

COUNTY OF ALBANY

GC - BID FORM

BID IDENTIFICATION:

Title: 112 State Street 11th Floor Renovation Project
Bid Number: 2024-019-GC- General Construction

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	Number
4/15/24	#1
4/18/24	#2
4/25/24	#3

4/30/24 #4

(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")

(h) Required Apprenticeship Training Program Documentation (refer to RFB Section 27)

7. Communication concerning this Bid shall be addressed to:

James A. Urner, Jr. - President - jurner@awconstruction.com

Phone: 518-482-3400

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

COUNTY OF ALBANY

GC - BID FORM

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Conditions:

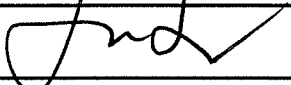
1. All bid prices must include all materials, labor, equipment, incidentals and other associated costs.
2. Base Bid work shall carry a 20% Base Bid Contingency Allowance for additional work discovered during construction beyond scope of work indicated on drawings and specifications. Contractor shall receive advance approval from the County Engineer prior to performing any additional work.

LUMP SUM BASE BID: \$ 1,525,800 (a)

20 % CONTINGENCY ALLOWANCE: \$ 305,160 (b)

FURNITURE INSTALLATION ALLOWANCE: \$ \$22,000.00 (c)

TOTAL BASE BID (a) + (b) + (c): \$ 1,852,960
Base Bid + 20% Contingency Allowance + Furniture Allowance)

COMPANY: AOW Construction, LLC
ADDRESS: 30 Essex Street
CITY, STATE, ZIP: Albany, NY 12206
TEL. NO.: 518-482-3400
FAX NO.: 518-482-3444
FEDERAL TAX ID NO.: 83-2875089
REPRESENTATIVE: James A. Urner, Jr.
E-MAIL: jurner@adwconstruction.com
SIGNATURE AND TITLE 
DATE: 5/1/2024

BF4

COUNTY OF ALBANY

GC - BID FORM

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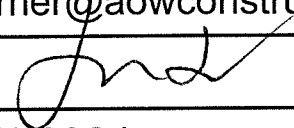
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Base Bid + 20% Contingency Allowance + Furniture Allowance

COMPANY: AOW Construction, LLC
ADDRESS: 30 Essex Street
CITY, STATE, ZIP: Albany, NY 12206
TEL. NO.: 518-482-3400
FAX NO.: 518-482-3444
FEDERAL TAX ID NO.: 83-2875089
REPRESENTATIVE: James A. Urner, Jr.
E-MAIL: jurner@aowconstruction.com
SIGNATURE AND TITLE 
DATE: 5/1/2024

Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

Bid Bond

Bond No. AOWC4-30-24-1

CONTRACTOR:

(Name, legal status and address)

AOW Construction, LLC
30 Essex Street
Albany, NY 12206

SURETY:

(Name, legal status and principal place of business)

Travelers Casualty and Surety Company of America

One Tower Square
Hartford, CT 06183

Mailing Address for Notices

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

OWNER:

(Name, legal status and address)

The County of Albany Department of General Services
112 State Street
Albany, NY 12207

BOND AMOUNT:

5%

Five Percent of Amount Bid

PROJECT:

(Name, location or address, and Project number, if any)

112 State Street 11th Floor Renovation

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 30th day of April, 2024.

(Witness)

AOW Construction, LLC

(Principal)

(Seal)

By: 

(Title)

Travelers Casualty and Surety Company of America

(Surety)

(Seal)

By: 

(Title) Renee A. Manny

Attorney-in-Fact

Acknowledgment by Corporation

STATE OF New York

COUNTY OF Albany

On this 1st day of May, 2024, before me personally appeared James A. Uiner Jr.; to me known, who being by me duly sworn, did acknowledge and say that (s)he is the President of AOW Construction, LLC, the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal, at my office in the above County, the day and year written above.

Courtney A Vrabel
_____, Notary Public

State of New York
County of Schenectady
My Commission Expires: 9/12/24

Courtney A Vrabel
Notary Public, State of New York
Reg. No. 01VR6347773
Qualified in Schenectady County
Commission Expires 09/12/2024

Acknowledgment by Surety

STATE OF New York

COUNTY OF Albany

On this 30th day of April, 2024, before me personally appeared Renee A. Manny, to me known, who being by me duly sworn, did acknowledge and say that she is the Attorney-in-Fact of Travelers Casualty and Surety Company of America, the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal, at my office in the above County, the day and year written above.

Jennifer S. Vanat
_____, Notary Public

State of _____
County of _____
My Commission Expires: _____

JENNIFER S. VANAT
Notary Public, State of New York
Qualified in Columbia County
Reg # 01VA6135808
Commission Expires Oct. 24, 2025



**Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company**

POWER OF ATTORNEY


KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Kevin Garrity, Christopher Terzian, Stephen J. Donnelly, Renee A. Manny, Lori Francett, Audrey J. Danielsen, John F. Murray Jr., Jennifer S. Vanat, Casey W LaChapelle, and Maddalena Bucciero of Albany, New York** their true and lawful Attorney (s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in the, r business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April, 2021**.

State of Connecticut

City of Hartford ss.



By: 
Robert L. Raney, Senior Vice President

On this the **21st** day of **April, 2021**, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June, 2026**




Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 30th day of April, 2024




Kevin E. Hughes, Assistant Secretary

**To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.**

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

HARTFORD, CONNECTICUT 06183

FINANCIAL STATEMENT AS OF DECEMBER 31, 2023

AS FILED IN THE STATE OF NEW YORK

CAPITAL STOCK \$ 6,480,000

ASSETS		LIABILITIES & SURPLUS	
BONDS	\$ 5,104,395,801	LOSSES	\$ 1,495,036,900
STOCKS	119,333,643	LOSS ADJUSTMENT EXPENSES	146,791,770
CASH AND INVESTED CASH	30,541,608	COMMISSIONS	55,734,579
OTHER INVESTED ASSETS	8,355,939	OTHER EXPENSES	55,546,499
SECURITIES LENDING REINVESTED COLLATERAL ASSETS	13,350,613	TAXES, LICENSES AND FEES	15,857,431
INVESTMENT INCOME DUE AND ACCRUED	43,617,243	CURRENT FEDERAL AND FOREIGN INCOME TAXES	5,300,838
PREMIUM BALANCES	325,304,977	UNEARNED PREMIUMS	1,515,112,686
REINSURANCE RECOVERABLE	27,997,684	ADVANCE PREMIUM	4,091,249
NET DEFERRED TAX ASSET	72,421,341	POLICYHOLDER DIVIDENDS	21,388,522
GUARANTY FUNDS RECEIVABLE OR ON DEPOSIT	1,798,901	CEDED REINSURANCE NET PREMIUMS PAYABLE	62,914,516
OTHER ASSETS	818,309	AMOUNTS WITHHELD / RETAINED BY COMPANY FOR OTHERS	21,072,858
		REMITTANCES AND ITEMS NOT ALLOCATED	7,201,721
		PROVISION FOR REINSURANCE	9,891,783
		PAYABLE FOR SECURITIES LENDING	13,350,613
		OTHER ACCRUED EXPENSES AND LIABILITIES	409,380
		TOTAL LIABILITIES	\$ 3,429,701,342
		CAPITAL STOCK	\$ 6,480,000
		PAID IN SURPLUS	433,803,760
		OTHER SURPLUS	1,877,950,956
		TOTAL SURPLUS TO POLICYHOLDERS	\$ 2,318,234,716
TOTAL ASSETS	\$ 5,747,936,058	TOTAL LIABILITIES & SURPLUS	\$ 5,747,936,058

STATE OF CONNECTICUT)
 COUNTY OF HARTFORD) SS.
 CITY OF HARTFORD)

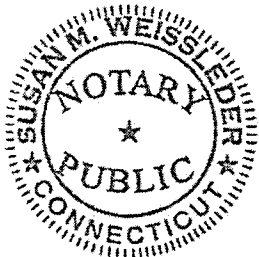
MICHAEL J. DOODY, BEING DULY SWORN, SAYS THAT HE IS VICE PRESIDENT - FINANCE, OF TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, AND THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, THE FOREGOING IS A TRUE AND CORRECT STATEMENT OF THE FINANCIAL CONDITION OF SAID COMPANY AS OF THE 31ST DAY OF DECEMBER, 2023.

Michael J. Doody
 VICE PRESIDENT - FINANCE

Susan M. Weissleder
 NOTARY PUBLIC

SUBSCRIBED AND SWORN TO BEFORE ME THIS
 15TH DAY OF MARCH, 2024

SUSAN M. WEISSELER
 Notary Public
 My Commission Expires November 30, 2027



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



Signature

President

Title

AOW Construction, LLC

Company Name

5/1/2024

Date

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 Albany)
COUNTY OF New York) SS.:

On this 1st day of May, 2024, before me personally appeared James A. Urner, Jr. to me known, who, being by me sworn, did say that he resides at (give address) Glenmont, NY; that he is the (give title) President of the (name of corporation) AOW Construction, LLC, 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.

Courtney A Vrabel
Notary Public, State of New York
Reg. No. 01VR6347773
Qualified in Schenectady County
Commission Expires 09/12/2024

Courtney A Vrabel
Notary Public, State of New York
Qualified in Schenectady
Commission Expires September 12, 2024

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 AOW Construction, LLC		3. IDENTIFICATION NUMBERS a) FEIN # 83-2875089 b) DUNS #
4. D/B/A – Doing Business As (if applicable) & COUNTY FIELD:		5. WEBSITE ADDRESS (if applicable) www.aowconstruction.com
6. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE 30 Essex Street, Albany, NY 12206		7. TELEPHONE NUMBER 518-482-3400
		8. FAX NUMBER 518-482-3444
9. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE <i>IN NEW YORK STATE, if different from above</i>		10. TELEPHONE NUMBER
		11. FAX NUMBER
12. AUTHORIZED CONTACT FOR THE QUESTIONNAIRE Name James A. Urner, Jr. Title President Telephone Number 518-512-5500 Fax Number 518-482-3444 e-mail jurner@aowconstruction.com		
13. LIST ALL OF THE VENDOR'S PRINCIPAL OWNERS.		
a) NAME James A. Urner, Jr.	TITLE President	b) NAME Craig Kennedy TITLE Vice President
c) NAME Nicole Armsby	TITLE Treasurer	d) NAME Debra Oliver TITLE Secretary
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 PRICIPAL 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? <i>List each individual's name, business title, the name of the organization and position elected or appointed to, and dates of service</i>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b) An officer of any political party organization in Albany County, whether paid or unpaid? <i>List each individuals name, business title or consulting capacity and the official political position held with applicable service dates.</i>		<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 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 type="checkbox"/> Yes <input checked="" 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 type="checkbox"/> Yes <input checked="" 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
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.

**ALBANY COUNTY
VENDOR RESPONSIBILITY QUESTIONNAIRE**

FEIN #

State of: New York)
) ss:
County of: Albany)

CERTIFICATION:

The undersigned: recognizes that this questionnaire is submitted for the express purpose of assisting the County of Albany in making a determination regarding an award of contract or approval of a subcontract; acknowledges that the County may in its discretion, by means which it may choose, verify the truth and accuracy of all statements made herein; acknowledges that intentional submission of false or misleading information may constitute a felony under Penal Law Section 210.40 or a misdemeanor under Penal Law Section 210.35 or Section 210.45, and may also be punishable by a fine and/or imprisonment of up to five years under 18 USC Section 1001 and may result in contract termination; and states that the information submitted in this questionnaire and any attached pages is true, accurate and complete.

The undersigned certifies that he/she:

- Has not altered the content of the questions in the questionnaire in any manner;
- Has read and understands all of the items contained in the questionnaire and any pages attached by the submitting vendor;
- Has supplied full and complete responses to each item therein to the best of his/her knowledge, information ad belief;
- Is knowledgeable about the submitting vendor's business and operations;
- Understands that Albany County will rely on the information supplied in the questionnaire when entering into a contract with the vendor;
- Is under duty to notify the Albany County Purchasing Division of any material changes to the vendor's responses.

