



Certified:

B-32-20

NIFS ID: Department: Public Works

Filed with
Clerk of Nassau County Legislature
September 24, 2020 2:55PM

Capital: X

SERVICE: FED AID-Pavemt Mark-Ph 12-H62153-12G-PIN 0761.22-B32-20

Contract ID #:H62153-12G

NIFS Entry Date:

Term: from to

New
Time Extension:
Addl. Funds:
Blanket Resolution:
RES#

1) Mandated Program:	N
2) Comptroller Approval Form Attached:	Y
3) CSEA Agmt. § 32 Compliance Attached:	Y
4) Vendor Ownership & Mgmt. Disclosure Attached:	Y
5) Insurance Required	N

Vendor Info:	
Name: Safety Marking, Inc.	Vendor ID#: [REDACTED]
Address: 255 Hancock Avenue Bridgeport, CT 06605	Contact Person: [REDACTED]
	Phone: [REDACTED]

Department:
Contact Name: David Cotter
Address: NCDPW 1194 Prospect Ave Westbury, NY 11590 Phone: 516-571-3913

Routing Slip

Department	NIFS Entry: X	07-AUG-20 -- LDIONISIO
Department	NIFS Approval: X	07-AUG-20 -- RDALLEVA
DPW	Capital Fund Approved: X	07-AUG-20 -- RDALLEVA
OMB	NIFA Approval: X	13-SEP-20 -- CNOLAN
OMB	NIFS Approval: X	07-AUG-20 -- NGUMIENIAK
County Atty.	Insurance Verification: X	10-AUG-20 -- AAMATO
County Atty.	Approval to Form: X	10-AUG-20 -- DMCDERMOTT
CPO	Approval: X	16-SEP-20 -- KOHAGENCE

DCEC	Approval: X	17-SEP-20 -- JCHIARA
Dep. CE	Approval: X	17-SEP-20 -- BSCHNEIDER
Leg. Affairs	Approval/Review: X	24-SEP-20 -- JSCHANTZ
Legislature	Approval:	
Comptroller	Deputy:	
NIFA	NIFA Approval:	

Contract Summary

Purpose: This is a contract is to establish a construction agreement between Nassau County and Safety Markings Inc. to provide construction services for the project known as Pavement Markings Phase 12. This includes the refurbishment of existing pavement markings, including long lines, stop bars, cross hatching, crosswalks, letters, and symbols; with high durability epoxy paint on approximately 35 miles of County owned and maintained roadway.
Method of Procurement: The Department issued a request for sealed bids, with the contract being advertised in Newsday on December 4th, 11th, 18th and 24th of 2019; and in the New York State Contract reporter from December 4, 2019 through January 6, 2020; and in eProcure from December 4, 2019 through January 6, 2020. Safety Markings Inc. was determined to be the lowest bidder and was awarded the contract
Procurement History: The contract was advertised in Newsday on December 4th, 11th, 18th and 24th of 2019; and in the New York State Contract reporter from December 4, 2019 through January 6, 2020; and in eProcure from December 4, 2019 through January 6, 2020. Following a review of two (2) received bids, Safety Marking was awarded the contract as the lowest bidder
Description of General Provisions: The purpose of this contract is to establish a construction agreement between Nassau County and safety Markings Inc. to provide construction services for the project known as Pavement Markings Phase 12. This includes the refurbishment of existing pavement markings, including long lines, stop bars, cross hatching, crosswalks, letters, and symbols, and with paint on approximately 35 miles of County owned and maintained roadway. Capital Project Number H62153
Impact on Funding / Price Analysis: The costs associated with this contract have been budgeted in the Capital Plan, project 62153. The maximum amount of this agreement is \$953,636.75. The contract is 80% reimbursable with federal funding. The maximums expense to the County is \$190,727.35. FEDERAL AID - PIN 0761.22.
Change in Contract from Prior Procurement: N/A.
Recommendation: (approve as submitted) Approve as Submitted.

Advisement Information

BUDGET CODES		FUNDING SOURCE	AMOUNT	LINE	INDEX/OBJECT CODE	AMOUNT
Fund:	CAP	Revenue		1	PWCAPCAP/62153/00004/122	\$ 953,636.75
Control:	62	Contract:				\$ 0.00
Resp:	153	County	\$ 0.00			\$ 0.00
Object:	00004	Federal	\$ 762,909.40			\$ 0.00
Transaction:	CH	State	\$ 0.00			\$ 0.00
Project #:	62153	Capital	\$ 190,727.35			\$ 0.00
Detail:	122	Other	\$ 0.00			\$ 0.00
RENEWAL		TOTAL	\$ 953,636.75		TOTAL	\$ 953,636.75
%						

Increase				
%				
Decrease				

RULES RESOLUTION NO. -2020

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 SAFETY MARKING 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 H62153-12G, for NASSAU COUNTY PAVEMENT MARKING IMPROVEMENTS- PHASE 12, PIN 0761.22, VARIOUS LOCATIONS, NASSAU COUNTY, NY[“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 SAFETY MARKING 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 \$ 953,636.75 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.



