

09.06.2023

ADOPTED

## TOWN OF RIVERHEAD

## TB Resolution 2023-664

**AWARDS BID FOR SCAVENGER WASTE TREATMENT PLANT ODOR CONTROL IMPROVEMENTS**

Councilman Kern offered the following resolution,  
which was seconded by Councilman Hubbard

**WHEREAS**, Town Board Resolution #2023-411 authorized the Town Clerk to advertise a Notice to Bidders for sealed bids for **SCAVENGER WASTE TREATMENT PLANT ODOR CONTROL IMPROVEMENTS**; and

**WHEREAS**, 3 bids were received, opened and read aloud in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, NY 11901 on **July 11, 2023** at **11:00 AM**; and

**WHEREAS**, the bids were reviewed and a bid tabulation was prepared by the Purchasing Agent and presented to the Town Board for review; and

**WHEREAS**, the Sewer District Superintendent has reviewed said bids.

**NOW THEREFORE BE IT RESOLVED** that the bid for **SCAVENGER WASTE TREATMENT PLANT ODOR CONTROL IMPROVEMENTS** be awarded to the vendor indicated below for prices on the attached pages;

**EXCAV SERVICES INC  
PO BOX 82  
MANORVILLE, NY 11949  
rcg@excavservices.com**

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the vendor listed above, the Sewer District and Purchasing Departments; and

**BE IT FURTHER RESOLVED** that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Robert Kern, Councilman
<b>SECONDER:</b>	Tim Hubbard, Councilman
<b>AYES:</b>	Aguiar, Hubbard, Beyrodt Jr., Rothwell, Kern

State of New York  
County of Suffolk } ss:  
Town of Riverhead

This is to certify that I, the undersigned, Town Clerk of the Town of Riverhead, County of Suffolk, State of New York, have compared the forgoing copy of a Resolution with the original now on file in this office and which was duly adopted on **September 6, 2023** and that same is a true and correct transcript of said Resolution and the of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Town of Riverhead, on **September 7, 2023**

*Diane M. Wilhelm*, Town Clerk

**FISCAL IMPACT STATEMENT  
OF PROPOSED RIVERHEAD TOWN BOARD LEGISLATION**

A. Type of Legislation    Resolution <input checked="" type="checkbox"/> Local Law		
B. Title of Proposed Legislation: Awards Bid for Scavenger Waste Treatment Plant Odor Control Improvements		
C. Purpose of Proposed Legislation:		
D. Will the Proposed Legislation Have a Fiscal Impact?    Yes <input checked="" type="checkbox"/> No		
E. If the answer to section D is "yes", select (a) or (b) below and initial or detail as applicable: <p style="margin-left: 20px;">(a) The fiscal impact can be absorbed by Town/department existing resources set forth in approved Town Annual Budget (example:routine and budgeted procurement of goods/services)*if selecting E(a), please initial then skip items F,G and complete H,I and J; or (b) The description/explanation of fiscal impact is set forth as follows:</p>		
F. If the answer to E required description/explanation of fiscal impact (E(b)), please describe total Financial Cost of Funding over 5 Years		
<b>G. Proposed Source of Funding</b> Appropriation Account to be Charged: Account to be established by Finance Grant or other Revenue Source: Appropriation Transfer (list account(s) and amount):		
H. Typed Name & Title of Preparer: Teresa Baldinucci	I. Signature of Preparer  <b>Teresa Baldinucci</b> Teresa Baldinucci	J. Date 8/28/23
K. Accounting Staff Name & Title	L. Signature of Accounting Staff	M. Date

## PROPOSAL

TO THE TOWN BOARD, TOWN OF RIVERHEAD, 2 RIVER AVENUE, SUFFOLK COUNTY, NEW YORK, ACTING FOR AND ON BEHALF OF THE RIVERHEAD SEWER DISTRICT:

For all work included under the following contract:

SCAVENGER WASTE TREATMENT PLANT ODOR CONTROL IMPROVEMENTS  
CONTRACT G – GENERAL CONSTRUCTION  
CONTRACT NO. RDSD 2302

Made this 7th day of July, 2023, by

Excav Services Inc.

(BIDDER'S NAME)

BIDDER'S DECLARATION: The undersigned, as Bidder, declares that the only person or persons interested in this bid or proposal as principal or principals is or are named herein; and that no other person than herein named has any interest in this proposal or in the contract proposed to be taken; that this bid or proposal is made without any connections with any other person or persons making a bid or proposal for the same purpose; that the bid or proposal is in all respects fair and without collusion or fraud; that it has examined the site of the work, the Contract and Specifications and the Drawings referred to; and has read the Notice to Bidders, Information for Bidders and General Conditions hereto attached and fully understands all the same; and it proposes and agrees, if this proposal is accepted, it will contract with the TOWN BOARD of the TOWN OF RIVERHEAD in the Contract accompanying this bid to perform all the work required in accordance with the Plans and as mentioned in said foregoing Information for Bidders, General Conditions, Notice to Bidders, Contract and Specifications; and it will accept in full payment therefor the following sums to wit:

**NOTE: THIS FORM MUST BE COMPLETED BY BIDDER**

## PROPOSAL

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## PROPOSAL FORM B

**TOWN OF RIVERHEAD SEWER DISTRICT**  
**SCAVENGER WASTE TREATMENT PLANT ODOR CONTROL IMPROVEMENTS**  
**CONTRACT No. RDSD 2302**  
**GENERAL CONSTRUCTION**

Gentlemen:

The undersigned hereby offers to furnish all labor, equipment, materials, and appurtenances for the **Scavenger Waste Treatment Plant Odor Control Improvements, Contract G: General Construction** all in accordance with the plans and specifications prepared by H2M architects + engineers.