Name of Business AOW Construction, LLC
Address 30 Essex Street
City, State, Zip Albany, NY 12206

Signature of Owner
Printed Name of Signatory James A. Urner, Jr.
Title President

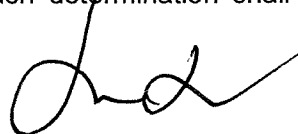
Sworn before me this 1st day of May, 2024,

Notary Public

James A. Urner, Jr.
Printed Name
Signature _____
5/1/2024
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.



Signature

President

Title

AOW Construction, LLC

Company Name

5/1/2024

Date

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: AOW Construction, LLC

Address: 30 Essex Street
Albany, NY 12206

Phone Number(s): 518-482-3400

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):

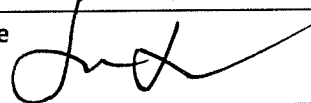
New Partitions and Finishes

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

County of Albany Department of General Services, 112 State Street, Albany NY 12207

James A. Urner, Jr.

Signature



Printed Name

President

Title

5/1/2024

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? 4 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. See Attached

2. _____

3. _____

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.

See Attached

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

No

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.

No

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.

No

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

No

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.

Patty Erwin, Vice President, NBT Bank, North America, 80 Wolf Road, Suite 101, Albany, NY 12205 518-437-4107

Kevin Garrity, Senior Vice President, Surety & Construction Services, NFP, 159 Wolf Road, Albany, NY 12205 518-244-4284

ATTACHMENT "F"
BIDDER QUALIFICATION QUESTIONNAIRE

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

See Attached

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.

AOW Construction

Correct Name of Bidder

(a) The business is a: **Corporation**

(b) The address of principal place of business is: **30 Essex Street, Albany, NY 12206**

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

James A. Urner, Jr. - President, Craig Kennedy - VP,

Nicole Armsby - Treasurer & Debra Oliver - Secretary

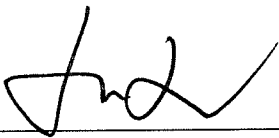
ATTACHMENT "F"
BIDDER QUALIFICATION QUESTIONNAIRE

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.

AOW Construction, LLC

Firm

Dated: 5/1/2024

By  _____

James A. Urner, Jr.

(Typed)



Design-Construct
Construction Management
General Construction

AOW Construction
30 Essex Street
Albany, New York 12206

Major Projects in Progress - Last Updated 31 March, 2024										
Project Name/Owner/Contact	AOW Construction Role	Contact Phone Number	Contact Email	Architect	Architect Phone Number	Contract Award Date	Contract Value	% Complete	Anticipated Completion Date	
Steamboat Phase I Renovations / AHA / Tim O'Byrne	Prime	(518)641.7536	IOByrne@Albanyhousing.org	SWBR	(518)488.5635	Oct-22	\$31,041,400	95%	Jul-24	
Albany High School Phase 4 Additions and Renovations / Turner (CM) / Bill Steele	Prime	(518)419.0664	wsteele@tcco.com	CS Arch	(518)463.0868	May-23	\$21,364,100	45%	Aug-25	
Sunnyview Hospital Renovation / SPHP / Jonathan Otterbeck	Prime	(518)525.3110	Jonathan.Otterbeck@sphp.com	Hyman Hayes Associates	(518)452.3740	Feb-22	\$8,692,000	78%	May-24	
Shaker Place Vehicle Storage Facility / Albany County/John Neri	Prime	(518)447.5562	John.Neri@albanycountyny.gov	Angerame Architects	(518)454.9300	Mar-24	\$7,967,900	0%	Feb-25	
SUNY Albany Lecture Center Phase IV / SUCF / Michelle Grant	Subcontractor to AOW Associates	(518)320.3235	Michelle.Grant@suny.edu	Architecture +	(518)272.4481	Jan-22	\$5,871,700	99%	Apr-24	
Troy Housing Authority Conway Court/ Deb Witowski	Prime	(518)273.3600	deb.witowski@troyhousing.org	RIDA Architecture	(518)713.4537	May-23	\$5,446,700	0%	Oct-25	
SUNY Albany Lecture Center Phase V / SUNY / John Baldwin	Prime	(518)442.3874	jbaldwin@albany.edu	Architecture +	(518)272.4481	Aug-23	\$5,337,800	2%	Nov-24	
Farren Care Center Demolition / SPHP / Michael Tierney	Prime	(518)525.3111	Michael.Tierney@sphp.com	Cannon Design	(617)742.5440	Oct-22	\$5,092,300	95%	Apr-24	
5th Floor Renovation / SUCF / Natalie Christman	Subcontractor to AOW Associates	(518)813.7196	natalie.christman@suny.edu	Holt Architects	(607)273.7600	Sep-22	\$4,364,400	99%	Apr-24	
Saratoga Schenectady Gastroenterology Associates / Tom Pierson	Prime	(518)851.1500	Pierson@sgsastro.com	The Architectural Collaborative	(518)796.6236	Mar-23	\$3,818,100	90%	May-24	
Glen Eddy Modernization & ALU / SPHP / Michael Tierney	Prime	(518)525.3111	Michael.Tierney@sphp.com	Richard E Jones Associates	(518)793.1015	Sep-22	\$3,790,700	80%	Jul-24	
Ray Wemple Memorial Rink/ Schenectady County/Erin Reich	Prime	(518)338.8026	Erin.reich@schenectadycountyny.gov	C2 Design Group	(518)320.8250	Mar-24	\$3,457,700	0%	Dec-24	
Beverwyck Modernization / SPHP / David Wendth	Prime	(518)271.5024	David.Wendth@sphp.com	Richard E Jones Associates	(518)793.1015	Sep-22	\$3,459,200	88%	Jun-24	
SUNY Albany Pool and Gym Renovation / SUCF / John Bossung	Subcontractor to AOW Associates	(518)320.3202	John.Bossung@suny.edu	Lacey, Thayer, Reilly, Wilson	(518)375.1485	Nov-21	\$3,562,900	99%	Jun-24	
DMNA Headquarters Renovatio / OGS / Peter Gartung	Subcontractor to AOW Associates	(607)206.9645	Peter.Gartung@ogs.ny.gov	Architecture +	(518)272.4481	Jun-22	\$3,230,200	96%	May-24	
SUNY Albany Livingston Tower Refresh/ DASNY/John Olszewski	Prime	(518)442.3353	jolszews@dasmny.org	CHA	(518)453.4500	Apr-24	\$3,195,600	0%	Sep-24	



Design-Construct
Construction Management
General Construction

AOW Construction
30 Essex Street
Albany, New York 12206

Major Projects in Progress - Last Updated 31 March, 2024

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A.O.W. ASSOCIATES, INC. AND AFFILIATE

COMBINED FINANCIAL STATEMENTS

DECEMBER 31, 2022 AND 2021



Teal, Becker & Chiaramonte™
CERTIFIED PUBLIC ACCOUNTANTS & ADVISORS

A Higher Standard of Excellence



Teal, Becker & Chiaramonte™
CERTIFIED PUBLIC ACCOUNTANTS & ADVISORS

To The Board Of Directors
A.O.W. Associates, Inc. and Affiliate
Albany, New York

Independent Accountants' Review Report

We have reviewed the accompanying combined financial statements of A.O.W. Associates, Inc. and Affiliate (the Companies), which comprise the combined balance sheets as of December 31, 2022 and 2021, and the related combined statements of income, changes in stockholder's and members' equity, and cash flows for the years then ended, and the related notes to the combined financial statements. A review includes primarily applying analytical procedures to management's financial data and making inquiries of Company management. A review is substantially less in scope than an audit, the objective of which is the expression of an opinion regarding the combined financial statements as a whole. Accordingly, we do not express such an opinion.

Management's Responsibility for the Combined Financial Statements

Management is responsible for the preparation and fair presentation of these combined financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of combined financial statements that are free from material misstatement whether due to fraud or error.

Accountants' Responsibility

Our responsibility is to conduct the review engagements in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. Those standards require us to perform procedures to obtain limited assurance as a basis for reporting whether we are aware of any material modifications that should be made to the combined financial statements for them to be in accordance with accounting principles generally accepted in the United States of America. We believe that the results of our procedures provide a reasonable basis for our conclusion.

We are required to be independent of A.O.W. Associates, Inc. and Affiliate and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our reviews.

Accountants' Conclusion

Based on our reviews, we are not aware of any material modifications that should be made to the accompanying combined financial statements in order for them to be in accordance with accounting principles generally accepted in the United States of America.

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Combined Balance Sheets

December 31

	<u>2022</u>	<u>2021</u>
<u>Assets</u>		
Current assets:		
Cash	\$ 4,565,235	\$ 4,901,331
Restricted cash (Note 2)	-	1,715,318
Accounts receivable (Notes 3 and 13)	6,467,925	6,464,502
Contract assets (Notes 3 and 4)	3,193,871	2,619,191
Prepaid expenses	<u>303,156</u>	<u>216,502</u>
Total current assets	14,530,187	15,916,844
Property and equipment, net (Note 5)	431,743	104,878
Operating lease right-of-use assets, net (Note 6)	111,099	-
Goodwill, net (Note 7)	200,000	300,000
Receivable from related party (Note 9)	<u>309,029</u>	<u>309,029</u>
Total Assets	<u>\$ 15,582,058</u>	<u>\$ 16,630,751</u>
 <u>Liabilities And Stockholder's And Members' Equity</u>		
Current liabilities:		
Accounts payable	\$ 4,387,583	\$ 2,453,277
Other payables and accrued expenses	1,710,559	3,202,614
Contract liabilities (Notes 3 and 4)	3,764,369	4,894,701
Current portion of operating lease liabilities (Note 6)	44,094	-
Due to related party (Note 9)	<u>122,706</u>	<u>117,137</u>
Total current liabilities	10,029,311	10,667,729
Operating lease liabilities (Note 6)	<u>67,005</u>	-
Total liabilities	10,096,316	10,667,729
Stockholder's and members' equity	<u>5,485,742</u>	<u>5,963,022</u>
Total Liabilities And Stockholder's And Members' Equity	<u>\$ 15,582,058</u>	<u>\$ 16,630,751</u>

See independent accountants' review report and accompanying notes to combined financial statements

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Combined Statements Of Changes In Stockholder's And Members' Equity

For The Years Ended December 31, 2022 And 2021

	A.O.W. Associates, Inc.		A.O.W. Construction, LLC		Eliminations	Total
	Common Stock*	Treasury Stock*	Retained Earnings	Members' Equity		
Balance At December 31, 2020	\$ 348,113	\$ (682,500)	\$ 7,488,935	\$ 6,786,738	\$ (6,017,065)	\$ 7,924,221
Combined net income	-	-	1,395,119	1,628,502	(1,344,959)	1,678,662
Members' distributions	-	-	(3,429,461)	(3,574,599)	3,364,199	(3,639,861)
Balance At December 31, 2021	348,113	(682,500)	5,454,593	4,840,641	(3,997,825)	5,963,022
Combined net income	-	-	921,259	1,166,256	(885,189)	1,202,326
Members' distributions	-	-	(1,614,027)	(1,615,581)	1,550,002	(1,679,606)
Balance At December 31, 2022	<u>\$ 348,113</u>	<u>\$ (682,500)</u>	<u>\$ 4,761,825</u>	<u>\$ 4,391,316</u>	<u>\$ (3,333,012)</u>	<u>\$ 5,485,742</u>

*Common Stock, no stated value - 200 shares authorized, 3 shares issued, and 1 share outstanding
 Treasury Stock - 2 shares, at cost

See independent accountants' review report and accompanying notes to combined financial statements
 (5)

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Combined Statements Of Cash Flows

For The Years Ended December 31

	<u>2022</u>	<u>2021</u>
Supplemental schedules of noncash investing and financing activities:		
Distributions to stockholder and members	\$ 1,679,606	\$ 3,639,861
Less: accrued distributions to members - current year	99,651	137,175
Add: accrued distributions to members - prior year	<u>137,175</u>	<u>88,655</u>
Distributions To Stockholder And Members, Net	<u>\$ 1,717,130</u>	<u>\$ 3,591,341</u>
Operating lease right-of-use assets acquired	\$ 154,736	\$ -
Less: operating lease obligations incurred	<u>154,736</u>	<u>-</u>
Expenditures For Operating Lease Right-Of-Use Assets	<u>\$ -</u>	<u>\$ -</u>
Accrued expenses transferred to related party	\$ 64,730	\$ -
Less: net advances from payable to related party	<u>64,730</u>	<u>-</u>
Net Due To Related Party Activity	<u>\$ -</u>	<u>\$ -</u>

See independent accountants' review report and accompanying notes to combined financial statements

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Notes To Combined Financial Statements

Note 1: Summary Of Significant Accounting Policies (Continued)

The Companies have identified their material revenue stream as follows:

Revenue primarily consists of lump-sum contracts and cost plus with a guaranteed max. The Companies recognize revenue as performance obligations are satisfied and control of the promised good and/or service is transferred to the customer. Revenue related to lump-sum contracts and cost plus with a guaranteed max is ordinarily recognized over time as control is transferred to the customers by measuring the progress toward complete satisfaction of the performance obligation(s) using the cost-to-cost method (percentage-of-completion), an input method. Using this method, the Companies recognize as gross profit the proportion of the gross profit anticipated from each contract which the cost of work completed bears to the total estimated cost of the contract. Management considers total cost to be the best available measure of progress on contracts.

