

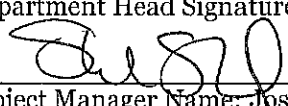


Nassau County

Department of:

Public Works

B01-17**B-1-17****Staff Summary**

| |
|--|
| Subject Manhasset Garage Removal of Storage Tanks |
| Department Public Works |
| Department Head Name Shila Shah Gavnoudias |
| Department Head Signature  |
| Project Manager Name: Joseph Amerigo Phone Number: 571-6804 |

| |
|--|
| Date: 12/26/16 |
| Vendor Name: The Franklin Company |
| Contract Number B81060-12G |
| Personal Services _____ Blanket Res _____ Calendar _____ |
| Bid <u>X</u> Rules Comm. _____ |
| Contract Manager Name: Joseph Amerigo Phone Number: 571- 6804 |

| Proposed Legislative Action | | | | | |
|-----------------------------|------------|------|----------|------|-------|
| | To | Date | Approval | Info | Other |
| | Assgn Comm | | | | |
| | Rules Comm | | | | |
| | Full Leg | | | | |

| Internal Approvals | | | |
|--------------------|-------------|--------------------|-----------------|
| Date & Init. | Approval | Date & Init. | Approval |
| <i>JA</i> 1/17/17 | Dept. Head | | Counsel to C.E. |
| <i>MD</i> 1/18/17 | Budget | <i>NPS</i> 1/24/17 | County Atty. |
| | Deputy C.E. | | County Exec. |

Narrative

Purpose: The Contract requires the Contractor to remove after cleaning: a 6,000 gallon drain water UST, a 350 gallon oil /water separator, a 500 gallon waste oil UST, abandon in place a waste oil chamber. To remove or abandon in place the fill, vent and waste oil piping as shown on the Contract Drawings. Install a new sump pump and a new 500 gallon drain water AST.

Discussion:

Five Firms submitted bids, Franklin is the low bidder, 24 % lower than the Engineer's estimate.

Impact on Funding:

The Contract provides for the expenditure of \$303,432.00. Funding is provided through Capital Project 81060

Recommendation:

Approve as submitted



Nassau County Interim Finance Authority

Contract Approval Request Form (As of January 1, 2015)

1. Vendor: The Franklin Co

2. Dollar amount requiring NIFA approval: \$ 303,432.00

Amount to be encumbered: \$ 303,432.00

1/12/17

This is a ☒ New Contract ☐ Advisement ☐ Amendment

If new contract - \$ amount should be full amount of contract

If advisement - NIFA only needs to review if it is increasing funds above the amount previously approved by NIFA

If amendment - \$ amount should be full amount of amendment only

3. Contract Term: 120 calendar days

Has work or services on this contract commenced? ☐ Yes ☒ No

If yes, please explain: _____

4. Funding Source:

☐ General Fund (GEN) ☐ Grant Fund (GRT)
☐ Capital Improvement Fund (CAP) Federal % _____
☐ Other State % _____
County % _____

Is the cash available for the full amount of the contract? ☐ Yes ☒ No

If not, will it require a future borrowing? ☒ Yes ☐ No

Has the County Legislature approved the borrowing? ☒ Yes ☐ No ☐ N/A

Has NIFA approved the borrowing for this contract? ☐ Yes ☒ No ☐ N/A

5. Provide a brief description (4 to 5 sentences) of the item for which this approval is requested:

Manhasset Garage- Removal of above ground and underground storage tanks and associated piping. Installation of a 500 gallon above ground storage tank.

6. Has the item requested herein followed all proper procedures and thereby approved by the:

Nassau County Attorney as to form ☐ Yes ☐ No ☐ N/A
Nassau County Committee and/or Legislature ☐ Yes ☐ No ☐ N/A

Date of approval(s) and citation to the resolution where approval for this item was provided:

7. Identify all contracts (with dollar amounts) with this or an affiliated party within the prior 12 months:

Exceeds \$50K.

AUTHORIZATION

To the best of my knowledge, I hereby certify that the information contained in this Contract Approval Request Form and any additional information submitted in connection with this request is true and accurate and that all expenditures that will be made in reliance on this authorization are in conformance with the Nassau County Approved Budget and not in conflict with the Nassau County Multi-Year Financial Plan. I understand that NIFA will rely upon this information in its official deliberations.

| | | | | | |
|------------|-------|-------|-------|------|-------|
| Signature | _____ | Title | _____ | Date | _____ |
| Print Name | _____ | | | | |

COMPTROLLER'S OFFICE

To the best of my knowledge, I hereby certify that the information listed is true and accurate and is in conformance with the Nassau County Approved Budget and not in conflict with the Nassau County Multi-Year Financial Plan.

Regarding funding, please check the correct response:

_____ I certify that the funds are available to be encumbered pending NIFA approval of this contract.

If this is a capital project:

_____ I certify that the bonding for this contract has been approved by NIFA.

_____ Budget is available and funds have been encumbered but the project requires NIFA bonding authorization

| | | | | | |
|------------|-------|-------|-------|------|-------|
| Signature | _____ | Title | _____ | Date | _____ |
| Print Name | _____ | | | | |

NIFA

Amount being approved by NIFA: _____

| | | | | | |
|------------|-------|-------|-------|------|-------|
| Signature | _____ | Title | _____ | Date | _____ |
| Print Name | _____ | | | | |

NOTE: All contract submissions MUST include the County's own routing slip, current NIFS printouts for all relevant accounts and relevant Nassau County Legislature communication documents and relevant supplemental information pertaining to the item requested herein.

NIFA Contract Approval Request Form MUST be filled out in its entirety before being submitted to NIFA for review.

NIFA reserves the right to request additional information as needed.

George Maragos
Comptroller



OFFICE OF THE COMPTROLLER
240 Old Country Road
Mineola, New York 11501

**COMPTROLLER APPROVAL FORM FOR PERSONAL,
PROFESSIONAL OR HUMAN SERVICES CONTRACTS**

Attach this form along with all personal, professional or human services contracts, contract renewals, extensions and amendments.

CONTRACTOR NAME: The Franklin Co.

CONTRACTOR ADDRESS: 2204 119th Street College Point NY 11356

FEDERAL TAX ID #: 11-1779211

Instructions: Please check the appropriate box ("☑") after one of the following roman numerals, and provide all the requested information.

I. ☑ The contract was awarded to the lowest, responsible bidder after advertisement for sealed bids. The contract was awarded after a request for sealed bids was published in Newsday [newspaper] on March 30, 2016 [date]. The sealed bids were publicly opened on April 26, 2016 [date]. 5 [#] of sealed bids were received and opened.

II. ☐ The contractor was selected pursuant to a Request for Proposals.

The Contract was entered into after a written request for proposals was issued on _____ [date]. Potential proposers were made aware of the availability of the RFP by advertisement in _____ [newspaper], posting on industry websites, via email to interested parties and by publication on the County procurement website. Proposals were due on _____ [date]. _____ [state #] proposals were received and evaluated. The evaluation committee consisted of: _____

_____ (list # of persons on committee and their respective departments). The proposals were scored and ranked. As a result of the scoring and ranking, the highest-ranking proposer was selected.

III. ☐ This is a renewal, extension or amendment of an existing contract.

The contract was originally executed by Nassau County on _____ [date]. This is a renewal or extension pursuant to the contract, or an amendment within the scope of the contract or RFP (copies of the relevant pages are attached). The original contract was entered into after _____

_____, [describe procurement method, i.e., RFP, three proposals evaluated, etc.] Attach a copy of the most recent evaluation of the contractor's performance for any contract to be renewed or extended. If the contractor has not received a satisfactory evaluation, the department must explain why the contractor should nevertheless be permitted to continue to contract with the county.

IV. ☐ Pursuant to Executive Order No. 1 of 1993, as amended, at least three proposals were solicited and received. The attached memorandum from the department head describes the proposals received, along with the cost of each proposal.

- ☐ A. The contract has been awarded to the proposer offering the lowest cost proposal; **OR:**
- ☐ B. The attached memorandum contains a detailed explanation as to the reason(s) why the contract was awarded to other than the lowest-cost proposer. The attachment includes a specific delineation of the unique skills and experience, the specific reasons why a proposal is deemed superior, and/or why the proposer has been judged to be able to perform more quickly than other proposers.

V. ☐ Pursuant to Executive Order No. 1 of 1993 as amended, the attached memorandum from the department head explains why the department did not obtain at least three proposals.

- ☐ A. There are only one or two providers of the services sought or less than three providers submitted proposals. The memorandum describes how the contractor was determined to be the sole source provider of the personal service needed or explains why only two proposals could be obtained. If two proposals were obtained, the memorandum explains that the contract was awarded to the lowest cost proposer, or why the selected proposer offered the higher quality proposal, the proposer's unique and special experience, skill, or expertise, or its availability to perform in the most immediate and timely manner.
- ☐ B. The memorandum explains that the contractor's selection was dictated by the terms of a federal or New York State grant, by legislation or by a court order. (Copies of the relevant documents are attached).
- ☐ C. Pursuant to General Municipal Law Section 104, the department is purchasing the services required through a New York State Office of General Services contract no. _____, and the attached memorandum explains how the purchase is within the scope of the terms of that contract.

- ☐ **D.** Pursuant to General Municipal Law Section 119-o, the department is purchasing the services required through an inter-municipal agreement.

VI. ☐ This is a human services contract with a not-for-profit agency for which a competitive process has not been initiated. Attached is a memorandum that explains the reasons for entering into this contract without conducting a competitive process, and details when the department intends to initiate a competitive process for the future award of these services. For any such contract, where the vendor has previously provided services to the county, attach a copy of the most recent evaluation of the vendor's performance. If the contractor has not received a satisfactory evaluation, the department must explain why the contractor should nevertheless be permitted to contract with the county.

In certain limited circumstances, conducting a competitive process and/or completing performance evaluations may not be possible because of the nature of the human services program, or because of a compelling need to continue services through the same provider. In those circumstances, attach an explanation of why a competitive process and/or performance evaluation is inapplicable.

VII. ☐ This is a public works contract for the provision of architectural, engineering or surveying services. The attached memorandum provides details of the department's compliance with Board of Supervisors' Resolution No. 928 of 1993, including its receipt and evaluation of annual Statements of Qualifications & Performance Data, and its negotiations with the most highly qualified firms.