**TOTAL BASE BID:**

For all work shown, specified and described in the Contract Documents, for the **Scavenger Waste Treatment Plant Odor Control Improvements, Contract G: General Construction**, Contract No. RDSD 2302, General Construction for the Town of Riverhead, on behalf of the Riverhead Sewer District, complete and ready for operation, including the total of the cash allowances of Fifteen Thousand Dollars and Zero Cents (\$15,000.00), as specified in Section 012100 – Allowances (Contract G), for the Total Base of:

Two Hundred Seventy Nine Thousand One Hundred Thirty \_\_\_\_\_ Dollars and 00 Cents.  
 (IN WORDS)

(279,130.00)

The Bidder shall list the name of the manufacturer for the following materials that was used to prepare the bid and that will be furnished and installed for this project if the Bidder is awarded the project:

1. Odor Control System: \_\_\_\_\_ Carbtrol

**NOTE: THIS FORM MUST BE COMPLETED BY BIDDER**

## PROPOSAL FORM B

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ALL WORK SHOWN AND SPECIFIED IN THE CONTRACT DOCUMENTS & INCLUDED IN THE BASE BID SHALL BE COMPLETED WITHIN NINETY (90) CONSECUTIVE CALENDAR DAYS (SATURDAYS, SUNDAYS AND HOLIDAYS INCLUDED) STARTING TEN DAYS AFTER THE DATE THE OWNER EXECUTED THE CONTRACT. THE COMPLETION DATE WILL BE SET IN THE NOTICE TO PROCEED.

A NOTICE TO PROCEED WILL BE ISSUED AFTER THE CONTRACT HAS BEEN EXECUTED BY THE OWNER.

FAILURE OF THE CONTRACTOR TO COMPLETE ALL WORK SHOWN AND SPECIFIED IN THE CONTRACT DOCUMENTS, BY THE ABOVE SPECIFIED TIME, SHALL SUBJECT HIM/HER TO LIQUIDATED DAMAGES, AS SET FORTH IN ARTICLE 7 OF THE CONTRACT, IN THE SUM OF ONE THOUSAND DOLLARS AND ZERO CENTS (\$1,000.00) PER CALENDAR DAY.

THE TOWN BOARD RESERVES THE RIGHT TO AWARD THIS CONTRACT OR TO REJECT ANY AND ALL BIDS.

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**EXCESS COSTS FOR ENGINEERING & INSPECTION**

SPECIFIC DAMAGES WILL BE ASSESSED AND DEDUCTED FROM AMOUNTS OTHERWISE DUE THE CONTRACTOR FOR ADDITIONAL INSPECTION AND CONTRACT MANAGEMENT TIME REQUIRED BEYOND THE CONTRACT COMPLETION PERIOD SPECIFIED ABOVE. SUCH DEDUCTION SHALL BE NO LESS THAN SIXTY FIVE DOLLARS (\$65.00) PER HOUR AND NO MORE THAN TWO HUNDRED DOLLARS (\$200.00) PER HOUR IN ACCORDANCE WITH THE ENGINEER'S STANDARD BILLING RATE SCHEDULE IN EFFECT WITH THE OWNER AT THE TIME BASED ON CLASSIFICATION OF STAFF.

IN ADDITION, THE OWNER WILL CHARGE TO THE CONTRACTOR, AND WILL DEDUCT FROM THE PARTIAL AND FINAL PAYMENTS DUE THE CONTRACTOR, ALL EXCESS ENGINEERING, INSPECTION, LEGAL AND TESTING CHARGES AND EXPENSES INCURRED BY THE DISTRICT AS STIPULATED BELOW:

1. SERVICES AND OTHER SIMILAR CHARGES AS A RESULT OF THE CONTRACTOR'S AND SUBCONTRACTOR'S ERRORS, OMISSIONS OR FAILURE TO CONFORM TO THE REQUIREMENTS OF THE CONTRACT DOCUMENTS.

## PROPOSAL FORM B

2. SERVICES AND OTHER SIMILAR CHARGES REQUIRED TO EXAMINE AND EVALUATE ANY CHANGES OR ALTERNATES PROPOSED BY THE CONTRACTOR AND WHICH MAY VARY FROM THE CONTRACT DOCUMENTS.
3. SERVICES AND OTHER SIMILAR CHARGES AS A RESULT OF THE CONTRACTOR'S PROPOSED SUBSTITUTION OF MATERIALS, EQUIPMENT OR PRODUCTS WHICH REQUIRE A REDESIGN OF ANY PORTION OF THE PROJECT, AS CONTAINED IN THE CONTRACT DOCUMENTS AT THE TIME OF BID.
4. SERVICES AND OTHER SIMILAR CHARGES AS A RESULT OF THE CONTRACTOR'S PROPOSED SUBSTITUTION OF PRODUCTS WHICH REQUIRE AN ENGINEERING EVALUATION TO DETERMINE IF THE SUBSTITUTED PRODUCT IS EQUAL TO THAT SPECIFIED.
5. SERVICES AND OTHER SIMILAR CHARGES AS A RESULT OF CHANGES BY THE CONTRACTOR TO DIMENSIONS, WEIGHTS, SIZES, VOLTAGES, PHASE, HORSEPOWERS, MATERIALS OF CONSTRUCTION, AND SIMILAR PHYSICAL OR OPERATING CHARACTERISTICS OF THE PRODUCT FURNISHED WHICH REQUIRE REDESIGN OF THE PROJECT IN ANY WAY.
6. SERVICES AND OTHER SIMILAR CHARGES FOR THE REVIEW OF RESUBMISSIONS OF SHOP DRAWINGS THAT HAVE BEEN MARKED AS "NO EXCEPTIONS TAKEN" OR "MAKE CORRECTIONS NOTED".
7. SERVICES AND OTHER SIMILAR CHARGES FOR THE REVIEW OF SHOP DRAWINGS SUBMITTED MORE THAN THREE (3) TIMES FOR THE SAME PRODUCT OR PORTION OF THE WORK.
8. SERVICES AND OTHER SIMILAR CHARGES IN CONNECTION WITH ANY WORK PERFORMED PAST THE SPECIFIED WORKING HOURS WHICH WILL BE INVOICED TO THE OWNER AT 1.15 TIMES THE ENGINEER'S STANDARD HOURLY BILLING RATE.
9. ENGINEERING AND LEGAL SERVICES, AND SIMILAR CHARGES AS A RESULT OF THE CONTRACTOR NOT COMPLETING ALL THE WORK WITHIN THE SPECIFIED COMPLETION TIME WHICH SHALL NOT BE CONSIDERED AS PART OF THE LIQUIDATED DAMAGES SPECIFIED ABOVE.

