

ERIE COUNTY WATER AUTHORITY
BUFFALO, NEW YORK

CONTRACT No: NC-35
BALL PUMP STATION
ELECTRICAL SUBSTATION
PROJECT No: 201600238

(This Bid Form shall not be detached from the Project Manual. The entire Project Manual shall be returned with the executed Bid.)

SECTION 00410

BID FORMS

BID FOR:

Erie County Water Authority
Contract No: NC-35
BALL PUMP STATION ELECTRICAL SUBSTATION
Project No. 201600238

BID TO:

Erie County Water Authority
295 Main Street, Room 350
Buffalo, New York 14203

BID FROM: O'Connell Electric Company, Inc.

(Print or Type Name of Bidder)

(/A Corporation/~~A Partnership~~/~~A Limited Liability Company~~/~~An~~
Individual/~~A Joint Venture~~ (Bidder to strike out inapplicable terms.)

Gentlemen:

1.01 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with OWNER in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the price(s) and within the times indicated in this Bid and in accordance with the Bidding Documents.

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2.01 Bidder accepts all of the terms and conditions of the Notice to Bidders and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain open subject to acceptance for the time period set forth in the Instruction to Bidders. Bidder will sign the Agreement and will furnish the required contract security, and other required documents within the time periods set forth in the Bidding Documents.

3.01 In submitting this Bid, Bidder represents, as set forth in the Agreement, that:

A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, if any, and the following Addenda receipt of all of which is hereby acknowledged.

<u>Addendum No.</u>	<u>Date Received</u>	<u>Addendum No.</u>	<u>Date Received</u>
#1	4/4/18		
#2	4/11/18		

B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local and Site conditions that may affect cost, progress, and performance for the Work.

C. Bidder is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in the Supplementary Conditions as provided in paragraph 4.02 of the General Conditions, and (2) reports and drawings of a Hazardous Environmental Condition identified at the Site, if any, which have been identified in the Supplementary Conditions as provided in paragraph 4.06 of the General Conditions.

E. Bidder has obtained and carefully studied (or assumes responsibility for having done so) all examinations, investigations, explorations, tests, studies and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the Site which may effect cost, progress or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques,

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sequences, and procedures of construction expressly required by the Bidding Documents to be employed by Bidder, and safety precautions and programs incident thereto.

- F. Bidder does not consider that any further examinations, investigations, explorations, tests, studies or data are necessary for the determination of this Bid for performance of the Work at the price(s) and within the times and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by OWNER and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports and drawings identified in the Bidding Documents and all additional examinations, investigations, explorations, tests, studies and data with the Bidding Documents.
- I. Bidder has given ENGINEER written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by ENGINEER is acceptable to Bidder.
- J. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.
- K. The quantities for the unit price items are unpredictable and the ENGINEER has inserted certain quantities in the proposal to be used solely for purpose of comparison of bids.
- L. Fixed minimum unit prices may have been established for some of the items in the Bid. The prices represent the minimum amounts, which will be paid the CONTRACTOR for these items. The Bidder shall include a price not less than the stated minimum. If in the opinion of the Bidder these prices do not reflect the actual value of the work involved, the Bidder may void the given fixed minimum unit price for that specific item and enter a higher unit price in the spaces provided in the Bid Form sheets. Bidder's Proposals received which include a unit price less than the stated minimum shall be adjusted to meet the fixed minimum unit price.

4.01 Bidder further represents that this Bid is genuine and is not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any individual or entity to refrain from bidding; Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER; and that no person or persons acting in any official capacity for the OWNER are directly or indirectly interested in this Bid, or in any portion of the profit thereof.

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Bidder acknowledges that estimated quantities of items of Unit Price Work are not guaranteed and final payment will be based on actual quantities of Unit Price Work performed as provided in the Contract Documents.

6.01 Bidder agrees that the Work will be substantially complete and completed and ready for final payment in accordance with Paragraph 14.07.B of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

6.02 Bidder accepts the provisions of the Agreement as to liquidated and special damages in the event of failure to complete the Work within the times specified above.

7.01 The following documents are attached to and made a condition of this Bid:

- A. Required Bid security in the amount of 5% of Bid Amount Dollars
(\$_____).
- B. Section 2875 of the Public Authorities Law, Ground for Cancellation of Contract by Public Authority.
- C. Section 2876 of the Public Authorities Law, Disqualification to Contract with Public Authority.
- D. Section 2878 of the Public Authorities Law, Non-Collusive Bidding Certification.
- E. Section 139 of State Finance Law, Lobbying.
- F. Required Bidder Qualifications Statement with supporting data.
- G. All addenda.

