

COUNTY OF ALBANY

BID FORM

BID IDENTIFICATION:

Title: **112 State Street Basement Ceiling and Floor Repairs**
Bid Number: **2022-071**

THIS BID IS SUBMITTED TO:

Pamela O Neill, Purchasing Agent
Albany County Department of General Services
Purchasing Division
112 State Street, Room 1000
Albany, NY 12207

1. The undersigned BIDDER proposes and agrees, if this Bid is accepted, to enter into a Contract with the owner in the form included in the Contract Documents to complete all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the Contract Documents.
2. BIDDER accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the Disposition of Bid Security. This Bid may remain open for ninety (90) days after the day of Bid opening. BIDDER will sign the Contract and submit the Contract Security and other documents required by the Contract Documents within fifteen days after the date of OWNER'S Notice of Award.
3. In submitting this Bid, BIDDER represents, as more fully set forth in this Contract, that:

- (a) BIDDER has examined copies of all the Contract Documents and of the following addenda: (If none, so state)

Date 6/8/2022 Number 1

(receipt of all of which is hereby acknowledged) and also copies of the Notice to Bidders and the Instructions to Bidders;

- (b) BIDDER has examined the site and locality where the Work is to be performed, the legal requirements (federal, state and local laws, ordinances, rules and regulations) and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as BIDDER deems necessary;

- (c) This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation 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 person, firm or a corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for himself any advantage over any other Bidder or over the owner.

4. BIDDER will complete the Work for the following prices(s): (Attach Bid Proposal)
5. BIDDER agrees to commence the Work within the number of calendar days or by the specific date indicated in the Contract. BIDDER agrees that the Work will be completed within the number of Calendar days or by the specific date indicated in the contract.
6. The following documents are attached to and made a condition of this Bid:
- (a) Non-Collusive Bidding Certificate (Attachment "A")
 - (b) Acknowledgment by Bidder (Attachment "B")
 - (c) Vendor Responsibility Questionnaire (Attachment "C")
 - (d) Iranian Energy Divestment Certification (Attachment "D")
 - (e) MS-4-1 Certification Statement RE: Stormwater Discharges (Attachment "E")
 - (f) Bidder Qualification Questionnaire (Attachment "F")
 - (g) Non Interruption of Work Agreement (Attachment "G")

7. Communication concerning this Bid shall be addressed to:

Michael J. Murnane - President
287 Ushers Rd
Clifton Park, NY 12065 mmurnane@murnanebuilding.com
Phone: 518-978-3302

8. Terms used in this Bid have the meanings assigned to them in the Contract and General Provisions.

COUNTY OF ALBANY

BID FORM

BID IDENTIFICATION:

Title: 112 State Street Basement Ceiling and Floor Repairs
Bid Number: 2022-071

Conditions:

1. All bid prices must include all materials, labor, equipment, incidentals, and other associated costs.
2. Base Bid work shall carry a 10% Base Bid Contingency Allowance for additional work discovered during construction beyond scope of work indicated on drawings and specifications. Contractor shall receive advance approval from the County Engineer prior to performing any additional work.

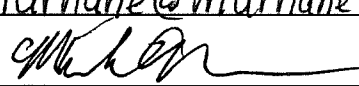
Lump Sum Base Bid (Price in Words): (Price in Numbers):	<u>Two-Hundred Fifty-Eight Thousand</u> \$ <u>258,000</u>
10% Contingency Allowance	\$ <u>25,800</u>
TOTAL BID (Base Bid + Contingency Allowance) (Price in Words): (Price in Numbers):	<u>Two-Hundred Eighty-Three</u> <u>Thousand, Eight-Hundred</u> \$ <u>283,800</u>

COUNTY OF ALBANY

BID FORM

BID IDENTIFICATION:

Title: 112 State Street Basement Ceiling and Floor Repairs
Bid Number: 2022-071

COMPANY: Murnane Building Contractors
ADDRESS: 287 Ushers Road
CITY, STATE, ZIP: Clifton Park, NY 12065
TEL. NO.: 518-978-3300
FAX NO.: N/A
FEDERAL TAX ID NO.: 14-1684256
REPRESENTATIVE: Michael J. Murnane
E-MAIL: mmurnane@murnanebuilding.com
SIGNATURE AND TITLE 
President
DATE 6/8/22

ATTACHMENT "A"
NON-COLLUSIVE BIDDING CERTIFICATE PURSUANT TO
SECTION 103-D OF THE NEW YORK STATE GENERAL MUNICIPAL LAW

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 organizations, under penalty of perjury, that to the best of 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 knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder, directly or indirectly, prior to opening, to any bidder or to any competitor.