INSPECTION AND CONTRACT MANAGEMENT TIME REQUIRED BEYOND THE CONTRACT COMPLETION PERIOD SPECIFIED ABOVE. SUCH DEDUCTION SHALL BE NO LESS THAN SIXTY FIVE DOLLARS (\$65.00) PER HOUR AND NO MORE THAN TWO HUNDRED DOLLARS (\$200.00) PER HOUR IN ACCORDANCE WITH THE ENGINEER'S STANDARD BILLING RATE SCHEDULE IN EFFECT WITH THE OWNER AT THE TIME BASED ON CLASSIFICATION OF STAFF.

## PROPOSAL FORM B

## BIDDER'S PRINTED NAME &amp; SIGNATURE:

Robert Governale, President

( Print Name )

( Signature )

NOTE: THIS FORM MUST BE COMPLETED BY BIDDER

## PROPOSAL FORM B

THE UNDERSIGNED HEREBY ACKNOWLEDGES RECEIPT OF THE FOLLOWING ADDENDA (IF ANY):

Addendum No.

Dated

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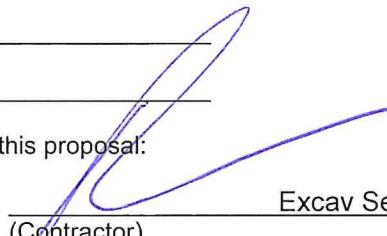


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Signature of person, firm or corporation making this proposal:

  
Excav Services Inc  
 (Contractor)  
 President  
 (Title)

Mail Address: PO Box 82 Manorville, NY 11949

Telephone No.: 631-929-1388 Dated: 07/07/2023

The full names and address of all persons interested in the Proposal or principals are as follows:

Name

Address

Robert Governale 2542 River Rd Calverton, NY 11933

Dylan Governale 2556 River Rd Calverton, NY 11933

**NOTE: THIS FORM MUST BE COMPLETED BY BIDDER (IF NONE WERE RECEIVED THEN WRITE THE WORD "NONE").**

## PROPOSAL FORM B

The Town Board reserves the right to award this contract to the lowest qualified bidder and to reject and declare invalid any or all bids deemed not in the best interest of the Town. In awarding this contract, the Town is not bound by the quantities stated in the Bid Form. It is emphasized that the quantities are approximations only. No guarantee is made for any quantities stated nor is a guarantee made as to the total bid. Such total bid is for the purpose of guidance in awarding the contract only. Payment shall be on the basis of actual work done at the bid prices quoted.

On acceptance of this bid, the undersigned binds himself or themselves to enter into a written contract with the Town not later than fourteen (14) days after the date of notice of the acceptance of his bid and to furnish the required security for faithful performance of the terms of said contract and the insurance as required by the Conditions of contract, and to process the work diligently so as to complete all the work required under this contract within the time frame as dictated by the Town Board or their representative.

## PROPOSAL FORM B

PROPOSAL CERTIFICATION

THIS BID IS HEREBY SUBMITTED BY:

DATED: 07/07/2023NAME OF BIDDER: Excav Services IncBIDDER'S ADDRESS: PO Box 82 Manorville, NY 11949

SIGNED BY: \_\_\_\_\_

PRINTED NAME & TITLE: Robert Governale, PresidentBIDDER'S TELEPHONE NO.: (DAY): 631-929-1388(NIGHT): 631-774-6227FAX: 631-909-7314FEDERAL ID NO. OR SOCIAL SECURITY No.: 11-3584478NOTE: THIS FORM MUST BE COMPLETED BY BIDDER

## PROPOSAL FORM B

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## PROPOSAL

Enclose certified check or bid bond for five percent (5%) of the bid total as stipulated in the foregoing Information for Bidders.

The Bidder hereby agrees to enter into a Contract within fourteen (14) days (Saturdays and Sundays excepted) after due notice from the Town Board, Town of Riverhead, that the Contract has been awarded to it and is ready for signature; such notice to be given in writing within ninety (90) days of opening of the bids and, on the signing of such Contract by the Bidder, to furnish the indemnifying bonds as provided in the Contract.

The Bidder hereby further agrees that in the event of its failure or refusal to enter into a contract in accordance with this bid within fourteen (14) days after due notice from the Town Board that the Contract has been awarded to it and is ready for signature, as given in accordance with the Information for Bidders and/or its failure to execute and deliver the bond for the full amount of the Contract price, as provided in said Information for Bidders, the Bidder's check or bid bond which is herewith deposited with the Town Board shall (at the option of said Board) become due and payable as ascertained and liquidated damages for such default; otherwise, said check or bid bond will be returned to the undersigned.