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

1. **Vendor:** Safety Marking, Inc.

2. **Dollar amount requiring NIFA approval:** \$953636.75

Amount to be encumbered: \$953636.75

This is a New

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: 12 MONTHS**

Has work or services on this contract commenced? N ____

If yes, please explain:

4. **Funding Source:**

General Fund (GEN)	Grant Fund (GRT)	
X Capital Improvement Fund (CAP)		Federal % 0
Other		State % 0
		County % 0

Is the cash available for the full amount of the contract? Y

If not, will it require a future borrowing? N

Has the County Legislature approved the borrowing? Y

Has NIFA approved the borrowing for this contract? Y

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

The purpose of this contract is to establish a construction agreement between Nassau County and Safety Markings Inc. to provide construction services for the project known as Pavement Markings Phase 12 in the amount of \$953,636.75 to be paid from capital project number H62153. FEDERAL AID. PIN 0761.22.

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

Nassau County Attorney as to form Y

Nassau County Committee and/or Legislature

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:**

Contract ID	Date	Amount

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.

CNOLAN

13-SEP-20

Authenticated User

Date

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

Authenticated User

Date

NIFA

Amount being approved by NIFA:

Payment is not guaranteed for any work commenced prior to this approval.

Authenticated User

Date

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.

Jack Schnirman
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: Safety Marking Inc.

CONTRACTOR ADDRESS: 255 Hancock Avenue, Bridgeport, CT 06605

FEDERAL TAX ID #: 06-1267005

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 eProcure, Newsday, NYS Contract Register [newspaper] on 12/4/2019-1/6/2020 [date]. The sealed bids were publicly opened on 1/7/2020 [date]. Two [#] 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

1/17/2020
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.

Certificate of No Change Form



All fields must be filled.

A materially false statement willfully or fraudulently made in connection with this certification, and/or the failure to conduct appropriate due diligence in verifying the information that is the subject of this certification, may result in rendering the submitting entity non-responsible for the purpose of contract award.

A materially false statement willfully or fraudulently made in connection with this certification may subject the person making the false statement to criminal charges.

I, Mark Kelly state that I have read and understand all the items contained in the disclosure documents listed below and certify that as of this date, these items have not changed. I further certify that, to the best of my knowledge, information and belief, those answers are full, complete, and accurate; and that, to the best of my knowledge, information, and belief, those answers continue to be full, complete, and accurate.

In addition, I further certify on behalf of the submitting vendor that the information contained in the principal questionnaire(s) have not changed and have been verified and continue, to the best of my knowledge, to be full, complete and accurate.

I understand that Nassau County will rely on the information supplied in this certification as additional inducement to enter into a contract with the submitting entity.

Vendor Disclosures

This refers to the vendor integrity and disclosure forms submitted for the vendor doing business with the County.

Name of Submitting Entity: Safety Marking, Inc.

Vendor's Address: 255 Hancock Avenue Bridgeport CT US 06605

Vendor's EIN or TIN: 061267005

Forms Submitted: _____

Political Campaign Contribution Disclosure Form:

05/20/2020 04:19:50 PM

Lobbyist Registration and Disclosure Form:

05/20/2020 04:23:50 PM

Business History Form certified:

04/08/2020 11:54:46 AM

Consultant's, Contractor's, and Vendor's Disclosure Form:

04/07/2020 01:01:00 PM

Principal Questionnaire(s)

This refers to the most recent principal questionnaire submissions.

Principal Name	Date Certified
Mark Kelly [MKELLY@SAFETYMARKING.NET]	04/08/2020 02:01:21 PM

I, Mark Kelly hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I further certify that I have read and understand all the items contained in this form; 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 form; 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 form as additional inducement to enter into a contract with the submitting business entity

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."

Mark Kelly

Name

President

Title

Safety Marking, Inc.

Name of Submitting Entity

06/03/2020 12:13:02 PM

Date

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: 04/08/2020

1) Proposer's Legal Name: Safety Marking, Inc.