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

A bid shall not be considered for award nor shall any award be made where (1), (2), and (3) above have not been complied with; provided, however, that 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 thereof. Where (1), (2), and (3) above have not been complied with, the bid shall not be considered for any award nor shall any award be made unless the head of the Purchasing Unit to the political subdivision, public department, agency or official thereof 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 a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customer 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 paragraph "A" above.

B. Any bid hereafter made to any political subdivision of 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, regulation, local law, and where such bid contains the certification referred to in paragraph "A" 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 include the submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation

6/8/22
Date


Signature

President
Title

Murnane Building Contractors, Inc.
Company Name

ATTACHMENT "B"
ACKNOWLEDGMENT BY BIDDER

If Individual or Individuals:

STATE OF _____)
COUNTY OF _____) SS.:

On this _____ day of _____, 200__, before me personally appeared _____ to me known and known to me to be the same person(s) described in and who executed the within instrument, and he (or they severally) acknowledged to me that he (or they) executed the same.

Notary Public, State of _____

Qualified in _____

Commission Expires _____

If Corporation:

STATE OF New York)
COUNTY OF Saratoga) SS.:

On this 8th day of June, 2022, before me personally appeared Michael J. Murnane to me known, who, being by me sworn, did say that he resides at (give address) _____; that he is the (give title) President of the (name of corporation) Murnane Building Contractors, Inc., the corporation described in and which executed the above instrument; that he knows the seal of the corporation, and that the seal affixed to the instrument is such corporate seal; that it was so affixed by order of the board of directors of the corporation, and that he signed his name thereto by like order.

KATELYN CHRISTIANSEN
NOTARY PUBLIC-STATE OF NEW YORK
No. 01CH6410952
Qualified in Albany County
My Commission Expires 11-09-2024

Kate Olsen
Notary Public, State of New York
Qualified in Albany County
Commission Expires 11/9/24

If Partnership:

STATE OF _____)
COUNTY OF _____) SS.:

On the _____ day of _____, 200__, before me personally came _____ to me known to be the individual who executed the foregoing, and who, being duly sworn, did depose and say that he / she is a partner of the firm of _____ and that he / she has the authority to sign the same, and acknowledged that he / she executed the same as the act and deed of said partnership.