Instructions with respect to Sections VIII, IX and X: All Departments must check the box for VIII. Then, check the box for either IX or X, as applicable.

VIII. ☒ Participation of Minority Group Members and Women in Nassau County Contracts. The selected contractor has agreed that it has an obligation to utilize best efforts to hire MWBE sub-contractors. Proof of the contractual utilization of best efforts as outlined in Exhibit "EE" may be requested at any time, from time to time, by the Comptroller's Office prior to the approval of claim vouchers.

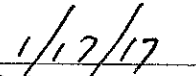
IX. ☒ Department MWBE responsibilities. To ensure compliance with MWBE requirements as outlined in Exhibit "EE", Department will require vendor to submit list of sub-contractor requirements prior to submission of the first claim voucher, for services under this contract being submitted to the Comptroller.

X. ☐ Vendor will not require any sub-contractors.

In addition, if this is a contract with an individual or with an entity that has only one or two employees: ☐ a review of the criteria set forth by the Internal Revenue Service, *Revenue Ruling No. 87-41*, 1987-1 C.B. 296, attached as Appendix A to the Comptroller's Memorandum, dated February 13, 2004, concerning independent contractors and employees indicates that the contractor would not be considered an employee for federal tax purposes.



Department Head Signature



Date

NOTE: Any information requested above, or in the exhibit below, may be included in the county's "staff summary" form in lieu of a separate memorandum.

Exhibit A



COUNTY OF NASSAU

POLITICAL CAMPAIGN CONTRIBUTION DISCLOSURE FORM

1. Has the vendor or any corporate officers of the vendor provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator? If yes, to what campaign committee?

none

2. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

The undersigned further certifies and affirms that the contribution(s) to the campaign committees identified above were made freely and without duress, threat or any promise of a governmental benefit or in exchange for any benefit or remuneration.

Vendor: The Franklin Company Contractors Inc

Dated: 12/2/16

Signed: 

Print Name: William R. Klein

Title: President

Exhibit B



COUNTY OF NASSAU

LOBBYIST REGISTRATION AND DISCLOSURE FORM

1. Name, address and telephone number of lobbyist(s)/lobbying organization. The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

none

2. List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

none

3. Name, address and telephone number of client(s) by whom, or on whose behalf, the lobbyist is retained, employed or designated:

none

4. Describe lobbying activity conducted, or to be conducted, in Nassau County, and identify client(s) for each activity listed. **See page 4 for a complete description of lobbying activities.**

none

5. The name of persons, organizations or governmental entities before whom the lobbyist expects to lobby:

none

6. If such lobbyist is retained or employed pursuant to a written agreement of retainer or employment, you must attach a copy of such document; and if agreement of retainer or employment is oral, attach a written statement of the substance thereof. If the written agreement of retainer or employment does not contain a signed authorization from the client by whom you have been authorized to lobby, separately attach such a written authorization from the client.

7. Has the lobbyist/lobbying organization or any of its corporate officers provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator? If yes, to what campaign committee?

NO

I understand that copies of this form will be sent to the Nassau County Department of Information Technology ("IT") to be posted on the County's website.

I also understand that upon termination of retainer, employment or designation I must give written notice to the County Attorney within thirty (30) days of termination.

VERIFICATION: The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

The undersigned further certifies and affirms that the contribution(s) to the campaign committees listed above were made freely and without duress, threat or any promise of a governmental benefit or in exchange for any benefit or remuneration.

Dated: 12/2/16

Signed: 

Print Name: William R. Klein

Title: President

The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including but not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

The term "lobbying" or "lobbying activities" does not include: Persons engaged in drafting legislation, rules, regulations or rates; persons advising clients and rendering opinions on proposed legislation, rules, regulations or rates, where such professional services are not otherwise connected with legislative or executive action on such legislation or administrative action on such rules, regulations or rates; newspapers and other periodicals and radio and television stations and owners and employees thereof, provided that their activities in connection with proposed legislation, rules, regulations or rates are limited to the publication or broadcast of news items, editorials or other comment, or paid advertisements; persons who participate as witnesses, attorneys or other representatives in public rule-making or rate-making proceedings of a County agency, with respect to all participation by such persons which is part of the public record thereof and all preparation by such persons for such participation; persons who attempt to influence a County agency in an adjudicatory proceeding, as defined by § 102 of the New York State Administrative Procedure Act.

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name William R. Klein
Date of birth 04 / 17 / 64
Home address ~~22-44 119th Street~~
City/state/zip ~~College Point, NY 11356~~
Business address 22-44 119th Street
City/state/zip College Point, NY 11356
Telephone 718 762 5200
Other present address(es) _____
City/state/zip _____
Telephone _____
List of other addresses and telephone numbers attached _____
2. Positions held in submitting business and starting date of each (check all applicable)
President 05 / 15 / 2000 Treasurer _____
Chairman of Board _____ Shareholder _____
Chief Exec. Officer _____ Secretary 05 / 15 / 2000
Chief Financial Officer _____ Partner _____
Vice President 08 / 01 / 1990 _____
(Other) _____
3. Do you have an equity interest in the business submitting the questionnaire?
YES xx NO ____ If Yes, provide details. see attached sheet
4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire? YES xx NO ____ If Yes, provide details. See attached sheet
5. Within the past 3 years, have you been a principal owner or officer of any business or not-for-profit organization other than the one submitting the questionnaire? YES ____ NO xx If Yes, provide details.

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6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer? YES ____ NO xx
If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency.
Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:
- a. Been debarred by any government agency from entering into contracts with that agency?
YES ____ NO xx If Yes, provide details for each such instance.
 - b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause? YES ____ NO xx If Yes, provide details for each such instance.
 - c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards? YES ____ NO xx If Yes, provide details for each such instance.
 - d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract? YES ____ NO xx If Yes, provide details for each such instance.
8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated? If 'Yes', provide details for each such instance. (Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.)
- a) Is there any felony charge pending against you? YES ____ NO xx If Yes, provide details for each such charge.
 - b) Is there any misdemeanor charge pending against you? YES ____ NO xx If Yes, provide details for each such charge.
 - c) Is there any administrative charge pending against you? YES ____ NO xx If Yes, provide details for each such charge.
 - d) In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? YES ____ NO xx If Yes, provide details for each such conviction.

- e) In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor? YES ☐ NO ☒ If Yes, provide details for each such conviction.
- f) In the past 5 years, have you been found in violation of any administrative or statutory charges? YES ☐ NO ☒ If Yes, provide details for each such occurrence.
9. In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5? YES ☐ NO ☒ If Yes, provide details for each such investigation.
10. In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer? YES ☐ NO ☒ If Yes; provide details for each such investigation.
11. In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? YES ☐ NO ☒ If Yes; provide details for each such instance.
12. For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? YES ☐ NO ☒ If Yes, provide details for each such year.

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THE
FRANKLIN
COMPANY

22-04 119th STREET • COLLEGE POINT, N.Y. 11356 • 718 762-5200
FAX : 718 359-7865

December 19, 2016

Nassau County Department of Public Works
1194 Prospect Avenue
Westbury NY 11590

RE: Principal Questionnaire Form

To whom it may concern:

As requested please see below for additional clarifications for questions on the principal questionnaire form:

Question #3

William R. Klein, President of "The Franklin Company Contractors Inc". has 100% ownership of the corporation.

Question #4

William R. Klein, President of "The Franklin Company Contractors Inc." has pledged real estate owed personally as collateral for the bonding capacity of the Franklin Company Contractors Inc.

Franklin Company Contractors Inc. has a current loans payable balance of \$ 2,804.69 due to William R. Klein is president.

Very truly yours,

The Franklin Company Contractors Inc.




William R. Klein
President

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, William R. Klein, being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional Inducement to enter into a contract with the submitting business entity.

Sworn to before me this 27 day of December 2016



Notary Public



The Franklin Company Contractors Inc.

Name of submitting business

William R. Klein

Print name



Signature

President

Title

12 / 27 / 2016

Date

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Business History Form

The contract shall be awarded to the responsible proposer who, at the discretion of the County, taking into consideration the reliability of the proposer and the capacity of the proposer to perform the services required by the County, offers the best value to the County and who will best promote the public interest.

In addition to the submission of proposals, each proposer shall complete and submit this questionnaire. The questionnaire shall be filled out by the owner of a sole proprietorship or by an authorized representative of the firm, corporation or partnership submitting the Proposal.

**NOTE: All questions require a response, even if response is "none" or "not-applicable."
No blanks.**

(USE ADDITIONAL SHEETS IF NECESSARY TO FULLY ANSWER THE FOLLOWING QUESTIONS).

Date: 12/27/16

1) Proposer's Legal Name: The Franklin Company Contractors Inc.