2) Address of Place of Business: 255 Hancock Avenue

City: Bridgeport State/Province/Territory: CT Zip/Postal Code: 06605

Country: US

Address: 500 Bostwick Avenue

City: Bridgeport State/Province/Territory: CT Zip/Postal Code: 06605

Country: US

Start Date: _____ End Date: _____

Address: 460 Bostwick Avenue

City: Bridgeport State/Province/Territory: CT Zip/Postal Code: 06605

Country: US

Start Date: _____ End Date: _____

Address: 84 Sylvester Street

City: Westbury State/Province/Territory: NY Zip/Postal Code: 11590

Country: US

Start Date: _____ End Date: _____

Address: 85 New York Avenue

City: Westbury State/Province/Territory: NY Zip/Postal Code: 11590

Country: US

Start Date: _____ End Date: _____

Address: 59 Stilson Road

City: Richmond State/Province/Territory: RI Zip/Postal Code: 02898

Country: US

Start Date: _____ End Date: _____

3) Mailing Address (if different): _____

City: _____ State/Province/Territory: _____ Zip/Postal Code: _____

Country: _____

Phone: _____

Does the business own or rent its facilities? Rent _____ If other, please provide details: _____

4) Dun and Bradstreet number: 010138881

5) Federal I.D. Number: 061267005

6) The proposer is a: Corporation (Describe) _____

7) Does this business share office space, staff, or equipment expenses with any other business?

YES ☒ NO ☐ If yes, please provide details:

When a contract requires unionized labor, Safety Marking, Inc. will utilize Safety Marking of NY, Inc's personnel as Safety Marking of NY, Inc. is a unionized company. Safety Marking of NY, Inc. supplies unionized labor to Safety Marking, Inc, exclusively. Safety Marking of NY, Inc. will not be performing any active work on these projects.

8) Does this business control one or more other businesses?

YES ☒ NO ☐ If yes, please provide details:

Safety Marking, Inc. is affiliated with Safety Marking of NY, Inc. which provides union labor solely and exclusively to Safety Marking, Inc.

3 File(s) Uploaded: Business History Form-Safety Marking of NY, Inc..pdf, Safety Marking of NY, Inc Business Questionnaire Form.pdf, Safety Marking of NY, Inc. BHF April 2020.pdf

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, please provide details:

Affiliate: Safety Marking of NY, Inc. whose sole function is to provide union labor exclusively to Safety Marking, Inc.

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, an explanation of the circumstances and corrective action taken.

- 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, an explanation of the circumstances and corrective action taken.

On May 9, 2016 a former employee, Peter P. Klosterman, filed an administrative complaint with the State of NY, Division of Human Rights against Safety Marking of NY, Inc. an affiliate of Safety Marking, INC. Mr. Klosterman alleged that he was terminated in violation of NY disability discrimination laws. After an investigation & following opportunity for review of related information & evidence by the named parties, the Division of Human Rights determined that there was NO PROBABLE CAUSE to believe that the respondent had engaged in or is engaging in the unlawful discriminatory practice complained of. The complaint was dismissed and the file was closed. Please also see attachment for #13 and a letter from the President.

9 File(s) Uploaded: 201704281208-CTDOT Con-16.pdf, 201704281211-NYDOT Responsible Bidder letter.pdf, 201704281342- letter.pdf, 201808220930-NYDOT CRU's Determination Letter.pdf, BHF Item 13.pdf, Business History - Item 13.pdf, Business History Form Item 13 Attachment.pdf, Letter from Pres.updated 2020.pdf, Letter from President.pdf

- 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 investigation, an explanation of the circumstances and corrective action taken.

b) Any misdemeanor charge pending?

YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

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 ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

d) In the past 5 years, been convicted, after trial or by plea, of a misdemeanor?

YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the

circumstances and corrective action taken.

e) In the past 5 years, been found in violation of any administrative, statutory, or regulatory provisions?
YES ☒ NO ☐ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

In July 2016, the NYC Parks & Recreation Dept. performed two audits and alleged that a Painter-Striper should have been classified as a Painter-Lineperson. SMC disputed these findings. In order to resolve the disputes, SMC paid the underpayments to resolve the apparent violations. SMC did not admit that any violations occurred, but nonetheless discloses the matter.

Citation 1 - OSHA Other-than-Serious Violation (please see attached for detail)

2 File(s) Uploaded: Attachment for Question 14e.pdf, SMC 14 e.pdf

- 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 ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

- 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 ☒ 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.

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.

If a Safety Marking, Inc. employee had any conflict of interest, that employee would not be allowed to be involved with the project in any capacity nor would have access to any information regarding the project.

- 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.