Notary Public, State of _____

Qualified in _____

Commission Expires _____

ATTACHMENT "C"
ALBANY COUNTY
VENDOR RESPONSIBILITY QUESTIONNAIRE

1. VENDOR IS: <input checked="" type="checkbox"/> PRIME CONTRACTOR			
2. VENDOR'S LEGAL BUSINESS NAME <i>Murnane Building Contractors, Inc.</i>		3. IDENTIFICATION NUMBERS a) FEIN # <i>14-1684256</i> b) DUNS # <i>KM99BK36EFK9</i>	
4. D/B/A – Doing Business As (if applicable) & COUNTY FIELD: <i>N/A</i>		5. WEBSITE ADDRESS (if applicable) <i>murnanebuilding.com</i>	
6. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE <i>104 Sharron Ave Plattsburgh, NY 12901</i>		7. TELEPHONE NUMBER <i>518-978-3300</i>	8. FAX NUMBER <i>N/A</i>
9. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE <small>IN NEW YORK STATE, if different from above</small> <i>N/A</i>		10. TELEPHONE NUMBER <i>N/A</i>	11. FAX NUMBER <i>N/A</i>
12. AUTHORIZED CONTACT FOR THIS QUESTIONNAIRE Name <i>Michael J. Murnane</i> Title <i>President</i> Telephone Number <i>518-978-3300</i> Fax Number <i>N/A</i> e-mail <i>mmurnane@murnanebuilding.com</i>			
13. LIST ALL OF THE VENDOR'S PRINCIPAL OWNERS.			
a) NAME <i>Michael J. Murnane</i>	TITLE <i>President</i>	b) NAME	TITLE
c) NAME <i>Patrick Murnane</i>	TITLE <i>Secretary</i>	d) NAME	TITLE
A DETAILED EXPLANATION IS REQUIRED FOR EACH QUESTION ANSWERED WITH A "YES," AND MUST BE PROVIDED AS AN ATTACHMENT TO THE COMPLETED QUESTIONNAIRE. YOU MUST PROVIDE ADEQUATE DETAILS OR DOCUMENTS TO AID THE COUNTY IN MAKING A DETERMINATION OF VENDOR RESPONSIBILITY. PLEASE NUMBER EACH RESPONSE TO MATCH THE QUESTION NUMBER.			
14. DOES THE VENDOR USE, OR HAS IT USED IN THE PAST FIVE (5) YEARS, ANY OTHER BUSINESS NAME, FEIN, or D/B/A OTHER THAN THOSE LISTED IN ITEMS 2-4 ABOVE? List all other business name(s), Federal Employer Identification Number(s) or any D/B/A names and the dates that these names or numbers were/are in use. Explain the relationship to the vendor.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
15. ARE THERE ANY INDIVIDUALS NOW SERVING IN A MANAGERIAL OR CONSULTING CAPACITY TO THE VENDOR, INCLUDING PRINCIPAL OWNERS AND OFFICERS, WHO NOW SERVE OR IN THE PAST ONE (1) YEARS HAVE SERVED AS:			
a) An elected or appointed public official or officer? <small>List each individual's name, business title, the name of the organization and position elected or appointed to, and dates of service</small>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b) An officer of any political party organization in Albany County, whether paid or unpaid? <small>List each individual's name, business title or consulting capacity and the official political position held with applicable service dates.</small>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

16.	<p>WITHIN THE PAST (5) YEARS, HAS THE VENDOR, ANY INDIVIDUALS SERVING IN MANAGERIAL OR CONSULTING CAPACITY, PRINCIPAL OWNERS, OFFICERS, MAJOR STOCKHOLDER(S) (10% OR MORE OF THE VOTING SHARES FOR PUBLICLY TRADED COMPANIES, 25% OR MORE OF THE SHARES FOR ALL OTHER COMPANIES), AFFILIATE OR ANY PERSON INVOLVED IN THE BIDDING OR CONTRACTING PROCESS:</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	<p>a) 1. been suspended, debarred or terminated by a local, state or federal authority in connection with a contract or contracting process;</p> <p>2. been disqualified for cause as a bidder on any permit, license, concession franchise or lease;</p> <p>3. entered into an agreement to a voluntary exclusion from bidding/contracting;</p> <p>4. had a bid rejected on an Albany County contract for failure to comply with the MacBride Fair Employment Principles;</p> <p>5. had a low bid rejected on a local, state or federal contract for failure to meet statutory affirmative action or M/WBE requirements on a previously held contract;</p> <p>6. had status as a Women's Business Enterprise, Minority Business Enterprise or Disadvantaged Business Enterprise, de-certified, revoked or forfeited;</p> <p>7. been subject to an administrative proceeding or civil action seeking specific performance or restitution in connection with any local, state or federal government contract;</p> <p>8. been denied an award of a local, state or federal government contract, had a contract suspended or had a contract terminated for non-responsibility; or</p> <p>9. had a local, state or federal government contract suspended or terminated for cause prior to the completion of the term of the contract.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	<p>b) been indicted, convicted, received a judgment against them or a grant of immunity for any business-related conduct constituting a crime under local, state or federal law including but not limited to, fraud extortion, bribery, racketeering, price-fixing, bid collusion or any crime related to truthfulness and/or business conduct?</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	<p>c) been issued a citation, notice, violation order, or are pending an administrative hearing or proceeding or determination of violations of:</p> <p>1. federal, state or local health laws, rules or regulations.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
17.	<p>IN THE PAST THREE (3) YEARS, HAS THE VENDOR OR ITS AFFILIATES 1 HAD ANY CLAIMS, JUDGMENTS, INJUNCTIONS, LIENS, FINES OR PENALTIES SECURED BY ANY GOVERNMENTAL AGENCY?</p> <p>Indicate if this is applicable to the submitting vendor or affiliate. State whether the situation(s) was a claim, judgment, injunction, lien or other with an explanation. Provide the name(s) and address(es) of the agency, the amount of the original obligation and outstanding balance. If any of these items are open, unsatisfied, indicate the status of each item as "open" or "unsatisfied."</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
18.	<p>DURING THE PAST THREE (3) YEARS, HAS THE VENDOR FAILED TO:</p> <p>a) file returns or pay any applicable federal, state or city taxes? <i>Identify the taxing jurisdiction, type of tax, liability year(s), and tax liability amount the vendor failed to file/pay and the current status of the liability.</i></p> <p>b) file returns or pay New York State unemployment insurance? <i>Indicate the years the vendor failed to file/pay the insurance and the current status of the liability.</i></p> <p>c) Property Tax <i>Indicate the years the vendor failed to file.</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
19.	<p>HAVE ANY BANKRUPTCY PROCEEDINGS BEEN INITIATED BY OR AGAINST THE VENDOR OR ITS AFFILIATES 1 WITHIN THE PAST SEVEN (7) YEARS (WHETHER OR NOT CLOSED) OR IS ANY BANKRUPTCY PROCEEDING PENDING BY OR AGAINST THE VENDOR OR ITS AFFILIATES REGARDLESS OF THE DATE OF FILING?</p> <p>Indicate if this is applicable to the submitting vendor or affiliate. If it is an affiliate, include the affiliate's name and FEIN. Provide the court name, address and docket number. Indicate if the proceedings have been initiated, remain pending or have been closed. If closed, provide the date closed.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
20.	<p>IS THE VENDOR CURRENTLY INSOLVENT, OR DOES VENDOR CURRENTLY HAVE REASON TO BELIEVE THAT AN INVOLUNTARY BANKRUPTCY PROCEEDING MAY BE BROUGHT AGAINST IT? Provide financial information to support the vendor's current position, for example, Current Ration, Debt Ration, Age of Accounts Payable, Cash Flow and any documents that will provide the agency with an understanding of the vendor's situation.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