2) Address of Place of Business: 22-44 119th Street, College Point, New York 11356

List all other business addresses used within last five years:
22-04 119th Street, College Point, New York, 11356

3) Mailing Address (if different): Same

Phone : 718.762.5200

Does the business own or rent its facilities? Rent

4) Dun and Bradstreet number: #012361317

5) Federal I.D. Number: 11-1779211

6) The proposer is a (check one): ☐ Sole Proprietorship ☐ Partnership ☒ Corporation ☐ Other (Describe) _____

7) Does this business share office space, staff, or equipment expenses with any other business?
Yes ___ No xx If Yes, please provide details: _____

8) Does this business control one or more other businesses? Yes ☐ No ☒ If Yes, please provide details: _____

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- 9) Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business? Yes ☐ No ☒ If Yes, provide details. _____
- 10) Has the proposer ever had a bond or surety cancelled or forfeited, or a contract with Nassau County or any other government entity terminated? Yes ☐ No ☒ If Yes, state the name of bonding agency, (if a bond), date, amount of bond and reason for such cancellation or forfeiture: or details regarding the termination (if a contract). _____
- 11) Has the proposer, during the past seven years, been declared bankrupt? Yes ☐ No ☒ If Yes, state date, court jurisdiction, amount of liabilities and amount of assets _____
- 12) In the past five years, has this business and/or any of its owners and/or officers and/or any affiliated business, been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency? And/or, in the past 5 years, have any owner and/or officer of any affiliated business been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency, where such investigation was related to activities performed at, for, or on behalf of an affiliated business.
Yes ☐ No ☒ If Yes, provide details for each such investigation. _____
- 13) In the past 5 years, has this business and/or any of its owners and/or officers and/or any affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies? And/or, in the past 5 years, has any owner and/or officer of an affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies, for matters pertaining to that individual's position at or relationship to an affiliated business. Yes ☐ No ☒ If Yes, provide details for each such investigation. _____
- 14) Has any current or former director, owner or officer or managerial employee of this business had, either before or during such person's employment, or since such employment if the charges pertained to events that allegedly occurred during the time of employment by the submitting business, and allegedly related to the conduct of that business:
- a) Any felony charge pending? Yes ☐ No ☒ If Yes, provide details for each such charge. _____
- b) Any misdemeanor charge pending? Yes ☐ No ☒ If Yes, provide details for each such charge. _____
- c) In the past 10 years, you been convicted, after trial or by plea, of any felony and/or any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? Yes ☐ No ☒

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If Yes, provide details for each such conviction _____

d) In the past 5 years, been convicted, after trial or by plea, of a misdemeanor?
Yes ____ No xx If Yes, provide details for each such conviction. _____

e) In the past 5 years, been found in violation of any administrative, statutory, or regulatory provisions? Yes ____ No xx If Yes, provide details for each such occurrence. _____

15) In the past (5) years, has this business or any of its owners or officers, or any other affiliated business had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? Yes ____ No xx; If Yes, provide details for each such instance. _____

16) For the past (5) tax years, has this business failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? Yes ____ No xx If Yes, provide details for each such year. Provide a detailed response to all questions checked 'YES'. If you need more space, photocopy the appropriate page and attach it to the questionnaire. _____

Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

17) Conflict of Interest:

a) Please disclose any conflicts of interest as outlined below. **NOTE: If no conflicts exist, please expressly state "No conflict exists."**

(i) Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.
No conflict exists

(ii) Any family relationship that any employee of your firm has with any County public servant that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.
No conflict exists

(iii) Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.
No conflict exists

b) Please describe any procedures your firm has, or would adopt, to assure the County that a conflict of interest would not exist for your firm in the future.
Franklin currently has no conflicts, should a conflict be discovered, or created by a change in the staffing or business practices, Franklin will notify Nassau County.

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- A. Include a resume or detailed description of the Proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified.

Should the proposer be other than an individual, the Proposal **MUST** include:

- i) Date of formation;
 - ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner;
 - iii) Name, address and position of all officers and directors of the company;
 - iv) State of incorporation (if applicable);
 - v) The number of employees in the firm;
 - vi) Annual revenue of firm;
 - vii) Summary of relevant accomplishments
 - viii) Copies of all state and local licenses and permits.
- B. Indicate number of years in business.
- C. Provide any other information which would be appropriate and helpful in determining the Proposer's capacity and reliability to perform these services.
- D. Provide names and addresses for no fewer than three references for whom the Proposer has provided similar services or who are qualified to evaluate the Proposer's capability to perform this work.

Company NYC DEP

Contact Person MD R. Islam

Address 59-17 Junction Blvd.

City/State Flushing, New York 11373

Telephone 718 595-4826

Fax # _____

E-Mail Address mrislam@dep.nyc.gov

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Company NYC Transit Authority

Contact Person Joe Ewald

Address 130 Livingston Street

City/State Brooklyn, New York

Telephone 718-694-5231

Fax # _____

E-Mail Address Joseph.ewald@nyct.com

Company TBTA

Contact Person Ray Redmond

Address Robert Moses Building, Wards Island

City/State New York, New York

Telephone 212 360-3056

Fax # _____

E-Mail Address redmond@mtabt.org

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CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, William R. Klein, being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

Sworn to before me this 27 day of Dec.

2016

Notary Public



Name of submitting business: The Franklin Company Contractors Inc.

By: William R. Klein

Print name

Signature

president

Title

12 / 27 / 16
Date

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THE
FRANKLIN
COMPANY

22-04 119th STREET • COLLEGE POINT, N.Y. 11356 • 718 762-5200
FAX : 718 359-7865

December 27, 2016

Nassau County Department of Public Works
1194 Prospect Ave.
Westbury, NY 11590

Re: Additional Information, Business History Form.

To whom it may concern:

Please see below in response to the Question A, B, and C.

Question A:

- (i) Franklin was formed in 1932, and incorporated in 1954, we are a New York Corp.
- (ii) William R. Klein, 14 Indian Spring Road, Rowayton, CT 06853. President and 100% owner.
- (iii) William R. Klein 14 Indian Spring Road, Rowayton, CT 06853. President
- (iv) Incorporated in New York State.
- (v) 42 employees
- (vi) 2015 revenue \$10.4 Million
- (vii) Please see attached brochure and project list
- (viii) Please see attached.

Question B:

Franklin has been continuously in business since 1932

Question C:

Franklin Company has been performing Tank work continuously since 1932, we are signed with Local #200 Tank and Pump Plumbers.

Please contact Mr. William R. Klein with any questions concerning this letter.

Very truly yours,

The Franklin Company Contractors Inc.


William R. Klein
President

THE
FRANKLIN
COMPANY

22-44 119th STREET • COLLEGE POINT, N.Y. 11356 • 718 762-5200
FAX : 718 359-7865

December, 2 2016

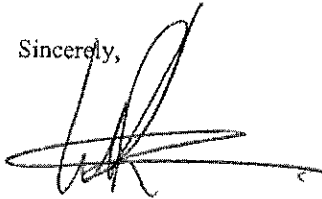
Re: Nassau County DPW

The Franklin Company Contractors, Inc. has only one office, William R. Klein, who is the President.

William Klein DOB 04/17/1964 and he resides at 14 Indian Spring Rd. Rowayton, CT 06853

If you have any questions concerning this matter, please call me at 718-762-5200

Sincerely,

A handwritten signature in black ink, appearing to be 'W. Klein', with a long horizontal flourish extending to the right.

William R. Klein
President



THE FRANKLIN COMPANY CONTRACTORS

"Contractors to the Petroleum Industry Since 1932"

Petroleum Pump and Tank Construction

Electrical Construction

Bulk Chemical Construction

Environmental Remediation Construction

Environmental Remediation System Operation and Maintenance

Gas Station Repair and Maintenance Services

Petroleum Compliance and Testing Services

22-04 119th Street
College Point NY 11356
Phone: (718) 762-5200
Fax: (718) 359-7865

www.franklincompany.com

Mission Statement:

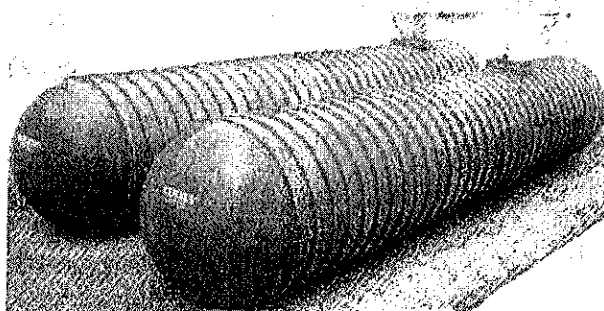
The Franklin Company Contractors, founded in 1932, has a long standing tradition of excellence in the commercial construction industry in New York City and the surrounding Tri-State area. The Franklin Company Contractors is a leader in the commercial construction of petroleum bulk storage and fueling systems, environmental remediation systems, and associated electrical systems. For over 75 years, the Franklin Code of Integrity, Honor and Value has been the foundation on which its reputation has been built.

CONSTRUCTION

Petroleum Pump and Tank

The Franklin Company Contractors Petroleum Pump and Tank Construction Services include:

- Design services
- Permit expediting
- Installations of tanks, product piping, monitoring systems and accessories
- Installations of Vapor Recovery systems
- Re-piping and upgrading Service Stations and Fuel Stations
- Installation of Tank Fuel Monitoring systems
- Observation well drilling
- Certified precision tank and line testing
- Installation of Cathodic Protection systems
- Fuel System Removal Services



Electrical Construction

The Franklin Company Contractors offers full electrical construction services for a wide range of commercial and industrial applications. These services include:

Lighting

- Site Lighting
- Under Deck Lighting
- Lighting Distribution and Control
- Roadway Lighting
- LED Lighting Systems

Life Safety and Security Systems

- Fire Alarms
- Security Cameras

Mechanization Controls

- Programmable Logic Control (PLC) Systems
- Lighting Distribution and Control Systems

Power

- Uninterrupted Power Systems
- Emergency Generators
- Building Service

System Integration and Utilities

- New service installations
- Service Upgrades
- Network protectors

Bulk Chemical Storage

The Franklin Company Contractors provides the following chemical bulk storage solutions for:

- | | | |
|------------------------------|-----------------------|------------|
| • Antifreeze | • Sodium Hypochlorite | • Polymer |
| • Chemical Industrial Fluids | • Sodium Hydroxide | • Methanol |
| • Caustic Acids | • Ferric Chloride | |

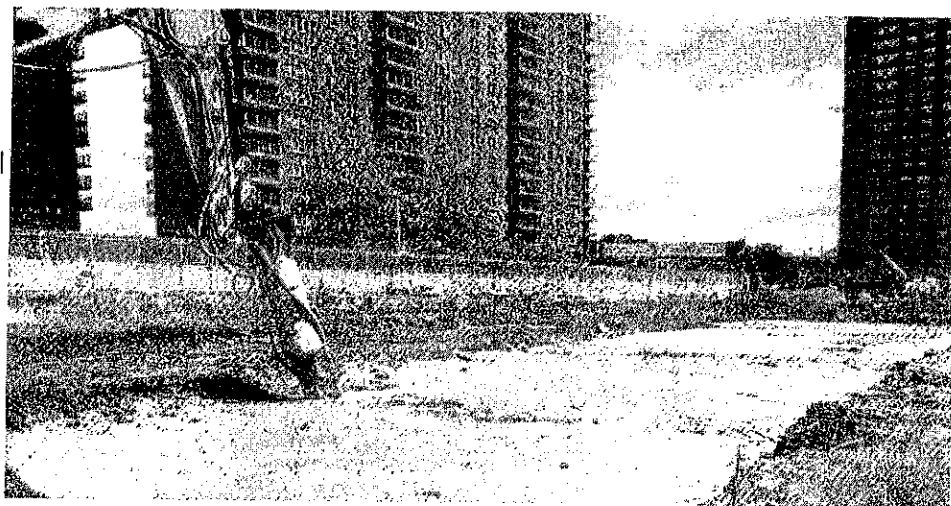
ENVIRONMENTAL

The Franklin Company Contractors offers comprehensive environmental engineering, petroleum remediation construction, and petroleum remediation system operation and maintenance services. These services include:

Remediation Construction

The Franklin Company Contractors is an innovator in building the following remediation systems:

- Soil Vapor Extraction Systems
- Dual Phase Extraction Systems
- Floating Product Extraction Systems
- Bioventing Systems



In-Situ Soil Stabilization

The Franklin Company Contractors is a pioneer in petroleum remediation in New York City. The Franklin Company Contractors is one of the first companies to implement the process of In-Situ Soil Stabilization to remediate petroleum contaminated soil in New York City and the surrounding Boroughs.