Have you previously uploaded the below information under in the Document Vault?

YES ☐ NO ☒

Is the proposer an individual?

YES ☐ NO ☒ Should the proposer be other than an individual, the Proposal MUST include:

- i) Date of formation;

02/10/1989

- ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner. If none, explain.

Mark Kelly, President and Sole Officer - owns 100% of Safety Marking, Inc.'s shares - Home Address:

First Name	Mark
Last Name	Kelly
MI	
Suffix	
Address	255 Hancock Avenue
City	Bridgeport
State/Province/Territory	CT
Zip/Postal Code	06605
Country	US
Position	President

3 File(s) Uploaded: C.O.N.C.O.R.D..pdf, C.O.N.C.O.R.pdf, C.O.N.C.O.R.pdf

- iii) Name, address and position of all officers and directors of the company. If none, explain.

Mark Kelly, - President & Sole Officer

First Name	Mark
Last Name	Kelly
MI	
Suffix	
Address	255 Hancock Avenue
City	Bridgeport
State/Province/Territory	CT
Zip/Postal Code	06605
Country	US
Position	President

- iv) State of incorporation (if applicable);
CT
- v) The number of employees in the firm;
150
- vi) Annual revenue of firm;
45000000
- vii) Summary of relevant accomplishments
Please see attachment A.
- 4 File(s) Uploaded: A. with attached History & Resumes.pdf, SMC History & Resumes.pdf, SMC History-Resumes-Equipment List.pdf, SMC Item A - Attachment.pdf
- viii) Copies of all state and local licenses and permits.

B. Indicate number of years in business.

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C. Provide any other information which would be appropriate and helpful in determining the Proposer's capacity and reliability to perform these services.

Please see attachment with company history, resumes and equipment list

2 File(s) Uploaded: SMC Equipment List (2).pdf, SMC Equipment List.pdf

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	NYS Dept of Transportation		
Contact Person	Jeffrey Dionisio		
Address	3380 Veterans Memorial Highway		
City	Bohemia	State/Province/Territory	NY
Country	US		
Telephone	(631) 905-7139		
Fax #	(631) 761-6474		
E-Mail Address	jeffrey.dionisio@dot.ny.gov		

Company	The Port Authority of NY & NJ		
Contact Person	Marcelo Morelli, Chief Operations Supervisor		
Address	JFK International Airport		
City	Queens	State/Province/Territory	NY
Country	US		
Telephone	(917) 675-1498		
Fax #			
E-Mail Address	MMorelli@panynj.gov		

Company	Nassau County DPW		
Contact Person	Harold Lutz, Directory of Traffic Engineering		
Address	1194 Prospect Avenue		
City	Westbury	State/Province/Territory	NY
Country	US		
Telephone	(516) 571-9453		
Fax #			

I, Mark Kelly , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Mark Kelly , hereby certify that I have read and understand all the items contained in this form; 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 form; 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 form as additional inducement to enter into a contract with the submitting business entity.

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.

Name of submitting business: Safety Marking, Inc,

Electronically signed and certified at the date and time indicated by:
Mark Kelly [MKELLY@SAFETYMARKING.NET]

President
Title

04/08/2020 11:54:46 AM
Date



**STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION**

**2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546**

Phone: 860-594-3128



June 16, 2016

Mark Kelly, President
Safety Marking, Inc.
460 Bostwick Avenue
Bridgeport, Connecticut 06605

Re: Contractor's Prequalification
Statement (CON-16)

Dear Mr. Kelly;

This is to notify you that your Firm's subject statement has been found to be satisfactory by this Department.

It will expire June 30, 2019

Your Maximum Capacity Rating is _____

Your Construction Group Classifications are:

Group No. 16 Pavement Markings

A Proposal Request (Part "C") can be obtained via this link:
<http://www.ct.gov/dot/lib/dot/documents/dcontractdev/partc.xls>

No bidders that have mutual financial interests, or common ownership, directors, officers or principal shareholders (i.e., shareholders holding at least five percent [5%] of either the common or the preferred shares of the company's stock) may bid for the same Department contract. Such proscribed bidders shall include, but not be limited to, affiliates and subsidiaries of each other. If any non-bidding party has an ownership interest in more than one bidder that is bidding for a given contract, either directly or through the former's ownership interests in another company, no matter how high up or far removed in a vertical or horizontal chain of ownership that party might be from the bidders, the bids of those bidders shall not be accepted.

