

**Town of Oyster Bay
Department of Public Works
Division of Engineering
Nassau County, New York**

**REQUEST FOR PROPOSALS
FOR
CONSULTANT SERVICES**

SOLICITATION NO. 2018-05

ISSUANCE DATE: 9/14/2018

THIS RESPONSE IS DUE BY: 10/03/2018 by 3:30 PM

RESPONSE REQUIREMENTS: Four (4) Hardcopies and One (1) Electronic Copy

**INSTALLATION OF SIDEWALK AND LIGHTING AT THEODORE ROOSEVELT
ELEMENTARY SCHOOL LOCATED IN OYSTER BAY, NY**

CONTRACT NO. DPW18-181

REQUEST FOR PROPOSALS

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AUTHORIZED CONTACT PERSON: Prospective firms are advised that the authorized Town of Oyster Bay contact person for all matters concerning this RFP is:

John C. Tassone, Deputy Commissioner
Division of Engineering
Town of Oyster Bay Dept. of Public Works
150 Miller Place
Syosset, New York 11791
Telephone: (516) 677-5722 - Fax: (516) 677-5940

INTRODUCTION: In accordance with the Town of Oyster Bay's qualification based consultant procurement policy, the Division of Engineering of the Town of Oyster Bay Department of Public Works (hereinafter referred to as "the Town") is seeking proposals from qualified professional consulting firms for various consulting services.

The Town anticipates that services will be required:

From: November 2018

Through: September 2019

(hereinafter referred to as "the contract period"). The scope of the anticipated services is more fully described below under the paragraph entitled "Scope of Services".

FORM OF PROPOSAL: Firms must submit four (4) hardcopies and one (1) electronic copy of each technical proposal with additional relevant information. Proposals should be organized as described in Attachment No. 1 herein.

QUALIFICATION BASED SELECTION PROCESS: The Town, after receipt and review of responses to this RFP, reserves the right to reject all proposals based upon the information provided by the firm in their proposals and based upon subsequent negotiations between the Town and the firm. The review process of the RFP's submitted are based on the qualifications of the firm for the nature of that project. The Town also reserves the right to subdivide individual items and award one or more portions to one firm and other portions to one or more other firms.

CRITERIA FOR EVALUATION: The criteria to be used by the Town in evaluating these proposals shall be the following:

- The magnitude, scope and complexity of the services to be rendered
- The experience of the firm in assignments of similar size, scope and complexity
- Special knowledge relevant to the project
- Special equipment or facilities relevant to the project

- The size, staffing, resources and financial capability of the firm versus the size of the assignment
- The firm's knowledge and experience with Town facility(ies) and programs involved in the assignment
- The firm's past performance with the Town
- Time constraints and deliverability service; and
- The firm's current workload, current workload remaining, workload remaining from prior years and total workload remaining with the Town.

It is further expressly acknowledged that the quality of the services to be rendered is of paramount importance to the Town. However, it is further expressly acknowledged that the cost of the services to be rendered is a substantial concern.

At its discretion, in accordance with the review process, the Town may elect to interview each firm, make visits to each firm and/or inspect prior work done by each firm. Following its review the Town will then notify the three highest ranked firms of their standing and will notify the remaining firms that they will not be chosen for this project. The top ranked firm will be invited to submit cost proposals, which will be subject to negotiation. If a satisfactory agreement cannot be negotiated with such firm at a fee determined by the Town to be fair and reasonable, then negotiations with such firm will be terminated and negotiations undertaken with the second highest ranked firm. Failing accord with the second highest ranked firm, negotiations will likewise terminate and negotiations will then be undertaken with the third highest ranked firm. If acceptable terms cannot be reached with the third highest ranked firm, the selection process will be terminated and the project will be re-evaluated by the Town.

USE OF SUBCONSULTANTS, CERTIFIED OUTSIDE LABORATORIES AND OTHER SUBORDINATE ENTITIES: Prospective firms are advised that the Town will entertain proposals that include the use of sub-consultants, certified outside laboratories and/or other subordinate entities. In such event, the proposal must clearly state the extent and nature of the work proposed to be delegated to the sub-consultant, laboratory or other entity. Further, if the proposed sub-consultant is an architectural, engineering or surveying firm, the proposal must also be accompanied by a completed and current Federal Form SF 330 if such form is not already on file with the Town.

