



**DASN**

**ANDREW M. CUOMO**  
Governor

**ALFONSO L. CARNEY, JR.**  
Chair

**REUBEN R. MCDANIEL, III**  
Acting President & CEO

# SECTION B

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**ALBANY (HEADQUARTERS):** 515 Broadway, Albany, NY 12207 | 518-257-3000  
**NEW YORK CITY:** One Penn Plaza, 52nd Floor, New York, NY 10119 | 212-273-5000  
**BUFFALO:** 539 Franklin Street, Buffalo, NY 14202 | 716-884-9780  
**ROCHESTER:** 3495 Winton Place, Building C, Suite 1, Rochester, NY 14623 | 585-461-8400

**DORMITORY AUTHORITY STATE OF NEW YORK**  
**WE FINANCE, DESIGN & BUILD**  
**NEW YORK'S FUTURE.**  
[www.dasny.org](http://www.dasny.org)



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**BID NO.:** 658

**PROJECT NAME & LOCATION:**

CUNY Queens College  
65-30 Kissena Blvd.  
Flushing, NY 11367

**Description:** Furnish and Deliver an Air Handling Unit

**Bid Open Location:** DASNY

515 Broadway, Albany, NY 12207

**Bid Open Date:** March 6, 2020

**Contact:** Theresa Graffeo

**Bid Open Time:** 2:30 p.m.

**Bid Breakdown & Schedule**

FIRM SUBMITTING BID: \_\_\_\_\_

TYPE OF DELIVERY REQUIRED: Furnish and Deliver.

DELIVERY REQUIRED BY: ASAP

**Basis for Award:** The basis for contract award is "GRAND TOTAL" lump sum price. Vendor shall be responsible for the complete scope of work at the "GRAND TOTAL" lump sum price. Further, vendor is responsible for examining the Contract Documents carefully before quoting, including making a written Request for Information for an interpretation or correction of any ambiguity, inconsistency, or error noted in the documents.

Item No.	Manufacturer	Make/Model	Description	Location	QTY	UOM	Unit Price	Extended Price
1	Equal to Specs.	Equal to Specs.	Air Handling Units			EA		\$
2			Delivery			LS		\$
<b>TOTAL BID \$</b>								



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Bid Submittal Requirements:

Bidder shall Provide the following information with Bid:

- 1. Manufacturer & Model Number
2. Manufacturer's cut sheets
3. Construction specifications, (note Marketing materials are not specifications)
4. Installation specifications (if applicable)
5. Attachment Details (if applicable)
6. Warranty Information
7. Listing of deviations for each item, including sizes, dimensions, profiles, materials, finishes,
8. Construction methods and functions, on company letterhead. (if applicable)
9. Samples, if Requested

The burden of proof equality is on the bidder, and only complete submittals, as requested, will be considered and evaluated by DASNY. Failure to comply with any or all above shall result in immediate disqualification.

(The below questions 1) and 2) need only be answered if the above total bid is for one million dollars or more)

- 1. Does your firm anticipate the use of subcontractors and outside suppliers specific to this procurement? Yes [ ] No [ ]
2. Does your firm anticipate the creation of employment opportunities arising from this procurement? Yes [ ] No [ ]

(The below information must be completed for all bids.)

Identify all subcontractors, if any: \_\_\_\_\_

STATE, PROVINCE FOR FOREIGN COUNTRY THAT YOUR FIRM'S PRINCIPAL PLACE OF BUSINESS IS LOCATED:

\_\_\_\_\_

ADDRESS OF FACTORY OR PLANT WHERE ITEMS ARE MANUFACTURED AND/OR ASSEMBLED. (Attach additional sheet(s) if more than one manufacturer)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BIDDER (FIRM NAME)

SIGNATURE

NAME (TYPE/PRINTED)

TITLE

Date

**NON-COLLUSION STATEMENT**

Pursuant to the provisions of Section 2604 of the Public Authority Law, by submission of this Bid or proposal, the Bidder affirms as true under the penalties of perjury that:

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

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

1. 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
2. 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.

