race Conscious Goal _____ %		Race Neutral Goal _____ %		OVERALL Goal _____		10 %											
		A		B		C		D		E		F		G		H		I	
		Total Dollars		Total Number		Total to DBEs (dollars)		Total to DBEs (number)		Total to DBEs/Race Conscious (dollars)		Total to DBEs/Race Conscious (number)		Total to DBEs/Race Neutral (dollars)		Total to DBEs/Race Neutral (number)		Percentage of total dollars to DBEs	
AWARDS OR COMMITMENTS MADE DURING THIS REPORTING PERIOD																			
(total contracts and subcontracts awarded or committed during reporting period)																			
8. Prime contracts awarded this period																			
9. Sub contracts awarded or committed this period																			
TOTAL																			
		A		B		C		D		E		F		G		H		I	
DBE AWARDS/COMMITMENTS THIS REPORTING PERIOD-BREAKDOWN BY ETHNICITY & GENDER		Black American		Hispanic American		Native American		Subcont. Asian American		Asian-Pacific American		Non-Minority Women		Other (i.e. not of any other group listed here)		TOTALS (for this reporting period only)		Year-End TOTALS	
10. Total Number of Contracts (Prime and Sub)																			
11. Total Dollar Value																			
		A		B		C		D		E		F		G		H		I	
ACTUAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD		Number of Prime Contracts Completed		Total Dollar Value of Prime Contracts Completed		Total Dollar Value of Prime Contracts Completed		Total Dollar Value of Prime Contracts Completed		DBE Participation Needed to Meet Goal (Dollars)		Total DBE Participation (Dollars)		Total DBE Participation (Dollars)		Percentage of Total DBE Participation			
12. Race Conscious																			
13. Race Neutral																			
14. Totals																			
15. Submitted by (Print Name of Authorized Representative)																			
17. Phone Number:																			
18. Fax Number:																			

[Link to Website:  
https://www.dot.ny.gov/main/business-center/contractors/construction-division/construction-repository/AAP\\_14.pdf](https://www.dot.ny.gov/main/business-center/contractors/construction-division/construction-repository/AAP_14.pdf)

### Federal DBE Commitment and GFE Bid Requirements

Letting Date:

Proposer Name

Address:

PIN   
Contract #   
DBE Goal  % as Stated in the Advertisement

We hereby submit a DBE commitment of  % for the above-referenced project.

Identified below are the commitment(s) to certified\* DBE's for this contract:

DBE Name:	Work Category*	Description of Work	DBE Credit % (A)	Commitment (B)	DBE Credit (AxB)
Example Company: Drainage R Us Address: 2543 Lexington Street, Troy, NY 12180	Construction	Closed Drainage Installation	100	\$1,120,000	\$1,120,000
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address: <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address: <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address: <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address: <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address: <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

\*Only submit DBE(s) that you have verified are certified to perform/supply the identified commitments.

**Total Commitment:**

You are required to have firm commitments at the time of Letting. Within 5 calendar days of notification as apparent Low Bidder, you shall enter exactly (as shown) all of the DBE commitments identified here, into Equitable Business Opportunity Solution (EBO), NYSDOT's civil rights reporting software. No substitutions or reductions in commitments will be allowed without prior approval by the Department, in accordance with NYSDOT Standard Specification §105-21.D.3.

*NOTE: Bids may be submitted below the DBE Goal. If you do not meet the DBE Goal and are identified as apparent Low Bidder, you will be required to submit a Good Faith Effort package to the Pre-Award Unit, within 5 calendar days of notification.*

*Key:	Work Categories:	DBE Credit %
	Construction	100
	Fabricator	100
	Manufacturer	100
	Material Supplier	60
	Professional Service	100
	Trucking Firm	100

Submitted By:

Enter Proposers Contact Information

Name:

Title:

Company Federal Tax ID XX-XXXXXXX

## **SEXUAL HARASSMENT PREVENTION CERTIFICATION FOR CONSTRUCTION CONTRACT BIDS**

Local Pedestrian Safety Action Plan  
City of Plattsburgh  
PIN 70PS.03, LD036016,

Bidders/Proposers must certify as part of their bid that they are in compliance with maintaining a written policy addressing sexual harassment prevention in the workplace and providing annual sexual harassment prevention training to all their employees

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 the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the New York State Labor Law.

Bidder

\_\_\_\_\_  
(Name, Title)

Date

\_\_\_\_\_

**RETURN THIS PAGE WITH BID**



**IRAN DIVESTMENT ACT CERTIFICATION**

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012.

This act may be viewed in its entirety at:

<http://www.ogs.ny.gov/about/regs/docs/ida2012.pdf>

Pursuant to SFL § 165-a(3)(b), the Commissioner of the Office of General Services (OGS) has developed and maintains a list (prohibited entities list) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). The list may be found on the OGS website at:

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

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder/Contractor (or any assignee) certifies that, it will not utilize, on such Contract, any subcontractor that is identified on the prohibited entities list.

Additionally, any Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to this solicitation, must certify at the time the Contract is renewed, extended or assigned that it is not included on the prohibited entities list.

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

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

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Date: \_\_\_\_\_