The asset, "Costs and estimated earnings in excess of billings on uncompleted contracts", represents revenues recognized in excess of amounts billed. The liability, "Billings in excess of costs and estimated earnings on uncompleted contracts", represents billings in excess of revenues recognized.

Subsequent to the inception of the contract, the transaction price could change for various reasons such as: change orders, unresolved contract modifications, and claims to or from owners. Changes that are accounted for as an adjustment to existing performance obligations are allocated on the same basis at contract inception. Otherwise, changes are accounted for as separate performance obligations with a separate transaction price which is determined using the methodology described above. Changes are made to the transaction price from unapproved change orders to the extent the amount can be reasonably estimated and recovery is probable.

All contract costs, including those associated with affirmative claims, change orders, liquidated damages, and back charges are recorded as incurred and revisions to estimated total costs are reflected as soon as the obligation to perform is determined. Contract costs consist of direct costs on contracts, including labor and materials, amounts payable to subcontractors, indirect labor, and overhead costs (primarily depreciation, vehicle expenses, and insurance). Provisions for estimated losses on uncompleted contracts are made in the period in which such losses are determined. Changes in job performance, job conditions, and estimated profitability, including those arising from contract penalty provisions and final contract settlements, may result in revisions to costs and income and are recognized in the period in which the revisions are determined.

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Notes To Combined Financial Statements

Note 1: Summary Of Significant Accounting Policies (Continued)

Mobilization and bonding costs - Mobilization costs include costs to mobilize equipment and labor to a job site prior to substantive work beginning. Additionally, the Companies incur bonding costs prior to the commencement of work on projects. Significant mobilization and bonding costs are capitalized as incurred and amortized over the expected duration of the contract.

Uninstalled materials - The Companies recognize revenue, but not profit, on significant uninstalled materials that are not specifically produced, fabricated, or constructed for a project and such costs are excluded in the cost-to-cost calculation for the duration of the contract as including these costs would result in a distortion of progress towards satisfaction of the performance obligation due to the resulting cumulative catch-up in margin in a single period. An equal amount of cost and revenue is recorded when significant uninstalled materials are controlled by the customer, which is typically when the Companies have the right to payment for the materials and when the materials are delivered to the customer's site or location and such materials have been accepted by the customer. Significant uninstalled materials are held in inventory and included in other current assets on the Companies' combined balance sheets until control is transferred to the customer.

Wasted materials and labor - The Companies exclude costs which do not contribute to the Companies' progress in satisfying performance obligations from its measure of progress in fulfilling those performance obligations. Costs such as wasted materials and wasted labor are not included in the Companies' measure of progress and are charged to operating expenses in the period incurred.

Variable consideration - The Companies include variable consideration in the estimated transaction price to the extent it is probable that a significant reversal of cumulative revenue recognized will not occur or when the uncertainty associated with the variable consideration is resolved. The Companies' estimates of variable consideration and determination of whether to include estimated amounts in the transaction price are based largely on an assessment of its anticipated performance and all information (historical, current, and forecasted) that is reasonably available to the Companies.

Accounts receivable - Accounts receivable are comprised of amounts billed and currently due from customers. Accounts receivable are amounts related to any unconditional right the Companies have to receive consideration. Receivables are considered past due when payment is not received within the period allowed under the terms of the sale or contract. The Companies generally grant payment terms of thirty days from the date of the invoice. Substantially all of the accounts receivable are considered collectible. Accordingly, no allowance for doubtful accounts is required. If it is probable accounts are uncollectible, they are charged to operations and an allowance is established when that determination is made.

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Notes To Combined Financial Statements

Note 1: Summary Of Significant Accounting Policies (Continued)

Tax positions are evaluated and recognized in the combined financial statements when it is more-likely-than-not the position will be sustained upon examination by the tax authorities.

Estimates - The preparation of combined financial statements in accordance with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the combined financial statements and the reported amounts of revenues and expenses during the reporting period. The application of these accounting principles involves the exercise of judgment and use of assumptions as to future uncertainties and, as a result, actual results could differ from these estimates. The Companies periodically evaluate estimates and assumptions used in the preparation of the combined financial statements and makes changes on a prospective basis when adjustments are necessary. Significant estimates made by the Companies in the accompanying combined financial statements include certain assumptions related to computing profit percentages under the percentage-of-completion revenue recognition method and revenue recognition policies. Actual results could differ from these estimates.

Presentation - Certain reclassifications, when applicable, are made to the prior year combined financial statement presentation to correspond to the current year's format. Reclassifications, when made, have no effect on total equity or combined net income.

Recently adopted accounting principle - Effective January 1, 2022, the Companies adopted ASU 2016-02, *leases (Topic 842)* and all subsequent amendments issued thereafter that amend the accounting guidance on leases. The Companies adopted Topic 842 using the modified retrospective transition method as of the date of adoption. Results for reporting periods beginning January 1, 2022 are presented under Topic 842, while prior period amounts are not adjusted and continue to be reported in accordance with the Company's historic policies under Topic 840, *Leases*. The adoption of this accounting guidance as of January 1, 2022 did not have an effect on the Company's results of operations and on the opening balance of members' equity.

As part of the adoption of ASC 842, the Company adopted the package of practical expedients in transition, which permits the Companies to not reassess its conclusions pertaining to lease identification, lease classification, and initial direct costs on leases that commenced prior to the adoption of the new standard. The Companies did not elect the use-of-hindsight or land easements practical expedients.

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Notes To Combined Financial Statements

Note 2: Cash And Restricted Cash

At December 31, 2021, the Companies had cash being held as collateral in an interest-bearing account, reported in the combined balance sheets as a short-term asset based on when the cash would be contractually released. The funds were released on February 16, 2022.

The following provides a reconciliation of cash and restricted cash reported within the combined balance sheets that sum to the total of the same such amounts shown in the combined statements of cash flows at December 31:

	<u>2022</u>	<u>2021</u>
Cash	\$ 4,565,235	\$ 4,901,331
Restricted cash	-	1,715,318
Total Cash And Restricted Cash Shown In The Combined Statements Of Cash Flows	\$ 4,565,235	\$ 6,616,649

Of these amounts, \$4,565,235 and \$6,616,649 were included in current assets, as of December 31, 2022 and 2021, respectively.

Note 3: Accounts Receivable, Contract Assets And Liabilities

The balances for accounts receivable, contract assets, and contract liabilities from contracts with customers are as follows:

	<u>December 31, 2022</u>	<u>December 31, 2021*</u>	<u>January 1, 2021</u>
Accounts receivable:			
Accounts receivable - trade	\$ 5,911,856	\$ 5,901,354	\$ 9,010,753
Accounts receivable - other (see Note 13)	556,069	563,148	5,052
Total Accounts Receivable	\$ 6,467,925	\$ 6,464,502	\$ 9,015,805
Contract assets:			
Costs and estimated earnings in excess of billings on uncompleted contracts	\$ 752,436	\$ 379,308	\$ 1,005,262
Accounts receivable - retainage on uncompleted contracts	2,431,435	2,239,883	1,411,434
Unbilled accounts receivable	10,000	-	-
Total Contract Assets	\$ 3,193,871	\$ 2,619,191	\$ 2,416,696

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Notes To Combined Financial Statements

Note 5: Property And Equipment

Property and equipment, stated on the combined balance sheets at cost less accumulated depreciation, at December 31 consist of:

<u>Item</u>	2022		2021	
	<u>Cost</u>	<u>Accumulated Depreciation</u>	<u>Cost</u>	<u>Accumulated Depreciation</u>
Vehicles	\$ 739,651	\$ 430,754	\$ 540,391	\$ 460,550
Equipment	645,342	525,230	522,587	510,446
Office equipment	106,104	103,370	106,104	93,208
Furniture and fixtures	33,343	33,343	33,343	33,343
	1,524,440	<u>\$ 1,092,697</u>	1,202,425	<u>\$ 1,097,547</u>
Less: accumulated depreciation	1,092,697		1,097,547	
Total	\$ 431,743		\$ 104,878	

Depreciation expense charged to operations for the years ended December 31, 2022 and 2021 was \$77,747 and \$47,877, respectively.

Note 6: Leases

The Companies lease an administrative office under an operating lease from a related party expiring in June 2025.

As of December 31, 2022, operating right-of-use assets and operating lease liability balances were as follows following the implementation of Topic 842, *Leases* effective January 1, 2022:

Operating lease right-of-use assets:

Cost	\$ 154,736
Less: accumulated amortization	<u>(43,637)</u>
Net carrying amount, December 31, 2022	<u>\$ 111,099</u>
Net carrying amount, January 1, 2022	\$ -
Effect of adopting Topic 842	154,736
Amortization	<u>(43,637)</u>
Net carrying amount, December 31, 2022	<u>\$ 111,099</u>

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Notes To Combined Financial Statements

Note 7: Goodwill

Goodwill, stated on the combined balance sheets at cost less accumulated amortization, at December 31 consists of:

	<u>2022</u>	<u>2021</u>
Goodwill	\$ 500,000	\$ 500,000
Less: accumulated amortization	<u>300,000</u>	<u>200,000</u>
Total	<u>\$ 200,000</u>	<u>\$ 300,000</u>

Amortization expense charged to operations for each of the years ended December 31, 2022 and 2021 was \$100,000. The Companies expect amortization expense to be \$100,000 per year for each of the next 2 years.

Note 8: Short-Term Borrowings

The Companies have a \$3,000,000 revolving line of credit with a bank, expiring September 30, 2023. Borrowings against the line are due on demand and interest is payable monthly at the prime rate (prime was 7.5% at December 31, 2022). The line is secured by a first security interest in all business assets. The line is guaranteed by the stockholder of A.O.W. Associates, Inc. The Companies have \$3,000,000 available at December 31, 2022.

Note 9: Related Party Transactions

At December 31, 2022 and 2021, the Companies were involved in various transactions with a company wholly owned by the sole stockholder of A.O.W. Associates, Inc. (the Company) and a related company. Transactions and balances with the related parties at December 31 consist of:

	<u>2022</u>	<u>2021</u>
<u>Due to and from related party</u>		
Due To Related Party - Represents an accrual of owner distributions to AOW Ventures, LLC.	<u>\$ 57,976</u>	<u>\$ 117,137</u>
Receivable From Related Party - Represents a loan to a company wholly owned by the sole stockholder of A.O.W Associates, Inc., without interest and no specific repayments terms.	<u>\$ 309,029</u>	<u>\$ 309,029</u>
Due To Related Party - Represents transfer of compensated absences for the sole stockholder of A.O.W Associates, Inc. and an owner of A.O.W. Construction, LLC.	<u>\$ 64,730</u>	<u>\$ -</u>

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Notes To Combined Financial Statements

Note 11: Multi-Employer Plan

The Companies contribute to several multi-employer defined benefit pension plans (the Plans) under terms of collective bargaining agreements that cover a number of its employees. The risks of participating in these multi-employer plans are different from single employer plans in the following aspects:

- Assets contributed to the multi-employer plans by one company may be used to provide benefits to employees of other participating companies.
- If a participating company stops contributing to the Plans, the unfunded obligations of the Plans may be borne by the remaining participating companies.
- If the Companies stop participating in some or all of its multi-employer plans, and continue in business, the Companies could be required to pay an amount, referred to as a withdrawal liability, based on the unfunded status of the Plans. The Companies have no intention of stopping their participation in any multi-employer plans.