FAMILIARIZATION WITH CURRENT PROGRAMS, FACILITIES AND DOCUMENTS: It is the sole responsibility of the prospective firms to familiarize themselves with the Town's current programs, facilities, documents and any other information which is necessary and relevant to the scope of this RFP. Upon sufficient and reasonable advance notice to the contact person named above, arrangements may be made to visit and inspect any involved Town facilities and/or to view applicable documents. Any and all costs borne by the prospective proposer in familiarizing themselves with the above are to be borne solely by the prospective proposer. In the event that the prospective proposer is ultimately awarded a contract pursuant to this RFP, the Town will not allow any claims for payment which include billable time for such familiarization costs, regardless of whether they were incurred prior to or following the submission of the proposer's proposal.

PAYMENTS AND CLAIMS: Payments to the successful proposer will be made in accordance with the terms of the Town of Oyster Bay Standard Consultant Agreement to entered into between the firm and the Town.

SCOPE OF SERVICES

INSTALLATION OF SIDEWALK AND LIGHTING AT THEODORE ROOSEVELT ELEMENTARY SCHOOL

PROJECT MANAGER: Brian Kunzig

GENERAL PROJECT DESCRIPTION

Theodore Roosevelt Elementary School, located in Oyster Bay, serves nearly 400 students ranging from Pre-Kindergarten to second grade. The school is home to several Varsity and Junior Varsity sports teams and offers many after curricular activities and programs.

Currently, the North and West perimeters of the school on Larrabee Ave and Shore Ave do not cater to pedestrians. Due to high foot traffic from students and after curricular participants, the unimproved area has eroded into dirt pathways leaving an unsafe condition.

Through this Request for Proposals, the Town is seeking a qualified engineering firm to design, bid, and inspect the installation of street lighting and 1,030 linear feet of concrete walkways on Theodore Roosevelt Elementary School's North and West boundaries of Shore Ave and Larrabee Ave.

The selected consultant shall integrate the following concepts into their design:

- Perform a code review for compliance with the applicable provisions of the current ADA Standards for Accessible Design.
- The consultant shall incorporate any requirements brought forth by representatives of the Theodore Roosevelt Elementary School.
- The consultant shall aim to minimize impacting the existing trees within the proposed work area.
- If necessary, the consultant shall provide assistance to the Town in the securing of potential rebates, and for the development of applications for potential grants and other financial assistance programs to offset the cost of construction for this project.
- The consultant shall secure any necessary permits and/or approvals necessary to facilitate this project, including Town of Oyster Bay, Nassau County Department of Public Works, National Grid, PSE&G, New York State DEC, etc.

The selected consultant will perform the following bid phase services:

- Preparation of plans and specifications that adhere to the requirements listed by the Community Development Block Grant Program for public bid.
- Attendance at a pre-bid meeting.
- Respond to inquiries by prospective bidders
- Issuance of contract document addenda, if necessary.
- Attendance at the bid opening(s).
- Review of bids, bidder qualifications, and verification of references.
- Attendance at pre-award meeting(s), if necessary.
- Submission of a recommendation of award to the Commissioner of Public Works.

Construction services performed by the consultant are to ensure the work of the contractor conforms to the provisions of the contract documents. Services to be performed shall include:

- Construction administration.
- Shop drawing approval.
- Construction Inspection.
- Coordination with contractors for any necessary approvals from outside agencies.
- Upon substantial completion, generation of a final punchlist.
- Preparation of reproducible as-built drawings.
- Compilation of as-built drawings, approved shop drawings, warranties, permits, etc.
- Approval of contractor invoices.
- Submission of a recommendation for final acceptance to the Commissioner of Public Works.
- Provide any consultation/inspection and recommendation of warranted action during the maintenance and guarantee period.

APPENDICES

- Area Map

Appendix 1

Area Map

Larrabee Ave & Shore Ave, Oyster Bay



ATTACHMENT NUMBER 1

FORMAT OF PROPOSAL

Proposals should be organized as shown below with tab dividers between sections and should include all the information indicated. Note that elaborate brochures or other presentations beyond those sufficient to present a complete and extensive response to this solicitation are not desired. Five (5) copies shall be submitted.