21. IN THE PAST FIVE (5) YEARS, HAS THE VENDOR OR ANY AFFILIATES¹ :

☒ Yes ☐ No

a) defaulted or been terminated on, or had its surety called upon to complete, any contract (public or private) awarded;

Indicate if this is applicable to the submitting vendor or affiliate. Detail the situation(s) that gave rise to the negative action, any corrective action taken by the vendor and the name of the contracting agency.

¹ "Affiliate" meaning: (a) any entity in which the vendor owns more than 50% of the voting stock; (b) any individual, entity or group of principal owners or officers who own more than 50% of the voting stock of the vendor; or (c) any entity whose voting stock is more than 50% owned by the same individual, entity or group described in clause (b). In addition, if a vendor owns less than 50% of the voting stock of another entity, but directs or has the right to direct such entity's daily operations, that entity will be an "affiliate" for purposes of this questionnaire.


FEIN # 14-1684256

6/8/22
Date

Attachment "D"
Certification Pursuant to Section 103-g
Of the New York State
General Municipal Law

- A. By submission of this bid/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 is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the New York State Finance Law.
- B. A Bid/Proposal shall not be considered for award, nor shall any award be made where the condition set forth in Paragraph A above has not been complied with; provided, however, that in any case the bidder/proposer cannot make the foregoing certification set forth in Paragraph A above, the bidder/proposer shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where Paragraph A above cannot be complied with, the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid/proposal is made, or his designee, may award a bid/proposal, on a case by case business under the following circumstances:
1. The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the Bidder/Proposer 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 political subdivision makes a determination that the goods or services are necessary for the political subdivision to perform its functions and that, absent such an exemption, the political subdivision 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.

6/8/27
Date


Signature
President
Title
Murnane Building Contractors, Inc.
Company Name

ATTACHMENT "E"

Sheet MS4-1: Bidder/Proposer Certification Statement (to be used with Section 34 Part A – General Contracts)

As a bidder seeking to provide services on behalf of Albany County, I certify under penalty of law that I understand and agree to comply with the terms and conditions of the New York State Pollutant Discharge Elimination System ("SPDES") General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4 Permit) and Albany County Local Law 7 of 2007, and agree to implement any Best Management Practices or corrective actions identified by Albany County or an authorized representative thereof as necessary to maintain compliance. I understand that Albany County must comply with the terms and conditions of the aforementioned MS4 Permit, and that it is unlawful for any person to directly or indirectly cause or contribute to a violation of water quality standards. I am also aware that County Local Law 7 of 2007 prohibits any activities that cause or contribute to a violation of the County's SPDES permit. Further, I understand that any non-compliance by Albany County will not diminish, eliminate or lessen my own liability.