For the years ended December 31, 2022 and 2021, union pension expense approximates \$758,659 and \$700,282, respectively.

Note 12: Concentrations Of Credit Risk

Financial instruments that potentially subject the Companies to concentrations of credit risk consist principally of cash in financial institutions. Accounts at each institution are insured up to the Federal Deposit Insurance Corporation limits.

Note 13: Employee Retention Credit

A.O.W. Associates, Inc. (the Company) qualified for the Employee Retention Credit as enacted by the CARES Act and the American Rescue Plan Act of 2021 for the year ended December 31, 2021. The Employee Retention Credit is a refundable tax credit against certain employment taxes equal to 70% of the qualified wages paid to employees from January 1, 2021 through September 30, 2021. Qualified wages per employee are wages and certain health plan costs up to a total of \$10,000 per quarter in 2021 when an employer experiences either a full or partial suspension of operations due to a governmental order or a significant decline in gross receipts. A significant decline in gross receipts begins on the first day of the first calendar quarter of 2021 for which an employer's gross receipts are less than 80% of its gross receipts (or more than a 20% decline) for the same calendar quarter in 2019. In 2021, the Company recorded the revenue in accordance with the IAS 20 Model on Government Assistance as other income on the combined statements of income and recorded a receivable included in accounts receivable of \$544,741 for the year ended December 31, 2021. This receivable is still outstanding at December 31, 2022. This government assistance may be subject to audit by the IRS which may result in disallowances. No provision has been made for any liabilities that may arise from such audits since amounts, if any, cannot be determined at this time.

COMBINED SUPPLEMENTARY INFORMATION

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Combined Schedules Of Operating Expenses

For The Years Ended December 31

	<u>2022</u>	<u>2021</u>
Operating expenses:		
Officer salaries	\$ 824,480	\$ 809,938
Salaries	570,767	625,008
Professional fees	253,065	130,794
Payroll taxes	142,634	127,990
Pension	134,299	241,014
Contributions	114,316	92,354
Amortization	100,000	100,000
Office expense	97,280	51,956
Travel, entertainment, and promotion	77,166	73,294
Insurance - officer life	60,178	60,178
Repairs and maintenance	52,653	21,385
Lease expense	45,000	45,000
Real estate taxes	28,169	27,465
Dues and subscriptions	26,431	39,535
Utilities	22,114	16,380
Advertising	14,228	18,203
Telephone	12,092	11,870
State franchise fees	11,956	4,525
Depreciation	10,162	11,454
Training and education	7,732	2,710
Miscellaneous	1,251	4,842
Employee benefits	1,051	-
Bad debt recovery	(23,933)	-
	<u>\$ 2,583,091</u>	<u>\$ 2,515,895</u>
Total Operating Expenses		

See independent accountants' review report

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Combined Schedule Of Contracts Completed And In Progress

For The Year Ended December 31, 2022

Job No.	Current Estimated:			% Costs Incurred To Total Est. Costs			Current Year:			Gross Profit To Be Recognized:					
	Contract	Total Costs	Gross Profit	Revenue Recognized To Date	Costs Incurred To Date	Gross Profit To Date	Contract Income	Contract Costs	Gross Profit	Progress Billings To Date	Costs & Earnings In Excess Of Billings	Estimated Less on Uncompleted Contracts	Uncompleted Work	Cost To Complete	Gross Profit
20-00068	27,319,104	24,905,524	2,413,580	25,055,767	22,842,148	2,213,619	8,677,607	8,147,801	529,806	25,720,132	-	-	2,263,337	2,063,376	199,961
20-00118	179,071	166,814	12,857	121,028	112,367	8,661	909	6,758	(5,849)	120,814	214	-	58,643	54,447	4,196
21-00035	3,665,312	3,459,297	226,015	3,516,115	3,299,298	216,815	2,268,521	2,071,672	196,849	3,594,140	-	-	149,199	139,999	9,200
21-00071	2,349,516	2,222,622	126,894	1,749,823	1,653,318	94,505	1,620,167	1,517,207	102,960	1,739,554	10,269	-	599,693	567,304	32,389
21-00087	107,421	82,053	25,368	79,402	60,651	18,751	45,812	29,510	16,302	111,717	-	-	28,019	21,402	6,617
21-00088	4,639,834	4,389,834	250,130	4,453,236	4,212,172	240,064	3,626,971	3,391,561	235,410	4,455,559	-	-	186,728	176,662	10,066
21-00099	3,270,722	3,091,296	179,426	2,835,24	2,635,375	199,869	2,531,312	2,378,989	152,323	4,455,559	-	-	7,127,531	6,629,801	497,730
21-00100	1,862,066	1,779,590	82,476	1,492,927	1,417,716	75,211	1,375,830	1,274,400	101,430	1,862,066	-	-	3,246,859	3,068,742	178,117
21-00102	616,380	594,495	21,885	492,927	474,716	18,211	43,675	42,400	1,274	616,380	-	-	1,812,159	1,731,874	80,285
21-00111	2,967,296	2,805,759	161,537	1,421,194	1,343,823	77,369	1,347,830	1,256,596	91,234	1,562,910	-	-	1,546,102	1,461,934	84,168
21-00122	5,646,757	5,251,615	395,142	2,723,523	2,532,940	190,583	2,721,945	2,531,599	190,346	2,917,065	-	-	2,923,234	2,718,675	204,559
21-00127	1,451,282	1,344,318	106,964	1,432,339	1,326,771	105,569	1,431,830	1,326,569	105,261	1,451,282	-	-	18,943	17,547	1,396
21-00132	833,248	752,011	81,237	462,857	417,731	45,126	462,857	409,748	53,109	575,171	-	-	370,391	334,280	36,111
21-00152	491,757	450,364	41,393	488,719	447,582	41,137	488,719	447,582	41,137	488,719	-	-	3,038	2,782	256
22-00001	78,645	66,398	12,247	77,130	65,119	12,011	77,130	65,119	12,011	77,130	-	-	3,048,448	2,865,620	182,828
22-00003	6,222,577	5,849,384	373,193	3,174,129	2,983,764	190,365	3,174,129	2,983,764	190,365	3,609,779	-	-	114,430	103,893	10,537
22-00005	1,343,693	1,219,963	123,730	1,229,263	1,116,070	113,193	1,229,263	1,115,340	113,923	1,268,955	-	-	39,692	36,606	3,086
22-00007	377,335	319,996	59,339	97,979	82,571	15,408	97,979	82,571	15,408	124,585	-	-	279,356	235,425	43,931
22-00015	1,010,597	845,942	164,655	219,524	183,757	35,767	219,524	183,757	35,767	371,922	-	-	791,073	662,185	128,888
22-00016	89,698	53,384	36,314	31,977	19,031	12,946	31,977	19,031	12,946	656,886	-	-	57,721	54,355	3,368
22-00025	656,886	513,946	122,940	610,843	492,930	117,913	610,843	492,930	117,913	656,886	-	-	26,043	21,016	5,027
22-00031	127,222	115,656	11,566	205	186	19	205	186	19	282,812	-	-	127,017	115,470	11,547
22-00034	282,812	200,949	81,863	237,392	168,676	68,716	237,392	168,676	68,716	282,812	-	-	45,430	32,275	13,147
22-00035	247,801	192,555	55,246	149,208	115,943	33,265	149,208	115,943	33,265	206,666	-	-	98,595	76,612	21,981
22-00049	28,400,236	26,134,028	2,266,208	191,981	544,744	47,237	591,981	544,744	47,237	268,870	323,111	-	27,808,255	25,599,284	2,218,971
22-00076	2,949,005	2,561,528	387,477	446,621	387,938	58,683	446,621	387,938	58,683	453,162	-	-	2,502,384	2,173,590	328,794
22-00079	89,642	67,871	21,771	28,827	21,826	7,001	28,827	21,826	7,001	69,159	-	-	60,815	46,045	14,770
22-00080	498,500	416,691	81,809	46,058	38,499	7,559	46,058	38,499	7,559	23,101	-	-	452,442	378,192	74,250
22-00081	22,500	22,500	-	3,084	3,084	-	3,084	3,084	-	3,084	-	-	19,416	19,416	-
22-00084	4,155,726	3,768,179	387,547	642,991	583,028	59,963	642,991	583,028	59,963	595,390	47,601	-	3,512,735	3,185,151	327,584
22-00097	377,547	293,447	84,100	258,450	200,879	57,571	258,450	200,879	57,571	314,330	-	-	119,097	92,568	26,529
22-00100	187,720	161,156	26,564	2,033	1,745	288	2,033	1,745	288	2,033	-	-	185,687	159,411	26,276
22-00103	2,250,620	2,035,718	214,902	45,368	41,036	4,332	45,368	41,036	4,332	120,185	-	-	2,205,252	1,994,682	210,570
22-00109	215,600	170,602	44,998	66,158	52,350	13,808	66,158	52,350	13,808	30,410	-	-	981,390	908,694	72,696
22-00110	140,050	99,858	40,192	38,951	27,773	11,178	38,951	27,773	11,178	131,030	-	-	101,099	72,085	29,014
22-00120	177,210	170,336	6,874	129,276	124,261	5,015	129,276	124,261	5,015	295,711	-	-	47,934	46,075	1,859
22-00123	5,018,411	4,791,569	226,842	348,888	333,118	15,770	348,888	333,118	15,770	295,711	-	-	4,669,523	4,438,451	211,072
22-00129	988,797	919,811	68,986	1,437	1,337	100	1,437	1,337	100	5,337	-	-	101,099	72,085	29,014
22-00133	83,354	73,865	9,489	90	80	10	90	80	10	5,337	-	-	47,934	46,075	1,859
22-00135	1,361,367	1,293,390	67,977	16,680	15,847	833	16,680	15,847	833	16,680	-	-	83,264	73,785	9,479
22-00138	245,826	220,946	24,880	17,771	15,972	1,799	17,771	15,972	1,799	17,771	-	-	1,344,687	1,277,545	67,144
22-00139	105,224	64,141	41,083	30,956	18,870	12,086	30,956	18,870	12,086	89,235	-	-	228,055	204,074	23,981
22-00140	179,108	170,108	9,000	1,401	1,218	183	1,401	1,218	183	89,235	-	-	74,268	45,271	28,997
22-00143	6,563	2,898	3,665	2,081	919	1,162	2,081	919	1,162	6,591	-	-	4,482	1,979	2,503
Sub-Total	121,437,359	111,654,110	9,783,249	50,179,526	46,016,113	4,163,413	31,352,032	28,886,685	2,465,347	51,720,982	752,456	-	71,257,833	65,637,997	5,619,836
Total	\$ 164,023,181	\$ 148,354,708	\$ 15,668,473	\$ 92,765,348	\$ 82,716,711	\$ 10,048,637	\$ 45,465,567	\$ 39,874,854	\$ 5,590,713	\$ 94,306,804	\$ 752,436	\$ 2,293,892	\$ 71,257,833	\$ 65,637,997	\$ 5,619,836

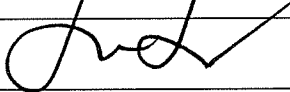
See independent accountants' review report

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: AOW Construction, LLC

By: 
(Signature)

James A. Urner, Jr.
(Typed)

Title: President

Date: 5/2/2024



May 1, 2024

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

Re: 112 State Street 11th Floor Renovation

Ms. O'Neill,

AOW Construction, LLC is a management company and all on site labor will comply with the NYS apprenticeship program requirements.

Sincerely,

A handwritten signature in black ink, appearing to read 'James A. Urner, Jr.', written over a light blue horizontal line.