In-Situ Soil Stabilization is the process of remediating contaminated soils on-site by excavating and mixing the contaminated soil with a specially designed concrete slurry mix. After the soil is thoroughly mixed with the concrete slurry and sets, the contaminated soil is encapsulated to prevent further contamination and leaching. This process is a turnkey approach to quickly and efficiently resolve petroleum contamination issues on-site.

In-Situ Soil Stabilization can be one of the most inexpensive and effective ways to remediate large areas of petroleum contamination. In-Situ Soil Stabilization greatly reduces the immense trucking costs associated with the standard disposal approach for petroleum contaminated soil. It also eliminates the need to sheet and shore excavations since the remediation is done on-site and in place. In-Situ Soil Stabilization allows you to quickly resolve large petroleum contamination issues in less time and with lower cost than traditional methods.

Bio Remediation

The Franklin Company Contractors Environmental Division is a market leader in the process of Bio Remediation. Bio Remediation is the process of using indigenous petroleum-degrading bacteria and nutrients in the soil to remediate petroleum contaminated residual groundwater and smear-zone soil. Bio Remediation is a widely accepted, economical and relatively straightforward technology used for eliminating organic petroleum contaminants.

The Franklin Company Contractors is the comprehensive solution to your petroleum contamination issues. The Franklin Company Contractors Environmental Division can provide the following services:

- Site Assessment
- Environmental Consultation & Remediation Engineering Services
- Monitoring Well Development
- Bio Remediation Chemical Injections
- Follow-up Well Monitoring & Sampling
- Regulatory Reporting

Gas Station & Facility Maintenance & Compliance Services

Repair and Maintenance

The Franklin Company Contractors is a service oriented company. All of our personnel approach their individual tasks from a customer service standpoint. Our goal is to keep your business operating. The Franklin Company Contractors Service Department is capable of providing the following services:

On-Site Repair and Maintenance Functions:

- Mechanical pumps, meters and lubrication equipment repair
- Electronic dispenser repair
- Electronic control console repair
- Automated system repair including: automatic tank gauging, release detection systems, Point-of-Sale systems (POS), price scanners, card readers, fleet management systems, communication links, and other related systems.
- Tank system repair including: tanks, pumps, leak detectors, piping and any other tank system components.

Off-Site repair services include:

- Repair and testing for pumps, meters and lubrication equipment.

Stage I & II Vapor Recovery Repair:

- EVR Components
- Healy Components
- Veeder-Root
- INCON Components

Secondary Containment Repairs:

- Underground Sump Repair
- Underground Piping
- Helium tests to determine exact piping leak location.

Certified Technicians:

- Gilbarco
- Veeder-Root
- Gasboy
- Red Jacket
- OPW Fuel Management Systems

Emergency Response: 24 Hours, 7 Days

Petroleum Compliance Services

The Franklin Company Contractors Service Division provides complete petroleum bulk storage (PBS) governmental compliance and testing services. These Services include:

- Stage I and II Testing
- Vapor Recovery Testing
- Precision Tank Testing
- Cathodic Testing
- Drop Tube Testing
- Vent Cap Testing
- Tank Integrity Testing
- Line Testing
- Leak Detector Testing
- FDNY Functionality Testing
- DOB DEC Compliance Assessments
- Tank Closure Reports
- Site Assessments

P/L NO. GTR000000183

STATE OF NEW YORK
COUNTY OF NASSAU
OFFICE OF FIRE MARSHAL

FLAMMABLE/COMBUSTIBLE LIQUID STORAGE TANK REMOVER LICENSE

EFFECTIVE DATE 04/01/2016

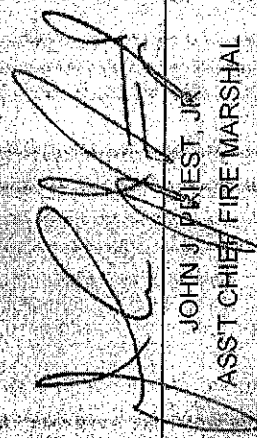
EXPIRATION DATE 03/31/2017

ISSUED TO NAME THE FRANKLIN COMPANY CONTRACTORS, INC.
ADDRESS 22-04 119TH ST
COLLEGE POINT, NY 11356

LOCATION NAME
ADDRESS

APRIL 1 2016

DATE


JOHN J. PRIEST, JR.
ASST CHIEF FIRE MARSHAL

THIS LICENSE DOES NOT EXCLUSIVELY RECOMMEND THE BEARER

STATE OF NEW YORK
COUNTY OF NASSAU
OFFICE OF FIRE MARSHAL

FLAMMABLE/COMBUSTIBLE LIQUID STORAGE TANK INSTALLER LICENSE

EFFECTIVE DATE: 10/01/2016

EXPIRATION DATE: 09/30/2017

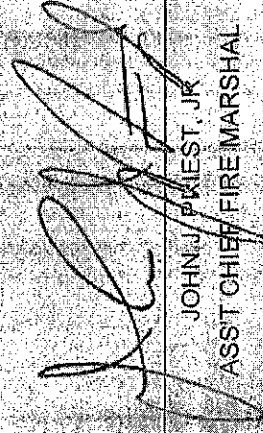
ISSUED TO: NAME THE FRANKLIN COMPANY CONTRACTORS, INC.
ADDRESS 22-04 119TH ST
COLLEGE POINT, NY 11356

LOCATION: NAME
ADDRESS

OCTOBER 1, 2016

DATE

P/L NO GIP0000000672


JOHN J. PRIEST, JR.
ASST CHIEF FIRE MARSHAL

THIS LICENSE DOES NOT EXCLUSIVELY RECOMMEND THE BEARER

Current Franklin References

| Contract | Description | Amount | Customer | Contact | Phone Number | Status |
|------------|--|---------|----------|------------------|--------------|----------|
| I320PBS | Maintenance/Repair of Petroleum Bulk Storage Tanks | \$3m | NYC DEP | Mohammad Mahmud | 718-595-4904 | Ongoing |
| I335CBS | Maintenance/Repair of Chemical Bulk Storage Tanks | \$3.6m | NYC DEP | MD R Islam | 718-595-4826 | Ongoing |
| C33091R | Fuel Tank Expansion at Three Sites | \$2.37m | NYCT | Leniod Geldman | 718-565-3585 | Ongoing |
| C34814.1 | O&M of Remediation System at Flatbush Depot | \$739k | NYCT | Cadecia Josephs | 718-613-0296 | Complete |
| C34814.2 | O&M of Remediation System at Kingsbridge Depot | \$796k | NYCT | Cadecia Josephs | 718-613-0296 | Complete |
| | Tank Removal/Install | \$1.01m | Trio | Lauren Seminiero | 718-746-2200 | Complete |
| PW348-62F | Tank Removal/Install | \$1.1m | Liro | Tony Caggiano | 516-938-5476 | Complete |
| 4500229795 | Dike Wall Demolition | \$7.5m | NYPA | Sam Ahmed | 718-267-5632 | Ongoing |
| RFQ5482 | Tank Maintenance/Repair | \$6m | NYCT | Joe Ewald | 718-694-5231 | Complete |
| IFB98583 | Tank Maintenance/Repair | \$8.1m | NYCT | Joe Ewald | 718-694-5231 | Ongoing |
| IFB98583 | Tank Maintenance/Repair | \$8.1m | TBTA | Ray Redmond | 212-360-3056 | Ongoing |
| | Capial Petroleum | Various | Capital | Marshall Yasco | 703-750-6810 | Ongoing |

COUNTY OF NASSAU

CONSULTANT'S, CONTRACTOR'S AND VENDOR'S DISCLOSURE FORM

1. Name of the Entity: The Franklin Company Contractors Inc.

Address: 22-44 119th Street

City, State and Zip Code: College Point, New York 11356

2. Entity's Vendor Identification Number: 11-1779211

3. Type of Business: ☐ Public Corp ☐ Partnership ☐ Joint Venture

☐ Ltd. Liability Co ☒ Closely Held Corp ☐ Other (specify)

4. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):

William R. Klein President 22-44 119th Street, College Point, N.Y. 11356

5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation, include a copy of the 10K in lieu of completing this section.

William R. Klein 100% owner

COPY

6. List all affiliated and related companies and their relationship to the firm entered on line 1. above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract. Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

22-44 Realty, Owner of building that Franklin operates its business.

FESC (Franklin Equipment Services Corp). supplier of petroleum equipment to Franklin Co.

****above related companies will not be performing under this contract.****

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). If none, enter "None." The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

(a) Name, title, business address and telephone number of lobbyist(s):

none

(b) Describe lobbying activity of each lobbyist. See below for a complete description of lobbying activities.

None

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

None.

8. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Dated: 12/27/16

Signed: 

Print Name: William R. Klein

Title: president

COPY

Page 4 of 4

The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including by not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

COPY

B01-17

RULES RESOLUTION NO. -2017

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND THE FRANKLIN COMPANY CONTRACTORS, INC.