Name of Third Party Entity: Murnane Building Contractors, Inc.

Address: 287 Ushers Road
Clifton Park, NY 12065


Phone Number(s): 518-928-3300

Description of activities to be performed by your firm or organization within Albany County are related to the Albany County Storm Water Management Program (SWMP) (include any activities that have the potential to generate or prevent pollution and/or affect water quality):

N/A

Description of where the work is to be performed within Albany County facilities:

Basement of 112 State Street


Signature

Michael J. Murnane
Printed Name

President
Title

6/8/22
Date

ATTACHMENT "F"
BIDDER QUALIFICATION QUESTIONNAIRE

The undersigned guarantees the accuracy of all statements and answers herein contained. (Please print in ink or type in the spaces provided). Attach additional sheets if necessary. This statement of Bidder's qualifications is required of all Bidders. Additional data on Bidder's qualifications may be requested from selected Bidders after the Bid opening.

1. How many years has your firm been in business? 36 years

2. List up to three (3) projects of this nature that you have completed in the last three (3) years, and give the name, address and telephone number of a reference from each. Also give the completion date, the original contract bid price and the completed cost of each project listed.

1. Times Union Center - Garage Concrete Repair
51 South Pearl St, Albany, NY 12207 David Latina (518) 447-7210
Completion Date: 10/15/18 Original bid price \$1 million, Completed cost: 65,387

2. Hartford CSD - Masonry Restoration, 4704 State Rte 149, Hartford, NY
Contact: Andrew Cook - (518) 632-5222 Completion date: 11/2019
Original bid price: \$75,000. Completed Cost: 67,375 12838

3. Bethlehem CSD - Middle School Pool - 332 Kenwood Ave, Delmar, NY 12054
Contact: Gregg Nolte - (518) 439-2123 Completion Date: 7/31/2020
Original bid price: \$972,000 Completed cost: \$917,211

ATTACHMENT "F"
BIDDER QUALIFICATION QUESTIONNAIRE

3. List projects presently under contract by your firm, the dollar volume of the contract and the percentage completion of the contract.

** please see attached work on hand dated
April 30, 2022*

4. Has your firm ever failed to complete work awarded to it, if so, state where and why.

YES - SEE ATTACHED vendor responsibility

5. Is your firm presently or has your firm ever been a party defendant in a lawsuit commenced against your firm alleging failure to properly complete work in accordance with the contract for same; if so, give details.