James A. Urner, Jr.
President

Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

Bid Bond

Bond No. AOWC4-30-24-1

CONTRACTOR:

(Name, legal status and address)

AOW Construction, LLC
30 Essex Street
Albany, NY 12206

SURETY:

(Name, legal status and principal place of business)

Travelers Casualty and Surety Company of America
One Tower Square
Hartford, CT 06183
Mailing Address for Notices

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

OWNER:

(Name, legal status and address)

The County of Albany Department of General Services
112 State Street
Albany, NY 12207

BOND AMOUNT: 5% Five Percent of Amount Bid

PROJECT:

(Name, location or address, and Project number, if any)

112 State Street 11th Floor Renovation

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 30th day of April, 2024.

AOW Construction, LLC

(Principal)

(Seal)

(Witness)

By: 

(Title)

Travelers Casualty and Surety Company of America

(Surety)

(Seal)

(Witness)

By: 

(Title) Renee A. Mahny Attorney-in-Fact

Acknowledgment by Corporation

STATE OF New York

COUNTY OF Albany

On this 1st day of May, 2024, before me personally appeared JAMES A. VERRILLI; to me known, who being by me duly sworn, did acknowledge and say that (s)he is the President of AOW Construction, LLC, the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal, at my office in the above County, the day and year written above.

Courtney A Vrabel
_____, Notary Public

State of New York
County of Schenectady
My Commission Expires: 9/12/24

Courtney A Vrabel
Notary Public, State of New York
Reg. No. 01VR6347773
Qualified in Schenectady County
Commission Expires 09/12/2024

Acknowledgment by Surety

STATE OF New York

COUNTY OF Albany

On this 30th day of April, 2024, before me personally appeared Renee A. Manny, to me known, who being by me duly sworn, did acknowledge and say that she is the Attorney-in-Fact of Travelers Casualty and Surety Company of America, the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal, at my office in the above County, the day and year written above.

Jennifer S Vanat
_____, Notary Public

State of _____
County of _____
My Commission Expires: _____

JENNIFER S. VANAT
Notary Public, State of New York
Qualified in Columbia County
Reg # 01VA6135808
Commission Expires Oct. 24, 2025



Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Kevin Garrity, Christopher Terzian, Stephen J. Donnelly, Renee A. Manny, Lori Francett, Audrey J. Daniels, John F. Murray Jr., Jennifer S. Vanat, Casey W LaChapelle, and Maddalena Bucciero of Albany, New York** their true and lawful Attorney (s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in the, r business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April**, 2021.



State of Connecticut

City of Hartford ss.

By: 
 Robert L. Raney, Senior Vice President

On this the **21st** day of **April**, 2021, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June**, 2026




 Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 30th day of April, 2024




 Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
 Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

HARTFORD, CONNECTICUT 06183

FINANCIAL STATEMENT AS OF DECEMBER 31, 2023

AS FILED IN THE STATE OF NEW YORK

CAPITAL STOCK \$ 6,480,000

ASSETS		LIABILITIES & SURPLUS	
BONDS	\$ 5,104,395,801	LOSSES	\$ 1,495,036,900
STOCKS	119,333,643	LOSS ADJUSTMENT EXPENSES	146,791,770
CASH AND INVESTED CASH	30,541,608	COMMISSIONS	55,734,579
OTHER INVESTED ASSETS	8,355,939	OTHER EXPENSES	55,546,499
SECURITIES LENDING REINVESTED COLLATERAL ASSETS	13,350,613	TAXES, LICENSES AND FEES	15,857,431
INVESTMENT INCOME DUE AND ACCRUED	43,617,243	CURRENT FEDERAL AND FOREIGN INCOME TAXES	5,300,838
PREMIUM BALANCES	325,304,977	UNEARNED PREMIUMS	1,515,112,686
REINSURANCE RECOVERABLE	27,997,684	ADVANCE PREMIUM	4,091,249
NET DEFERRED TAX ASSET	72,421,341	POLICYHOLDER DIVIDENDS	21,388,522
GUARANTY FUNDS RECEIVABLE OR ON DEPOSIT	1,798,901	CEDED REINSURANCE NET PREMIUMS PAYABLE	62,914,516
OTHER ASSETS	818,309	AMOUNTS WITHHELD / RETAINED BY COMPANY FOR OTHERS	21,072,858
		REMITTANCES AND ITEMS NOT ALLOCATED	7,201,721
		PROVISION FOR REINSURANCE	9,891,783
		PAYABLE FOR SECURITIES LENDING	13,350,613
		OTHER ACCRUED EXPENSES AND LIABILITIES	409,380
		TOTAL LIABILITIES	\$ 3,429,701,342
		CAPITAL STOCK	\$ 6,480,000
		PAID IN SURPLUS	433,803,760
		OTHER SURPLUS	1,877,950,956
		TOTAL SURPLUS TO POLICYHOLDERS	\$ 2,318,234,716
TOTAL ASSETS	\$ 5,747,936,058	TOTAL LIABILITIES & SURPLUS	\$ 5,747,936,058

STATE OF CONNECTICUT)
 COUNTY OF HARTFORD) SS.
 CITY OF HARTFORD)

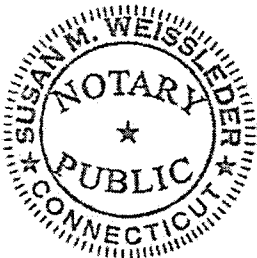
MICHAEL J. DOODY, BEING DULY SWORN, SAYS THAT HE IS VICE PRESIDENT - FINANCE, OF TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, AND THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, THE FOREGOING IS A TRUE AND CORRECT STATEMENT OF THE FINANCIAL CONDITION OF SAID COMPANY AS OF THE 31ST DAY OF DECEMBER, 2023.

Michael J. Doody
 VICE PRESIDENT - FINANCE

SUBSCRIBED AND SWORN TO BEFORE ME THIS
 15TH DAY OF MARCH, 2024

Susan M. Weissleder
 NOTARY PUBLIC

SUSAN M. WEISSLEDER
 Notary Public
 My Commission Expires November 30, 2027



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.

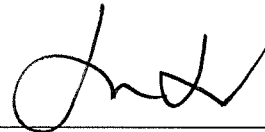
(2) Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder, directly or indirectly, prior to opening, to any bidder or to any competitor.

(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



Signature

President

Title

AOW Construction, LLC

Company Name

5/1/2024

Date

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 Albany)
COUNTY OF New York) SS.:

On this 1st day of May, 2024, before me personally appeared James A. Umer, Jr. to me known, who, being by me sworn, did say that he resides at (give address) Glenmont, NY; that he is the (give title) President of the (name of corporation) AOW Construction, LLC, 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.

Courtney A Vrabel
Notary Public, State of New York
Reg. No. 01VR6347773
Qualified in Schenectady County
Commission Expires 09/12/2024

Courtney A. Vrabel
Notary Public, State of New York
Qualified in Schenectady
Commission Expires September 12, 2024

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 AOW Construction, LLC		3. IDENTIFICATION NUMBERS a) FEIN # 83-2875089 b) DUNS #	
4. D/B/A – Doing Business As (if applicable) & COUNTY FIELD:		5. WEBSITE ADDRESS (if applicable) www.aowconstruction.com	
6. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE 30 Essex Street, Albany, NY 12206		7. TELEPHONE NUMBER 518-482-3400	8. FAX NUMBER 518-482-3444
9. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE <i>IN NEW YORK STATE, if different from above</i>		10. TELEPHONE NUMBER	11. FAX NUMBER
12. AUTHORIZED CONTACT FOR THE QUESTIONNAIRE Name James A. Urner, Jr. Title President Telephone Number 518-512-5500 Fax Number 518-482-3444 e-mail jurner@aowconstruction.com			
13. LIST ALL OF THE VENDOR'S PRINCIPAL OWNERS.			
a) NAME James A. Urner, Jr.	TITLE President	b) NAME Craig Kennedy	TITLE Vice President
c) NAME Nicole Armsby	TITLE Treasurer	d) NAME Debra Oliver	TITLE Secretary
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 PRICIPAL OWNERS AND OFFICERS, WHO NOW SERVE OR IN THE PAST ONE (1) YEARS HAVE SERVED AS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
a) An elected or appointed public official or officer? <i>List each individual's name, business title, the name of the organization and position elected or appointed to, and dates of service</i>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b) An officer of any political party organization in Albany County, whether paid or unpaid? <i>List each individuals name, business title or consulting capacity and the official political position held with applicable service dates.</i>		<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> <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> <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> <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>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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 OR 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>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

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.

**ALBANY COUNTY
VENDOR RESPONSIBILITY QUESTIONNAIRE**

FEIN #

State of: New York)
) ss:
County of: Albany)

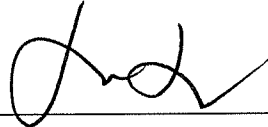
CERTIFICATION:

The undersigned: recognizes that this questionnaire is submitted for the express purpose of assisting the County of Albany in making a determination regarding an award of contract or approval of a subcontract; acknowledges that the County may in its discretion, by means which it may choose, verify the truth and accuracy of all statements made herein; acknowledges that intentional submission of false or misleading information may constitute a felony under Penal Law Section 210.40 or a misdemeanor under Penal Law Section 210.35 or Section 210.45, and may also be punishable by a fine and/or imprisonment of up to five years under 18 USC Section 1001 and may result in contract termination; and states that the information submitted in this questionnaire and any attached pages is true, accurate and complete.

The undersigned certifies that he/she:

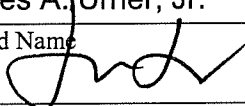
- Has not altered the content of the questions in the questionnaire in any manner;
- Has read and understands all of the items contained in the questionnaire and any pages attached by the submitting vendor;
- Has supplied full and complete responses to each item therein to the best of his/her knowledge, information and belief;
- Is knowledgeable about the submitting vendor's business and operations;
- Understands that Albany County will rely on the information supplied in the questionnaire when entering into a contract with the vendor;
- Is under duty to notify the Albany County Purchasing Division of any material changes to the vendor's responses.

Name of Business AOW Construction, LLC
Address 30 Essex Street
City, State, Zip Albany, NY 12206

Signature of Owner 
Printed Name of Signatory James A. Urner, Jr.
Title President

Sworn before me this 1st day of May, 2024,

Notary Public

James A. Urner, Jr.
Printed Name

Signature
5/1/2024
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.



Signature

President

Title

AOW Construction, LLC

Company Name

5/1/2024

Date

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: AOW Construction, LLC

Address: 30 Essex Street
Albany, NY 12206

Phone Number(s): 518-482-3400

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):

New Partitions and Finishes

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

County of Albany Department of General Services, 112 State Street, Albany NY 12207

James A. Urner, Jr.

Signature

Printed Name

President

Title

5/1/2024

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? 4 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. See Attached

2. _____

3. _____

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.

See Attached

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

No

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.

No

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.

No

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

No

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.

Patty Erwin, Vice President, NBT Bank, North America, 80 Wolf Road, Suite 101, Albany, NY 12205 518-437-4107

Kevin Garrity, Senior Vice President, Surety & Construction Services, NFP, 159 Wolf Road, Albany, NY 12205 518-244-4284

ATTACHMENT "F"
BIDDER QUALIFICATION QUESTIONNAIRE

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

See Attached

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.