WHEREAS, in accordance with all Federal, State and Local Law, the County of Nassau on behalf of the NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS ["Department"] has received competitive bids for contract B81060-12G, for MANHASSET GARAGE-REMOVAL OF ABOVEGROUND & UNDERGROUND STORAGE TANKS["Contract"], as more particularly described in the contract documents, a copy of which are on file with the Clerk of the Legislature; and

WHEREAS, the firm of THE FRANKLIN COMPANY CONTRACTORS, INC., ["Vendor"] has submitted the lowest responsible bid for the work described in the contract in accordance with all Federal, State and Local Law as determined by the Department, and

WHEREAS, the funding for this contract is from capital funds approved by the Nassau County Legislature and included in the current four year capital plan, and

WHEREAS, the Commissioner of the Department is representing that the total contract is estimated to be \$ 303,432.00 now therefore be it

RESOLVED, that the Rules Committee of the Nassau County Legislature, based on the representations of the Department and the recommendation of the Commissioner of the Department, authorizes the County Executive to award and execute the said contract with the vendor.

COUNTY OF NASSAU
Inter-Departmental Memo

TO: Office of the County Executive
Att: Rob Walker, Chief Deputy County Executive

FROM: Department of Public Works

DATE: January 13, 2017

SUBJECT: RECOMMENDATION OF AWARD

Contract No: B81060-12G

**Title: MANHASSET GARAGE-REMOVAL OF ABOVEGROUND &
UNDERGROUND STORAGE TANKS**

Bids received on: April 26, 2016

I have examined the bids submitted for the contract mentioned above. Finding them to be in order, I recommend this contract be awarded to **The Franklin Company Contractors, Inc.**, as the lowest responsible bidder with a total bid amount of **\$303,432**. In order to facilitate processing of the above referenced contract, I request that the attached "Request to Initiate" form be approved.



Shila Shah-Gavnoudias
Commissioner



REQUEST TO INITIATE

RTI Number 16-0070

REQUEST FOR QUALIFICATIONS/REQUEST FOR PROPOSAL/REQUEST FOR BID CONTRACT

PART I: Approval by the Deputy County Executive for Operations must be obtained prior to ANY RFQ/RFP/RFBC

☐ RFQ ☐ RFP ☐ RFBC ☐ In-House or Requirements Work OrderProject Title: Marhasset Garage - Removal Under Ground + Above groundDepartment: Public Works Project Manager: J Amerigo Date: 2/23/16 Storage TankService Requested: Construction ContractJustification: Removals are required under the EPA Tank ComplianceRequested by: NCDPW

Department/Agency/Office

Project Cost for this Phase/Contract: (Plan/Design/Construction/CM/Equipment)
Circle appropriate phase\$350,000Total Project Cost:
Includes, design, construction and CMDate Start Work:
Phase being requestedDuration:
Phase being requested6 monthsCapital Funding Approval: YES ☒ NO ☐

SIGNATURE

DATE

Funding Allocation (Capital Project):
See Attached Sheet if multiyearB 81060 - 12 GReg 115
by Ph

NIFS Entered:

SIGNATURE

DATE

AIM Entered:

SIGNATURE

DATE

Funding Code:

use this on all encumbrances

Timesheet Code:

use this on timesheets

State Environmental Quality Review Act (SEQRA):

Type II Action ☒ or Environmental Assessment Form Required ☐

Supplemental Environmental Documentation

Department Head Approval:

YES ☒ NO ☐

SIGNATURE

DCE/Ops Approval:

YES ☐ NO ☐

SIGNATURE

PART II: To be submitted to Chief Deputy County Executive after Qualifications/Proposals/Contracts are received from Responding vendors.

| Vendor | Quote | Comment | See Attached Sheet <input type="checkbox"/> |
|----------|-------|---------|---|
| 1. _____ | _____ | _____ | |
| 2. _____ | _____ | _____ | |
| 3. _____ | _____ | _____ | |
| 4. _____ | _____ | _____ | |

DCE/Ops Approval:

YES NO

Signature _____

COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo

TO: Kenneth G. Arnold, Assistant to Commissioner

FROM: Rakhal Maitra, Deputy Commissioner

DATE: May 11, 2016

SUBJECT: RECOMMENDATION OF AWARD

Contract Number: B81060-12G

Title: NC- DPW Manhasset Garage –Removal of aboveground
and underground storage tanks

Engineer's Estimate: \$301,935.00 (without Allowances)

Bids Received On: April 26, 2016

The bids received for the above referenced contract have been examined and "The Franklin Company" is the lowest responsible bidder in the amount as follows:

| | |
|--|---------------------|
| General Construction (Lump Sum): | \$228,432.00 |
| Allowance (Removal of Tank Sediment): | \$ 5,000.00 |
| Allowance (Contaminated soil disposal): | \$ 15,000.00 |
| Allowance (Independent Testing): | \$ 40,000.00 |
| <u>Allowance (Unforeseen conditions)</u> | <u>\$ 15,000.00</u> |

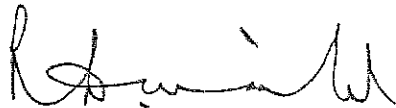
Bid Total: \$303,432.00

The low bid received is twenty-four percent (24 %) lower than the Engineer's Estimate (after deducting bid amounts for the Allowances)

Adequate funds are available (Capital Project Number 81060).

It is requested that the "Recommendation of Award" be prepared for the Commissioner's signature and forwarded to the County Executive for his action.

Attached herewith, please find a completed Contract Summary form for your information and use.



Rakhal Maitra
Deputy Commissioner

RM:ac

c: Robert LaBaw, Architect III
Joseph Amerigo, Civil Engineer II
Loretta Dionisio, Hydrogeologist II



NC-DPW Manhasset Garage-Removal of Aboveground/Underground Storage Tanks

Bid Opening: 4/26/2016

Engineer: Joseph Amerigo Phone: (516) 571-6804

| Contractor | Address | Insurance | Payment | Bid Amount | Alternate Bid |
|---|--|---------------------------------|-------------|--------------|---------------|
| The Franklin Company | 22-04 119 Street College Point, NY 11356 | RLI Insurance Company | 10% Amt Bid | \$303,432.00 | \$0.00 |
| Papitto Construction Co., Inc. | 867 Fair St. Carmel, NY 10512 | Westchester Fire Insurance Com | 10% Amt Bid | \$343,300.00 | \$0.00 |
| Island Pump and Tank Corp. | 40 Doyle Court East Northport, NY 11731 | Hudson Insurance Company | 10% Amt Bid | \$359,400.00 | \$0.00 |
| Gemstar Construction Corp. | 83 Jewett Avenue Staten Island, NY 10302 | Fidelity and Deposit Company o | 10% Amt Bid | \$364,600.00 | \$0.00 |
| Glass Armor of New York, Inc. dba Empir | 12 Bay 49 Street Brooklyn, NY 11214 | Washington International Insura | 10% Amt Bid | \$406,000.00 | \$0.00 |

The above is a review of the bids and subsequent list of all the bids that were read aloud at the public bid opening. Listed bids may be subsequently withdrawn or disqualified. The list does not reflect the Department's determination of the lowest responsible bidder.

COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo

TO: Civil Service Employees Association, Nassau Local 830
Att: Ronald Gurrieri, Executive Vice President

FROM: Department of Public Works

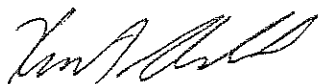
DATE: March 2, 2016

SUBJECT: CSEA Notification of a Proposed DPW Contract
NCDPW Manhasset Garage-Tank Removals
Proposed Contract No: B81060-12G

The following notification is to comply with the spirit and intent of Section 32 of the County/CSEA contract. It should not be implied that the proposed DPW authorization is for work, which has "historically and exclusively been performed by bargaining unit members."

1. DPW plans to recommend a contract/agreement for the following services:
General Construction Services
2. The work involves the following:
Removal of a 6,000 gallon drain water UST. A 350 gallon oil/water separator, a 500 Gallon waste oil UST abandon in place a waste oil chamber. Remove or abandon in place the fill, vent, drainage and waste oil piping associated with the above structures.
3. An estimate of the cost is: \$350,000.00
4. An estimate of the duration is: one (1) year

Should you wish to propose an alternative to the proposed contract/agreement, please respond within ten (10) days to: Department of Public Works, Att: Kenneth G. Arnold, Assistant to Commissioner, telephone 1-9607, fax 1-9657.



Kenneth G. Arnold
Assistant to Commissioner

KGA:RM:WSN:pl

- c: Christopher Fusco, Director, Office of Labor Relations
Brian Libert, Deputy Director, Office of Labor Relations
Keith Cromwell, Office of Labor Relations
William S. Nimmo, Deputy Commissioner
Rakhal Maitra, Deputy Commissioner
Patricia Kivo, Unit Head, Human Resources Unit
Robert Labaw, Architect III
Joseph Amerigo, Civil Engineer II ✓
Loretta Dionisio, Hydrogeologist II
Jonathan Lesman, Management Analyst II
Robert Campo, CSEA President



BID BOND

FORM OF BID BOND

IMPORTANT The bidder shall instruct the Surety Company to **USE THIS FORM PROVIDED** as the use of **ANY OTHER FORM** may cause rejection of the bid.

KNOW ALL MEN BY THESE PRESENTS,
that we, the undersigned The Franklin Company Contractors, Inc.

as Principal; and RLI Insurance Company as surety, who is Licensed to do business in the State of New York, are hereby firmly bound unto the County of Nassau in the penal sum of Ten percent of the amount bid dollars (\$ 10%) for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

Signed, this 20th day of April, 2016

The conditions of the above obligation is such that whereas the Principal has submitted to the County of Nassau a certain Bid attached hereto and hereby made a part hereof, to enter into a contract in writing for the work under Contract No. B81060-12G for the

NC DPW Manhasset Garage Removal of Above Ground and Underground Storage Tanks

NOW, THEREFORE, the conditions of this obligation are such that if the Principal shall not withdraw said proposal except by mutual consent of the County of Nassau within a period of forty-five (45) days after the opening of bids and in the event of acceptance of the Principal's proposal, if the Principal shall,

- a. when notified by the County, execute all necessary counterparts of the contract as set forth in the contract documents in accordance with the proposal as accepted; and
- b. furnish bonds and other security as specified in the contract documents for the faithful performance and proper fulfillment of such contract, which bonds or other security shall be satisfactory in all respects to the County; and
- c. in all respects, comply with the provisions set forth in the invitation to bid; or if the County of Nassau shall reject the aforesaid proposal for a reason other than the Principal's failure to satisfy the County that he has the necessary skill, experience and liquid assets required for the contract as stated in the documents aforesaid, then this obligation shall be null and void; otherwise to remain in full force and effect.