8.01 The terms used in this Bid will have the meanings indicated in the Instructions to Bidders and the General Conditions and Supplementary Conditions.

Respectfully submitted on April 17, 2018

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If Bidder is:

~~An Individual~~ Not Applicable

~~By _____
(Individual's Signature)~~

~~_____
(Printed or Typed Name of Individual)~~

~~Doing business as _____~~

~~License or Registration Number: _____~~

~~Business Address: _____
_____~~

~~Phone No.: _____ FAX No.: _____~~

~~A Partnership~~ NOT APPLICABLE

~~By _____
(Firm Name)~~

~~_____
(General Partner's Signature)~~

~~_____
(Printed or Typed Name of General Partner)
(Attach evidence of authority to sign.)~~

~~License or Registration Number: _____~~

~~Business Address: _____
_____~~

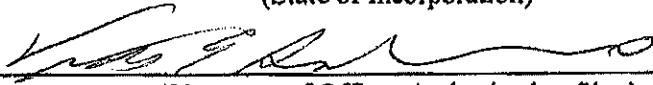
~~Phone No.: _____ FAX No.: _____~~

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A Corporation

By O'Connell Electric Company, Inc.
(Corporation Name)

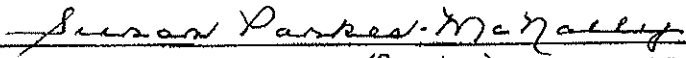
New York
(State of Incorporation)

By 
(Signature of Officer Authorized to Sign)

Victor E. Salerno - Chief Executive Officer
(Printed or Typed Name and Title of Officer Authorized to Sign)
(Attach evidence of authority to sign.)

(CORPORATE

SEAL)

Attest 
Susan Parkes-McNally (Secretary) Executive Vice President - Treasurer

License or Registration Number: Not Applicable

Business Address: 830 Phillips Road
Victor, NY 14564

Phone No.: 585-924-2176 FAX No.: 585-924-4973



O'Connell Electric Company, Inc.

*Industrial & Commercial Construction · Power Line & Substation · Communications
Transportation · Renewable Energy · Service & Maintenance · Technical Services*

CORPORATE RESOLUTION

STATE OF NEW YORK
COUNTY OF ONTARIO

The legal status of the undersigned is Corporation.

A Corporation duly organized and doing business under the laws of the State of New York for whom Victor E. Salerno, Chief Executive Officer, whose signature is affixed to this Bid/Contract, is duly authorized by the Board of Directors to execute the Bids and Contracts.

Susan Parkes McNally
Corporate Secretary - Susan Parkes McNally

Sworn to and subscribed before me this 17th day
of April, 2018.

Susan J. Ames
Notary Public, State of New York

SUSAN J. AMES
Notary Public - State of New York
No. 01AM4969683
Qualified in Monroe County
My Commission Expires July 23, 2018

Corporate Headquarters 830 Phillips Road | Victor, NY 14564 | Phone 585.924.2176 | Fax 585.924.4973

Albany 2360 Maxon Road Ext | Schenectady, NY 12308 | Phone 518.346.0077 | Fax 518.346.0728
Rochester 390 Systems Road | Rochester, NY 14623 | Phone 585.424.3472 | Fax 585.424.3486
Buffalo 20 Lancaster Parkway | Lancaster, NY 14086 | Phone 716.675.9010 | Fax 716.686.0586
Syracuse Hancock Airpark 7001 Performance Drive | North Syracuse, NY 13212
Phone 315.437.1453 | Fax 315.437.7431

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~~Limited Liability Company NOT APPLICABLE~~

~~By _____
(Firm Name)~~

~~_____
(State of Formation)~~

~~By _____
(Signature of Member/Authorized to Sign)~~

~~_____
(Printed or Typed Name and Title of Member Authorized to Sign)
(Attach evidence of authority to sign.)~~

~~License or Registration Number: _____~~

~~Business Address: _____~~

~~Phone No.: _____ FAX No.: _____~~

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~~A Joint Venture NOT APPLICABLE~~

~~Joint Venture Name: _____~~

~~By _____~~

~~(Signature)~~

~~(Printed or Typed Name)~~

~~(Title)~~

~~(Address)~~

~~By _____~~

~~(Signature)~~

~~(Printed or Typed Name)~~

~~(Title)~~

~~(Address)~~

~~Phone and FAX number and address for receipt of communications to joint venture:~~

~~_____~~

~~_____~~

~~_____~~

~~(Each joint venturer must sign. The manner of signing for each individual, partnership, corporation or limited liability company that is a party to the joint venture shall be in the manner indicated above).~~

END OF BID FORM

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SECTION 00450

BIDDER'S QUALIFICATION STATEMENT

(Completion of this statement is required in advance of
consideration for award of Contract.)