AOW Construction

Correct Name of Bidder

- (a) The business is a: **Corporation**
- (b) The address of principal place of business is: **30 Essex Street, Albany, NY 12206**

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

James A. Urner, Jr. - President, Craig Kennedy - VP,

Nicole Armsby - Treasurer & Debra Oliver - Secretary



Design-Construct
Construction Management
General Construction

AOW Construction
30 Essex Street
Albany, New York 12206

Major Projects Completed - Last 5 Years - Last Updated 31 March, 2024										
Project Name/Owner/Contact	AOW Construction Role	Contact Phone Number	Contact Email	Architect	Architect Phone Number	Contract Award Date	Date Completed	Contract Amount	% Complete with Own Forces	
Albany High School Phase 3 Addition and Renovation / Turner (CM) / Bill Steele	Subcontractor to AOW Associates	(518)419.0664	wsteelle@tcco.com	CS Arch	(518)463.0868	Jul-20	Oct-23	\$27,747,100	15%	
Martin Luther King Phase II / THA / Deb Witkowski	Subcontractor to AOW Associates	(518)273.3600	deb.witowski@trvousing.org	RIDA Architecture	(518)713.4537	Aug-19	Nov-20	\$11,558,800	20%	
SUNY Albany Campus Building 35 Renovation / SUNY / John Baldwin	Subcontractor to AOW Associates	(518)442.3874	jbaldwin@albany.edu	JMZ Architects & Planners	(518)793.0786	Apr-20	Jun-22	\$9,071,400	20%	
Whiteface Mid-Station Lodge (Gilbane - CM) / ORDA / Bob Hammond	Subcontractor to AOW Associates	(518)302.5332	bhammond@orda.org	AES Northeast	(518)561.1598	Jul-20	Apr-22	\$7,349,000	25%	
Health & Stern Building / HVCC / Steve Cowan	Prime	(518)857.5409	s.cowan@hvcc.edu	Mosaic Associates	(518)479.4000	Apr-22	Oct-23	\$6,523,400	15%	
Eastern Star Home/Jeffrey French	Subcontractor to AOW Associates	(315)736.9511	jfrench@eshomeny.org	John W Baumgarten Architect PC	(516)939.2333	May-18	Aug-21	\$5,840,700	15%	
911 Public Safety Building / Albany County Sheriff / Michael Martin	Subcontractor to AOW Associates	(518)447.7032	mmartin@albanycounty.com	SEI Design Group	(585)442.7010	9/1/2021	Apr-23	\$4,964,100	20%	
Fort Hudson Nursing Renovation / Fort Hudson Network/ Andrew Cruikshank	Subcontractor to AOW Associates	(518)747.2811	acruikshank@forthudson.com	Angerame Architects	(518)454.9333	Dec-16	Dec-20	\$4,904,100	20%	
Wilton Primary Care Phases 2 & 3 / Saratoga Hospital / Jeff Casale	Prime	(518)583.8457	jcCasale@saratogahospital.org	SMRT Architects & Engineers	(877)700.7678	Aug-21	Jun-22	\$4,036,500	30%	



Design-Construct
Construction Management
General Construction

AOW Construction
30 Essex Street
Albany, New York 12206

Major Projects Completed - Last 5 Years - Last Updated 31 March, 2024										
Project Name/Owner/Contract	AOW Construction Role	Contact Phone Number	Contact Email	Architect	Architect Phone Number	Contract Award Date	Date Completed	Contract Amount	% Complete with Own Forces	
Albany High School Phase 3 Addition and Renovation / Turner (CM) / Bill Steele	Subcontractor to AOW Associates	(518)419.0654	jsteele@tcco.com	CS Arch	(518)463.0868	Jul-20	Oct-23	\$27,747,100	15%	
Martin Luther King Phase II / THA / Deb Witkowski	Subcontractor to AOW Associates	(518)773.3600	deb.witkowski@troyhousing.org	RIDA Architecture	(518)713.4537	Aug-19	Nov-20	\$11,558,800	20%	
SUNY Albany Campus Building 35 Renovation / SUNY / John Baldwin	Subcontractor to AOW Associates	(518)442.3874	jbaldwin@albany.edu	JMZ Architects & Planners	(518)793.0786	Apr-20	Jun-22	\$9,071,400	20%	
Whiteface Mid-Station Lodge (Gilbane - CM) / ORDA / Bob Hammond	Subcontractor to AOW Associates	(518)302.5332	bhammond@orda.org	AES Northeast	(518)561.1598	Jul-20	Apr-22	\$7,349,000	25%	
Health & Stem Building / HVCC / Steve Cowan	Prime	(518)857.5409	s.cowan@hvcc.edu	Mosaic Associates	(518)479.4000	Apr-22	Oct-23	\$6,523,400	15%	
Eastern Star Home/Jeffrey French	Subcontractor to AOW Associates	(315)736.9311	jfrench@eshomeny.org	John W Baumgarten Architect PC	(516)939.2333	May-18	Aug-21	\$5,840,700	15%	
911 Public Safety Building / Albany County Sheriff / Michael Martin	Subcontractor to AOW Associates	(518)447.7032	mmartin@albanycounty.com	SEI Design Group	(585)442.7010	9/1/2021	Apr-23	\$4,954,100	20%	
Fort Hudson Nursing Renovation / Fort Hudson Network/ Andrew Cruikshank	Subcontractor to AOW Associates	(518)747.2811	acruikshank@forthudson.com	Angerame Architects	(518)454.9333	Dec-16	Dec-20	\$4,904,100	20%	
Wilton Primary Care Phases 2 & 3 / Saratoga Hospital / Jeff Casale	Prime	(518)583.8457	jcassale@saratogahospital.org	SMRT Architects & Engineers	(877)700.7678	Aug-21	Jun-22	\$4,036,500	30%	

A.O.W. ASSOCIATES, INC. AND AFFILIATE

COMBINED FINANCIAL STATEMENTS

DECEMBER 31, 2022 AND 2021



Teal, Becker & Chiaramonte™
CERTIFIED PUBLIC ACCOUNTANTS & ADVISORS

A Higher Standard of Excellence



Teal, Becker & Chiaramonte™
CERTIFIED PUBLIC ACCOUNTANTS & ADVISORS

To The Board Of Directors
A.O.W. Associates, Inc. and Affiliate
Albany, New York

Independent Accountants' Review Report

We have reviewed the accompanying combined financial statements of A.O.W. Associates, Inc. and Affiliate (the Companies), which comprise the combined balance sheets as of December 31, 2022 and 2021, and the related combined statements of income, changes in stockholder's and members' equity, and cash flows for the years then ended, and the related notes to the combined financial statements. A review includes primarily applying analytical procedures to management's financial data and making inquiries of Company management. A review is substantially less in scope than an audit, the objective of which is the expression of an opinion regarding the combined financial statements as a whole. Accordingly, we do not express such an opinion.

Management's Responsibility for the Combined Financial Statements

Management is responsible for the preparation and fair presentation of these combined financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of combined financial statements that are free from material misstatement whether due to fraud or error.

Accountants' Responsibility

Our responsibility is to conduct the review engagements in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. Those standards require us to perform procedures to obtain limited assurance as a basis for reporting whether we are aware of any material modifications that should be made to the combined financial statements for them to be in accordance with accounting principles generally accepted in the United States of America. We believe that the results of our procedures provide a reasonable basis for our conclusion.

We are required to be independent of A.O.W. Associates, Inc. and Affiliate and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our reviews.

Accountants' Conclusion

Based on our reviews, we are not aware of any material modifications that should be made to the accompanying combined financial statements in order for them to be in accordance with accounting principles generally accepted in the United States of America.

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Combined Balance Sheets

December 31

	<u>2022</u>	<u>2021</u>
<u>Assets</u>		
Current assets:		
Cash	\$ 4,565,235	\$ 4,901,331
Restricted cash (Note 2)	-	1,715,318
Accounts receivable (Notes 3 and 13)	6,467,925	6,464,502
Contract assets (Notes 3 and 4)	3,193,871	2,619,191
Prepaid expenses	<u>303,156</u>	<u>216,502</u>
Total current assets	14,530,187	15,916,844
Property and equipment, net (Note 5)	431,743	104,878
Operating lease right-of-use assets, net (Note 6)	111,099	-
Goodwill, net (Note 7)	200,000	300,000
Receivable from related party (Note 9)	<u>309,029</u>	<u>309,029</u>
Total Assets	<u>\$ 15,582,058</u>	<u>\$ 16,630,751</u>
<u>Liabilities And Stockholder's And Members' Equity</u>		
Current liabilities:		
Accounts payable	\$ 4,387,583	\$ 2,453,277
Other payables and accrued expenses	1,710,559	3,202,614
Contract liabilities (Notes 3 and 4)	3,764,369	4,894,701
Current portion of operating lease liabilities (Note 6)	44,094	-
Due to related party (Note 9)	<u>122,706</u>	<u>117,137</u>
Total current liabilities	10,029,311	10,667,729
Operating lease liabilities (Note 6)	<u>67,005</u>	<u>-</u>
Total liabilities	10,096,316	10,667,729
Stockholder's and members' equity	<u>5,485,742</u>	<u>5,963,022</u>
Total Liabilities And Stockholder's And Members' Equity	<u>\$ 15,582,058</u>	<u>\$ 16,630,751</u>

See independent accountants' review report and accompanying notes to combined financial statements

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Combined Statements Of Changes In Stockholder's And Members' Equity

For The Years Ended December 31, 2022 And 2021

	A.O.W. Associates, Inc.			A.O.W. Construction, LLC		<u>Eliminations</u>	<u>Total</u>
	<u>Common Stock*</u>	<u>Treasury Stock*</u>	<u>Retained Earnings</u>	<u>Members' Equity</u>	<u>Members' Equity</u>		
Balance At December 31, 2020	\$ 348,113	\$ (682,500)	\$ 7,488,935	\$ 6,786,738	\$ (6,017,065)	\$ 7,924,221	
Combined net income	-	-	1,395,119	1,628,502	(1,344,959)	1,678,662	
Members' distributions	-	-	(3,429,461)	(3,574,599)	3,364,199	(3,639,861)	
Balance At December 31, 2021	348,113	(682,500)	5,454,593	4,840,641	(3,997,825)	5,963,022	
Combined net income	-	-	921,259	1,166,256	(885,189)	1,202,326	
Members' distributions	-	-	(1,614,027)	(1,615,581)	1,550,002	(1,679,606)	
Balance At December 31, 2022	<u>\$ 348,113</u>	<u>\$ (682,500)</u>	<u>\$ 4,761,825</u>	<u>\$ 4,391,316</u>	<u>\$ (3,333,012)</u>	<u>\$ 5,485,742</u>	

*Common Stock, no stated value - 200 shares authorized, 3 shares issued, and 1 share outstanding
 Treasury Stock - 2 shares, at cost

See independent accountants' review report and accompanying notes to combined financial statements
 (5)

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Combined Statements Of Cash Flows

For The Years Ended December 31

	<u>2022</u>	<u>2021</u>
Supplemental schedules of noncash investing and financing activities:		
Distributions to stockholder and members	\$ 1,679,606	\$ 3,639,861
Less: accrued distributions to members - current year	99,651	137,175
Add: accrued distributions to members - prior year	<u>137,175</u>	<u>88,655</u>
Distributions To Stockholder And Members, Net	<u>\$ 1,717,130</u>	<u>\$ 3,591,341</u>
Operating lease right-of-use assets acquired	\$ 154,736	\$ -
Less: operating lease obligations incurred	<u>154,736</u>	<u>-</u>
Expenditures For Operating Lease Right-Of-Use Assets	<u>\$ -</u>	<u>\$ -</u>
Accrued expenses transferred to related party	\$ 64,730	\$ -
Less: net advances from payable to related party	<u>64,730</u>	<u>-</u>
Net Due To Related Party Activity	<u>\$ -</u>	<u>\$ -</u>

See independent accountants' review report and accompanying notes to combined financial statements

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Notes To Combined Financial Statements

Note 1: Summary Of Significant Accounting Policies (Continued)

The Companies have identified their material revenue stream as follows:

Revenue primarily consists of lump-sum contracts and cost plus with a guaranteed max. The Companies recognize revenue as performance obligations are satisfied and control of the promised good and/or service is transferred to the customer. Revenue related to lump-sum contracts and cost plus with a guaranteed max is ordinarily recognized over time as control is transferred to the customers by measuring the progress toward complete satisfaction of the performance obligation(s) using the cost-to-cost method (percentage-of-completion), an input method. Using this method, the Companies recognize as gross profit the proportion of the gross profit anticipated from each contract which the cost of work completed bears to the total estimated cost of the contract. Management considers total cost to be the best available measure of progress on contracts.

The asset, "Costs and estimated earnings in excess of billings on uncompleted contracts", represents revenues recognized in excess of amounts billed. The liability, "Billings in excess of costs and estimated earnings on uncompleted contracts", represents billings in excess of revenues recognized.