In addition, with respect to any given Department contract that is advertised for bidding, no bidder owned by, or in the chain of ownership of, a company which provides surety bonds may bid against a bidder for whom a bond has been or will be provided by that company for the given contract bidding. All bids proscribed by the terms of this paragraph will be rejected by the Commissioner.



Department of Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

Cathy Calhoun
Chief of Staff

BY EMAIL and US MAIL

June 6, 2016

Mark Kelly, President
Safety Marking, Inc.
255 Hancock Avenue
Bridgeport, Connecticut 06605

Dear Mr. Kelly,

Safety Marking, Inc. ("Safety Marking") is the putative low bidder on New York State Department of Transportation (the "Department") Contract D263122, a 2016 Durable Pavement Marking Contract. The Department has a statutory responsibility to award contracts to the lowest responsible bidder as will best promote the public interest.

By letter of May 4, 2016, Safety Marking was called in to meet with the Department's Contract Review Unit (CRU) to discuss Safety Marking's status as a responsible contractor following a federal jury verdict awarding punitive and compensatory damages to two Safety Marking employees who sued Safety Marking and a number of the company's employees in the United States District Court for the District of Connecticut. In the lawsuit, Plaintiffs alleged that Safety Marking and the individual defendants created, tolerated, and ignored a racially hostile work environment. The Department was also concerned about the accuracy of the New York State Vendor Responsibility Questionnaire For-Profit Construction form (CCA-2) submitted by Safety Marking in January 2016, which does not disclose this lawsuit.

The Department asked Safety Marking to set forth its position on these issues, and to submit materials for consideration by a CRU panel prior to a May 18, 2016 CRU Meeting. Safety Marking's submissions included a May 12, 2016 letter from Safety Marking's attorney Joshua Hawks-Ladds, which, broadly speaking, stated that the trial suffered from erroneous decisions made by the judge and that the verdict was improper and would be overturned after post-verdict briefing or on appeal. The May 12 letter also noted that you, as President of Safety Marking, were exonerated. Additionally, the letter explained that after the verdict, Connecticut Department of Transportation officials reviewed Safety Marking's status, and deemed Safety Marking a responsible bidder eligible for award of state contracts.

The May 12 letter also asserted that you did not think the CCA-2 solicited information about the lawsuit. Furthermore, both the letter and attached affidavits state that Jack Matis, Safety Marking's Controller, filled out the CCA-2 and that he was unaware of the lawsuit. Additionally, the letter says that the lawsuit was disclosed to other governmental entities. Accompanying the May 12 letter were submissions including relevant Safety Marking's policies and procedures, training materials, an organization chart, a summary of employment data, submissions to The City of New York Department of Small Business Services disclosing the lawsuit, Plaintiffs' evaluations of fellow employees and Safety Marking, an overview of Safety Marking, and minutes from a post-verdict, company-wide meeting.

The CRU Meeting

You, Kelly Lavoie, Safety Marking's Human Resources Manager, and Mr. Hawks-Ladds attended the May 18, 2016 CRU Meeting. After introductions and an overview of the CRU meeting process, I summarized the Department's concerns regarding the lawsuit and the CCA-2 reporting. Mr. Hawks-Ladds discussed the lawsuit, and then you discussed the both the lawsuit and Safety Marking more generally. Ms. Lavoie gave some background on the process Safety Marking undertook to improve company policies regarding discrimination and harassment. Also discussed was the March 29, 2016 company-wide meeting held shortly after the verdict in the lawsuit, at which you addressed all Safety Marking employees and discussed the company's Anti-Harassment/Anti-Discrimination Policy and Complaint Procedures. The CRU panel and Safety Marking representatives engaged in a discussion of these issues. After the May 18 meeting, in response to a question from the Department, Mr. Hawks-Ladds confirmed that the Safety Marking Employee Handbook, 2015 version, copies of which were distributed at the CRU meeting, contained the Anti-Harassment/Anti-Discrimination Policy and Complaint Procedures referred to in the minutes of the March 29, 2016 company meeting.

Determination and Conditions

The Department has considered Safety Marking's submitted materials, presentation and responses at the CRU Meeting, and follow-up communications. The Department finds that Safety Marking is deemed to be the lowest responsible bidder on Contract D263122, subject to compliance with certain conditions. These conditions are as follows:

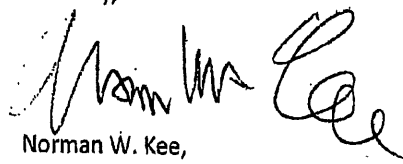
- (1) Safety Marking must revise and resubmit a CCA-2 setting forth the lawsuit and details of the jury verdict. The revised CCA-2 should be submitted no later than June 17, 2016.