The full names and residences of all persons and parties interested in the foregoing bid as principals are as follows:

<u>NAME</u>	<u>ADDRESS</u>
Robert Governale	2542 River Rd Calverton, NY 11933
Dylan Governale	2556 River Rd Calverton, NY 11933

NAME OF BIDDER:

BUSINESS ADDRESS OF BIDDER:

DATED AT: \_\_\_\_\_ THE 7th DAY OF July, 20 23

**NOTE: THIS FORM MUST BE COMPLETED BY BIDDER**

**FORM OF BID BOND, PAYMENT BONDS AND PERFORMANCE BONDS**

The Form of Bid Bond shall be AIA Document A310.

The Form of Labor and Material Payment Bond shall be AIA Document A311.

The Form of Performance Bond and Payment Bond shall be AIA Document A312.

## PROPOSAL

++ NO TEXT ON THIS PAGE ++

## PROPOSAL

NON-COLLUSIVE BIDDING CERTIFICATE

As per Chapter 751 of the Laws of 1965, an amendment to the General Municipal Law sponsored by the New York State Department of Law, all bids, proposals and contracts awarded or accepted by a municipality must contain a statement of non-collusion. By submission of this bid or proposal, the bidder certifies that:

- (A) This bid or proposal has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor;
- (B) This bid or proposal has not been knowingly disclosed and will not be knowingly disclosed prior to the opening of bids or proposals for this project to any other bidder, competitor or potential competitor;
- (C) No attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a bid or proposal;
- (D) The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification and under the penalties of perjury, affirms the truth thereof such penalties being applicable to the bidder as well as to the person signing in its behalf;
- (E) That attached hereto (if corporation bidder) is a certified copy of resolution authorizing the execution of this certificate by the signature of this bid or proposal in behalf of the corporate bidder.

Resolved that Excav Services Inc be authorized  
(Name of Corporation)

to sign and submit the bid or proposal of this corporation for the following project:

SCAVENGER WASTE TREATMENT PLANT ODOR CONTROL IMPROVEMENTS

(Describe Project)

and to submit in such bid or proposal the certificate as to non-collusion required by Section One Hundred Three D (103-D) of the General Municipal Law as the act and deed of such corporation and for any inaccuracies or misstatements in such certificates, this corporate bidder shall be liable under the penalties of perjury.

The following is a true and correct copy of the resolution adopted by:

Excav Services Inc

Corporation at a meeting of its Board of Directors on the 30th day of June, 2023.

(Seal of Corporation)

Katherine Governale

Secretary

Legal name of person, firm or corporation making this Bid:

Excav Services Inc

## PROPOSAL

Dated: 07/07/2023

(Bidder's Seal)

NOTES:

- (1) Where a bidder is a firm, the bid must be signed in the name of the firm by a member of the firm who must sign his own name immediately thereunder as \_\_\_\_\_, Partner.
- (2) Where a bidder is a corporation, the bid must be signed in the name of the corporation by a duly authorized officer or agent thereof having knowledge of the matters stated in the bid and such officer or agent shall also subscribe his own name, the office he holds, and the seal of the corporation must be affixed.
- (3) The bid must be sworn to by the person signing it, using one of the appropriate forms of acknowledgement that follow.
- (4) The bidders shall date the Form of Affidavit, fill in all blank spaces and complete the "Questionnaire" which follows as part of the bid.
- (5) In case of any discrepancy in the bidder's extensions or total, the Town Engineer's computation of extensions and totals will govern.

## PROPOSAL

FORM OF AFFIDAVIT WHERE BIDDER IS AN INDIVIDUAL

STATE OF \_\_\_\_\_)

) ss.:

COUNTY OF \_\_\_\_\_)

\_\_\_\_\_, being duly sworn, deposes and says: I am the person described in and who executed the foregoing bid and the several matters therein state are in all respects true.

(Signature of person who signed bid)

Subscribed and sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

(Notary Public)

## PROPOSAL

**FORM OF AFFIDAVIT WHERE BIDDER IS A FIRM**

STATE OF \_\_\_\_\_)

) ss.:

COUNTY OF \_\_\_\_\_)

\_\_\_\_\_ being duly sworn, deposes and says: I am a member of \_\_\_\_\_, the firm described in and which executed the foregoing bid. I subscribed the name of the firm thereto on behalf of said firm, and the several matters therein stated in all respects are true.

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(Signature of person who signed bid)

Subscribed and sworn to before me:

this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

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(Notary Public)

## PROPOSAL

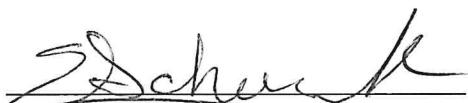
FORM OF AFFIDAVIT WHERE BIDDER IS A CORPORATIONSTATE OF New York )

) ss.:

COUNTY OF Suffolk )

Robert Governale \_\_\_\_\_ being duly sworn, deposes and says: I am the President \_\_\_\_\_ of Excav Services Inc \_\_\_\_\_ the above named corporation, whose name is subscribed to and which executed the foregoing bid. I reside at 2542 River Rd Calverton, NY 11933 \_\_\_\_\_, State \_\_\_\_\_ of New York \_\_\_\_\_. I have knowledge of the several matters therein stated and they are in all respects true.

(Signature of person who signed bid)

Subscribed and sworn to before me this 11<sup>th</sup>day of July, 2023.


