

US CUSTOMARY UNITS

D265834

F.A. PROJECT

PROPOSAL

CONTRACTOR'S BID PACKAGE

Proposal Description:

PAVEMENT REHABILITATION - Route 5,
City of Amsterdam

Letting of 10/15/2026 @ 10:30 A.M.

Submitted in accordance with the Highway Law and
with the Standard Specifications and Standard
Sheets officially finalized and adopted on September
1, 2026 as posted on the Department's website.

Book 1 of 2

Contractor Information:

Federal Identification Number _____

Name _____

Address _____



**Department of
Transportation**

50 Wolf Road, Albany, NY 12232

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NOTE: This form, Table of Contents, and subsequent listed section title pages were developed for repetitive use throughout all contract proposals and may identify items not applicable to this specific project. The Contractor is responsible for review of this proposal containing the contract requirements.

PROJECT TITLE SHEET

**STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ENGINEERING DIVISION**

CONTRACT NO: D265834
F.A. PROJECT
COUNTY(IES): MONTGOMERY

ITEMIZED PROPOSAL FOR PAVEMENT REHABILITATION ROUTE 5, CITY OF AMSTERDAM

CAPITAL PROJECT IDENTIFICATION NO.....	2134.62
DEPOSIT REQUIRED..... Bid bond, certified check, or cashier's check in the minimum amount of 5% of the total bid	
COMPLETION DATE.....	November 30, 2027

Questions

Project-related technical questions or comments must be submitted through the Construction Contracting section of the Business Center on the NYSDOT website at:

www.dot.ny.gov/doing-business/opportunities/const-notice

Contract administration or procurement questions may either be submitted through the website, or directed to the Contract Management Bureau contacts listed on the Important Bidder Information page on the back of the cover of Proposal Book 2.

Bids Should Be Submitted through Bid Express or in a Sealed Envelope prominently labeled "BID ENCLOSED"; addressed to NYSDOT, Contract Management Bureau, 50 Wolf Road, First Floor, Suite 1CM, Albany NY 12232; and delivered prior to the proposal due date and time, during normal business hours (Monday through Friday, 7:00am to 4:00pm). Clearly identify the Contractor Name, Address, Federal Identification Number, Project Number and Project Description on the envelope. The same Federal Identification number should be used on both the envelope and the Planholders List. Low bidders must have a current NYS Vendor Responsibility Questionnaire For-Profit Construction (CCA-2) on file or submit one within 10 days of receipt of the contract. Questionnaires are available at: www.dot.ny.gov/bids-and-lettings/construction-contractors/general-info. Please call (518) 457-2421 if a reasonable accommodation is needed to participate in the Letting.

CONTRACTOR'S BID PACKAGE CONTENTS
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Jurat (Proposal Form)

Bid Bond

Federal DBE Commitment and GFE Bid Requirements (Federal Aid Contracts Only)

Bid Survey (Optional)

Encouraging Use of NYS Businesses (100% State Funded Contracts Only)

Itemized Proposal (Proposal Form)

NOTE: This form was developed for repetitive use throughout all contract proposals and may identify items not applicable to this specific project.

1. Itemized Proposal

In submitting this bid, the undersigned declares that it is made without any connection with any person making another bid for the same contract; that the bid is in all respects fair and without collusion, fraud or mental reservation; and that no official of the State, or any person in the employ of the State is directly or indirectly interested in said bid or in the supplies or work to which it relates, or in any portion of the profits thereof.

The undersigned also hereby declares to have carefully examined the plans, specifications and form of contract, and to have personally inspected the actual location of the work together with the local sources of supply, to be satisfied as to all the quantities and conditions, and understands that in signing this proposal waives all right to plead any misunderstanding regarding the same.

The undersigned further understands and agrees to furnish and provide for the respective item price bid all the necessary material, machinery, implements, tools, labor services and other items of whatever nature, and to do and perform all the work necessary under the aforesaid conditions, to complete the improvement of the aforementioned project in accordance with the plans and specifications for said improvement, which plans and specifications it is agreed are a part of this proposal, and to accept in full compensation therefore the amount of the summation of the products of the approximate quantities multiplied by the unit prices bid. This summation will hereinafter be referred to as the gross sum bid.

For Design Bid Build projects, the undersigned further agrees to accept the aforesaid unit bid prices as compensation for any additions or deductions caused by variation in quantities due to more accurate measurement, and for use in the computation of the value of the work performed for monthly estimates, unless otherwise specifically provided for in the Standard Specifications.