SECTION A. INTRODUCTORY STATEMENT

SECTION B. QUALIFICATIONS AND APPROPRIATENESS OF PROPOSED STAFF

1. Project team.
2. Provide names and resumes of key personnel proposed for this project.

SECTION C. APPROPRIATENESS AND QUALITY OF PROPOSER'S EXPERIENCE

1. Please include experience on projects within Long Island including projects with the Town of Oyster Bay.
2. Minimum of five (5) references with contract information (recent, similar projects preferred).

SECTION D. PROPOSED METHODOLOGY

Based on the project description and scope of services, the firm should discuss how it would approach and manage the project.

SECTION E. MANPOWER BREAKDOWN

Manpower estimates shall be separated by task with the employee's name, classification, percentage of time to be spent on the project, and estimated man-hours. Total hours for each Phase.

SECTION F. WORKLOAD DISCLOSURE

MAKE CHART TO SHOW THE FOLLOWING:

1. Current 2018 calendar year workload with the Town of Oyster Bay in dollars.
3. Current 2018 calendar year workload remaining with the Town of Oyster Bay in dollars.
4. Workload remaining with the Town of Oyster Bay from prior years in dollars.
5. Total workload remaining.

SECTION G. SUPPLEMENTAL INFORMATION

Any additional information relevant to the firm's qualifications for this project may be included at the firm's option.

ATTACHMENT NUMBER 2

SPECIAL REQUIREMENTS AND MODIFICATIONS

Provisions stated under Special Requirements and Modifications shall supersede and take precedence over information provided in the preceding documents and attachments.

1. Firms must provide a Maximum Hourly Wage Rate Schedule listing job classifications. The salary of all employees proposed in the response to this RFP must be within the limits of the schedule and will be subject to the approval of the Department of Public Works.
2. Payments will be made to the Consultant in accordance with the terms of the Standard Consultant Agreement. If a wage rate/multiplier format is utilized, payment will be made on the basis of direct salary times a multiplier of **3.0**. Direct salary shall be actual salary or compensation paid by the consultant to all personnel for the work performed by them directly related to the particular project or projects assigned exclusive of insurances, payroll taxes and all other fringe benefits. In no event (regardless of the maximum wage rate schedule to be provided in accordance with the above) shall the Town pay more than the maximum hourly limit as approved by the Town Board, currently set at **\$175/hour**.
3. The consultant will not discriminate against employees or applicants for employment because of race, creed, color national origin, sex, age, disability or marital status and will undertake or continue existing programs of affirmative action to ensure that group members and women are afforded equal employment opportunities without discrimination. When sub-consultants or other outside entities are to be utilized, the consultant shall also make reasonable efforts to encourage the participation of Certified Minority- and Women-Owned Business Enterprises as sub-consultants, and retain the documentation of these efforts to be provided upon request of the Town. A listing of contractors can be found at www.nylovesmwbe.ny.gov.
4. Consulting firms shall be properly staffed by properly licensed and certified professionals by the State of New York. The consultant shall submit a list of licensed Professional Engineers and Registered Architects, along with their license and/or registration numbers, to allow for proper evaluation by the Town.

APPENDIX A

TOWN OF OYSTER BAY DISCLOSURE AFFIDAVITS

The appropriate forms **must** be submitted with your proposal.

PARTNERSHIP DISCLOSURE AFFIDAVIT

CONTRACT NO. _____

STATE OF NEW YORK)

 ss.
COUNTY OF)

_____, being duly sworn, deposes and says:

1. That I am a (partner, joint venture, etc.) _____ of the (name of partnership) _____ and fully familiar with all the facts and circumstances hereinafter set forth.

2. That the (name of partnership) _____ was established in (place) _____ on (date) _____.

3. That the following are the names, addresses and interests, respectively, of all partners (joint _____ venturers, _____ etc.) _____.

4. That neither deponent nor any other person mentioned in this affidavit is an officer or employee, or is related to an officer or employee of the Town of Oyster Bay – except: (if any, set forth details) _____.

5. That no officer of the State of New York, or officer or employee of the Town of Oyster Bay, or Nassau County, or person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision 4 of Section 2 of the Election Law, or his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them, is the bidder, or any officer, director or partner, member or employee of the bidder, or legally or beneficially owns or controls one (1) percent or more of the stock of the bidder, or is associated with the bidder in a joint venture, or is a party to an agreement with the bidder, expressed or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable award of such contract – except (if any set forth details – see General Municipal Law Section 809) _____.