(Notary Public)

Elizabeth Schoenewerk  
 Notary Public, State of New York  
 No. 01SC6422796  
 Qualified in Suffolk County  
 My Commission Expires 09/27/2025

\* Needs to be  
 Notarized \*

## PROPOSAL

**BIDDER MUST SIGN THIS FORM BEFORE A NOTARY PUBLIC**Bid or Contract Number RDSD 2302STATE OF New York )

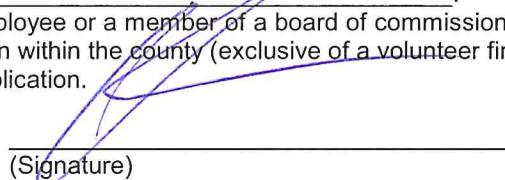
) ss.:

COUNTY OF Suffolk )

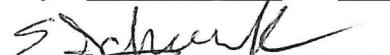
That in connection with the above bid or contract of RDSD 2302 I  
 Robert Governale the \*(applicable herein), (an officer or agent of the corporate  
 applicant, namely its President ), swears or affirms under the penalties  
 of perjury, that no other person will have any direct or indirect interest in this proposal except  
Myself (in case of a corporation, all officers of the corporation and  
 stockholders owning more than 5% of the corporation and stock must be listed. Use separate  
 sheet in necessary.)

That \*(none of the officers or stockholders are) related to any officer or employee of the Town of  
 Riverhead except None

That there is not any state or local officer or employee or a member of a board of commissioners of  
 a local public authority or other public corporation within the county (exclusive of a volunteer fireman  
 or civil defense volunteer) interested in such application.


 (Signature)

Sworn to before me this 7th 11th  
 day of July, 2023.

  
 (Notary Public)

Elizabeth Schoenewerk  
 Notary Public, State of New York  
 No. 01SC6422796  
 Qualified in Suffolk County  
 My Commission Expires 09/27/2025

\*Cross out phrase not appropriate.

NOTE: It is not forbidden that individuals working for the Town of Riverhead or other municipality  
 bid on contracts but only that such interest be revealed when they do bid.

**NOTE: THIS FORM MUST BE COMPLETED BY BIDDER**

## QUALIFICATIONS OF BIDDERS

RIVERHEAD SEWER DISTRICT

TOWN OF RIVERHEAD

NEW YORK

The District may make such investigations as the District deems necessary to determine the responsibility of any Bidder or to determine the ability of any Bidder to perform the Work. Bidders shall furnish to the District all information and data required by the District, including complete financial data, within the time and in the form and manner required by the District. The District reserves the right to reject any bid if the evidence required by the District is not submitted as required or if the evidence submitted by or the investigation of any Bidder fails to satisfy the District that the Bidder is responsible, or is able or qualified to carry out the obligations of the Contract or to complete the Work as contemplated.

At the discretion of the District, the Bidder may be required to complete and submit the enclosed New York State Uniform Contracting Questionnaire to assist in determining the Bidder's qualifications. If requested, it shall be submitted within five (5) working days from notice.

*The bidder shall complete the following list. The list shall include projects of similar size and nature (i.e. construction and equipment installations type, prime contract dollar amount) and type (i.e. municipal wastewater pump stations and active facilities that must be maintained during construction). The list of projects shall demonstrate the Bidder's experience with construction methods, and construction procedures. The list shall only include projects which have been completed by the Bidder as the prime contractor, and which have been in operation for a period of not less than one year. A minimum of five such projects shall be provided. At least one (1) of the listed projects shall demonstrate the Bidder's experience with maintenance and protection of existing water or wastewater treatment facilities. List this project as project no. 1 and describe the sequence used to phase the project.*

Project No. 1 (This project must show experience with existing water or wastewater treatment facilities.)

Project Title: Sanitary Pump Station Upgrades to the Hanger Pump Station

Owner: Calverton Sewer District

Owner Contact Name and Phone Number: Superintendant Riverhead Sewer District Michael Reichel 631-727-3200

Location: Grumman Naval Reserve Station, Calverton

Engineer's Name and Telephone Number: H2M Architect

General Description: Sanitary Pump Station Upgrades to the Hanger Pump Station

Contract Amount: \$234,000

## QUALIFICATIONS OF BIDDERS

**Project No. 2**Project Title: Rosemary Kennedy School Rebuild Sanitary Pump StationOwner: Nassau BOCESOwner Contact Name and Phone Number: Michael Flood 516-396-2000Location: N. Jersusalem Rd. Wantagh, NYEngineer's Name and Telephone Number:General Description: Rebuild of the Sanitary Pump StationContract Amount: \$500,000**Project No. 3**Project Title: Replace and Install Wastewater and Water Services to ResidencesOwner: Shinnecock Indian NationOwner Contact Name and Phone Number: Shavvone Smith 631-275-9854Location: Shinnecock Indian ReservationEngineer's Name and Telephone Number: IndianGeneral Description: Replace and Install Wastewater and Water Services to ResidencesContract Amount: \$1.2M and ongoing**Project No. 4**Project Title: Installation of multiple nitrogen removal biofilter sanitary systems at predetermined locations in Suffolk County, NYOwner: NYS Center for Clean Water Technology at Stony Brook UniversityOwner Contact Name and Phone Number: NYS Center for Clean Water Technology at Stony Brook UniversityLocation: 1000 Innovation Rd Stony Brook, NYEngineer's Name and Telephone Number: Frank Russo, PE 631-216-7410General Description: Installation of multiple nitrogen removal biofilter sanitary systems at predetermined locations in Suffolk County, NYContract Amount: \$1.2M

## QUALIFICATIONS OF BIDDERS

## Project No. 5

Project Title: E. Main St. Water and Sewer Extension with Town of Riverhead at Riverview Lofts

Owner: Georiga Green Ventures

Owner Contact Name and Phone Number: Spiros Triantafyllou 516-487-0050

Location: 311 E. Main St Riverhead, NY

Engineer's Name and Telephone Number: H2M Architects 631-756-8000

**General Description:** Dewatering, with seer and water main extensions for the Town of Riverhead

Contract Amount: \$2.4M

The Owner reserves the right to reject any and all bids which do not include a completed qualifications section and/or do not meet the necessary qualifications criteria, for both prime contractor and subcontractors, as described within this qualifications section, for construction work to be performed and completed as required by the Contract Documents.