The undersigned further agrees that should the bidder challenge any administrative action of the Department regarding the award of the Contract, such special proceeding shall be brought in Supreme Court, Albany County, and in no other location.

The undersigned further agrees that at any time during the progress of work the State adds, alters or omits portions of the work it shall so perform such work and accept compensation in accordance with the Standard Specifications.

The undersigned further understands and agrees not to start any work until the contract agreement is signed by the Commissioner or the Commissioner's duly authorized representative. In no event shall the undersigned start any contract work which involves a disturbance within the State right of way prior to award of the contract by the Comptroller.

2. Bid Deposit

Accompanying this proposal is a bid bond, certified check or bank cashier's check for the specified amount of deposit required. In the event this proposal is accepted by the Department of Transportation and the undersigned shall fail to execute the contract and in all respects comply with the provisions of Section 38 of the Highway Law, as amended, the moneys represented by such bid bond, certified check or bank cashier's check shall be regarded as liquidated damages and shall be forfeited and become the property of the State of New York; otherwise to be returned to the depositor in accordance with the provisions of said Section 38 of the Highway Law, as amended.

On acceptance of this proposal for said work the undersigned does or do hereby bind herself/himself or itself/themselves to enter into written contract, within ten days of date of notice of award, with the said Department of Transportation, and to comply in all respects with §38(6) of the Highway Law, as amended, in relation to security for the faithful performance of the terms of said contract.

3. Certifications

A. Non-Collusive Bidding Certifications (NYS Finance Law §139-D)

1. Every bid hereafter made to the state or any public department, agency or official thereof, where competitive bidding is required by statute, rule or regulation, for work or services performed or to be

performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury:

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

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

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

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

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

The fact that 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 of subparagraph 1. a.

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

B. Non-Collusive Bidding Certification (49 CFR 20)

The Contractor to whom the above identified contract is to be awarded does hereby tender to the New York State Department of Transportation this sworn statement pursuant to Section 112(c) of Title 23 U.S. Code *Highways* and does hereby certify, in conformance with said 23 USC 112(c) that the said Contractor has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the above identified contract.

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

1. is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
2. has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past three years;
3. does not have a proposed debarment pending; and

4. has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent Jurisdiction in any matter involving fraud or official misconduct within the past three years.

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

4. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion. (FHWA Section 1273 X.) [For Federal-Aid Contracts Only]

A. The Bidder certifies to the best of its knowledge and belief, that it and its Principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification; and
4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

B. Where the Bidder is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

5. Certification Regarding Use of Contract Funds for Lobbying (FHWA 1273 Section XI.) [For Federal-Aid Contracts Only]

A. The Bidder certifies, by signing and submitting this bid or proposal, to the best of his/her/their knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

B. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S. Code §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

C. The Bidder also agrees by submitting its bid or proposal that the Bidder shall require that the language of this certification be included in all lower tier subcontracts which exceed \$100,000, and that all such subrecipients shall certify and disclose accordingly.

6. Bidder Assurance of No Conflict of Interest or Detrimental Effect.

The firm offering to provide services pursuant to this Contract, as a Contractor or joint venture Contractor, attests that its performance of the services outlined in this proposal does not and will not create a conflict of interest with nor position the firm to breach any other contract currently in force with the State of New York.

Furthermore, the firm attests that it will not act in any manner that is detrimental to any State project on which the firm is rendering services. Specifically, the firm attests that:

- a. The fulfillment of obligations by the firm, as proposed in the response, does not violate any existing contracts or agreements between the firm and the State;
- b. The fulfillment of obligations by the firm, as proposed in the response, does not and will not create any conflict of interest, or perception thereof, with any current role or responsibility that the firm has with regard to any existing contracts or agreements between the firm and the State;
- c. The fulfillment of obligations by the firm, as proposed in the response, does not and will not compromise the firm's ability to carry out its obligations under any existing contracts between the firm and the State;
- d. The fulfillment of any other contractual obligations that the firm has with the State will not affect or influence its ability to perform under any contract with the State resulting from this proposal;
- e. During the negotiation and execution of any contract resulting from this proposal, the firm will not knowingly take any action or make any decision which creates a potential for conflict of interest or might cause a detrimental impact to the State as a whole including, but not limited to, any action or decision to divert resources from one State project to another;
- f. In fulfilling obligations under each of its State contracts, including any contract which results from this proposal, the firm will act in accordance with the terms of each of its State contracts and will not knowingly take any action or make any decision which might cause a detrimental impact to the State as a whole including, but not limited to, any action or decision to divert resources from one State project to another;
- g. No former officer or employee of the State who is now employed by the firm, nor any former officer or employee of the firm who is now employed by the State, has played a role with regard to the administration of this contract procurement in a manner that may violate section 73(8)(a) of the State Ethics Law; and
- h. The firm has not and shall not offer to any employee, member or director of the State any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence said employee, member or director, or could reasonably be expected to influence said employee, member or director, in the performance of the official duty of said employee, member or director or was intended as a reward for any official action on the part of said employee, member or director.