Provided, however, that this bond is subject to the following additional conditions and limitations.

a. In the event that the Principal fails to submit a financial statement when required by the County or in the event that an examination of the Principal indicates to the County that the Principal does not meet the financial requirements required by the County, the undersigned will, upon demand, pay to the County of Nassau, as liquidated damages for the Principal's failure to meet such requirements, a sum equal to the amount that would have been required by a certified check if the same were delivered in accordance with the provisions of the contract documents and specifications herein stated.

b. In case the Principal shall default in the performance of any provision the undersigned will upon demand pay to the County of Nassau the full amount of the damages sustained by the County of Nassau by reason of such default, except however, it is expressly understood and agreed that the liability of the surety for any and all claims hereunder shall in no event exceed the amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligation of said Surety and its bond shall be in no way impaired or affected by any extension of time within which the County of Nassau may accept such Bid; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

The Franklin Company Contractors, Inc. William, R. (Gina) Perich
Contractor

by [Signature] (L.S.) (Corporate seal of Contractor
Title if a corporation)

by [Signature] Lee Vincent (L.S.)

Title

by _____ (L.S.)

Title

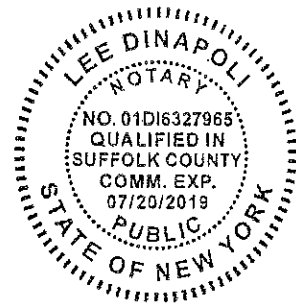
RLI Insurance Company

by [Signature] (L.S.)
Title of Officer
William J. Paterno, Attorney-in-Fact

Surety

Attest: [Signature] (L.S.)
Title of Officer
John E. True

(Corporate seal of Surety)

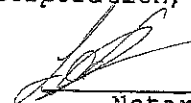


(Acknowledgment by Contractor if a corporation)

STATE OF NY)

ss.:
COUNTY OF Suffolk)

On this 25 day of APR., 2016, before me personally came William R. Klein to me known, who, being by me duly sworn, did depose and say for himself, that he resides in 14 Indian Springs Rd. Rowayton, Ct 06457 that he is the President of the Franklin Company Contractors, Inc. the corporation described in, and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.


Notary Public

(Acknowledgment by Contractor if a partnership)

STATE OF _____)

ss.:
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally came _____ to me to be a member of the firm described in and which executed the foregoing bond or obligation, and he acknowledged to me that he subscribed the name of said firm thereto on behalf of said firm for the purpose therein mentioned.

Notary Public

(Acknowledgment by Contractor if an individual.)

STATE OF _____)

ss.:
COUNTY OF _____)

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

Notary Public

(Acknowledgment by Surety Company)

STATE OF New Jersey)

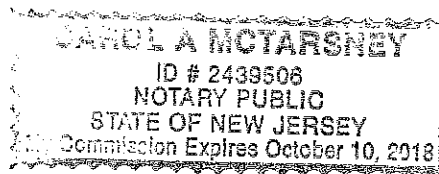
ss.:

COUNTY OF Monmouth)

On this 20th day of April, 2016, before me personally came William J. Paterno, Known, who being by me duly sworn, did depose and say that he resides in Monmouth County, NJ

that he is the Attorney-in-Fact of the RLI Insurance Company, the corporation described in and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was 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 Carol A. McTarsney further said that he is acquainted with William J. Paterno and knows him to be the Attorney-in-Fact of said company; that the signature of the said Attorney-in-Fact subscribed to the within instrument is in the genuine handwriting of the said Attorney-in-Fact and was subscribed thereto by like order of the Board of Directors, and in the presence of him, the said

Carol A. McTarsney
Notary Public



POWER OF ATTORNEY

ATTENTION: Insert the "Power of Attorney" after this page in with your bid submission.



RLI Surety
P.O. Box 3967 | Peoria, IL 61612-3967
Phone: (800)645-2402 | Fax: (309)689-2036
www.rlicorp.com

POWER OF ATTORNEY

RLI Insurance Company

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That RLI Insurance Company, an Illinois corporation, does hereby make, constitute and appoint:
William J. Paterno, John M. Scirocco, Jr., Madelyn Lux, John E. True, jointly or severally

in the City of Matawan, State of New Jersey its true and lawful Agent and Attorney in Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, the following described bond.

Any and all bonds provided the bond penalty does not exceed Twenty Five Million Dollars (\$25,000,000.00).

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

The RLI Insurance Company further certifies that the following is a true and exact copy of the Resolution adopted by the Board of Directors of RLI Insurance Company, and now in force to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

IN WITNESS WHEREOF, the RLI Insurance Company has caused these presents to be executed by its Vice President with its corporate seal affixed this 14th day of March, 2014.



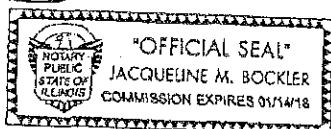
RLI Insurance Company

By: Roy C. Die Vice President

State of Illinois }
County of Peoria } SS

On this 14th day of March, 2014, before me, a Notary Public, personally appeared Roy C. Die, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the RLI Insurance Company and acknowledged said instrument to be the voluntary act and deed of said corporation.

By: Jacqueline M. Bockler
Notary Public



CERTIFICATE

I, the undersigned officer of RLI Insurance Company, a stock corporation of the State of Illinois, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the RLI Insurance Company this 20th day of April, 2016.

RLI Insurance Company

By: Roy C. Die Vice President

FINANCIAL STATEMENT

ATTENTION: Insert the "Financial Statement" after this page in with your bid submission.



RLI Insurance Company
P.O. Box 3967 Peoria IL 61612-3967
Phone: 309-692-1000 Fax: 309-683-1610

RLI Insurance Company

December 31, 2015

Admitted Assets

| | |
|--|-------------------------|
| Investments: | |
| Fixed maturities | \$ 649,350,928 |
| Equity securities | 886,479,641 |
| Short-term investments | 3,616,870 |
| Real estate | 25,589,667 |
| Properties held to produce income | 0 |
| Cash on hand and on deposit | 14,281,348 |
| Other invested assets | 19,263,658 |
| Receivables for securities | 925,099 |
| Agents' balances | 75,730,616 |
| Investment income due and accrued | 6,471,239 |
| Funds held | 4,000 |
| Reinsurance recoverable on paid losses | 22,790,869 |
| Federal income taxes receivable | 243,641 |
| Net deferred tax asset | 0 |
| Guarantee funds receivable or on deposit | 55,809 |
| Electronic data processing equipment, net of depreciation | 733,924 |
| Receivable from affiliates | 12,292,822 |
| Other admitted assets | 7,263,351 |
| Total Admitted Assets | \$ 1,725,093,482 |

State of Illinois

County of Peoria

Liabilities and Surplus

| | |
|---|-------------------------|
| Liabilities: | |
| Reserve for unpaid losses and loss adjustment expenses | \$ 467,302,987 |
| Unearned premiums | 232,132,017 |
| Accrued expenses | 61,363,378 |
| Funds held | 675,513 |
| Advance premiums | 5,797,135 |
| Amounts withheld | 60,525,980 |
| Dividends declared and unpaid | 23,945 |
| Ceded reinsurance premium payable | 24,419,854 |
| Payable for securities | 1,992,972 |
| Statutory penalties | 212,600 |
| Current federal & foreign income taxes | 0 |
| Federal income tax payable | 4,647,648 |
| Borrowed money and accrued interest | 0 |
| Drafts outstanding | 0 |
| Payable to affiliate | 24,369 |
| Other liabilities | 706,686 |
| Total Liabilities | \$ 859,825,084 |
| Surplus: | |
| Common stock | \$ 10,000,375 |
| Additional paid-in capital | 242,451,084 |
| Unassigned surplus | 612,816,939 |
| Total Surplus | \$ 865,268,398 |
| Total Liabilities and Surplus | \$ 1,725,093,482 |

The undersigned, being duly sworn, says: That he is the President of RLI Insurance Company; that said Company is a corporation duly organized, in the State of Illinois, and licensed and engaged in business in the State of New York and has duly complied with all the requirements of the laws of said State applicable of said Company and is duly qualified to act as Surety under such laws; that said Company has also complied with and is duly qualified to act as Surety under the Act of Congress approved July 1947, 6U.S.C sec. 6-13; and that to the best of his knowledge and belief the above statement is a full, true, and correct statement of the financial condition of the said Company on the 31st day of December 2015.

Attest:

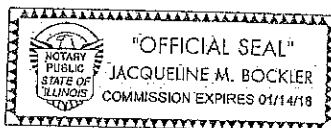


{ Corporate
Seal
Affixed }

Craig Kliethermes
Craig Kliethermes President

Cherie L. Montgomery
Cherie L. Montgomery Assistant Secretary

Sworn to before me this 9th day of March, 2016.



{ Notarial
Seal
Affixed }

Jacqueline M. Bockler
Jacqueline M. Bockler Notary Public, State of Illinois

PROPOSAL

GENERAL CONSTRUCTION

COUNTY OF NASSAU
STATE OF NEW YORK

PROPOSAL

FOR
Manhasset Garage
Removal of Aboveground and Underground Storage Tanks

CONTRACT NO.: B81060-12G

TO THE COUNTY OF NASSAU:

Pursuant to and in compliance with your Notice to Bidders and the Instructions to Bidders relating thereto, the undersigned hereby proposes to furnish all plant, labor, materials, supplies, equipment and other facilities necessary or proper for or incidental to the above Contract, as required by and in strict accordance with the Plans and Specifications for the amount named in the Proposal hereinafter described.

In making this Proposal the Bidder hereby declares that all provisions of the Addenda which have been issued by the County of Nassau have been complied with in preparing his Bids.

Name of Bidder: The Franklin Company Contractors, Inc.