\_\_\_\_\_  
Bidder's Name

Date: \_\_\_\_\_ Signature

\_\_\_\_\_

**“NONDISCRIMINATION IN EMPLOYMENT IN NORTHERN IRELAND: MacBRIDE FAIR EMPLOYMENT PRINCIPLES”**

In accordance with Chapter 807 of the Laws of 1992 the bidder, by submission of this bid, certifies that it or any individual or legal entity in which the bidder holds a 10% of greater ownership interest, on any individual or legal entity that holds a 10% or greater ownership interest in the bidder, either:

- i. have no business operations in Northern Ireland; or
- ii. shall take lawful steps in good faith to conduct any business operations they have in Northern Ireland in accordance with the MacBride Fair Employment Principles relating to nondiscrimination in employment and freedom of workplace opportunity regarding such operations in Northern Ireland, and shall permit independent monitoring of their compliance with such principles.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

Bid \_\_\_\_\_ Number:

### IRAN DIVESTMENT CERTIFICATION

By signing this certification and by signing this Contract, each person and each person signing on behalf of any other party certifies, and in the case of a joint bid or partnership each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each person is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law.

1. Contract means the contract between the Dormitory Authority of the State of New York ("DASNY") and \_\_\_\_\_("Contractor") for the \_\_\_\_\_ Project, DASNY project \_\_\_\_\_.
2. This certification is part of the Contract and is subscribed by and affirmed by the person entering into the Contract as true under the penalties of perjury.

Contractor

By:

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## Compliance with Code of Business Ethics

DASNY (the “Authority”), a public-benefit corporation, expects its members, officers and employees and the many contractors, bankers, bond counsels, consultants and vendors with whom the Authority interacts – its Working Partners – to adhere to the highest ethical standards. The Authority, by mandate of its Board, has established a comprehensive corporate integrity program to ensure that Authority members, officers and employees at all levels perform their official duties consistent with the requirements of the *New York State Public Officers Law* and other applicable laws, rules, and regulations and the policies of the Authority.

The Authority encourages and supports a fair, open and honest business relationship with its Working Partners based on quality, service and price. The Authority believes that this objective can be achieved only if working relationships between the Authority and its Working Partners are fair, open and honest and all participants adhere to ethical business practices.

To promote a working relationship with the Authority based on ethical business practices, our Working Partners are expected to:

- furnish all goods, materials and services to the Authority as contractually required and specified,
- submit complete and accurate reports to the Authority and its agents as required,
- not seek, solicit, demand or accept any information, verbal or written, from the Authority or its agents that provides an unfair advantage over a competitor,
- not engage in any activity or course of conduct that restricts open and fair competition on Authority-related projects and transactions,
- not engage in any course of conduct with Authority employees or its agents that constitutes a conflict of interest, in fact or in appearance,
- not offer any gifts or gratuities to Authority employees (including meals, tickets to special events or other items of value) or engage in other conduct that violates this Code of Business Ethics, law or regulation, and, and
- report to the Authority any activity by an Authority employee or Working Partner that is inconsistent with the Authority’s Code of Business Ethics, law or regulation.

### **Ethics Programs**

The Authority encourages its Working Partners to advance and support ethical business conduct and practice among their respective directors, officers and employees, preferably through the adoption of corporate ethics awareness training programs and written codes of conduct. In addition to considering technical competence and financial stability, the Authority will consider the *corporate integrity* of all Working Partners prior to the awarding of contracts or issuance of purchase orders.

### **Conduct of Authority Members, Officers and Employees**

Authority employees are expected to conduct business with our Working Partners in a fair, consistent and professional manner. The Authority’s Code of Business Ethics and Employee Conduct, titled *Serving Responsibly*, guides the manner in which Authority employees are to interact with Working Partners. The Authority has also adopted a Code of Ethics to which the members of the Authority must adhere. In addition, the *New York State Public Officers Law* sets forth standards governing the acceptance of gifts by public officers and conflicts of interest involving members, officers and employees of the Authority.

### **No Gifts to Authority Employees**

Working Partners should refrain from offering or giving anything of value to Authority employees. A Working Partner shall not, under any circumstances, give cash (including gift certificates), in any amount to an Authority employee. Section 73(5) of the *Public Officers Law* expressly prohibits any firm or its agents, either doing or seeking to do business with the

Authority, from directly or indirectly offering or giving any gift having more than a nominal value to an Authority employee under circumstances in which it:

- could be reasonably inferred the gift was intended to influence the employee in the performance of his or her official duties, or
- could reasonably be expected to influence the employee in the performance of his or her official duties, or
- was intended as a reward for the employee's official action.

Such prohibited gifts include, in addition to cash, a service, a loan, travel, lodging, meals, refreshments, entertainment, a discount, forbearance or a promise.