Firms responding to this proposal should note that the State recognizes that conflicts may occur in the future because a firm may have existing or new relationships. The State will review the nature of any such new relationship and reserves the right to terminate the contract for cause if, in its judgment, a real or potential conflict of interest cannot be cured.

7. False Claims Certification (31 USC §3729, NYS Finance Law Article 13)

Under the Federal False Claims Act, 31 U.S. Code §3729, any person or entity who knowingly presents, or causes to be presented to the Federal Government, a false or fraudulent claim for payment or approval is liable to the United State Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus three times the amount of damages the Government sustains.

Under the New York State False Claims Act, NYS Finance Law Article 13, any person or entity who knowingly presents or causes to be presented to the State of New York or Local Governments within the State of New York, a false or fraudulent claim for payment or approval is liable to the Government for a civil penalty of not less than \$6,000 and not more than \$12,000, plus three times the amount of damages the Government sustains.

“Knowingly” is defined as: (1) actual knowledge; (2) acting in deliberate ignorance of the truth or falsity of information; or (3) acting in reckless disregard of the truth or falsity of information; no proof of specific intent to defraud is required.

The Contractor to whom the above-identified contract is to be awarded does hereby certify to New York State Department of Transportation that it understands the prohibitions under the Federal and New York State False Claims Acts, and that it has not and will not submit or cause to be submitted any fraudulent claims in the submission of this bid or in connection with the above identified contract. The Contractor further certifies that it understands retaliatory actions, against employees and officers who initiate a *Qui Tam* (public) action on behalf of the government or cooperate in the investigation of a false claim, are prohibited and are subject to an assessment of damages and penalties, under the provisions of the Federal and New York State False Claims Acts.

8. Executive Order 177 Certification

The New York State Human Rights Law, Article 15 of the Executive Law, prohibits discrimination and harassment based on age, race, creed, color, national origin, sex, pregnancy or pregnancy-related conditions, sexual orientation, gender identity, disability, marital status, familial status, domestic violence victim status, prior arrest or conviction record, military status or predisposing genetic characteristics.

The Human Rights Law may also require reasonable accommodation for persons with disabilities and pregnancy-related conditions. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner. The Human Rights Law may also require reasonable accommodation in employment on the basis of Sabbath observance or religious practices.

Generally, The Human Rights Law applies to:

- a. All employers of four or more people, employment agencies, labor organizations and apprenticeship training programs in all instances of discrimination or harassment;
- b. Employers with fewer than four employees in all cases involving sexual harassment; and
- c. Any employer of domestic workers in cases involving sexual harassment or harassment based on gender, race, religion or national origin.

In accordance with Executive Order No. 177, the Proposer / Bidder hereby certifies that it does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected status under the Human Rights Law.

Executive Order No. 177 and this certification do not affect institutional policies or practices that are protected by existing law, including but not limited to the First Amendment of the United States Constitution, Article 1, Section 3 of the New York State Constitution, and Section 296(11) of the New York State Human Rights Law.

9. US Department of Transportation Office of Inspector General – Fraud, Waste, & Abuse Hotline

The U.S. Department of Transportation (USDOT) Office of Inspector General (OIG) maintains a Hotline for receiving allegations of fraud, waste, abuse, or mismanagement in USDOT programs or operations. Persons with knowledge of bid collusion (i.e., contractors, suppliers, work persons, etc.), or other questionable contract related practices (inadequate materials, poor workmanship, theft of materials, etc.), are encouraged to report such activities by calling the Hotline at 1-800-424-9071, emailing hotline@oig.dot.gov, or writing to the USDOT Inspector General, 1200 New Jersey Ave SE, West Bldg. 7th Floor, Washington, DC 20590. Allegations may be reported 24 hours a day, seven days a week by DOT employees, contractors, or the general public.

