



375 Essjay Road, Suite 200, Williamsville, New York 14221
P 716.688.0766 F 716.625.6825

ADDENDUM NO. 3

Ithaca Fire Station
Wendel Project No. 618601

DATE

9/14/2023

OWNER

City of Ithaca
108 E. Green Street
Ithaca, NY 14850

ARCHITECT/ENGINEER

Wendel WD Architecture, Engineering,
Surveying & Landscape Architecture, P.C.
375 Essjay Road
Suite 200
Williamsville, NY 14221
Phone: 716-688-0766
Fax: 716-625-6825

Mitchell Associates Architects, PLLC
29 Thacher Park Road
Voorheesville, NY 12186

Project No. 618601

This Addendum is being issued to clarify the bid documents and shall supersede and supplement all portions of previously issued bid documents with which it conflicts. It shall be made an integral part of the construction documents.



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Project Ithaca Fire Station Addendum No. 01
Contract _____
Wendel Project No. 618601 Date 9/14/2023

ARTICLE - 1 DRAWING NO. _____
SPEC _____
SECTION BID FORM

REPLACE Bid Form within the Project Manual with the Bid Form included in this Addenda.

BID FORM

To: City of Ithaca
Ithaca Fire Station
403 Elmwood Ave
Ithaca, NY 14850

In compliance with the Notice to Bidders, the undersigned:

(Name of firm, partnership, or Corporation)

hereby proposes to furnish all supervision, labor, materials, plant, tools, equipment, transportation, overhead and profit, and other facilities related to, proper for, or incidental to the Bid Package noted below for the Ithaca Fire Station, in strict accordance with the Project Manuals dated April 2, 2023 and the Drawings mentioned therein, and including any subsequently issued addenda for consideration of the following breakdown:

BID PACKAGE: (check one)

- Bid Package No.01 – General Construction (GCC)
- Bid Package No.02 – Heating, Ventilation and Air Conditioning (MC)
- Bid Package No.03 – Electrical (EC)
- Bid Package No.04 – Plumbing (PC)
- Bid Package No.05 – Fire Protection (FSC)
- Bid Package No.06 – Site Utility (SC)

BID ITEMS: Refer to Division 01 Section “Description of Bid Items” for complete description.

LUMP SUM COST OF CONSTRUCTION

_____ Dollars (\$ _____)

REMOVAL AND REPLACEMENT OF UNSUITABLE SOIL WITH COMPACTED

STRUCTURAL FILL – Unit price of \$_____/CY, times assumed quantity of 2,000CY.

(Fill in unit price and computed total for this bid item, applicable to Bid Package No. 06 ONLY)

Computed Total _____ Dollars (\$ _____)

OPEN EXCAVATION ROCK REMOVAL – Unit price of \$_____/CY, times assumed quantity of 500CY.

(Fill in unit price and computed total for this bid item, applicable to Bid Package No. 06 ONLY)

Computed Total _____ Dollars (\$ _____)

PLACEMENT OF LEAN CONCRETE FILL MATERIAL – Unit price of \$_____/CY, times assumed

quantity of 250CY. (Fill in unit price and computed total for this bid item, applicable to Bid Package No. 06 ONLY)

Computed Total _____ Dollars (\$ _____)

PIER AND TRENCH ROCK REMOVAL – Unit price of \$ _____/CY, times assumed quantity of 250CY. (Fill in unit price and computed total for this bid item, applicable to Bid Package No. 06 ONLY)

Computed Total _____ Dollars (\$ _____)

FLUID APPLIED FLOORING MOISTURE MITIGATION – Unit price of \$ _____/SF, times assumed quantity of 4,000SF.
(Fill in unit price and computed total for this bid item, applicable to Bid Package No. 01 ONLY)

Computed Total _____ Dollars (\$ _____)

WINTER CONDITIONS FOR FOUNDATION WORK – Allowance of \$200,000.00 for winter conditions for foundation work only (applicable to Bid Package No. 01 ONLY)