SEE ATTACHED vendor responsibility



MURNANE BUILDING CONTRACTORS

WORK ON HAND APRIL 30, 2022		CONTRACT VALUE	COMPLETED
18122	ORDA PUMP HOUSE1 WETWELL	936,314	493,914
19102	SUNY POTSDAM STUDENT B29	7,490,536	7,485,536
19106	CLINTON COMM-MOORE BLDG	6,266,655	6,214,060
20105	CVES BOCES-RECONSTRUCT	7,600,462	7,461,759
20106	SARANAC CSD 2020-21 CAP	4,803,974	4,803,974
21100	PLATTSBURGH CSD CAP PH2	1,086,118	1,086,118
21103	LISBON CSD	3,118,946	2,973,921
21109	STER-RX CONSTRUCTION	7,600,000	5,199,160
21110	SUNY HAWKIN HALL NURSING	541,000	411,102
21112	NCCS PHASE1 CAP IMP	4,251,968	1,635,774
21114	JOHN COLLINS PARK RENO	2,470,000	0
21118	HOOD & MOFFITT HALL RENO	7,066,010	2,946,376
21119	GUGGENHEIM CAPITAL PROJS	254,814	163,564
22100	NCCS PHASE 2 CAP IMP	3,140,200	404,450
22101	CHATEAUGAY CSD	411,700	16,010
22103	CLARKSON ERC INNOV HUB	1,706,600	0
19218	SUNY ONEONTA EMER SVC BD	5,603,883	5,603,883
20200	NEXUS CENTER	1,568,404	766,281
20203	MOHAWK VALL HEALTH FOUND	4,606,704	4,277,137
20213	MOHAWK VALLEY HLTH TOWER	17,331,565	5,404,993
21200	ONEIDA CO OFF PLAZA DECK	1,968,676	710,904
21204	COOPERSTOWN CSD 2019 CAP	985,000	955,674
21207	WHITESBORO CS 2020 CI P2	5,311,817	4,123,646
21211	NYCM ORCHARD PARK BRANCH	773,401	773,401
21213	CENTRAL NY PSYC BD 39&77	40,200,000	5,154,355
21214	NY CENTRAL MUTUAL ADD/AL	5,671,352	2,831,042
19311	LIBRARY PLACE- LECHASE	371,342	340,410
19317	UPSTATE INST CLIMATE/HLT	6,304,189	6,289,871
20302	HENNINGER HS	592,975	590,329
20303	ESF ILLICK/MOON SURGE SP	2,170,064	2,165,064
20307	UPSTATE HEART & VASCULAR	11,515,042	11,256,545
21301	UPSTATE UH S.WING FACADE	2,114,920	1,990,637
21306	E.SYR/MINOA PARK HILL CS	2,105,000	1,400,291
21309	UPSTATE HYPERBARIC EXPAN	4,668,966	0
21312	MCQUIRE CDR&J ADD & RENO	15,922,925	714,429
21313	UPSTATE MED LINEAR ACCEL	919,720	362,079
22300	ST JOES ELEVATOR #23 UPG	337,400	54,050
22301	ST JOES PARKING GARG POB	813,512	0
22302	CARRIER TR4 CAL STAND	367,545	311,488
22303	UPSTATE MED HOSP 4N/CH5W	636,000	11,053
20401	SALEM CSD ADDS AND ALTS	6,242,000	6,182,324
20403	AMSTERDAM CSD PH 5&6	6,800,000	5,557,391
20404	SCHENECTADY COUNTY JAIL	544,000	367,997
20406	SCHENECTADY CSD PV/YATES	6,962,551	5,823,235
21401	EAST GREENBUSH CSD PH3	4,489,544	1,769,405
21402	BEAVER CREEK RIVER ph3&4	630,000	0
21403	ALBANY CSD GROUP 3	8,326,614	4,957,231
21405	EAST GREENBUSH CSD PH3	1,431,000	64,510
22400	35 ERIE BLVD-ALBANY WB	1,414,000	62,124
22403	GREEN ISLAND UFSD	481,900	0
	TOTALS	228,927,308	122,167,498

Vendor Responsibility, Supplemental Response to Questions 16 and 21

Within the last five years, Murnane Building Contractors, Inc. (“MBC”) has been terminated from two projects prior to the completion of the term of the contract. MBC is currently involved in litigation related to both of those projects and the details are listed below. Copies of relevant documents can be made available upon request to Elizabeth Callahan at ecallahan@murnanebuilding.com.

1. Project: OGS 45124-C, Abate Hazardous Materials & Renovate NYS Office Building #4

On November 13, 2017, the New York State Office of General Services (“OGS”) found MBC non-responsible and terminated its contract with MBC on a Project on the Harriman Campus, Building 4 in Albany, New York on the basis that MBC allegedly “had not made a good faith effort by way of proper supervision, proper workmanship, or by meeting schedules, to be considered a responsible contractor at this time.” MBC’s non-responsibility finding, and termination, were based almost exclusively off of asbestos abatement work being done on the Project by MBC’s subcontractors. MBC vehemently opposes this finding and its termination, and is contesting same. On November 27, 2017, MBC submitted a lengthy notice of claim against OGS, and on May 11, 2018, MBC filed a Notice of Intention to File a Claim against OGS in the New York State Court of Claims. On November 8, 2019, MBC filed its Claim against OGS in the New York State Court of Claims (Claim No 133935), and the case is currently pending in litigation. Further, MBC is in litigation against the subcontractors who were responsible for MBC’s termination. In its Notices of Claim, MBC cited certain conditions on site that made the asbestos abatement work challenging – namely, a thick, hard to remove yellow glue substance that was not identified in the specifications and bad faith on the part of certain OGS field staff. This dispute remains ongoing. Importantly, in spite of OGS’s non-responsibility finding of MBC, on December 8, 2017, the New York State Department of Transportation (“DOT”) deemed MBC to be a responsible bidder in connection with a Project on the Schenectady Intermodal Station in Schenectady, New York, a Project that MBC successfully completed ahead of schedule. Further, multiple state agencies have deemed MBC to be a responsible bidder in connection with various projects awarded in the last four years