SUBMITTED TO:

Erie County Water Authority
295 Main Street, Room 350
Buffalo, New York 14203

SUBMITTED FOR:

Erie County Water Authority
Contract No: NC-35
Ball Pump Station Electrical Substation
ECWA Project No. 201600238

SUBMITTED BY:

Name of Organization: O'Connell Electric Company, Inc.
(Print or Type Name of Bidder)

Name of Individual: Victor E. Salerno

Title: Chief Executive Officer

Business Address: 830 Phillips Road
Victor, NY 14564

Telephone No.: 585-924-2176

Fax No.: 585-924-4973

Gentlemen:

The undersigned certifies under oath the truth and correctness of all statements and of all answers to questions made hereinafter.

(Note: Attach additional sheets as required.)

1.0 Bidder's General Business Information

1.1 Check if:

Corporation Partnership Joint Venture Sole Proprietorship

If Corporation:

A. Date and State of Incorporation:

3/29/1968 - New York

B. List of Executive Officers:

Name	Title
See Attached	

~~If Partnership: Not Applicable~~

~~A. Date and State of Organization:~~

~~B. Names of Current General Partners:~~

~~C. Type of Partnership~~

~~General Publicly Traded
 Limited Other (described): _____~~

~~If Joint Venture: NOT APPLICABLE~~

~~A. Date and State of Organization:~~

~~_____
_____~~

~~B. Name, Address and Form of Organization of Joint Venture Partners: (Indicate managing partner by an asterisk *).~~

~~_____

_____~~

~~If Sole Proprietorship: NOT APPLICABLE~~

~~A. Date and State of Organization:~~

~~_____
_____~~

~~B. Name and Address of Owner or Owners:~~

~~_____

_____~~

2.0 How many years has your organization been in business as a general contractor? 107 Years

3.0 If your organizational structure has changed within the past five years, provide data as listed above in Item 1.0 for your previous organization.

4.0 We normally perform 100% percent of the work with our own forces. List work normally subcontracted.

5.0 Has any construction contract to which you have been a party been terminated by the owner; have you ever terminated work on a project prior to its completion for any reason; has any surety which issued a performance bond on your behalf ever completed the work in its own name or financed such completion on your behalf; has any surety expended any monies in connection with a contract for which they furnished a bond on your behalf? If the answer to any portion of this question is "yes", furnish details of all such occurrences including name of owner, architect or engineer, and surety, and name and date of project. NO

- 6.0 Has any officer or partner of your organization ever been an officer or partner of another organization that had any construction contract terminated by the owner; terminated work on a project prior to its completion for any reason; had any surety which issued a performance bond complete the work in its own name or financed such completion; or had any surety expend any monies in connection with a contract for which they furnished a bond? If the answer to any portion of this question is "yes", furnish details of all such occurrences including name of owner, architect or engineer, and surety, and name and date of project. NO
- 7.0 In the last five years, has your organization, or any predecessor organization, failed to substantially complete a project in a timely manner? If the answer to this question is "yes", furnish details of all such occurrences including name of owner, architect or engineer, and surety, and name and date of project. NO
- 8.0 On Schedule A, attached, list name, location and description of project, owner, architect or engineer, contract price, percent complete and scheduled completion of the major construction projects your organization has in progress on this date. Provide name, address and telephone number of a reference for each project listed. SEE ATTACHED
- 9.0 On Schedule B, attached, list name, location and description of project, owner, architect or engineer, contract price, date of completion and percent of work with your own forces of major projects of the same general nature as this project which your organization has completed in the past five years. Provide name, address and telephone number of a reference for each project listed. SEE ATTACHED
- 10.0 On Schedule C, attached, list name and construction experience of the principal individuals of your organization directly involved in construction operations. SEE ATTACHED
- 10.1 On Schedule D, attached, list OSHA Information requested. SEE ATTACHED
- 11.0 List the states and categories of construction in which your organization is legally qualified to do business. Alabama, Connecticut, Louisiana, Massachusetts, Maryland, New Hampshire, New York (except NYC), Ohio, Pennsylvania, West Virginia
- 12.0 Provide the following for your surety:
- 12.1 Surety Company: Liberty Mutual Group - Safeco Insurance Company of America
- 12.2 Agent: Matthew Riedinger - Brown & Brown Insurance Company
- A. Address: 45 East Avenue, Rochester, NY 14604
- B. Telephone No.: 585-697-1452