6. That in the event there is any change in the matters set forth herein prior to the award of the contract, deponent(s) will file with the Town of Oyster Bay a supplemental affidavit indicating the details of such change within 48 hours of such change.

(signed)

Sworn to before me this
_____ day of _____, 201__

NOTARY PUBLIC

INDIVIDUAL BIDDER'S DISCLOSURE AFFIDAVIT

CONTRACT NO.: _____

STATE OF NEW YORK)

ss.
COUNTY OF)

_____, being duly sworn, deposes and says:

1. That I am _____(age), and reside at (address)
_____.

2. That I am a bidder for the contract which is the subject matter of this application and am familiar with all the facts and circumstances hereinafter set forth.

3. That neither deponent nor any other person mentioned in this affidavit is an officer or employee, or is related to an officer or employee of the Town of Oyster Bay – except: (if any, set forth details) _____.

4. That no officer of the State of New York, or officer or employee of the Town of Oyster Bay, or Nassau County, or person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision 4 of Section 2 of the Election Law, or his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them, is the bidder, or any officer, director or partner, member or employee of the bidder, or legally or beneficially owns or controls one (1) percent or more of the stock of the bidder, or is associated with the bidder in a joint venture, or is a party to an agreement with the bidder, expressed or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable aware of such contract – except (if any set forth details – see General Municipal Law Section 809) _____.

5. That in the event there is any change in the matters set forth herein prior to the award of the contract, deponent(s) will file with the Town of Oyster Bay a supplemental affidavit indicating the details of such change within 48 hours of such change.

(signed)

Sworn to before me this _____day of _____, 201__

NOTARY PUBLIC

CORPORATE DISCLOSURE AFFIDAVIT

CONTRACT NO. _____

STATE OF NEW YORK)

ss.

COUNTY OF)

_____, being duly sworn, deposes and says:

1. That I am the (office held) _____ of the (name of corporation) _____ and am fully familiar with all the facts and circumstances hereinafter set forth.

2. That the business address of (name of corporation) _____ is (address) _____.

3. That said corporation was incorporated under and pursuant to the Law of the State of _____.

4. That the following are the names and residences of each officer, director and shareholder: (set forth names, residences and relationship to corporation): _____.

5. That the corporate stock of said corporation has not been pledged to any person nor has any agreement been made to pledge the said stock – except (if any, set forth details): _____.

6. That neither deponent nor any other person mentioned in this affidavit is an officer or employee, or is related to an officer or employee of the Town of Oyster Bay – except (if any, set forth details): _____.

7. That no officer of the State of New York, or officer or employee of the Town of Oyster Bay, or Nassau County, or person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision 4 of Section 2 of the Election Law, or his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them, is the bidder, or any officer, director or partner, member or employee of the bidder, or legally or beneficially owns or controls one (1) percent or more of the stock of the bidder, or is associated with the applicant in a joint venture, or is a party to an agreement with the bidder, expressed or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the award of such contract – except (if any set forth details – see General Municipal Law Section 809) _____.

8. That in the event there is any change in the matters set forth herein prior to the award of the contract, deponent(s) will file with the Town of Oyster Bay a supplemental affidavit indicating the details of such change within 48 hours of such change.

(signed)

Sworn to before me this _____ day of _____, 201_

NOTARY PUBLIC

DISCLOSURE QUESTIONNAIRE

SECTION I: GENERAL INFORMATION

1. BUSINESS NAME (LEGAL INC. NAME): _____

2. FEDERAL EMPLOYER ID NO. (FEIN): _____

3. D/B/A – DOING BUSINESS AS (IF APPLICABLE): _____

COUNTY FILED: _____

4. WEBSITE ADDRESS (IF APPLICABLE): _____

5. BUSINESS E-MAIL ADDRESS: _____

6. PRINCIPAL PLACE OF BUSINESS ADDRESS: _____

7. TELEPHONE NUMBER: _____ 7. FAX NUMBER: _____

8. DOES THE BUSINESS USE, OR HAS IT USED IN THE PAST FIVE (5) YEARS, ANY OTHER BUSINESS NAME, FEIN, OR D/B/A OTHER THAN WHAT IS LISTED IN QUESTIONS 1-4 ABOVE?

YES NO

If **yes**, provide the name(s), FEIN(s) and d/b/a(s) and the address for each such entity on a separate piece of paper and attach to this questionnaire.