Because gifts from Working Partners can per se be inferred to be intended to influence or reward official action, gifts of greater than nominal value would be prohibited by Section 73(5). See also State Ethics Commission Opinion 94-16.

Additionally, the Authority has adopted a "Zero Tolerance" policy with respect to the solicitation, acceptance or receipt of gifts from disqualified sources. Therefore, as stated above, Working Partners should not offer to Authority employees gifts of any value.

Violations of the gift provisions of the Public Officers Law may be grounds for contract termination and/or referral for civil action or criminal prosecution.

### **Employing Relatives of Authority Employees**

Although Working Partners may employ relatives of Authority employees, the Authority must be made aware of such circumstances as soon as possible, preferably in writing, to ensure a conflict of interest situation does not arise. The Authority reserves the right to request that its Working Partners modify the work assignment of an Authority employee's relative where a conflict of interest, or the appearance thereof, is deemed to exist.

### **Hiring Former Authority Employees**

Our Working Partners may hire former Authority employees. However, as a general rule, by law former employees of the Authority may neither appear nor practice before the Authority, nor receive compensation for services rendered on a matter before the Authority, for a period of *two years* following their separation from Authority service. In addition, former Authority employees are subject to a "*lifetime bar*" which prevents them from working on or receiving compensation for services regarding any transaction in which they personally participated or which was under their active consideration during their tenure with the Authority.

**Questions**

Questions relating to these guidelines should be directed to the responsible Authority Project Manager or Program Director, Director of Procurement, Ethics Officer or Director of Internal Affairs. To contact any of these individuals please call (518) 257-3000.

**Compliance Certification**

I have read the foregoing and agree to comply with the Authority's Code of Business Ethics. I further acknowledge that failure to comply shall justify contract termination by the Authority and may result in the rejection of bids or proposals for future work with the Authority.

By \_\_\_\_\_  
(Signature) (Title)

Firm's Legal Name: \_\_\_\_\_  
(Date)



**Dormitory Authority – State of New York**  
**Contractor’s Certifications pursuant to State Finance Law § 139-j and § 139-k**

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This form shall be completed and submitted with your bid. Failure to complete and submit this form may result in a determination of non-responsiveness and disqualification of the bid.

**I. Contractor Affirmation relating to procedures governing permissible contacts:**

(Contractor Must Check Applicable Box)

Contractor:  affirms  does not affirm

that it understands and has to date and agrees hereinafter to comply with the Dormitory Authority’s procedures relative to permissible contacts for this procurement as required by State Finance Law § 139-j (3) and § 139-j (6) (b).

**II. Contractor Disclosure of Findings of Non-Responsibility and Prior Contract Terminations or Withholdings under the 2005 Procurement Lobbying Law:**

1. Has any “governmental entity,” as defined in State Finance Law § 139-j and § 139-k made a finding in the last four years that the Contractor was not responsible?

No  Yes

2. If yes, was the basis for any such finding(s) the intentional provision of false or incomplete information required by State Finance Law § 139-j and § 139-k, and/or the failure to comply with the requirements of State Finance Law § 139-j (3) relating to permissible contacts?

No  Yes

If yes, please provide details regarding each finding of non-responsibility below. (Attach additional pages, if necessary.)

Governmental Entity: \_\_\_\_\_

Date of Finding: \_\_\_\_\_

Basis of Finding: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Dormitory Authority – State of New York**

**Contractor’s Certifications pursuant to State Finance Law § 139-j and § 139-k**

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3. Has any “governmental entity” as defined in State Finance Law § 139-j and § 139-k terminated or withheld a procurement contract with the Contractor due to the intentional provision of false or incomplete information required by such Laws and/or the failure to comply with the requirements of State Finance Law § 139-k(3) relating to permissible contacts?

No  Yes

If yes, please provide details below. (Attach additional pages, if necessary)

Governmental Entity: \_\_\_\_\_

Date of Termination or Withholding of Contract:  
\_\_\_\_\_

Basis of Termination or Withholding of Contract:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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The undersigned acknowledges that intentional submission of false or misleading information may constitute a felony under Penal Law Section 210.40 or a misdemeanor under Penal Law Section 210.35 or Section 210.45, and may also be punishable by a fine of up to \$10,000 or imprisonment of up to five years under 18 U.S.C. Section 1001; and states that all information provided to the Dormitory Authority with respect to State Finance Law § 139–j and § 139–k is complete, true and accurate.

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Signature	Date
Contractor: _____	
Address: _____	
Name: _____	
Title: _____	