(2) Safety Marking must insure that it fulfills Section 105-02 of the Department's Standard Specifications, which addresses the Character of Workers. Section 105-02 requires that work be done under the supervision of a reliable Superintendent, and that orders given by the Engineer will be followed by a foreperson in charge of work at issue. Safety Marking must designate supervisory staff whenever it works on a Department project, and must make that designation known to Department personnel.

The CRU finds that Safety Marking is a responsible contractor and may be awarded Contract D263122, subject to Safety Marking's compliance with the conditions set forth above and all other requirements of the Contract. The Contract award is made in express reliance on Safety Marking's promises and assertions, and its commitment to prevent discrimination and harassment at all times and in all respects. If Safety Marking performs according to its promises and assertions and fulfills the conditions set forth above, then it will continue to be the lowest responsible bidder as will best promote the public interest on Contract D263122, and will remain eligible for award on future Department contracts. Upon award of D263122, Safety Marking agrees to proceed with due diligence to commence work on the same.

Safety Marking understands and agrees that in the event of any future responsibility issue, the Department retains any and all rights that it would have under the terms of its contracts with Safety Marking.

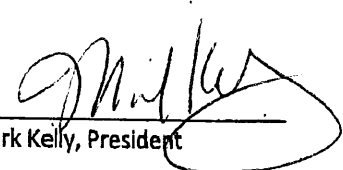
Sincerely,



Norman W. Kee,
Assistant Counsel

Agreed and Accepted:

Safety Marking, Inc.

By: 
Mark Kelly, President

cc: Joshua Hawks-Ladds, Esq.



SMC Safety Marking Inc.

Established 1973

An Equal Opportunity Employer M/F V/IWD

"OUR REPUTATION IS BUILT ONE LINE AT A TIME."

April 28, 2017

Harold Booth
Field Contract Manager
MTA Bridges and Tunnels
Procurement Department

Re: Contract TN-60 – Safety Marking, Inc.

Dear Mr. Booth:

This letter is in response to your request for clarification regarding information stated on the Vendex. The following information should give you the information you need in order to confirm Safety Marking, Inc. as a subcontractor on the above project.

The first subject matter pertains to an audit done by the Office of Federal Contract Compliance for the evaluation period, May 31, 2013 – June 1, 2014. The findings from that audit revealed that Safety Marking, Inc. had not implemented an applicant tracking system for new hires and did not review its EEO policy and Affirmative Action obligations with all employees, supervisors and managers at least once a year. Safety Marking, Inc. entered into a Conciliation Agreement with the Office of Federal Contract Compliance committing to implementing the systems and review processes immediately and on an ongoing basis. Safety Marking, Inc. agreed to furnish the Office of Federal Contract Compliance with two reports. The first report covered the period from the execution of this Agreement through December 31, 2015 which was due to the OFCCP office no later than February 15, 2016. And the second and final report covered the period of January 1, 2016 through December 31, 2016 and was due to the OFCCP office no later than February 15, 2017. Both reports provided documentation demonstrating that the company had implemented an applicant tracking log and was collecting and maintaining all the necessary information, as well as documentation of the meetings and training that was done to review Safety Marking, Inc.'s EEO policy and documentation of the annual reviews conducted with all supervisors on their adherence to the company's EEO policies and affirmative action obligations. I have attached both letters from the OFCCP that confirms the receipt of as well as the content of the two progress reports. These letters from the OFCCP document their evaluation that Safety Marking, Inc. complied with all items in the Conciliation Agreement and have successfully remedied the areas in question in their initial evaluation.

255 Hancock Avenue, Bridgeport, Connecticut 06605 Phone: 203-333-6870 FAX: 203-333-9099
59 Stilson Road, Richmond, Rhode Island 02898 Phone: 401-539-1016 FAX: 401-539-3153
84 Sylvester Street, Westbury, NY 11590 Phone: 516-333-0489 FAX: 516-334-0813
www.safetymarking.net

The second subject matter pertains to the lawsuit filed by two former employees for incidents relating to the conduct of five Safety Marking employees that occurred sometime between 2008-2012. In March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Following the verdict, both CT DOT and NY DOT did their due diligence and investigated Safety Marking and its practices and both concluded that there were no findings of non-responsibility. Both confirmed Safety Marking's status as a responsible contractor and Safety Marking was awarded the contracts. I have attached the letters from both CT DOT and NY DOT confirming their findings and awarding Safety Marking, Inc. the contracts.