10. New York State Office of the Inspector General Hotline

The New York State Office of the Inspector General maintains a Hotline for receiving allegations of governmental misconduct. Reports of New York State governmental misconduct may be made in strict confidence to the Toll Free 24-hour Statewide HOTLINE at 1-800-DO RIGHT (1-800-367-4448), the on-line complaint form at www.ig.ny.gov or in writing to the New York State Office of the Inspector General, Empire State Plaza, Agency Building 2 - 16th Floor, Albany, New York 12223.

11. Offerer Disclosure of Prior Non-Responsibility Determinations – Contractor must complete the form below:

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle):

No Yes

If yes, please answer questions 2-4. If no, skip to question 5.

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j? (Please circle):

No Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle):

No Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.

Governmental Entity: _____

Date of Finding of Non-responsibility: _____

Basis of Finding of Non-Responsibility: _____

(Add additional pages as necessary)

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the individual or entity seeking to enter into the Procurement Contract due to the intentional provision of false or incomplete information? (Please circle):

No Yes

6. If yes, please provide details below.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

(Add additional pages as necessary)

BY EXECUTING THIS PROPOSAL, THE CONTRACTOR AGREES TO:

1. Perform all work listed in accordance with the Contract Documents including all amendments, (found at <https://www.dot.ny.gov/doing-business/opportunities/const-notices> or <https://www.dot.ny.gov/main/business-center/designbuild>) at the prices bid; subject to the Changed Conditions provisions if applicable;
2. Accompany this proposal with a bid bond, certified check or bank cashier's check for the specified amount of deposit required;
3. All the terms and conditions of the non-collusive bidding certifications required by §139-d of the State Finance Law and 49 CFR Part 20;
4. For Federal-Aid contracts only, certify, under penalty of perjury, as to the current history regarding suspensions, debarments, voluntary exclusions, determinations of ineligibility, indictments, convictions or civil judgments required by *FHWA Form 1273 Required Contract Provisions Federal-Aid Construction Contracts- Section X "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion"*;
5. For Federal-Aid contracts only, certify that no Federal appropriated funds have been paid or will be paid, to any person for lobbying a Federal official or employee, or disclosure was made in accordance with 31 USC 1352 required by *FHWA Form 1273 Required Contract Provisions Federal-Aid Construction Contracts- Section XI "Certification Regarding Use of Contract Funds for Lobbying"*;
6. Attest that its performance of the services outlined in this proposal does not and will not create a conflict of interest with nor position the firm to breach any other contract currently in force with the State of New York;
7. Certify that it understands the prohibitions under the Federal False Claims Act (31 USC §3729) and the New York State False Claims Act (NYS Finance Law Article 13);
8. Certify that all information provided to the Department with respect to the requirements contained in the Procurement Lobbying Law (State Finance Laws §139j and §139k) is complete, true and accurate;
9. Affirm, under penalty of perjury, that all the responses provided to the Department with respect to its submitted Form CCA-2 *New York State Vendor Responsibility Questionnaire For-Profit Construction*, are complete, true, and accurate, and further affirms and acknowledges that it must remain a responsible Contractor throughout the duration of the contract, in accordance with §105-05 *Vendor Responsibility*;
10. Provide commitments to meet the established DBE/MBE/WBE/SDVOB participation goal(s) or to demonstrate sufficient good faith efforts to do so;
11. By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of Section 201-G of the New York State Labor Law.
12. By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing gender-based violence and the workplace and has provided such policy to all of its employees, directors and board members. Such policy shall, at a minimum, meet the requirements of subdivision 11 of section five hundred seventy-five of the executive law.
13. Certify to all other clauses required by this proposal and contained herein.

Dated _____, 20____

Legal Name of person, firm or corporation

By _____

Signature (Title)

(Acknowledgment of individual Contractor)

STATE OF NEW YORK

County of _____ ss.:

On this _____ day of _____ 20____, before me personally came _____
to me known and known to me to be the person described in and who executed the foregoing instrument,
and acknowledged that he/she/they executed the same.