9. AUTHORIZED CONTACT:

NAME: _____

TITLE: _____

TELEPHONE NUMBER: _____ FAX NUMBER: _____

E-MAIL: _____

10. HOW MANY YEARS HAS THIS BUSINESS BEEN IN BUSINESS? _____

11. TYPE OF BUSINESS (PLEASE CHECK APPROPRIATE BOX):

a) BUSINESS CORPORATION

b) PUBLIC RESEARCH INSTITUTION

c) ACADEMIC RESEARCH INSTITUTION

d) NOT-FOR-PROFIT RESEARCH INSTITUTION

e) NOT-FOR-PROFIT CORPORATION CREATED ON BEHALF OF A PUBLIC, NOT-FOR-PROFIT PRIVATE OR ACADEMIC RESEARCH INSTITUTION

f) NOT-FOR-PROFIT CORPORATION CHARITIES REGISTRATION NUMBER: _____

g) LOCAL DEVELOPMENT CORPORATION OR INDUSTRIAL DEVELOPMENT AGENCY

- h) MUNICIPALITY
- i) UNIVERSITY/EDUCATIONAL ORGANIZATION
- j) OTHER – SPECIFY

SECTION II: DUE DILIGENCE QUESTIONS

1. DOES THE BUSINESS POSSESS ALL CERTIFICATIONS, LICENSES, PERMITS, APPROVALS, OR OTHER AUTHORIZATIONS ISSUED BY ANY LOCAL, STATE, OR FEDERAL GOVERNMENTAL ENTITY IN CONNECTION WITH THE PROPOSAL/PROJECT, BUSINESS'S SERVICES, OPERATIONS, BUSINESS, OR ABILITY TO CONDUCT ITS ACTIVITIES? PLEASE NOTE THIS DOES NOT INCLUDE CONSTRUCTION RELATED ACTIVITIES SUCH AS BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY.

YES NO

IF THE ANSWER IS "NO", PLEASE SET FORTH ON A SEPARATE DOCUMENT ATTACHED HERETO THE CERTIFICATIONS, LICENSES, PERMITS, APPROVALS, OR OTHER AUTHORIZATIONS THAT ARE REQUIRED AND THE DATE(S) THAT SUCH CERTIFICATIONS, LICENSES, PERMITS, APPROVALS, OR OTHER AUTHORIZATION IS EXPECTED.

2. ON A **SEPARATE DOCUMENT ATTACHED HERETO**, LIST ALL CONTRACTS THE BUSINESS HAS ENTERED INTO WITH ANY MUNICIPALITY IN THE PAST FIVE (5) YEARS. PLEASE LIST THE NAME, ADDRESS AND CONTACT PERSON FOR THE CONTRACTING ENTITY, AS WELL AS THE CONTRACT EFFECTIVE DATES. ALSO PROVIDE CONTRACT IDENTIFICATION NUMBER, IF KNOWN.

N/A

3. WITHIN THE PAST FIVE (5) YEARS, HAS THE BUSINESS, ANY PRINCIPAL, OWNER, DIRECTOR, OFFICER, MAJOR STOCKHOLDER (10% OR MORE OF THE VOTING SHARES FOR PUBLICLY TRADED COMPANIES, 25% OR MORE OF THE SHARES FOR ALL OTHER COMPANIES), RELATED COMPANY OR AFFILIATE BEEN THE SUBJECT OF ANY OF THE FOLLOWING:

(a) A JUDGMENT OR CONVICTION FOR ANY BUSINESS RELATED CONDUCT CONSTITUTING A CRIME UNDER FEDERAL, STATE OR LOCAL GOVERNMENT LAW? YES NO

(b) BEEN SUSPENDED, DEBARRED OR TERMINATED BY A LOCAL, STATE OR FEDERAL AUTHORITY IN CONNECTION WITH A CONTRACT OR CONTRACTING PROCESS? YES NO

(c) BEEN DENIED AN AWARD OF A LOCAL, STATE OR FEDERAL GOVERNMENT CONTRACT, HAD A CONTRACT SUSPENDED OR HAD A CONTRACT TERMINATED FOR NON-RESPONSIBILITY? YES NO

(d) HAD A LOCAL, STATE, OR FEDERAL GOVERNMENT CONTRACT SUSPENDED OR TERMINATED FOR CAUSE PRIOR TO THE COMPLETION OF THE TERM OF THE CONTRACT? YES NO