(Individual, Firm or Corporation, as case may be)

Bidder's Address: 22-44 114 ST. College Point NY 11356

Telephone: 718 762 5200

Date: 4/25/16

Fax Tel.: 718 359 7865

E-MAIL: LDINAPOLI@FranklinCompany.com

NOTE: IF BIDDER IS A FIRM, FILL IN THE FOLLOWING BLANKS:

Name of Partners

Residence of Partners

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |

NOTE: IF BIDDER IS A CORPORATION, FILL IN THE FOLLOWING BLANKS:

Organized under the laws of the State of: NY

Name of President: William R Klein

President's Domicile: USA

Name of Vice President: _____

Vice President's Domicile: _____

Corporate Officer: _____ Title: _____

Corporate Officer's Domicile: _____

Corporate Officer: _____ Title: _____

Corporate Officer's Domicile: _____

PROPOSAL

GENERAL CONSTRUCTION

THE BIDDER AFFIRMS AND DECLARES:

1. That the above Bidder is of lawful age and the only one interested in this bid; and that no other person, firm or corporation, except those herein named, has any interest in this bid or in the Contract proposed to be entered into.
2. That this bid is made without any understanding, agreement or in connection with any other person, firm or corporation, making a bid for the same Work, and is in all respects fair and without collusion or fraud.
3. That said Bidder is not in arrears to the County of Nassau upon debt or contract, and is not a defaulter, as surety or otherwise, upon any obligation to the County of Nassau.
4. That no officer nor employee of the County of Nassau, or person whose salary is payable in whole or in part from the County Treasury is, shall be, or become interested directly, or indirectly as a contracting party, partner, stockholder, surety or otherwise, in this bid, or in the performance of the contract, or in the supplies, materials, equipment and work or labor to which it relates, or in any portion of the profits thereof.
5. That he has carefully examined the site of the work and that, from his own investigations, has satisfied himself as to the nature and location of the work, the character, quality and quantity of existing materials, all difficulties likely to be encountered, the kind and extent of equipment, other facilities needed for the performance of the work, the general and local conditions, and all other items which may, in any way, affect the work or its performance.
6. The Bidder also declares that he has carefully examined and fully understands all the component parts of this Contract; that he will execute the Contract and will completely perform it in strict accordance with its terms for the following prices.
7. That the Bidder, for allowance items, will make payment to the parties designated by the County when directed by the County in the amount certified by the Engineer for the purposes indicated. It is also understood and agreed that the Final Contract Payment for allowance items will be based upon such actual payments, and not on the approximate amount cited herein.
8. Where the work performed under this Contract involves a trade or occupation licensed in the County of Nassau by the Towns of Hempstead, Oyster Bay, or North Hempstead or by the Cities of Glen Cove or Long Beach, the contractor shall be required to have such a license.

PROPOSAL

INFORMATION FOR BIDDERS

I. Rejection of Bids.

A. The Commissioner may recommend a reject of bid if:

1. The Bidder fails to furnish any of the information required by the bid documents; or if
2. The bidder misstates or conceals any material fact in the bid, or in the sworn written statement; or if
3. The bid does not strictly conform to law or the requirements of this contract; or if
4. The bid is conditional; or if
5. A determination that the bidder is not responsible is made in accordance with law; or if
6. The bid, in the opinion of the Commissioner, contains unbalanced bid prices, unless the bidder can show that the prices are not unbalanced for the probably required quantity of such items.

B. Rejection of all bids and waiver of informalities.

The Commissioner, however, reserves the right to recommend to reject all bids whenever he deems it in the best interest of the County, and also the right to waive any informalities in a bid.

II. Unit Price Contracts, Comparison of Bids.

Bids on Unit Price Contracts will be compared on the basis of a total bid price, arrived at by taking the sum of the Approximate Quantities of such item multiplied by the corresponding Unit Price, and including any Lump Sum Bid on individual items, in accordance with the items set forth in the bid proposal.

Bidders are warned that the Approximate Quantities of the various items of work and material is estimated only, and is given solely to be used as a uniform basis for the comparison of bids. The quantities actually required to complete the contract work may be more or less than estimated.

III. Lump Sum Contracts, Comparison of Bids.

Bids on lump Sum Contracts will be compared on the basis of the Lump Sum Price bid adjusted for alternate prices bid, if, any.

IV. Apprenticeship Training Program

For all contracts in excess of \$500,000 attach here verification letter regarding your firm's having an approved State of New York Apprenticeship Training Program.

FORM OF PROPOSAL

Nassau County Department of Public Works

Manhasset Garage, Manhasset NY
Removal of Aboveground and Underground Storage Tanks

GENERAL CONSTRUCTION
CONTRACT NO.: B81060-12G

| Item No. | Type | Description | Amount Bid | |
|----------|-----------|---|------------|-------|
| | | | Dollars | Cents |
| 1 | LUMP SUM | LUMP SUM for furnishing all labor, materials, and equipment required for all General Construction and Demolition required by the Contract drawings and Specifications, make complete and ready for operation. | 228,432 | 00 |
| 2 | ALLOWANCE | Include in bid the allowance of Five Thousand Dollars (\$5,000.00) for labor, materials, and equipment that may be required for the removal of tank sediment. | \$5,000 | 00 |
| 3 | ALLOWANCE | Include in the bid the allowance of Fifteen Thousand Dollars (\$15,000.00) for furnishing all labor, materials and equipment as may be required for removal and disposal of contaminated soils. | \$15,000 | 00 |
| 4 | ALLOWANCE | Include in the bid an allowance for sampling, testing and certification by an independent testing agency, and the permitting process relating to contaminated soil. | \$40,000 | 00 |
| 5 | ALLOWANCE | Include in the bid the allowance of Fifteen Thousand Dollars (\$15,000.00) for items unforeseen or not specifically characterized in the contract documents, encountered during the course of construction as directed by the County. | \$15,000 | 00 |

TOTAL AMOUNT BID: \$ 303,432.00

TOTAL AMOUNT BID (MUST BE WRITTEN IN WORDS): Three Hundred Three Thousand Four Hundred Thirty Two Dollars & Zero Cents

BASIS OF AWARD:

Bids on Lump Sum Contracts will be compared on the basis of the total bid price, arrived at by taking the Sum of each Bid Item, including Allowance Item(s), if any, and plus or minus the cost difference of the Alternate(s), if any, as may be selected by the Architect and/or Owner. The sum of all "Amounts Bid" will determine the low bid and the subsequent award of this Contract.

BID SECURITY:

Prospective bidders are cautioned to carefully review the requirements of Paragraph H, Bid Security, of The Instructions to Bidders.

PROPOSAL

DETERMINATION OF LOW BID. Determination of low Bid will be made by comparing the total Bid which shall include the lump sum Base Bid price, unit price totals and allowances, minus the Deduct Alternate(s), taken in order, or none of them, whichever amount(s) shall be judged by the Commissioner of Public Works to be in the best interest of the County.

PROPOSAL

MAJOR EQUIPMENT ITEMS: The Bidder shall fill the name and address of the proposed system suppliers for the major equipment items tabulated hereinafter. It is expressly understood that the furnishing of this information will not relieve the Bidder of any requirements of the Contract Documents and failure to fill out properly is grounds for rejection.

| <u>Specification Number</u> | <u>Description</u> | <u>Manufacturer and/or Supplier</u> |
|---------------------------------|--------------------|---|
| | At company owned | |
| | | |
| | Dump truck | |
| | Plumbing truck | |
| | Fork lift | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

PROPOSAL

PROPOSAL: For all work in accordance with the drawings and specifications:

The Franklin Company Contractors, Inc

(Individual, Firm or Corporation, as case may be)

Individual's Social Security Number: _____

Firm or Corporation's Federal ID Number: _____

Firm or Corporation's Municipal License ID Number: _____

Municipal Licensing Agency: _____

By: _____ Date: 4/25/14

(Print): William R. Klein Title: President

WHERE BIDDER IS A CORPORATION, ADD

ATTEST:



Secretary

(CORPORATE)
(SEAL)

PROPOSAL

Note: The Bids shall be sworn to by the person signing them, in one of the following forms:

(Form of Affidavit where Bidder is an Individual)

STATE OF NEW YORK)

) ss.:

COUNTY OF NASSAU)

Being duly sworn, deposes and says: That he is the person described in and who executed the foregoing Bid and that the several matters therein stated are in all respects true.

Subscribed and sworn to before me

This _____ day of _____ 20_____.

Notary Public

(Form of Affidavit where Bidder is a Firm)

STATE OF NEW YORK)

) ss.:

COUNTY OF NASSAU)

Being duly sworn, deposes and says: That he is a member of _____, the firm described in and which executed the foregoing Bid; that he duly subscribed the name of the firm thereunto on behalf of the firm; and that the several matters therein stated are in all respects true.

Subscribed and sworn to before me

This _____ day of _____ 20_____.

Notary Public

PROPOSAL

(Form of Affidavit where Bidder is a Corporation)

STATE OF NEW YORK)

) ss.:

COUNTY OF ~~NASSAU~~
SUFFOLK

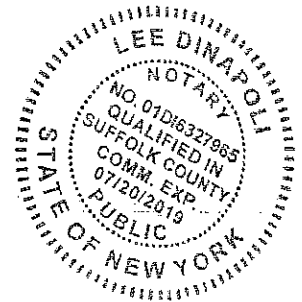
_____ Being duly sworn, deposes and says: That
he resides at _____ is the President

_____ of the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal and was affixed by order of the Board of Directors of said corporation; that he affixed his name thereto by like order; and that he has knowledge of the several matters therein stated and they are in all respects true.

Subscribed and sworn to before me

This 28 day of April 20 14

[Signature]
Notary Public





NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS

WICKS EXEMPT LIST OF SUBCONTRACTORS

NOTE: This form is required for "Single-Contract" projects exempt from the Wicks law. Failure to submit this form correctly may render the bidder non responsive.