Safety Marking believes strongly in its EEO policies and employs approximately 50% minorities. Safety Marking and its management do not tolerate harassment or discrimination of any kind and communicate our Company's policies and Complaint Procedures with each and every employee. Our Company's Employee Handbook was updated in 2015 and includes all policies and procedures and was distributed and reviewed with every employee by our new Human Resources Manager who was hired in January 2015. All of our employees, supervisors and managers attend mandatory annual training that is conducted each year by our Human Resources Manager which covers Harassment training and our Company's EEO Policy. And our EEO Policy is posted on our bulletin boards at each of our locations as well as in our Compliance Books that we have on our work sites.

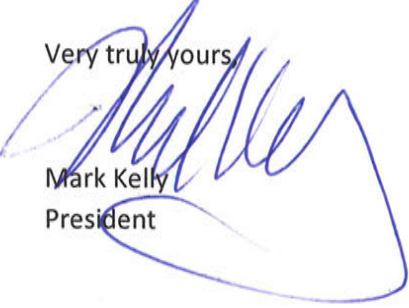
Our company prides itself on our Company's 360 Review processes which we have been doing since 1997. This process gives each employee the opportunity to evaluate every employee, supervisor and manager that he/she works with in the company and has the opportunity to confidentially review the person's ability, attitude and how the person helped, taught or provided the tools to help the employee do their job. In the past, I conducted these reviews with every employee. Last year, we enhanced the process and now each employee meets with three other members of our management team in addition to me in their review process. Each employee sits down with the Safety Director, the Operations Manager, the Human Resources Manager and then I. During these meetings the employee is able to discuss the pertinent aspects of their job, bring up any ideas or suggestions they may have on making things better or any problems or concerns that they may have as well. We spend over three months each year on the employee review process and take it very seriously to ensure that our employees are in the right position, getting the right tools and training to do their job and address any concerns that they bring to our attention.

Safety Marking, Inc. is committed to providing a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits any unlawful discriminatory practices. Through our continued communications, training and Open Door Policy that we have with our employees, we are confident that our employees feel good about the company that they work for. Unfortunately, anyone can accuse you of something without any witness or proof that it in fact occurred and all you can do is defend yourself. There were many facts that we were not allowed by the judge to be presented to the

jury in our defense case which if allowed may have led to a different outcome. But the process is far from being perfect and the grievous errors of law and rulings by the judge only compounded our fate.

Please feel free to contact me with any questions or if you require any further information pertaining to this matter. I would be happy to speak with you more on this and welcome you to visit our operation so that you have a better understanding of everything. I would be happy to give you a tour of our facility and have you meet our Safety Marking family.

Very truly yours,



Mark Kelly
President



Department of Transportation

ANDREW M. CUOMO
Governor

PAUL A. KARAS
Acting Commissioner

JANICE A. McLACHLAN
Acting Chief Counsel

BY EMAIL and US MAIL

Mark Kelly, President
Safety Marking, Inc.
255 Hancock Avenue
Bridgeport, Connecticut 06605

August 22, 2018

Dear Mr. Kelly,

Safety Marking, Inc. ("Safety Marking") is a potential subcontractor on several New York State Department of Transportation (the "Department") contracts, including D263661, D263682, D263687, D263711, D263724, D263735, and D263744. The Department has a statutory responsibility to award contracts and subcontracts to responsible entities as will best promote the public interest.

In May 2016, Safety Marking met with the Department's Contract Review Unit (CRU) to discuss Safety Marking's status as a responsible contractor following a jury verdict awarding damages to two Safety Marking employees who alleged that Safety Marking created, tolerated, and ignored a racially hostile work environment. The Department was also concerned about the accuracy of the New York State Vendor Responsibility Questionnaire For-Profit Construction form (CCA-2) submitted by Safety Marking in January 2016. Safety Marking was deemed a responsible contractor provided that it submit a corrected CCA-2, and that Safety Marking fulfill Section 105-02 of the Department's Standard Specifications, which requires contractors to designate supervisory staff. Safety Marking complied with these requirements, and that determination was spread to cover numerous subcontracts.

Recently, the CRU learned that The FenceMan, Inc. ("FenceMan"), a company owned by your daughter Samantha Kelly, had its Disadvantaged Business Enterprise ("DBE") certification removed. Among the reasons cited for the removal of certification was: (1) a sharing of resources and employees between Safety Marking and FenceMan; (2) Safety Marking performing work assigned to FenceMan; and (3) FenceMan invoicing for work done by Safety Marking. By letter of August 3, 2018, you were asked to meet with the CRU to address these issues.