Notary Public**(Acknowledgment of co-partnership Contractor)**

STATE OF NEW YORK

County of _____ ss.:

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

Notary Public**(Acknowledgment of Contractor, if a corporation)**

STATE OF NEW YORK

County of _____ ss.:

On this _____ day of _____ 20____, before me personally came _____ to
me known and known to me to be the person, who being duly sworn, did depose and say that he/she/they
resides in _____, that he/she/they is the _____, of the
_____, the corporation described in and which executed the foregoing instrument;
and that he/she/they signed her/his/their name thereto by order of the Board of Directors of said
Corporation.

Notary Public**(Acknowledgment of Contractor, if a Joint Venture)**

A bidder that is a Joint Venture shall include a separate, signed and notarized copy of the
acknowledgment page for each party in the joint venture.

Please Complete Information Requested Below:

The address of the bidder is:

(Street)

City, State and Zip Code

Federal Identification No _____

Contact Person _____

Phone No. () _____

E-mail _____

If a Partnership

Name	Address

If a Corporation

Name	Address

 , President

 , Secretary

 , Treasurer

This page intentionally left blank.

KNOW ALL PERSONS BY THESE PRESENTS, that _____
(Name of Contractor / Proposer)

(Address)
(hereinafter called the "Principal") and the _____
a corporation created and existing under the laws of the State of _____, having its principal
office in the City of _____ and authorized as a surety in the State of New York (such surety or
Co-sureties are hereinafter called the "Surety"), are held and firmly bound unto The People of the State of
New York (hereinafter called the "State"), in the full just sum of [*Five Percent (5%) of Attached Price
Proposal*], good and lawful money of the United States of America, for the payment of which said sum of
money, well and truly to be made and done, the said Principal binds themselves (himself/herself, itself),
their (his/her, its) heirs, executors and administrators, successors and assigns, and the said Surety binds
itself, its successors and assigns jointly and severally, firmly by these presents:

WHEREAS, the said Principal has submitted to the Commissioner of Transportation of the State of
New York, a proposal for _____

(Project Description), and

WHEREAS, under the terms of the Laws of the State of New York as above indicated, the said
Principal has filed or intends to file this bond to guarantee that the Principal will execute all required
contract proposal documents and furnish such faithful performance or other bonds as may be required by
law in accordance with the terms of the Principal's said proposal.

NOW, THEREFORE, the condition of the foregoing obligation is such, that if the said Principal
shall promptly execute and submit, and the Commissioner of Transportation shall accept, all required
contract proposal documents including such faithful performance bond or other bonds as may be required
by law in accordance with the terms of the Principal's said proposal, then this obligation shall be null and
void, otherwise to remain in full force and virtue.

In case of multiple or co-sureties, the Co-Sureties agree to empower a single representative with
authority to act on behalf of all of the Co-Sureties with respect to this Bond, so that the Department will
have no obligation to deal with multiple sureties hereunder. All correspondence from the Department to
the Co-Sureties and all claims under this Bond shall be sent to such designated representative, and all
correspondence so sent shall be deemed to have been sent to all Co-Sureties. The Co-Sureties also agree
to designate a single agent for service of process with respect to any actions on this Bond, which agent
shall either be a natural person or a corporation qualified to act as an agent for service of process under
the laws of the State of New York. The designated representative and agent for service of process may be
changed only by delivery of written notice (by personal delivery or by certified mail, return receipt
requested) to the Department designating a single new representative and/or agent, signed by all of the
Co-Sureties. The initial representative shall be:

(Name of Representative)

(Address)

(City, State, Zip)

and the initial agent for service of process shall be:

(Name of Initial Agent)

(Address)

(City, State, Zip)

IN TESTIMONY WHEREOF, the said Principal has hereunto set his/her (their, its) hand and the said Surety has caused this instrument to be signed by its authorized officer.

Signed and delivered this ____ day of _____ 20____ in the presence of:

(Company)
By _____) Principal
(Signature)

(Title of Authorized Officer)

(Company)
By _____) Surety (or Co-Surety)
(Signature)

(Title of Authorized Officer)

(Company)
By _____) Co-Surety
(Signature)

(Title of Authorized Officer)

(Company)
By _____) Co-Surety
(Signature)

(Title of Authorized Officer)

(The Surety Company shall append a single copy of a statement of its financial condition and a copy of the resolution authorizing the execution of Bonds by officers of the Company to the bond(s).)

(Acknowledgment of principal, unless it be a corporation)

STATE OF NEW YORK ss.:

COUNTY OF _____

On this ____ day of _____ 20 ____, before me personally came _____
to me known and known to me to be the person described in and who executed the foregoing instrument
and acknowledged that he/she executed the same.