12.3 What is your approximate total bonding capacity?

- \$500,000 to \$2,000,000
- \$2,000,000 to \$5,000,000
- \$5,000,000 to \$10,000,000
- \$10,000,000 or more + \$180 Million Single / \$250 Million Aggregate

13.0 Provide the following with respect to an accredited banking institution familiar with your organization.

13.1 Name of Bank: Manufacturers and Traders Trust (M&T)

13.2 Address: M&T Place, 255 East Avenue, Rochester, NY 14606

13.3 Account Manager: Timothy Jones - Assistant Vice President

13.4 Telephone No.: 585-258-2410

14.0 Provide the name, address and telephone number of an individual who represents a major equipment/material supplier whom the Owner may contact for a financial reference:
See Attached

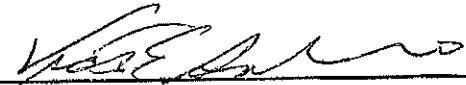
15.0 Attach a financial statement, prepared on an accrual basis, in a form which clearly indicates Bidder's assets, liabilities and net worth.

15.1 Date of financial statement: June 1, 2017

15.2 Name of firm preparing statement: Bonadio & Co., LLP

16.0 Dated at Victor NY, this 17th day of April, 2018.

Bidder: O'Connell Electric Company, Inc.
(Print or Type Name of Bidder)

By: 
Victor E. Salerno

Title: Chief Executive Officer

Attachments A, B, C, and D

(Seal, if corporation)

------(Affidavit for Individual)-----

NOT APPLICABLE

_____ being duly sworn, deposes and says that:
a) the financial statement, taken from his/her books, is a true and accurate statement of his/her financial condition as of the date thereof; and b) all of the foregoing qualification information is true, complete, and accurate.

------(Affidavit for Partnership)-----

NOT APPLICABLE

_____ being duly sworn, deposes and says that:
a) he/she is a member of the partnership of _____;
b) he/she is familiar with the books of said partnership showing its financial condition; c) the financial statement, taken from the books of said partnership, is a true and accurate statement of the financial condition of the partnership as of the date thereof; and d) all of the foregoing qualification information is true, complete, and accurate.

------(Affidavit for Corporation)-----

Victor E. Salerno being duly sworn, deposes and says that:
a) he/she is Chief Executive Officer of O'Connell Electric Company, Inc.;
(Full name of Corporation)
b) he/she is familiar with the books of said corporation showing its financial condition; c) the financial statement, taken from the books of said corporation, is a true and accurate statement of the financial condition of said corporation as of the date thereof; and d) that all of the foregoing qualification information is true, complete, and accurate.

------(Acknowledgment)-----

Victor E. Salerno being duly sworn, deposes and says
that he/she is Chief Executive Officer of O'Connell Electric Company, Inc.;
(Name of Bidder)

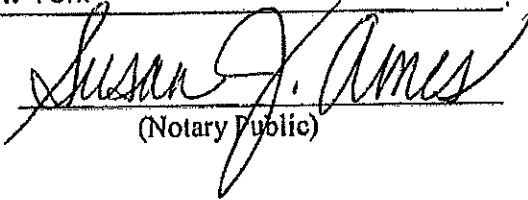
that he/she is duly authorized to make the foregoing affidavit and that he/she makes it on behalf of
() himself/herself; () said partnership; (X) said corporation.

Sworn to before me this 17th day of April, 2018, in the
County of Ontario, State of New York

SUSAN J. AMES

Notary Public - State of New York
No. 01AM4969883

My commission expires qualified in Monroe County
My Commission Expires July 23, 2018


(Notary Public)

(Seal)

END OF BIDDER QUALIFICATIONS STATEMENT

ATTACHMENT A

SCHEDULE A
PROJECTS IN PROGRESS

<u>Name, Location and Description of Project</u>	<u>Owner</u>	<u>Architect or Engineer</u>	<u>Contract Price</u>	<u>Percent Complete</u>	<u>Scheduled Completion</u>	<u>Reference/Contract Include Address and Phone</u>
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SEE ATTACHED - Uncompleted Jobs