CONTRACT NO. B81060-12G

| | | | |
|--|--|-----------------------------|---------------------------------------|
| Contractor's Name and Address <u>The Franklin Company Contractors, Inc.</u> | Project Description (Project Title, Facility Name and Address): <u>MANHASSET GARAGE REMOVAL OF ABOVEGROUND AND UNDERGROUND STORAGE TANKS.</u> | Bid Date: <u>4/26/11</u> | Total Contract Amt: <u>303,432</u> |
|--|--|-----------------------------|---------------------------------------|

Federal ID No.: 11774211

Indicate ANY work to be self-performed by the contractor in the following categories (check all that apply):

- ☒ Plumbing and Gas Fitting
☒ Steam Heating, Hot Water Heating, Ventilating and AC Apparatus
☐ Electric Wiring and Standard Illuminating Fixtures

All except Asphalt

If ALL contract work is to be self-performed, i.e. no subcontractors will be used, please check this box [] skip to bottom of form, and sign it as required.

| Subcontractor's Name, Address and Federal ID No. | Check (✓) only one. | | | General Description of Work | Subcontractor's Contract Amt. |
|---|--------------------------|--|--|-----------------------------|-------------------------------|
| | Plumbing and Gas Fitting | Steam Heating, Hot Water Heating, Ventilating and AC Apparatus | Electric Wiring and Standard Illuminating Fixtures | | |
| <u>Luckdown & Sons</u> <u>215 S. 17 Ave.</u> <u>Asst. Comm. 124 10520</u> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <u>Asphalt</u> | |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |

Federal ID No.

Federal ID No.

This form must be filled out completely and legibly, signed by a company authorized representative and included in a separate, sealed envelope within the bid envelope. Use and additional page if needed.

Failure to complete this form accurately and in its entirety, may result in a non responsive bid determination.

Company Authorized Signature: [Signature] Title: President Date: 4/25/11

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions
(Sub-Recipient)**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

William R Klein, President 4/25/16
Name and Title of Authorized Representative m/d/yy

Signature 4/25/16
Date

The Franklin Company Contractors, Inc.
Name of Organization

22-44119 ST. College Point, NY 11356
Address of Organization

U.S. GPO: 1989 OJP FORM 4061/1 (REV. 2/89) Previous editions are obsolete

QUALIFICATION STATEMENT

Note: All blanks in the form are to be filled in. Where blanks are not applicable to your firm, so indicate in each instance.

1. How many years has your firm been in the business under your present business name? 84

2. How many years in the construction work of a similar type as this contract has your firm had;

a. as a Prime Contractor 84
b. as a Subcontractor 84

3. List below the construction projects your firm has under way as of this date: *See Attached*

| Contract Amount | Class of Work | Percent Completed | Name and Address Owner of Contracting Officer |
|--------------------|------------------|----------------------|--|
|--------------------|------------------|----------------------|--|

(use additional blank sheets if additional space is necessary)

4. List the projects which your firm as a firm has performed in the past few years which you feel will qualify you for this work: *See Attached*

| Contract Amount | Class of Work | Percent Completed | Name and Address Owner of Contracting Officer |
|--------------------|------------------|----------------------|--|
|--------------------|------------------|----------------------|--|

(use additional blank sheets if additional space is necessary)

5. Have you ever failed to complete any work awarded to you?
If so, when and why? No

| Bid References | | | | | | |
|----------------|--|---------|----------|------------------|--------------|----------|
| Contract | Description | Amount | Customer | Contact | Phone Number | Status |
| 1320PBS | Maintenance/Repair of Petroleum Bulk Storage Tanks | \$3m | NYC DEP | Mohammad Mahmud | 718-595-4904 | Ongoing |
| 1335CBS | Maintenance/Repair of Chemical Bulk Storage Tanks | \$3.6m | NYC DEP | MD R Islam | 718-595-4826 | Ongoing |
| C33091R | Fuel Tank Expansion at Three Sites | \$2.37m | NYCT | Leniod Geldman | 718-565-3585 | Ongoing |
| C34814.1 | O&M of Remediation System at Flatbush Depot | \$739k | NYCT | Cadecia Josephs | 718-613-0296 | Ongoing |
| C34814.2 | O&M of Remediation System at Kingsbridge Depot | \$796k | NYCT | Cadecia Josephs | 718-613-0296 | Ongoing |
| | Tank Removal/Install | \$1.01m | Trio | Lauren Seminiero | 718-746-2200 | Complete |
| PW348-62F | Tank Removal/Install | \$1.1m | Liro | Tony Caggiano | 516-938-5476 | Ongoing |
| 4500229795 | Dike Wall Demolition | \$7.5m | NYPA | Sam Ahmed | 718-267-5632 | Ongoing |
| RFQ5482 | Tank Maintenance/Repair | \$6m | NYCT | Joe Ewald | 718-694-5231 | Complete |
| IFB98583 | Tank Maintenance/Repair | \$8.1m | NYCT | Joe Ewald | 718-694-5231 | Ongoing |

(use additional blank sheets if additional space is necessary)

6. Has any officer or partner of your firm ever been an officer or partner of some other firm that failed to complete a construction contract? *no*

7. Has any officer or partner of your firm ever failed to complete a construction contract handled in his name? *no*
If so, state name of individual, name of owner and reason therefor:

8. In what other lines of business are you financially interested?

*petroleum construction / maintenance
environmental*

9. What is the construction experience of the principal individuals of your firm?

| Individual's Name | Present Position or Office | Years of Construction Experience | Magnitude and type of Work | In What Capacity |
|-----------------------------|----------------------------------|--|---|--|
| <i>William R. Klein</i> | <i>President</i> | <i>30+</i> | <i>Pump & Tank Pkg Tank install / removal</i> | <i>Project Mgr Electrician President</i> |

(use additional blank sheets if additional space is necessary)

10. List below the equipment that you own that is available for the proposed work, giving present location where it may be inspected:

| Item | Description, Size Capacity, Year, Etc. | Year of Service | Present Location |
|------|---|--------------------|---------------------|
|------|---|--------------------|---------------------|

See Attached

(use additional blank sheets if additional space is necessary)

Note: Should the equipment be moved from the above mentioned location, the submitter hereby agrees upon request of the County to state the new location where same may be found.

-
11. If any of the above equipment is covered by chattel mortgage, conditional bill of sale, lien, or like encumbrance, state the complete details as to nature and amount of encumbrance, the name and address of the holder, etc.

N/A

(use additional blank sheets if additional space is necessary)

12. In what manner have you inspected this proposed work?
Explain in detail.

Thorough examination of specs/drawings

(use additional blank sheets if additional space is necessary)

13. Explain your plan and lay-out for performing the proposed work.

- prep area
 - excavate tank + OWS
 - ~~abandon~~ into Chamber - Install new AST
 - demol + clean site
-

14. If a contract is awarded or a permit is issued, to your firm, who will have the personal supervision of the work? Attach resume.

See Attached

15. Insurance carried by your firm:

| Type | Company | Limits of Coverage | Term |
|------|---------|--------------------|------|
|------|---------|--------------------|------|

See attached for sample Cert

14 Indian Spring Road
Rowayton, Ct., 06853
(203) 852-8135 (Res.)
(718) 762-5200 (Off)

William R. Klein

EXPERIENCE:

05/00 – Present

The Franklin Company Contractors Inc.

President

Responsible for the day to day operations of the company. Duties include, Financial operations, Personnel management, Fire Department Expediting, cost estimating, Project Management, Quality Control, , Engineering review of contract documents and liaison to clients

07/92-05/00

The Franklin Company Contractors Inc.

Vice President

Responsible for coordinating and planning construction activities. Duties included, Development implement of site Safety and health plans, planning and scheduling of all aspects of fuel systems installations, including electrical, plumbing concrete and excavation.

07/90– 07/92

The Franklin Company Contractors Inc.

Foremen

Responsible all aspects of fueling systems installations, including work assignments, quality control, material ordering, Sub contractor scheduling and management.

EDUCATION:

B.A. Economic Geography

University of Vermont
Burlington, Vermont 1986

LICENSES:

New York City Master Electrician

New York City Licensed Pump and Tank Installer

Nassau County Licensed tank installer

New York City Licensed Liquid measures

New York City Certificate of fitness to test Air compressors

New York City Certificate of fitness to test fuel tanks

OSHA 40 Hour Certified

Red Cross CPR certified

Red Cross First Aid Certified

Multiple Certificates of training for electronic monitoring and control devices.

REFERENCES:

Furnished Upon Request.

NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS
CONSULTANT/ CONTRACTOR DETAILED MBE/WBE UTILIZATION PLAN

Part 1- General Information:

| | |
|---|--|
| Consultant/Contractor Name: | The Franklin Company Contractors Inc. |
| Address (street/city/state/zip code): | 22-44 119th Street, College Point, NY 11356 |
| Authorized Representative (name/title): | Heather Cameron, Executive Assistant |
| Authorized Signature: | |
| Contract Number: | B81060-12G |
| Contract/Project Name: | MANHASSET GARAGE |
| Contract/Project Description: | REMOVAL OF ABOVEGROUND AND UNDERGROUND STORAGE TANKS |

Part 2- Projected MBE/WBE Contract Summary:

| | Amount (\$) | | Percentage (%) |
|--|-------------|------------------------------------|----------------|
| Total Dollar Value of the Prime Contract | 188,773 | | |
| Total MBE Dollar Amount | 1000.00 | MBE Contract Percentage | .5 |
| Total WBE Dollar Amount | 19500.00 | WBE Contract Percentage | 10 |
| Total Combined M/WBE Dollar Amount | 21000.00 | Combined M/WBE Contract Percentage | 10.5 |

Part 3- MBE Information (use additional blank sheets as necessary):

| MBE Firm | Description of Work (MBE) | Projected MBE Contract Amount(\$ and Award Date | MBE Contract Scheduled Start Date and Completion Date |
|--|--|---|---|
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | CHEMTECH 284 Sheffield Street, Mountainside, New Jersey 07092 (908) 789 8900 | Amount (\$): 1000.00 Award Date: | Start Date: Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): Award Date: | Start Date: Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): Award Date: | Start Date: Completion Date: |

Part 4- WBE Information (use additional blank sheets as necessary):

| WBE Firm | Description of Work (WBE) | Projected WBE Contract Amount(\$ and Award Date | WBE Contract Scheduled Start Date and Completion Date |
|--|--|---|---|
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | Araz Industries, Inc. 67 Kean Street West Babylon, NY 11704 631-491-1229 | Amount (\$): 12,000.00 Award Date: | Start Date: Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | FESC 22-48 119th Street College Point, NY 11356 718-353-4480 | Amount (\$): 7500.00 Award Date: | Start Date: Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): Award Date: | Start Date: Completion Date: |