2. Project: Whiteface Pump House #1 Project: Phase 1 - Well Construction at Whiteface Mountain Ski Center in Wilmington, New York

On June 12, 2019, the New York State Olympic Regional Development Authority (“ORDA”) terminated MBC on the Whiteface Pump House #1 Project: Phase 1 – Well Construction at Whiteface Mountain Ski Center in Wilmington, New York (the “Project”). MBC challenged the termination determination, pursuant to Article 78 of the CPLR, as arbitrary and capricious, substantially unsupported by law or fact and the product of bad faith. MBC sought a Temporary Restraining Order (“TRO”) staying its termination, and

preventing ORDA from awarding the Contract to a completion contractor in violation of New York State's competitive bidding laws. Moreover, MBC sought a declaration that ORDA's termination of MBC was for convenience, rather than for default, pursuant to the terms of the Contract between the parties.

On July 2, 2019, the Honorable Richard B. Meyer of the New York State Supreme Court, Essex County, granted MBC's request for a TRO and issued a stay on ORDA's termination of MBC. Judge Meyer issued a Decision & Order in support of the Court's Decision on July 2, 2019. By Decision, Order & Judgment dated May 20, 2020, Judge Meyer held that ORDA's termination of MBC for cause was wrongful and that "there were and are no grounds to terminate Murnane" for cause under the Contract. In the Court's Decision, Judge Meyer held that MBC's termination could, thus, "only be without cause" and for convenience.

On October 21, 2021, the New York State Supreme Court, Appellate Division, Third Judicial Department issued a decision overturning Judge Meyer's decision on procedural grounds and remanding the matter for further consideration by Supreme Court, Essex County. The matter is currently in discovery.

Vendor Responsibility, Supplemental Response to Question 17

1. Onondaga Resource Recovery Agency (“OCRRA”)

Date of Claim: April 16, 2020

Amount of Claim: \$981,688

Summary: In 2019, Murnane had a contract with OCRRA to demolish and refurbish a transfer station. The manufacturer of the prefabricated metal building delivered it late and had to be fixed in several aspects in order to conform to the project specifications. The project was delayed by reason of the late delivery of the building and by reason of several concurrent delays that did not involve Murnane. On April 16, 2020, OCRRA wrote to Murnane and alleged a claim of \$981,688. The parties were able to resolve the claim and have agreed on a final payment to Murnane in the amount of \$279,642. The separate prime electrical contractor O’Connell Electric also filed a claim against OCRRA in the amount of \$94,478, which Murnane will defend and indemnify if O’Connell pursues it.

2. Murnane Building Contractors, Inc. and Travelers Casualty and Surety Company of America v. State of New York

NYS Court of Claims Claim No. 133935

Project: OGS Harriman Campus Building 4

Summary of Counterclaim: On November 8, 2019, Murnane and Travelers sued the State of New York for \$26,291,716.55 stemming from the Office of General Services’ (OGS) wrongful termination of Murnane from the project and Travelers’ completion of the project under its performance bond. On February 4, 2020, the State filed an amended answer with counterclaims against Murnane and Travelers in the amount of \$6,304,482.66 for additional costs allegedly incurred by OGS. Murnane filed a reply to the counterclaims and alleged 18 affirmative defenses. The case is in discovery.

3. Murnane Building Contractors, Inc. v. Clinton County

NYS Supreme Court Clinton County Index No. 2020-00020455

Project: Passenger Terminal Building Expansion Project – Phase II General Construction

Amount of Counterclaim: \$104,350.23

Summary of Counterclaim: On July 16, 2020, Murnane sued Clinton County, which owns the Plattsburgh International Airport, for \$884,416.51 stemming from seventeen claims for compensation for extra-contractual work that the Airport directed Murnane to perform. On October 14, 2020, the County filed counterclaims in the amount of \$104,350.23, blaming Murnane for warped floor tiles and allegedly defective sprinkler heads and a fan that occurred years after Murnane’s contractual warranty expired. Murnane replied to the counterclaims and alleged 21 affirmative defenses, including the defense that the warranty expired. The case is in discovery.

ATTACHMENT "F"
BIDDER QUALIFICATION QUESTIONNAIRE

6. Has your firm received two (2) final determinations within any consecutive six-year period, the second final determination occurring within the past five (5) years, that your firm willfully failed to pay the prevailing rate of wages or to provide supplements with Article 8 of the Labor Law, if so, give details.