Notary Public

(Acknowledgment of principal, if a corporation)

STATE OF NEW YORK ss.:

COUNTY _____

On this ____ day of _____ 20 ____, before me personally came _____
to me known and known to me to be the person, who being by me duly sworn, did depose and say that
he/she resides in _____ that he/she is the _____ of
_____ the corporation described in and which executed the foregoing
instrument; and that he/she signed his/her name thereto by order of the Board of Directors of said
Corporation.

Notary Public

(Acknowledgment of contractor, if a limited liability company)

STATE OF NEW YORK ss.:

COUNTY OF _____

On this ____ day of _____ 20 ____, before me personally came _____
to me known, and known to me to be the person who being duly sworn, did depose and say that he/she
resides in _____; that he/she is the duly authorized member of the limited
liability company described in and which executed the foregoing instrument; and that he/she executed the
foregoing instrument on behalf of the limited liability company for the purposes set forth therein as the
act and deed of said limited liability company.

Notary Public

(Acknowledgment of Surety Company)

STATE OF NEW YORK ss.:

COUNTY OF _____

On this ____ day of _____ 20 ____, before me personally came _____
to me known and known to me to be the person, who being by me duly sworn, did depose and say that
he/she resides in _____. that he/she is the _____ of
_____ the corporation described in the foregoing instrument; and that
he/she signed his/her name thereto by order of the Board of Directors of said Corporation.

Notary Public

OPTIONAL – RETURN WITH BID DOCUMENTS

NYSDOT CONTRACT DOCUMENT BID-ABILITY SURVEY

NYSDOT requests your feedback on the bid-ability of contract documents to assist in prioritizing improvement opportunities. On a scale of 1 to 5 with 5 being the best score, please rate the following based on your review of the contract documents at the bid preparation stage. Please provide written comments in the space provided.

A. CONTRACT INFORMATION

1. Contract Number _____
2. Letting Date _____

B. BID-ABILITY

- | | |
|---|-----------|
| 1. The plans were complete, well organized, and easy to understand. | 1 2 3 4 5 |
| 2. Sufficient detail was provided for bid preparation. | 1 2 3 4 5 |
| 3. The print quality was adequate for all plan sheets. | 1 2 3 4 5 |
| 4. The specifications were clear, complete, and consistent with other contract requirements. | 1 2 3 4 5 |
| 5. All specification items required for the work were included in the contract documents. | 1 2 3 4 5 |
| 6. Special notes were clear, complete and consistent with other contract requirements. | 1 2 3 4 5 |
| 7. The estimate of quantities agreed with your independent estimate. | 1 2 3 4 5 |
| 8. The supplemental information available to bidders was complete and readily available for inspection. | 1 2 3 4 5 |
| 9. The letting date was appropriate for the type of contract work to be performed. | 1 2 3 4 5 |
| 10. The contract completion date was reasonable and achievable. | 1 2 3 4 5 |
| 11. If amendments were issued, they were clearly written and easy to understand. | 1 2 3 4 5 |

C. OVERALL RATING

1. Compared to other NYSDOT contract documents, how would you rate the overall bid-ability of this contract?
☐ Above Average ☐ Average ☐ Below Average

2. Compared to contract documents from other Agencies/Owners, how would you rate the overall bid-ability of this contract?
☐ Above Average ☐ Average ☐ Below Average

D. GENERAL COMMENTS

Please provide any additional comments regarding the contract documents. Include positive/negative comments and recommendations for improvement.

Comments/Suggestions: _____

E. CONTACT INFORMATION (OPTIONAL)

Name: _____

Company: _____

Prime Contractor ____ Subcontractor ____ Supplier ____

Address: _____

Phone: _____

e-mail: _____

The completed survey should be returned with your bid. If faced with time constraints, you may also mail the completed survey at a later date to:

New York State Department of Transportation
PS&E Section, Design Quality Assurance Bureau
50 Wolf Road, POD 23
Albany, NY 12232