Subsequent to the inception of the contract, the transaction price could change for various reasons such as: change orders, unresolved contract modifications, and claims to or from owners. Changes that are accounted for as an adjustment to existing performance obligations are allocated on the same basis at contract inception. Otherwise, changes are accounted for as separate performance obligations with a separate transaction price which is determined using the methodology described above. Changes are made to the transaction price from unapproved change orders to the extent the amount can be reasonably estimated and recovery is probable.

All contract costs, including those associated with affirmative claims, change orders, liquidated damages, and back charges are recorded as incurred and revisions to estimated total costs are reflected as soon as the obligation to perform is determined. Contract costs consist of direct costs on contracts, including labor and materials, amounts payable to subcontractors, indirect labor, and overhead costs (primarily depreciation, vehicle expenses, and insurance). Provisions for estimated losses on uncompleted contracts are made in the period in which such losses are determined. Changes in job performance, job conditions, and estimated profitability, including those arising from contract penalty provisions and final contract settlements, may result in revisions to costs and income and are recognized in the period in which the revisions are determined.

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Notes To Combined Financial Statements

Note 1: Summary Of Significant Accounting Policies (Continued)

Mobilization and bonding costs - Mobilization costs include costs to mobilize equipment and labor to a job site prior to substantive work beginning. Additionally, the Companies incur bonding costs prior to the commencement of work on projects. Significant mobilization and bonding costs are capitalized as incurred and amortized over the expected duration of the contract.

Uninstalled materials - The Companies recognize revenue, but not profit, on significant uninstalled materials that are not specifically produced, fabricated, or constructed for a project and such costs are excluded in the cost-to-cost calculation for the duration of the contract as including these costs would result in a distortion of progress towards satisfaction of the performance obligation due to the resulting cumulative catch-up in margin in a single period. An equal amount of cost and revenue is recorded when significant uninstalled materials are controlled by the customer, which is typically when the Companies have the right to payment for the materials and when the materials are delivered to the customer's site or location and such materials have been accepted by the customer. Significant uninstalled materials are held in inventory and included in other current assets on the Companies' combined balance sheets until control is transferred to the customer.

Wasted materials and labor - The Companies exclude costs which do not contribute to the Companies' progress in satisfying performance obligations from its measure of progress in fulfilling those performance obligations. Costs such as wasted materials and wasted labor are not included in the Companies' measure of progress and are charged to operating expenses in the period incurred.

Variable consideration - The Companies include variable consideration in the estimated transaction price to the extent it is probable that a significant reversal of cumulative revenue recognized will not occur or when the uncertainty associated with the variable consideration is resolved. The Companies' estimates of variable consideration and determination of whether to include estimated amounts in the transaction price are based largely on an assessment of its anticipated performance and all information (historical, current, and forecasted) that is reasonably available to the Companies.

Accounts receivable - Accounts receivable are comprised of amounts billed and currently due from customers. Accounts receivable are amounts related to any unconditional right the Companies have to receive consideration. Receivables are considered past due when payment is not received within the period allowed under the terms of the sale or contract. The Companies generally grant payment terms of thirty days from the date of the invoice. Substantially all of the accounts receivable are considered collectible. Accordingly, no allowance for doubtful accounts is required. If it is probable accounts are uncollectible, they are charged to operations and an allowance is established when that determination is made.

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Notes To Combined Financial Statements

Note 1: Summary Of Significant Accounting Policies (Continued)

Tax positions are evaluated and recognized in the combined financial statements when it is more-likely-than-not the position will be sustained upon examination by the tax authorities.

Estimates - The preparation of combined financial statements in accordance with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the combined financial statements and the reported amounts of revenues and expenses during the reporting period. The application of these accounting principles involves the exercise of judgment and use of assumptions as to future uncertainties and, as a result, actual results could differ from these estimates. The Companies periodically evaluate estimates and assumptions used in the preparation of the combined financial statements and makes changes on a prospective basis when adjustments are necessary. Significant estimates made by the Companies in the accompanying combined financial statements include certain assumptions related to computing profit percentages under the percentage-of-completion revenue recognition method and revenue recognition policies. Actual results could differ from these estimates.

Presentation - Certain reclassifications, when applicable, are made to the prior year combined financial statement presentation to correspond to the current year's format. Reclassifications, when made, have no effect on total equity or combined net income.

Recently adopted accounting principle - Effective January 1, 2022, the Companies adopted ASU 2016-02, *leases (Topic 842)* and all subsequent amendments issued thereafter that amend the accounting guidance on leases. The Companies adopted Topic 842 using the modified retrospective transition method as of the date of adoption. Results for reporting periods beginning January 1, 2022 are presented under Topic 842, while prior period amounts are not adjusted and continue to be reported in accordance with the Company's historic policies under Topic 840, *Leases*. The adoption of this accounting guidance as of January 1, 2022 did not have an effect on the Company's results of operations and on the opening balance of members' equity.

As part of the adoption of ASC 842, the Company adopted the package of practical expedients in transition, which permits the Companies to not reassess its conclusions pertaining to lease identification, lease classification, and initial direct costs on leases that commenced prior to the adoption of the new standard. The Companies did not elect the use-of-hindsight or land easements practical expedients.

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Notes To Combined Financial Statements

Note 2: Cash And Restricted Cash

At December 31, 2021, the Companies had cash being held as collateral in an interest-bearing account, reported in the combined balance sheets as a short-term asset based on when the cash would be contractually released. The funds were released on February 16, 2022.

The following provides a reconciliation of cash and restricted cash reported within the combined balance sheets that sum to the total of the same such amounts shown in the combined statements of cash flows at December 31:

	<u>2022</u>	<u>2021</u>
Cash	\$ 4,565,235	\$ 4,901,331
Restricted cash	<u>-</u>	<u>1,715,318</u>
Total Cash And Restricted Cash Shown In The Combined Statements Of Cash Flows	<u>\$ 4,565,235</u>	<u>\$ 6,616,649</u>

Of these amounts, \$4,565,235 and \$6,616,649 were included in current assets, as of December 31, 2022 and 2021, respectively.

Note 3: Accounts Receivable, Contract Assets And Liabilities

The balances for accounts receivable, contract assets, and contract liabilities from contracts with customers are as follows:

	<u>December 31, 2022</u>	<u>December 31, 2021*</u>	<u>January 1, 2021</u>
Accounts receivable:			
Accounts receivable - trade	\$ 5,911,856	\$ 5,901,354	\$ 9,010,753
Accounts receivable - other (see Note 13)	<u>556,069</u>	<u>563,148</u>	<u>5,052</u>
Total Accounts Receivable	<u>\$ 6,467,925</u>	<u>\$ 6,464,502</u>	<u>\$ 9,015,805</u>
Contract assets:			
Costs and estimated earnings in excess of billings on uncompleted contracts	\$ 752,436	\$ 379,308	\$ 1,005,262
Accounts receivable - retainage on uncompleted contracts	2,431,435	2,239,883	1,411,434
Unbilled accounts receivable	<u>10,000</u>	<u>-</u>	<u>-</u>
Total Contract Assets	<u>\$ 3,193,871</u>	<u>\$ 2,619,191</u>	<u>\$ 2,416,696</u>

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Notes To Combined Financial Statements

Note 5: Property And Equipment

Property and equipment, stated on the combined balance sheets at cost less accumulated depreciation, at December 31 consist of:

<u>Item</u>	<u>2022</u>		<u>2021</u>	
	<u>Cost</u>	<u>Accumulated Depreciation</u>	<u>Cost</u>	<u>Accumulated Depreciation</u>
Vehicles	\$ 739,651	\$ 430,754	\$ 540,391	\$ 460,550
Equipment	645,342	525,230	522,587	510,446
Office equipment	106,104	103,370	106,104	93,208
Furniture and fixtures	33,343	33,343	33,343	33,343
	<u>1,524,440</u>	<u>\$ 1,092,697</u>	<u>1,202,425</u>	<u>\$ 1,097,547</u>
Less: accumulated depreciation	<u>1,092,697</u>		<u>1,097,547</u>	
Total	<u>\$ 431,743</u>		<u>\$ 104,878</u>	

Depreciation expense charged to operations for the years ended December 31, 2022 and 2021 was \$77,747 and \$47,877, respectively.

Note 6: Leases

The Companies lease an administrative office under an operating lease from a related party expiring in June 2025.

As of December 31, 2022, operating right-of-use assets and operating lease liability balances were as follows following the implementation of Topic 842, *Leases* effective January 1, 2022:

Operating lease right-of-use assets:

Cost	\$ 154,736
Less: accumulated amortization	<u>(43,637)</u>
Net carrying amount, December 31, 2022	<u>\$ 111,099</u>
Net carrying amount, January 1, 2022	\$ -
Effect of adopting Topic 842	154,736
Amortization	<u>(43,637)</u>
Net carrying amount, December 31, 2022	<u>\$ 111,099</u>

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Notes To Combined Financial Statements

Note 7: Goodwill

Goodwill, stated on the combined balance sheets at cost less accumulated amortization, at December 31 consists of:

	<u>2022</u>	<u>2021</u>
Goodwill	\$ 500,000	\$ 500,000
Less: accumulated amortization	<u>300,000</u>	<u>200,000</u>
Total	<u>\$ 200,000</u>	<u>\$ 300,000</u>

Amortization expense charged to operations for each of the years ended December 31, 2022 and 2021 was \$100,000. The Companies expect amortization expense to be \$100,000 per year for each of the next 2 years.

Note 8: Short-Term Borrowings

The Companies have a \$3,000,000 revolving line of credit with a bank, expiring September 30, 2023. Borrowings against the line are due on demand and interest is payable monthly at the prime rate (prime was 7.5% at December 31, 2022). The line is secured by a first security interest in all business assets. The line is guaranteed by the stockholder of A.O.W. Associates, Inc. The Companies have \$3,000,000 available at December 31, 2022.

Note 9: Related Party Transactions

At December 31, 2022 and 2021, the Companies were involved in various transactions with a company wholly owned by the sole stockholder of A.O.W. Associates, Inc. (the Company) and a related company. Transactions and balances with the related parties at December 31 consist of:

	<u>2022</u>	<u>2021</u>
<u>Due to and from related party</u>		
Due To Related Party - Represents an accrual of owner distributions to AOW Ventures, LLC.	<u>\$ 57,976</u>	<u>\$ 117,137</u>
Receivable From Related Party - Represents a loan to a company wholly owned by the sole stockholder of A.O.W Associates, Inc., without interest and no specific repayments terms.	<u>\$ 309,029</u>	<u>\$ 309,029</u>
Due To Related Party - Represents transfer of compensated absences for the sole stockholder of A.O.W Associates, Inc. and an owner of A.O.W. Construction, LLC.	<u>\$ 64,730</u>	<u>\$ -</u>

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Notes To Combined Financial Statements

Note 11: Multi-Employer Plan

The Companies contribute to several multi-employer defined benefit pension plans (the Plans) under terms of collective bargaining agreements that cover a number of its employees. The risks of participating in these multi-employer plans are different from single employer plans in the following aspects:

- Assets contributed to the multi-employer plans by one company may be used to provide benefits to employees of other participating companies.
- If a participating company stops contributing to the Plans, the unfunded obligations of the Plans may be borne by the remaining participating companies.
- If the Companies stop participating in some or all of its multi-employer plans, and continue in business, the Companies could be required to pay an amount, referred to as a withdrawal liability, based on the unfunded status of the Plans. The Companies have no intention of stopping their participation in any multi-employer plans.

For the years ended December 31, 2022 and 2021, union pension expense approximates \$758,659 and \$700,282, respectively.

Note 12: Concentrations Of Credit Risk

Financial instruments that potentially subject the Companies to concentrations of credit risk consist principally of cash in financial institutions. Accounts at each institution are insured up to the Federal Deposit Insurance Corporation limits.