Computed Total _____ Dollars (\$200,000.00)

GEOTHERMAL SYSTEM – Allowance of \$500,000.00 (applicable to Bid Package No. 02 ONLY)

Computed Total _____ Dollars (\$500,000.00)

COMMUNICATION AND 911 BACKBONE SYSTEM – Allowance of \$45,000.00 for Communication and 911 backbone system. (applicable to Bid Package No. 03 ONLY)

Computed Total _____ Dollars (\$45,000.00)

TOTAL LUMP SUM BASE BID (LUMP SUM OF CONSTRUCTION + APPLICABLE ITEMS ABOVE)

_____ Dollars (\$ _____)

ALTERNATES: Refer to Division 01 Section 011200 “Multiple Contract Summary” for specific trade description of work, and 012300 "Alternates" for complete description.

Alternate #1: Architectural Wood Casework in rooms 108 “DAY ROOM/ KITCHEN/ DINING” and ROOM 109 “LIVING ROOM”.

ADD _____ Dollars (\$ _____)

NOTE: BASIS OF CONTRACT AWARD WILL BE IN ACCORDANCE WITH ARTICLE 5 OF “INSTRUCTION TO BIDDERS”

MINORITY/WOMEN-OWNED BUSINESS REQUIREMENTS

The undersigned agrees to make a good faith effort in complying with the Minority and Women Owned

Addendum No. _____ Date _____
Addendum No. _____ Date _____

Addendum No. _____ Date _____
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Contractor Qualification Form, shall be completed and delivered to the Construction Manager, by the two (2) low bidders of each bid package, within 48 hrs after the Bid opening, upon receiving the request for the submittals by the Construction Manager.

Dated _____, 20__

(Sign Bid Here) By:

Legal Business Address:

Legal name of person, partnership, or corporation

Name and Title

Street

City and State

Phone Number

Email

IF BIDDER IS A FIRM OR PARTNERSHIP, COMPLETE THE FOLLOWING:

Name of Members or Partners	Legal Residence
_____	_____
_____	_____
_____	_____
_____	_____

IF BIDDER IS A CORPORATION, COMPLETE THE FOLLOWING:

State of Incorporation: _____

Name and Title	Legal Residence
_____ President	_____
_____ Vice President	_____
_____ Secretary	_____

WAIVER OF IMMUNITY CLAUSE

The bidder hereby agrees to the provisions of the applicable General Municipal Law which requires that upon the refusal of person, when called before a grand Jury to testify concerning any transaction or contract had with the State, any political subdivision thereof, a public authority or with any public department, agency or official of the state or of any political subdivision thereof or of a public authority, to sign a waiver of immunity against subsequent criminal prosecution or to answer any relevant question concerning such transaction or contract.

- (a) Such person, any firm, partnership, or corporation of which he is a member, partner, director or officer shall be disqualified from thereafter selling to or submitting bids to or receiving awards from or entering into any contracts with any municipal corporation or any public department, agency or official thereof, for goods, work or services, for a period of five years after such refusal, and
- (b) Any and all contracts made with any municipal corporation or any public department, agency or official thereof, since the effective date of this law, by such person, and by any firm, partnership, or corporation of which he is a member, partner, director of officer may be canceled or terminated by the municipal corporation without incurring any penalty or damages on account of such cancellation or termination, but any monies owing by the municipal corporation for goods delivered or work done prior to the cancellation or termination shall be paid.

Individual

Corporation

Date _____ By: _____

AFFIRMATIVE ACTION AGREEMENT

Firm Name: _____

Business Address: _____

Telephone Number: _____

Non-discrimination Clauses:

1. The Contractor will not discriminate against any employee or applicant for employment because of race, creed, sex, color, or national origin and will take affirmative action to insure that they are afforded equal employment opportunities without discrimination because of race, creed, sex, color, or national origin. Such action shall be taken with reference, but not limited to: recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff or termination, rates of pay or other forms of compensation, and selection for training or retraining, including apprenticeship and on-the-job training.