Project(s): 213462

Proposal ID: D265834

Proposal Line Number	Item ID Description	Bid Req. Code	Approximate Quantity and Units	Unit Price		Bid Amount	
				Dollars	Cents	Dollars	Cents
0002	203.02 UNCLASSIFIED EXCAVATION AND DISPOSAL		318.000 CY	_____	_____	_____	_____
0004	203.03 EMBANKMENT IN PLACE		9.000 CY	_____	_____	_____	_____
0006	206.0201 TRENCH AND CULVERT EXCAVATION		132.000 CY	_____	_____	_____	_____
0008	209.1312 Sediment Filter Log - Temporary, 12", Type B		617.000 LF	_____	_____	_____	_____
0010	209.1702 DRAINAGE STRUCTURE INLET PROTECTION, GRAVEL BAG - TEMPORARY		15.000 CY	_____	_____	_____	_____
0012	304.12 SUBBASE COURSE, TYPE 2		154.000 CY	_____	_____	_____	_____
0014	404.0589 Shim Course F9, Asphalt		472.000 TON	_____	_____	_____	_____
0016	404.0972 9.5 F2 Top Course Asphalt, 70 Series Compaction		1,414.000 TON	_____	_____	_____	_____
0018	407.01040009 NON-TRACKING TACK COAT		1,853.000 GAL	_____	_____	_____	_____
0020	418.7603 ASPHALT PAVEMENT JOINT ADHESIVE		13,391.000 LF	_____	_____	_____	_____
0022	490.10 PRODUCTION COLD MILLING OF BITUMINOUS CONCRETE		15,405.000 SY	_____	_____	_____	_____
0024	490.30 MISCELLANEOUS COLD MILLING OF BITUMINOUS CONCRETE		1,348.000 SY	_____	_____	_____	_____
0026	604.070201 ALTERING DRAINAGE STRUCTURES, LEACHING BASINS AND MANHOLES		29.000 EACH	_____	_____	_____	_____
0028	604.070202 ALTERING DRAINAGE STRUCTURES, LEACHING BASINS AND MANHOLES		5.000 EACH	_____	_____	_____	_____

Project(s): 213462

Proposal ID: D265834

Proposal Line Number	Item ID Description	Bid Req. Code	Approximate Quantity and Units	Unit Price		Bid Amount	
				Dollars	Cents	Dollars	Cents
0030	604.10 PREFABRICATED ADJUSTMENT RINGS FOR MANHOLES		10.000 EACH	_____.	_____.	_____.	_____.
0032	605.0901 UNDERDRAIN FILTER TYPE 1		132.000 CY	_____.	_____.	_____.	_____.
0034	605.1502 PERFORATED CORRUGATED POLYETHYLENE UNDERDRAIN TUBING, 6 INCHDIAMETER		1,578.000 LF	_____.	_____.	_____.	_____.
0036	607.41010010 TEMPORARY PLASTIC BARRIER FENCE		876.000 LF	_____.	_____.	_____.	_____.
0038	608.0101 CONCRETE SIDEWALKS AND DRIVEWAYS		103.000 CY	_____.	_____.	_____.	_____.
0040	608.020102 ASPHALT SIDEWALKS, DRIVEWAYS AND BICYCLE PATHS,AND VEGETATION CONTROL STRIPS		15.000 TON	_____.	_____.	_____.	_____.
0042	608.21000003 CAST IRON EMBEDDED DETECTABLE WARNING UNITS		55.000 SY	_____.	_____.	_____.	_____.
0044	609.0401 CAST-IN-PLACE CONCRETE CURB TYPE VF6		1,837.000 LF	_____.	_____.	_____.	_____.
0046	610.1402 TOPSOIL - ROADSIDE		15.000 CY	_____.	_____.	_____.	_____.
0048	610.1602 TURF ESTABLISHMENT - LAWNS		15.000 SY	_____.	_____.	_____.	_____.
0050	610.19 WATERING VEGETATION		1.000 MGAL	_____.	_____.	_____.	_____.
0052	611.0151 PLANTING - MAJOR DECIDUOUS TREES - 2 INCH CALIPER BALL& BURLAP, FIELD POTTED OR FIELD BOXED		3.000 EACH	_____.	_____.	_____.	_____.
0054	611.19010024 POST PLANTING CARE WITH REPLACEMENT - MAJOR DECIDUOUS TREES		3.000 EACH	_____.	_____.	_____.	_____.