## BIDDER

BIDDER NAME: Excav Services Inc

PREPARED BY: Robert Governale

SIGNED BY: 

TITLE: President

**NOTE: THIS FORM MUST BE COMPLETED BY BIDDER**

## QUALIFICATIONS OF BIDDERS

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### Instructions for New York State Vendor Responsibility Questionnaires

The New York State Vendor Responsibility Questionnaire is intended to elicit information based on vendor type (For-Profit or Not-for-Profit) and activity (Construction or Non-Construction). The For-Profit Construction (CCA-2) questionnaire follows this page.

Business Entities may print the PDF version of a questionnaire form and complete it annually or may obtain the MS Word version from New York State and complete the questionnaire on a computer. Completing the questionnaire in MS Word allows the questionnaire to be saved on the user's computer and updated in the event that the vendor's information changes.

The person(s) completing the vendor responsibility questionnaire must be knowledgeable about the vendor's business and operations. The certification at the end of each questionnaire must be completed by an owner or officer of the Business Entity and must be notarized to be complete.

Business Entities must answer every question contained in the selected questionnaire. Most questions require "Yes" or "No" answers and request additional information where necessary. For paper submissions, responses that require additional information must include an attachment containing this information. A Business Entity must provide all relevant information which can be obtained within the limits of the law. The Business Entity is not required to provide information regarding a determination or finding made in error which was subsequently corrected.

If the submitting Business Entity is a Joint Venture, one questionnaire must be submitted for the Joint Venture plus each Business Entity comprising the Joint Venture must also submit separate questionnaires.

If the Business Entity uses a Social Security Number (SSN) as its identification number, providing the SSN on the questionnaire is optional. Individuals and Sole Proprietors may use an SSN but are encouraged to obtain and use an Employer Identification Number.

# New York State VendRep System

## Vendor Responsibility For-Profit Construction (CCA-2) Form

Date Printed: Aug 8, 2022

**CERTIFICATION:**

The undersigned: recognizes that this questionnaire is submitted for the express purpose of assisting the State of New York's contracting entities in making a responsibility determination regarding an award of a contract or approval of a subcontract; acknowledges that the State, or its contracting entities, may in its discretion, by means which it may choose, verify the truth and accuracy of all statements made herein; and acknowledges that intentional submission of false or misleading information may constitute a felony under Penal Law Section 175.35 or a misdemeanor under Penal Law Section 175.30 or Section 210.45, and may also be punishable by a fine and/or imprisonment of up to five years under 18 USC Section 1001 and may result in contract termination.

**The undersigned certifies that he/she:**

- is knowledgeable about the submitting Business Entity's business and operations;
- has read and understands all of the questions contained in the questionnaire;
- has reviewed and/or supplied full and complete responses to each question;
- to the best of their knowledge, information and belief, confirms that the Business Entity's responses are true, accurate and complete, including all attachments, if applicable;
- understands that New York State will rely on the information disclosed in the questionnaire when entering into a contract with the Business Entity; and
- is under obligation to update the information provided herein to include any material changes to the Business Entity's responses at the time of bid/proposal submission through the contract award notification, and may be required to update the information at the request of the state's contracting entities or the Office of the State Comptroller prior to the award and/or approval of a contract, or during the term of the contract.

**Reminder:**

When filing the vendor responsibility questionnaire online via this System, the Business Entity must indicate in each bid/proposal submitted to a contracting entity that the required questionnaire has been electronically filed.

Also note that the VendRep System Timeliness Standard requires a Business Entity filing a questionnaire via the VendRep System to update and certify their questionnaire within six months prior to the bid/proposal due date or other contracting entity defined due date.

Legal Business Name: EXCAV SERVICES INC  
 Certifier's Name: Robert Governale  
 Certifier's Title: President  
 Certification Date: Aug 8, 2022

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 © Office of the New York State Comptroller

**NEW YORK STATE VENDOR RESPONSIBILITY QUESTIONNAIRE  
FOR-PROFIT CONSTRUCTION (CCA-2)**

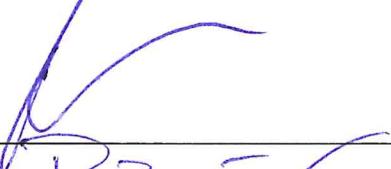
**Certification**

The undersigned: (1) recognizes that this questionnaire is submitted for the express purpose of assisting New York State government entities (including the Office of the State Comptroller (OSC)) in making responsibility determinations regarding award or approval of a contract or subcontract and that such government entities will rely on information disclosed in the questionnaire in making responsibility determinations; (2) acknowledges that the New York State government entities and OSC may, in their discretion, by means which they may choose, verify the truth and accuracy of all statements made herein; and (3) acknowledges that intentional submission of false or misleading information may result in criminal penalties under State and/or Federal Law, as well as a finding of non-responsibility, contract suspension or contract termination.