2. The Contractor will send to each labor union or representative of workers with which he has or is bound by a collective bargaining or other agreement or understanding, a notice, to be provided by the State of New York Equal Rights Division, advising such labor union or representative of the Contractor's agreement under clauses (1) through (7) (hereinafter called "non-discrimination clauses"). If the Contractor was directed to do so by the contracting agency as part of the bid or negotiation of this Contract, the Contractor shall request such labor union or representative to furnish him with a written statement that such labor union or representative will not discriminate because of race, creed, sex, color or national origin and that such labor union or representative either will affirmatively cooperate, within the limits of its legal and contractual authority, in the implementation of the policy and provisions of these non-discrimination clauses or that it consents and agrees that recruitment, employment and the terms and conditions of employment under this Contract shall be in accordance with the purposes and provisions of these non-discrimination clauses. If such labor union or representative fails or refuses to comply with such a request that it furnish such a statement, the Contractor shall promptly notify the State Commission for Human Rights of such failure or refusal.

3. The Contractor will post and keep posted in conspicuous places, available to employees and applicants for employment, notices to be provided by the State of New York Equal Rights Division setting forth the substance of the provisions of clauses (1) and (2) and such provisions of the State's laws against discrimination as the State of New York Equal Rights Division shall determine.

4. The Contractor will state, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, that all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, sex, color, or national origin.

5. The Contractor will comply with all applicable local, state and federal non-discrimination laws will furnish all information and reports deemed necessary by the State of New York Equal Rights Division under these non-discrimination clauses and such sections of the Executive Law, and will permit access to his books, records and accounts by the State of New York Equal Rights Division,

the Attorney General and the New York Employment Relations Commission (WERC) for the purposes of investigation to ascertain compliance with these non-discrimination clauses and such sections of the Executive Law and Civil Rights Law.

6. This Contract may be forthwith canceled, terminated or suspended, in whole or in part, by the contracting agency upon the basis of a finding made by the State of New York Equal Rights Division that the Contractor has not complied with these non-discrimination clauses, and the Contractor may be declared ineligible for future contracts made by or on behalf of the State or a public authority or agency of the state, until he satisfies the State of New York Equal Rights Division that he has established and is carrying out a program in conformity with the provisions of these non-discrimination clauses. Such finding shall be made by the State of New York Equal Rights Division after conciliation efforts by the New York Employment Relations Commission have failed to achieve compliance with these non-discrimination clauses and after a verified complaint has been filed with the New York Employment Relations Commission, notice thereof has been given to the Contractor and an opportunity has been afforded him to be heard publicly before members of the New York Employment Relations Commission. Such sanctions may be imposed and remedies invoked dependently of or in addition to sanctions and remedies otherwise provided by law.

7. The Contractor will include the provisions of clauses (1) through (6) in every subcontract or purchase order in such a manner that such provisions will be binding upon each subcontractor or vendor as to operations to be performed within the State of New York. The Contractor will take such action in enforcing such provisions of such subcontract or purchase order as the contracting agency may direct, including sanctions or remedies for non-compliance. If the Contractor becomes involved in or is threatened with litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the Contractor shall promptly so notify the Attorney General, requesting him to intervene and protect the interests of the State of New York.

Signature (Authorized): _____

Title: _____

BID PROPOSAL CERTIFICATIONS

Firm Name _____

Business Address _____

Telephone Number _____ Date of Bid _____

I. General Bid Certification

The bidder certifies that he will furnish, at the prices herein quoted, the materials, equipment, and/or services as proposed on this bid.

II. Non-Collusive Bidding Certifications

By submission of this bid proposal, the bidder also certifies compliance with the following:

Statement of non-collusion in bids and proposals to political subdivision of the state. Every bid or proposal hereafter made to a political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation, or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury: Non-collusive bidding certification.