Project(s): 213462

Proposal ID: D265834

Proposal Line Number	Item ID Description	Bid Req. Code	Approximate Quantity and Units	Unit Price		Bid Amount	
				Dollars	Cents	Dollars	Cents
0056	614.060104 TREE REMOVAL OVER 4 INCHES TO 6 INCHES DIAMETER BREAST HEIGHT - STUMPS GRUBBED		3.000 EACH	_____	_____	_____	_____
0058	617.11000024 EQUIPMENT CLEANING FOR INVASIVE PLANT SPECIES		1.000 LS	_____	_____	_____	_____
0060	619.01 BASIC WORK ZONE TRAFFIC CONTROL		1.000 LS	_____	_____	_____	_____
0062	619.0901 TEMPORARY PAVEMENT MARKINGS STRIPES (TRAFFIC PAINT)		8,115.000 LF	_____	_____	_____	_____
0064	619.110513 (PVMS) STANDARD SIZE - FULL MATRIX (LED) NO OPTIONALEQUIPMENT SPECIFIED, CELLULAR COMMUNICATIONS WITH NTCIP COMP		2.000 EACH	_____	_____	_____	_____
0066	625.01 SURVEY OPERATIONS		1.000 LS	_____	_____	_____	_____
0068	627.50140008 CUTTING PAVEMENT		2,346.000 LF	_____	_____	_____	_____
0070	637.12 ENGINEER'S FIELD OFFICE - TYPE 2		12.000 MNTH	_____	_____	_____	_____
0072	637.34 OFFICE TECHNOLOGY AND SUPPLIES	Fixed	5,001.000 DC		1.000		5,001.00
0074	645.5101 GROUND-MOUNTED SIGN PANELS WITHOUT Z-BARS		42.000 SF	_____	_____	_____	_____
0076	645.5102 GROUND-MOUNTED SIGN PANELS LESS THAN OR EQUAL TO 32 SF, WITH Z-BARS		411.000 SF	_____	_____	_____	_____
0078	645.81 TYPE A SIGN POSTS		96.000 EACH	_____	_____	_____	_____
0080	647.31 RELOCATE SIGN PANEL, SIGN PANEL ASSEMBLY SIZE I (UNDER 30 SQUARE FEET)		20.000 EACH	_____	_____	_____	_____

Project(s): 213462

Proposal ID: D265834

Proposal Line Number	Item ID Description	Bid Req. Code	Approximate Quantity and Units	Unit Price		Bid Amount	
				Dollars	Cents	Dollars	Cents
0082	647.61 REMOVE AND DISPOSE SIGNS, GROUND MOUNTED TYPE A SIGN SUPPORTS AND FOUNDATIONS - SIZE I (UNDER 30 SQUARE FEET)		60.000 EACH	_____.	_____.	_____.	_____.
0084	655.05020010 FRAMES AND COVERS FOR SANITARY SEWER MANHOLES		10.000 EACH	_____.	_____.	_____.	_____.
0086	655.1202 MANHOLE FRAME AND COVER		10.000 EACH	_____.	_____.	_____.	_____.
0088	655.1302 TELESCOPING MANHOLE FRAME AND COVER		34.000 EACH	_____.	_____.	_____.	_____.
0090	662.60030008 ALTERING ELEVATION OF GAS VALVE BOXES		1.000 EACH	_____.	_____.	_____.	_____.
0092	663.33 ADJUST EXISTING VALVE BOX ELEVATION		44.000 EACH	_____.	_____.	_____.	_____.
0094	685.1102 White Epoxy Reflectorized Pavement Stripes - 20 mil		8,786.000 LF	_____.	_____.	_____.	_____.
0096	685.1202 Yellow Epoxy Reflectorized Pavement Stripes - 20 mil		7,534.000 LF	_____.	_____.	_____.	_____.
0098	685.3104 White Epoxy Reflectorized Pavement Special Stripes -20 mil Portable/Hand Application		11,971.000 LF	_____.	_____.	_____.	_____.
0100	685.3204 Yellow Epoxy Reflectorized Pavement Special Stripes -20 mil Portable/Hand Application		2,591.000 LF	_____.	_____.	_____.	_____.
0102	685.3404 White Epoxy Reflectorized Pavement Symbols -20 mil Portable/Hand Application		24.000 EACH	_____.	_____.	_____.	_____.
0104	697.03 FIELD CHANGE PAYMENT	Fixed	60,000.000 DC		1.000	60,000.00	
0106	698.04 ASPHALT PRICE ADJUSTMENT	Fixed	307.630 DC		1.000	307.63	
0108	698.05 FUEL PRICE ADJUSTMENT	Fixed	187.710 DC		1.000	187.71	