**The undersigned certifies that he/she:**

- is knowledgeable about the submitting Business Entity's business and operations;
- has read and understands all of the questions contained in the questionnaire;
- has not altered the content of the questionnaire in any manner;
- has reviewed and/or supplied full and complete responses to each question;
- to the best of his/her knowledge, information and belief, confirms that the Business Entity's responses are true, accurate and complete, including all attachments, if applicable;
- understands that New York State government entities will rely on the information disclosed in the questionnaire when entering into a contract with the Business Entity; and
- is under an obligation to update the information provided herein to include any material changes to the Business Entity's responses at the time of bid/proposal submission through the contract award notification, and may be required to update the information at the request of the New York State government entities or OSC prior to the award and/or approval of a contract, or during the term of the contract.

Signature of Owner/Official



Printed Name of Signatory

Robert Gorenflo

Title

PRE

Name of Business

EXCAV

Address

PO Bk 82

City, State, Zip

MANDVILLE NY 11949

Sworn to before me this 11 day of July, 2023;



Notary Public

Elizabeth Schoenewerk  
Notary Public, State of New York  
No. 01SC6422796  
Qualified in Suffolk County  
My Commission Expires 09/27/2025

++ NO TEXT ON THIS PAGE ++

## LIST OF SUBCONTRACTORS

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## LIST OF SUBCONTRACTORS

RIVERHEAD SEWER DISTRICT

TOWN OF RIVERHEAD

NEW YORK

The Bidder shall list the subcontractors, if any, to be used for this project. Provide the required information for each proposed subcontractor. Make appropriate copies of this form should the Bidder propose more than five (5) subcontractors. List at least five projects for each subcontractor that demonstrates the subcontractor's qualifications to perform the work of the project. The projects shall be similar in size and complexity and have been completed within the last five (5) years by the subcontractor.

Subcontractor Name: Wildwood Electric Inc

Type of Work: electrical

<u>Owner</u>	<u>Contact Name</u>	<u>Phone Number</u>	<u>Location</u>	<u>Contract Amount</u>
Ralph Passantino		631-929-4219	PO Box 373 Rocky Point, NY	\$19,000.00

**Bid Bond****CONTRACTOR:**

(Name, legal status and address)  
Excav Services Inc.

P.O. Box 82

Manorville, NY 11949

**OWNER:**

(Name, legal status and address)  
Town of Riverhead  
200 Howell Ave

Riverhead, NY 11901  
**BOND AMOUNT:**

\*\*\* FIVE PERCENT OF AMOUNT BID \*\*\* (5%)

**PROJECT:**

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

RDSD 2302, Scavenger Waste Treatment Plant Odor Control  
Improvements

Project Number, if any: RDSD 2302

Riverhead, New York

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

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

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

Signed and sealed this

11th

day of July

2023

(Witness)

Witness to Contractor

Excav Services Inc.  
(Principal)

(Seal)

(Title)

Old Republic Insurance Company  
(Surety)

(Seal)

(Title)

Attorney-in-fact, Bruce M. Allen



By arrangement with the American Institute of Architects, the National Association of Surety Bond Producers (NASBP) ([www.nasbp.org](http://www.nasbp.org)) makes this form document available to its members, affiliates, and associates in Microsoft Word format for use in the regular course of surety business. NASBP vouches that the original text of this document conforms exactly to the text in AIA Document A310-2010, Bid Bond. Subsequent modifications may be made to the original text of this document by users, so careful review of its wording and consultation with an attorney are encouraged before its completion, execution or acceptance.

OLD REPUBLIC INSURANCE COMPANY  
OF MT. PLEASANT, PENNSYLVANIA

STATUTORY FINANCIAL STATEMENT AS OF DECEMBER 31, 2022

## ADMITTED ASSETS

Bonds	\$2,326,284,958
Common stocks	627,463,625
Cash, cash equivalents and short-term investments	115,262,534
Bonds, short-term investments and cash held under retrospective rating agreements	105,056,403
Premiums and considerations – uncollected premiums and agents' balances in the course of collection	602,971,511
Deferred premiums, agents' balances and installments booked but deferred and not yet due	5,396,218
Accrued retrospective premiums	349,056
Funds held by or deposited with reinsured companies	638,986
Other amounts receivable under reinsurance contracts	260,166
Amounts recoverable from reinsurers	109,630,686
Electronic data processing equipment and software	179,308
Investment income due and accrued	21,938,565
Current federal and foreign Income tax recoverable and interest	476,359
Receivables from parent, subsidiaries and affiliates	15,946,777
Other assets	9,347,078
<b>TOTAL ADMITTED ASSETS</b>	<b>\$3,941,202,230</b>

## LIABILITIES AND SURPLUS

Losses	\$1,126,329,785
Reinsurance payable on paid losses and loss adjustment expenses	13,872,966
Loss adjustment expenses	210,945,288
Commissions payable, contingent commissions and other similar charges	7,498,635
Other expenses (excluding taxes, licenses and fees)	24,544,862
Taxes, licenses and fees (excluding federal income taxes)	74,000,945
Current federal income taxes	0
Net deferred tax liability	17,225,673
Unearned premiums	341,640,487
Dividends declared and unpaid - policyholders	2,111,997
Advance premium	2,982,586
Ceded reinsurance premiums payable (net of ceding commissions)	468,691,280
Funds held by company under reinsurance treaties	97,814,943
Amounts withheld or retained by company for account of others	104,180,894
Remittances and items not allocated	1,850,911
Provision for reinsurance	37,014,434
Payable to parent, subsidiaries and affiliates	3,516,079
Other liabilities	17,830,459
<b>TOTAL LIABILITIES</b>	<b>\$2,552,052,224</b>

Common capital stock	3,800,004
Surplus notes	155,000,000
Gross paid in and contributed surplus	103,869,422
Unassigned funds (surplus)	1,126,480,580
<b>SURPLUS AS REGARDS POLICYHOLDERS</b>	<b>\$1,389,150,006</b>

<b>TOTAL LIABILITIES AND SURPLUS</b>	<b>\$3,941,202,230</b>
--------------------------------------	------------------------

Securities carried at \$419,089,780 are deposited with States or Other Authorities as required by law.