(e) A CRIMINAL INVESTIGATION OR INDICTMENT FOR ANY BUSINESS RELATED CONDUCT CONSTITUTING A CRIME UNDER FEDERAL, STATE OR LOCAL GOVERNMENT? YES NO

(f) AN INVESTIGATION FOR A CIVIL VIOLATION FOR ANY BUSINESS RELATED CONDUCT BY ANY FEDERAL, STATE OR LOCAL AGENCY? YES NO

(g) AN UNSATISFIED JUDGMENT, INJUNCTION OR LIEN FOR ANY BUSINESS RELATED CONDUCT OBTAINED BY ANY FEDERAL STATE OR LOCAL GOVERNMENT AGENCY INCLUDING, BUT NOT LIMITED TO, JUDGMENTS BASED ON TAXES OWED AND FINES AND PENALTIES ASSESSED BY ANY FEDERAL, STATE OR LOCAL GOVERNMENT AGENCY? YES NO

(h) A GRANT OF IMMUNITY FOR ANY BUSINESS-RELATED CONDUCT CONSTITUTING A CRIME UNDER FEDERAL, STATE OR LOCAL LAW INCLUDING, BUT NOT LIMITED TO ANY CRIME RELATED TO TRUTHFULNESS AND/OR BUSINESS CONDUCT? YES NO

(i) AN ADMINISTRATIVE PROCEEDING OR CIVIL ACTION SEEKING SPECIFIC PERFORMANCE OR RESTITUTION IN CONNECTION WITH ANY FEDERAL, STATE OR LOCAL CONTRACT OR LEASE?

YES NO

(j) A SUSPENSION OR REVOCATION OF ANY BUSINESS OR PROFESSIONAL LICENSE HELD BY THE BUSINESS, A CURRENT OR FORMER PRINCIPAL, DIRECTOR, OR OFFICER OF THE BUSINESS, OR ANY MEMBER OF THE ANY CURRENT OR FORMER STAFF OF THE BUSINESS?

YES NO

(k) A SANCTION IMPOSED AS A RESULT OF JUDICIAL OR ADMINISTRATIVE PROCEEDINGS RELATIVE TO ANY BUSINESS OR PROFESSIONAL LICENSE?

YES NO

(l) A CONSENT OR A FEDERAL, STATE OR LOCAL GOVERNMENT ENFORCEMENT DETERMINATION INVOLVING A VIOLATION OF FEDERAL, STATE OR LOCAL LAWS?

YES NO

(m) A CITATION, NOTICE, VIOLATION ORDER, PENDING ADMINISTRATIVE HEARING OR PROCEEDING OR DETERMINATION FOR VIOLATIONS OF:

- FEDERAL, STATE OR LOCAL HEALTH LAWS, RULES OR REGULATIONS

YES NO

- UNEMPLOYMENT INSURANCE OR WORKERS' COMPENSATION YES NO

- COVERAGE OR CLAIM REQUIREMENTS YES NO

- ERISA (EMPLOYEE RETIREMENT INCOME SECURITY ACT) YES NO

- FEDERAL, STATE OR LOCAL HUMAN RIGHTS LAWS YES NO

- FEDERAL INS (IMMIGRATION AND NATURALIZATION SERVICE) AND ALIENAGE LAWS, SHERMAN ACT OR OTHER FEDERAL ANTI-TRUST LAWS

YES NO

- A FEDERAL, STATE, OR LOCAL DETERMINATION OF A WILLFUL VIOLATION OF ANY PUBLIC WORKS OR LABOR LAW OR REGULATION? YES NO

- AN OCCUPATIONAL SAFETY AND HEALTH ACT CITATION AND NOTIFICATION OF PENALTY CONTAINING A VIOLATION CLASSIFIED AS SERIOUS OR WILLFUL?

YES NO

FOR EACH YES ANSWER TO QUESTIONS 3 A-M, PROVIDE DETAILS ON ADDITIONAL SHEETS REGARDING THE FINDING, INCLUDING BUT NOT LIMITED TO CAUSE, CURRENT STATUS, RESOLUTION, ETC.

4. DURING THE PAST THREE (3) YEARS, HAS THE BUSINESS **FAILED** TO:

(a-1) FILE ANY RETURNS, INCLUDING, IF APPLICABLE, FEDERAL FORM 990, WITH ANY FEDERAL, STATE OR LOCAL GOVERNMENT ENTITY ?