Note 13: Employee Retention Credit

A.O.W. Associates, Inc. (the Company) qualified for the Employee Retention Credit as enacted by the CARES Act and the American Rescue Plan Act of 2021 for the year ended December 31, 2021. The Employee Retention Credit is a refundable tax credit against certain employment taxes equal to 70% of the qualified wages paid to employees from January 1, 2021 through September 30, 2021. Qualified wages per employee are wages and certain health plan costs up to a total of \$10,000 per quarter in 2021 when an employer experiences either a full or partial suspension of operations due to a governmental order or a significant decline in gross receipts. A significant decline in gross receipts begins on the first day of the first calendar quarter of 2021 for which an employer's gross receipts are less than 80% of its gross receipts (or more than a 20% decline) for the same calendar quarter in 2019. In 2021, the Company recorded the revenue in accordance with the IAS 20 Model on Government Assistance as other income on the combined statements of income and recorded a receivable included in accounts receivable of \$544,741 for the year ended December 31, 2021. This receivable is still outstanding at December 31, 2022. This government assistance may be subject to audit by the IRS which may result in disallowances. No provision has been made for any liabilities that may arise from such audits since amounts, if any, cannot be determined at this time.

COMBINED SUPPLEMENTARY INFORMATION

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Combined Schedules Of Operating Expenses

For The Years Ended December 31

	<u>2022</u>	<u>2021</u>
Operating expenses:		
Officer salaries	\$ 824,480	\$ 809,938
Salaries	570,767	625,008
Professional fees	253,065	130,794
Payroll taxes	142,634	127,990
Pension	134,299	241,014
Contributions	114,316	92,354
Amortization	100,000	100,000
Office expense	97,280	51,956
Travel, entertainment, and promotion	77,166	73,294
Insurance - officer life	60,178	60,178
Repairs and maintenance	52,653	21,385
Lease expense	45,000	45,000
Real estate taxes	28,169	27,465
Dues and subscriptions	26,431	39,535
Utilities	22,114	16,380
Advertising	14,228	18,203
Telephone	12,092	11,870
State franchise fees	11,956	4,525
Depreciation	10,162	11,454
Training and education	7,732	2,710
Miscellaneous	1,251	4,842
Employee benefits	1,051	-
Bad debt recovery	(23,933)	-
	<u>\$ 2,583,091</u>	<u>\$ 2,515,895</u>
Total Operating Expenses		

See independent accountants' review report

A.O.W. ASSOCIATES, INC. AND AFFILIATE

Combined Schedule Of Contracts Completed And In Progress

For The Year Ended December 31, 2022

Job No.	Current Estimated:			Gross Profit %	Revenue Recognized To Date	Costs Incurred To Date	% Costs Incurred To Total Est. Costs	Current Year:			Gross Profit	Estimated Loss on Uncompleted Contracts	Gross Profit To Be Recognized:				
	Contract	Total Costs	Gross Profit					Contract Income	Contract Costs	Gross Profit			Progress Billings To Date	Costs & Earnings In Excess Of Billings	Billings In Excess Of Costs & Earnings	Uncompleted Work	Cost To Complete
20-000168	27,319,104	24,905,524	12,837	8.83%	25,055,767	22,842,148	91.72%	2,213,619	8,677,607	8,147,801	529,806	-	2,263,337	2,063,376	199,961		
20-000169	179,671	166,814	12,857	7.16%	161,028	112,367	67.36%	8,661	909	1,478	(5,849)	-	58,643	54,447	4,196		
21-000035	5,665,312	3,439,297	226,015	6.17%	3,516,115	3,299,298	93.93%	216,815	2,268,521	2,071,672	196,849	-	149,199	139,999	9,200		
21-000071	2,349,516	2,222,622	126,894	5.40%	1,749,823	1,655,318	74.48%	94,505	1,620,167	1,517,907	102,260	-	599,093	567,304	32,389		
21-000072	107,421	82,053	25,368	23.62%	79,402	60,651	75.92%	18,751	45,812	29,510	16,302	-	28,019	21,402	6,617		
21-000087	4,639,964	4,389,364	250,130	5.39%	4,483,236	4,213,172	93.98%	240,064	3,626,971	3,391,561	235,410	-	186,728	176,662	10,066		
21-000089	7,155,705	6,656,176	499,529	6.98%	6,656,176	6,375,325	95.80%	1,979	25,312	23,789	533	-	7,127,351	6,629,801	497,550		
21-000099	3,720,722	3,091,296	170,426	5.49%	2,835	26,375	0.73%	1,309	17,635	17,260	375	-	3,246,859	3,068,742	178,117		
21-001001	1,862,066	1,779,590	82,476	4.43%	49,927	47,716	2.68%	2,211	45,675	42,401	1,274	-	1,812,139	1,731,874	80,265		
21-001002	81,980	581,985	34,495	5.60%	24,099	21,782	21.78%	2,317	22,960	21,782	1,178	-	592,381	559,234	33,147		
21-001011	2,967,296	2,805,759	161,537	5.44%	1,421,194	1,343,825	47.90%	77,369	1,347,830	1,256,596	91,234	-	1,546,102	1,461,934	84,168		
21-001022	5,646,757	5,251,615	395,142	7.00%	2,723,523	2,532,940	48.23%	190,583	1,727,945	2,531,599	190,346	-	2,923,234	2,718,675	204,559		
21-001027	1,451,282	1,344,318	106,964	7.37%	1,432,339	1,326,771	98.69%	105,568	1,431,830	1,326,569	105,261	-	18,943	17,547	1,396		
21-001032	853,248	752,011	81,237	9.75%	462,857	417,731	55.55%	45,126	462,857	409,748	53,109	-	370,391	334,280	36,111		
21-001032	491,757	450,364	41,399	8.42%	488,719	447,582	99.38%	41,137	488,719	447,582	41,137	-	3,038	2,782	256		
22-000001	78,645	66,398	12,247	15.57%	17,130	65,119	98.07%	12,011	77,130	65,119	12,011	-	1,515	1,279	236		
22-000003	6,222,577	5,849,384	373,193	6.00%	3,174,129	2,983,764	51.01%	190,365	3,174,129	2,983,764	190,365	-	3,048,448	2,865,620	182,828		
22-000005	1,343,693	1,219,963	123,730	9.21%	1,229,263	1,116,070	91.48%	113,193	1,229,263	1,115,340	113,923	-	114,430	103,893	10,537		
22-000007	3,773,335	3,179,996	59,339	15.73%	97,979	82,571	25.97%	15,408	97,979	82,571	15,408	-	279,356	233,425	45,931		
22-000015	1,010,597	845,942	164,655	16.29%	1,010,597	845,942	83.75%	35,767	219,524	183,757	35,767	-	791,073	662,185	128,888		
22-000016	89,698	53,384	36,314	40.48%	31,977	19,051	35.65%	12,946	31,977	19,051	12,946	-	57,721	34,353	23,368		
22-000025	656,886	513,946	122,940	19.30%	610,843	492,930	95.91%	117,913	610,843	492,930	117,913	-	26,043	21,016	5,027		
22-000031	127,222	115,656	11,566	9.09%	205	186	0.16%	19	205	186	19	-	127,017	115,470	11,547		
22-000034	282,812	200,949	81,863	28.95%	237,392	168,676	83.94%	68,716	237,392	168,676	68,716	-	45,420	32,273	13,147		
22-000035	247,801	192,555	55,246	22.28%	149,208	115,944	60.21%	33,265	149,208	115,944	33,265	-	206,666	76,612	131,054		
22-000049	28,000,236	26,134,028	2,266,208	7.98%	591,981	544,744	2.08%	47,237	591,981	544,744	47,237	-	27,808,255	25,892,284	2,218,971		
22-000076	2,949,005	2,561,578	387,427	13.14%	446,621	387,938	15.14%	58,683	446,621	387,938	58,683	-	2,502,384	2,173,590	338,794		
22-000079	498,642	67,871	21,771	81.86%	28,827	21,826	32.16%	7,001	28,827	21,826	7,001	-	60,815	46,045	14,770		
22-000080	498,500	416,691	81,809	16.41%	46,058	38,499	9.24%	7,559	46,058	38,499	7,559	-	452,442	378,192	74,250		
22-000081	22,500	22,500	-	0.00%	3,084	3,084	13.71%	-	3,084	3,084	-	-	19,416	19,416	-		
22-000084	4,155,726	3,768,179	387,547	9.33%	642,991	583,028	15.47%	59,963	642,991	583,028	59,963	-	3,512,735	3,185,151	327,584		
22-000097	377,547	293,447	84,100	22.28%	258,450	200,879	68.45%	57,571	258,450	200,879	57,571	-	119,097	92,568	26,529		
22-001001	187,720	161,156	26,564	14.15%	2,033	1,745	1.08%	288	2,033	1,745	288	-	185,687	159,411	26,276		
22-001003	2,250,620	2,035,718	214,902	9.55%	45,368	41,036	2.02%	4,332	45,368	41,036	4,332	-	2,205,252	1,994,682	210,570		
22-001005	215,600	170,602	44,998	20.87%	66,158	52,350	30.69%	13,808	66,158	52,350	13,808	-	149,442	118,252	31,190		
22-001009	983,920	911,037	72,883	7.41%	2,530	187	0.26%	187	2,530	2,343	187	-	981,390	908,694	72,696		
22-001010	140,050	99,858	40,192	28.70%	38,951	27,773	27.81%	11,178	38,951	27,773	11,178	-	101,099	72,083	29,014		
22-001020	177,210	170,336	6,874	3.88%	129,276	124,261	72.95%	5,015	129,276	124,261	5,015	-	47,934	46,075	1,859		
22-001023	5,018,411	4,791,569	226,842	4.52%	348,888	333,118	6.95%	15,770	348,888	333,118	15,770	-	4,669,523	4,458,451	211,072		
22-001029	988,797	919,811	68,986	6.98%	1,437	1,337	0.15%	100	1,437	1,337	100	-	987,360	918,474	68,886		
22-001033	83,354	73,865	9,489	11.38%	90	80	0.11%	10	90	80	10	-	83,264	73,785	9,479		
22-001035	1,361,367	1,293,390	67,977	4.99%	16,680	15,847	1.23%	833	16,680	15,847	833	-	1,344,687	1,277,543	67,144		
22-001038	245,826	220,946	24,880	10.12%	17,771	17,771	7.23%	1,799	17,771	15,972	1,799	-	228,055	204,974	23,081		
22-001039	105,224	64,141	41,083	39.04%	30,956	18,870	29.42%	12,086	30,956	18,870	12,086	-	74,268	45,271	28,997		
22-001040	205,974	179,108	26,866	13.04%	1,401	1,218	0.68%	183	1,401	1,218	183	-	204,573	177,890	26,683		
22-001043	6,563	2,898	3,665	55.84%	2,081	919	31.71%	1,162	2,081	919	1,162	-	4,482	1,979	2,503		
Sub-Total	121,437,359	111,654,110	9,783,249	8.06%	50,179,526	46,016,113	41.21%	4,163,413	31,352,032	28,886,685	2,465,347	-	51,720,982	754,436	2,293,892		
Total	\$ 164,023,181	\$ 148,354,708	\$ 15,668,473	9.55%	\$ 92,765,348	\$ 82,716,711		\$ 10,048,637	\$ 45,465,567	\$ 39,874,854	\$ 5,590,713	-	\$ 94,306,804	\$ 753,436	\$ 2,293,892		
															\$ 71,257,833	\$ 65,637,997	\$ 5,619,836

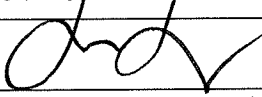
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ATTACHMENT "G"
NON-INTERRUPTION OF WORK AGREEMENT

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.

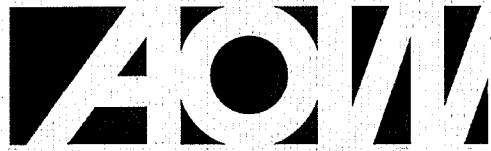
Firm: AOW Construction, LLC

By: 
(Signature)

James A. Urner, Jr.
(Typed)

Title: President

Date: 5/2/2024



A·O·W CONSTRUCTION LLC

May 1, 2024

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

Re: 112 State Street 11th Floor Renovation

Ms. O'Neill,

AOW Construction, LLC is a management company and all on site labor will comply with the NYS apprenticeship program requirements.

Sincerely,

A handwritten signature in black ink, appearing to read 'James A. Urner, Jr.', written over a light blue grid background.

James A. Urner, Jr.
President