STATE OF WISCONSIN )

)SS

COUNTY OF WAUKESHA)

Alan P. Pavlic, Vice President, and Karen J. Haffner, Vice President of Old Republic Insurance Company of Mt. Pleasant, Pennsylvania being duly sworn, each for himself, deposes and says that they are the above described officers of the said company, and that on the 31st day of December, 2022, the company was actually possessed of the assets set forth in the foregoing statement and that such assets were available for the payment of losses and claims and held for the protection of its policyholders and creditors, except as here-in-before indicated, and that the foregoing statement is a correct exhibit of such assets and liabilities of the said company on the 31st day of December, 2022, according to the best of their information, knowledge and belief, respectively.

Alan P. Pavlic  
Alan P. Pavlic, Vice PresidentKaren J. Haffner  
Karen J. Haffner, Vice President

Sworn to and subscribed before me this 16th day of March, 2023.

Deborah L. Voigt  
Notary Public, State of Wisconsin  
My Commission expires: July 31, 2023



# OLD REPUBLIC INSURANCE COMPANY

## POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC INSURANCE COMPANY, a Pennsylvania stock insurance corporation, does make, constitute and appoint:

BRUCE M. ALLEN, GREGORY M. ALLEN, KENNETH C. TURNER of WEST CHESTER, PA

its true and lawful Attorney(s)-in-Fact, with full power and authority for and on behalf of the Company as surety, to execute and deliver and affix the seal of the Company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, (other than self-insurance worker compensation bonds guaranteeing payment of benefits, or black lung bonds), as follows:

### ALL WRITTEN INSTRUMENTS

and to bind OLD REPUBLIC INSURANCE COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a meeting held on December 10, 2019. This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC INSURANCE COMPANY on December 10, 2019.

RESOLVED FURTHER, that the chairman, president or any vice president of the Company's surety division, in conjunction with the secretary or any assistant secretary of the Company, be and hereby are authorized and directed to execute and deliver, to such persons as such officers of the Company may deem appropriate, Powers of Attorney in the form presented to and attached to the minutes of this meeting, authorizing such persons to execute and deliver and affix the seal of the Company to bonds, undertakings, recognizances, and suretyship obligations of all kinds, other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and not guaranty bonds. The said officers may revoke any Power of Attorney previously granted to any such person.

RESOLVED FURTHER that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by chairmen, president or any vice president of the Company's surety division and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
- (ii) when signed by a duly authorized Attorney-in-Fact and sealed with the seal of the Company (if a seal be required).

RESOLVED FURTHER, that the signature of any officer designated above, and the seal of the Company, may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC INSURANCE COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 27th day of September, 2022.

Assistant Secretary

OLD REPUBLIC INSURANCE COMPANY

Vice President



STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 27th day of September, 2022, personally came before me, Alan Pavlic and Karen J. Haffner, to me known to be the individuals and officers of the OLD REPUBLIC INSURANCE COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say: that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said organization.



Notary Public

My Commission Expires: September 28, 2026

### CERTIFICATE

(Expiration of notary's commission does not invalidate this instrument)

I, the undersigned, assistant secretary of the OLD REPUBLIC INSURANCE COMPANY, a Pennsylvania corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.



66-0033

ORSC 11008 (6-93)

KOG INTERNATIONAL INC

Signed and sealed at the City of Brookfield, WI this

11th day of July, 2023

Assistant Secretary

Bond Number ORIPA34

Old Republic Insurance Company  
State of Pennsylvania

CONSENT OF SURETY

Old Republic Insurance Company, INSURANCE COMPANY, State of Pennsylvania  
duly qualified to transact business in the state of New York  
agrees that if

**Excav Services Inc.**  
P.O. Box 82  
Manorville, NY 11949

is the successful Bidder for Town of Riverhead - RDSD 2302, Scavenger  
Waste Treatment Plant Odor Control Improvements

it as surety will provide the Bidder with all bonds as required  
in the advertisement or in the specifications.

Signed, sealed and dated this 11th day of July, 2023.

Old Republic Insurance Company

By Bruce M. Allen, Attorney-in-fact

Bond No.: **ORIPA34**

(Acknowledgement of Surety Company)

STATE OF Pennsylvania )  
COUNTY OF Chester ) ss.:

On this 11th day of July, 2023, before me personally came Bruce M. Allen to me Known, who being by me duly sworn, did depose and say the he resides in West Chester, PA that he is the Attorney-in-fact of Old Republic Insurance Company, the corporation described in and which executed the within instrument; that he Bruce M. Allen knows the seal of said corporation; that seal affixed to said instrument is such corporate seal; that is so affixed by the order of the Board of Directors of said corporation, and that he signed his name thereto by like order; and that the liabilities of said company do not exceed its assets as ascertained in the manner provided by the laws of the State of New York, and the said Kristin L. Allen further said that she is acquainted with Bruce M. Allen and knows him to be the Attorney-in-fact of said company; that the signature of the said Bruce M. Allen subscribed to the within instrument is in the genuine handwriting of the said Bruce M. Allen and was subscribed thereto by like order of the Board of Directors, and in the presence of him, the said.

NOTARY PUBLIC OF Pennsylvania  
Commission Expires 7/24/2026

Kristin L Allen  
Kristin L. Allen, Notary Public