YES **NO**

IF YES, IDENTIFY THE RETURN THAT WAS NOT FILED, THE TYPE OF FORM, THE YEAR(S) IN WHICH THE REQUIRED RETURN WAS NOT FILED, AND THE REASON WHY THE RETURN WAS NOT FILED: _____

(a-2) PAY ANY APPLICABLE FEDERAL, STATE, OR LOCAL GOVERNMENT TAXES?

YES **NO**

(b) FILE RETURNS OR PAY NEW YORK STATE UNEMPLOYMENT INSURANCE?

YES **NO**

IF YES, INDICATE THE YEARS THE BUSINESS FAILED TO FILE/PAY THE INSURANCE AND THE CURRENT STATUS OF THE LIABILITY:

(c) FILE DOCUMENTATION REQUESTED BY ANY REGULATING ENTITY SET FORTH IN SECTION II, QUESTION 1 ABOVE, WITH THE ATTORNEY GENERAL OF THE STATE OF NEW YORK, OR WITH ANY OTHER LOCAL, STATE, OR FEDERAL ENTITY THAT HAS MADE A FORMAL REQUEST FOR INFORMATION?

YES **NO**

IF YES, INDICATE THE YEARS THE BUSINESS FAILED TO FILE THE REQUESTED INFORMATION AND THE CURRENT STATUS OF THE MATTER:

5. HAVE ANY BANKRUPTCY PROCEEDINGS BEEN INITIATED BY OR AGAINST THE BUSINESS, RELATED ORGANIZATIONS, ENTITIES OR ITS AFFILIATES WITHIN THE PAST SEVEN (7) YEARS (WHETHER OR NOT CLOSED) OR IS ANY BANKRUPTCY PROCEEDING PENDING BY OR AGAINST THE BUSINESS, RELATED ORGANIZATIONS, ENTITIES OR ITS AFFILIATES, REGARDLESS OF THE DATE OF FILING?

YES **NO**

IF YES, INDICATE IF THIS IS APPLICABLE TO THE SUBMITTING BUSINESS OR ONE OF ITS AFFILIATES:

IF IT IS AN AFFILIATE, RELATED ORGANIZATION OR ENTITY, 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: _____

6. DOES BUSINESS HAVE THE FINANCIAL RESOURCES TO FULFILL THE REQUIREMENTS OF THE PROPOSAL/PROJECT DESCRIBED?

YES NO

CERTIFICATION

THE UNDERSIGNED RECOGNIZES THAT THIS QUESTIONNAIRE IS SUBMITTED FOR THE EXPRESS PURPOSE OF INDUCING THE TOWN OF OYSTER BAY AWARD A CONTRACT/AGREEMENT TO THE BUSINESS FOR SERVICES RENDERED BY THE UNDERSIGNED AND THAT THE TOWN OF OYSTER BAY MAY IN ITS DISCRETION, BY MEANS WHICH IT MAY CHOOSE, DETERMINE THE TRUTH AND ACCURACY OF ALL STATEMENTS MADE HEREIN. THE UNDERSIGNED FURTHER ACKNOWLEDGES THAT INTENTIONAL SUBMISSION OF FALSE OR MISLEADING INFORMATION MAY CONSTITUTE A CRIME; AND STATES THAT THE INFORMATION SUBMITTED IN THIS QUESTIONNAIRE AND ANY ATTACHED PAGES IS TRUE, ACCURATE AND COMPLETE.

THE UNDERSIGNED ALSO CERTIFIES THAT S/HE 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 ATTACHED PAGES; 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 BUSINESS'S BUSINESS AND OPERATIONS; UNDERSTANDS THAT THE TOWN OF OYSTER BAY WILL RELY ON THE INFORMATION SUPPLIED IN THIS QUESTIONNAIRE WHEN ENTERING INTO A CONTRACT WITH THE BUSINESS; AND

IS UNDER DUTY TO NOTIFY THE TOWN OF OYSTER BAY OF ANY MATERIAL
CHANGES TO THE BUSINESS'S RESPONSES HEREIN

Signature of Authorized Officer

Printed Name of Authorized Officer

Title of Authorized Officer

Sworn to before me this
___ day of _____, 201___,

Notary Public