N/A

7. Do you plan to sublet any part of this work? If so, give details.

Yes - most likely for sidewalks and sitework - subs TBD

8. Give the name, address and telephone number of an individual who represents each of the following and whom the Owner may contact to investigate your financial responsibility: a surety, and a bank.

Surety - Kevin Garrity, NFP, 518-244-4245
Bank - Brian Gladwin, NBT, 518-561-0164

ATTACHMENT "F"
BIDDER QUALIFICATION QUESTIONNAIRE

9. Give a summary of your financial statement. (List assets and liabilities, use an insert sheet, if needed).

- To be provided Upon Award

10. State the true, exact, correct and complete name of the partnership, corporation or trade name under which you do business, and the address of the place of business. (If a corporation, state the name and title of all officers. If a partnership, state the name of all partners. If a trade name, state the names of the individuals who do business under the trade name.) It is absolutely necessary that information be furnished.

Murnane Building Contractors, Inc
Correct Name of Bidder

(a) The business is a: Corporation

(b) The address of principal place of business is: 104 Sharron Ave
Plattsburgh, NY 12901

(c) The names of the corporate officers, or partners, or individuals doing business under a trade name, are as follows:


Michael J. Murnane - President & Treasurer
Patrick Murnane II - Secretary

ATTACHMENT "F"
BIDDER QUALIFICATION QUESTIONNAIRE

11. Is your firm qualified to do business in the State of New York? Yes ✓ No ____.
If No, signing this qualification statement constitutes agreement to obtain such qualification prior to award of contract immediately upon owner's request.

Murnane Building Contractors, Inc.
Firm

Dated: 6/8/22


By 
Michael J. Murnane
(Typed)

ATTACHMENT "G"
NON-INTERRUPTION OF WORK AGREEMENT

By submission of the bid for:

The bidder agrees that if this bid is accepted, he/she will not intentionally engage in any course of conduct or activity, or employ for the purposes of performing the public work, any subcontractors, employees, labor or materials which will or may result in the interruption of the performance of the public work due to labor strife or unrest by workmen employed by the bidder or by any of the trades working in or about the public works and/or premises where the work is being performed.

Firm: Murnane Building Contractors, Inc.

By: 
(Signature)

Michael S. Murnane
(Typed)

Title: President

Date: 6/8/22



Kathy Hochul, Governor

Roberta Reardon, Commissioner

Albany County Purchasing Div
Maureen Shea, Specification Technician
112 State street
Room 1000
Albany NY 12207

Schedule Year 2021 through 2022
Date Requested 05/20/2022
PRC# 2022005764

Location County Office Building
Project ID# RFB-2022-071
Project Type The basement ceiling and floor need repairs at 112 State Street in the basement due to water damage

PREVAILING WAGE SCHEDULE FOR ARTICLE 8 PUBLIC WORK PROJECT

Attached is the current schedule(s) of the prevailing wage rates and prevailing hourly supplements for the project referenced above. A unique Prevailing Wage Case Number (PRC#) has been assigned to the schedule(s) for your project.

The schedule is effective from July 2021 through June 2022. All updates, corrections, posted on the 1st business day of each month, and future copies of the annual determination are available on the Department's website www.labor.ny.gov. Updated PDF copies of your schedule can be accessed by entering your assigned PRC# at the proper location on the website.

It is the responsibility of the contracting agency or its agent to annex and make part, the attached schedule, to the specifications for this project, when it is advertised for bids and /or to forward said schedules to the successful bidder(s), immediately upon receipt, in order to insure the proper payment of wages.

Please refer to the "General Provisions of Laws Covering Workers on Public Work Contracts" provided with this schedule, for the specific details relating to other responsibilities of the Department of Jurisdiction.

Upon completion or cancellation of this project, enter the required information and mail **OR** fax this form to the office shown at the bottom of this notice, **OR** fill out the electronic version via the NYSDOL website.

NOTICE OF COMPLETION / CANCELLATION OF PROJECT

Date Completed: _____ Date Cancelled: _____

Name & Title of Representative: _____

Phone: (518) 457-5589 Fax: (518) 485-1870
W. Averell Harriman State Office Campus, Bldg. 12, Room 130, Albany, NY 12240