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

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

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

(4) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition. (b) A bid shall not be considered for award nor shall any award be made where (a) (1) (2) and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (a) (1) (2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the 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 completions.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or

revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning subparagraph one (a).

2. 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 of services performed or to be performed or goods sold or not to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

III. Schedule Acknowledgement Certification

The bidder certifies, that he acknowledges that time is the essence of the project schedule as outlined in specification section 011200 Multiple Contract Summary and they have formally confirmed all specified materials and equipment will be procured and installed within the stipulated project schedule or be subject to liquidated damages as specified.

Signature (Authorized) _____

Title _____

WOMEN/MINORITY OWNED BUSINESS ENTERPRISES

NEW YORK STATE LAW

In 2006, the State of New York commissioned a disparity study to evaluate whether minority and women-owned business enterprises had a full and fair opportunity to participate in state contracting. The findings of the study were published on April 29, 2010, under the title "The State of Minority and Women-Owned Business Enterprises: Evidence from New York" ("Disparity Study"). The report found evidence of statistically significant disparities between the level of participation of minority-and women-owned business enterprises in state procurement contracting versus the number of minority-and women-owned business enterprises that were ready, willing and able to participate in state procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the statewide certified minority- and women-owned business enterprises program. The recommendations from the Disparity Study culminated in the enactment and the implementation of New York State Executive Law Article 15-A, which requires, among other things, that DOS establishes goals for maximum feasible participation of New York State Certified minority- and women – owned business enterprises ("MWBE") and the employment of minority groups members and women in the performance of New York State contracts.

In order to meet state established Women/Minority-Owned Business Enterprises goals, the contractor must document good faith efforts to provide meaningful participation by MWBEs as contractors, subcontractors or suppliers in the performance of the Contract and Contractor agrees that Wendel may withhold payment pending receipt of the required MWBE documentation. The Contractor is required to complete and submit the MWBE Utilization Plan with their bid.

Contractors must submit the Monthly MWBE Contractor Compliance Report each month during the term of the contract for the preceding month's activity, documenting progress made towards achievement of the contract MWBE goals. Wendel requires that all Contractors use the New York State Contract System ("NYSCS") to report subcontractor and supplier payments made by Contractor to MWBEs performing work under the Contract. The NYSCS may be accessed at <https://ny.newnycontracts.com/>.

Please note that the Contractor Compliance Report must be submitted every month with the Contractor's Application for Payment. If there is no MWBE utilization in a given month, the report must be submitted reflecting a \$0 value.

**MBE UTILIZATION PLAN – FORM A
MINORITY OWNED BUSINESS ENTERPRISE (MBE) INFORMATION**

In order to achieve the MBE Goals, grantee expects to subcontract/purchase with New York State certified MINORITY-OWNED entities as follows: (add additional pages as needed)

MBE Firm (Exactly as Registered)	Description of Work (Products/Services) [MBE]	Projected MBE Expenditure Amount
Name Address City, State, ZIP Employer I.D. Telephone Number () -		\$ _____
Name Address City, State, ZIP Employer I.D. Telephone Number () -		\$ _____
Name Address City, State, ZIP Employer I.D. Telephone Number () -		\$ _____

**WBE UTILIZATION PLAN – FORM B
WOMEN OWNED BUSINESS ENTERPRISE (WBE) INFORMATION**

In order to achieve the MBE Goals, grantee expects to subcontract/purchase with New York State certified WOMEN-OWNED entities as follows: (add additional pages as needed)

WBE Firm (Exactly as Registered)	Description of Work (Products/Services) [WBE]	Projected WBE Expenditure Amount
Name Address City, State, ZIP Employer I.D. Telephone Number () -		\$ _____
Name Address City, State, ZIP Employer I.D. Telephone Number () -		\$ _____
Name Address City, State, ZIP Employer I.D. Telephone Number () -		\$ _____