Prior to meeting with the CRU, Safety Marking, through an August 16, 2018 letter (the "Response") from attorney Joshua A. Hawks-Ladds, submitted materials for consideration. Stated broadly, the Response notes that "even though [FenceMan] is owned by Mark Kelly's estranged daughter, Samantha, there

never was an 'affiliation' between the two companies and, as relevant to this current inquiry, a complete fracture has occurred between the two companies (and, unfortunately, between Mr. Kelly and his daughter)." The Response adds that "Mark Kelly is estranged from his daughter and has not seen her since December 2017. They barely communicate with each other and their business associations were always limited as described herein and are currently nonexistent."

Additionally, the Response notes that since Samantha Kelly's 2013 acquisition of FenceMan, neither Mr. Kelly nor Safety Marking have had anything to do with FenceMan other than occasionally leasing specialized equipment and personnel to run the equipment, and selling material to FenceMan at fair market value. The Response states that "[t]he leasing of specialized equipment and providing personnel to run the machines is commonplace in the line striping industry because the equipment costs hundreds of thousands of dollars and only certain companies (like Safety Marking) have the wherewithal to buy this equipment and employ the qualified personnel to run it." The Response further states that it has leased equipment and personnel to at least six other line-striping companies.

Safety Marking continued leasing various equipment to FenceMan through 2017. However, in 2018, Safety Marking has not leased any trucks to FenceMan. FenceMan no longer rents property from an LLC affiliated with you. The Response also notes that Safety Marking and FenceMan do not share personnel. "However, the line striping industry is small and personnel often move between companies." Some personnel are hired out of union halls. Others quit Safety Marking, worked for FenceMan, and came back to Safety Marking.

The Response adds that in 2014, over Mr. Kelly's protests, MTA required Safety Marking to subcontract with FenceMan for five years to meet WBE goals. "Safety Marking has contracted with many other DBE/WBE striping companies on numerous occasions and if Mr. Kelly wanted to favor his daughter's company (or enrich his own company) he could have subcontracted out the work to [FenceMan] instead of these other DBE/WBE companies." Lastly, "Safety Marking does not intend to do business with [FenceMan] any longer," unless required to do so.

At the August 21, 2018 meeting with the CRU, the above points made in the Response were further explained. In addition, you, along with Mr. Hawks-Ladds, explained the expense of running epoxy striping equipment due to cost of acquisition, maintenance, and training of personnel.

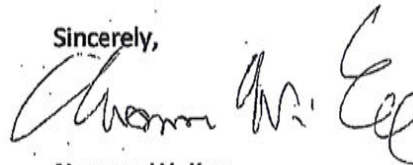
Determination and Conditions

The Department has considered Safety Marking's submitted materials, as well as the presentation and responses from the CRU Meeting. The Department finds that Safety Marking is deemed to be a responsible entity eligible for award of the above referenced subcontracts, subject to compliance with the following conditions:

- (1) If FenceMan is again designated as a DBE or MWBE entity, any business conducted between Safety Marking and FenceMan must be reviewed by an independent monitor, to be hired by Safety Marking and approved by the Department. The independent monitor will report its findings directly to the Department.
- (2) If any entity owned or operated, in whole or part, by Samantha Kelly or any other relative of yours is designated as a DBE or MWBE entity, any business conducted between Safety Marking and that entity must be reviewed by an independent monitor, to be hired by Safety Marking and approved by the Department. The independent monitor will report its findings directly to the Department.
- (3) Safety Marking has an affirmative obligation to inform the Department if it learns that Samantha Kelly or any other relative of yours owns or operates, in whole or part, any entity designated as a DBE or MWBE entity.

Safety Marking understands and agrees that in the event of any future responsibility issue, the Department retains all rights that it would have under the terms of its contracts with Safety Marking.

Sincerely,



Norman W. Kee,
Assistant Counsel

Agreed and Accepted:

Safety Marking, Inc.

By: 
Mark Kelly, President

cc: Joshua Hawks-Ladds, Esq.

BUSINESS HISTORY FORM

13)

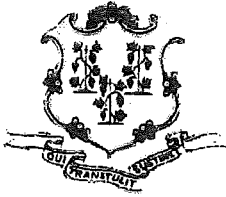
The company was involved in a lawsuit filed by two former employees under 42 U.S.C. Sec. 1981, relating to the conduct of five Safety Marking employees that occurred sometime between 2008-2012. In March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Due to this litigation, in the Spring of 2016, both CTDOT and NYDOT conducted an in-depth Contract Compliance Review of Safety Marking, Inc. and both concluded that Safety Marking, Inc. was a responsible bidder.

In July 2016, the NYC Parks & Recreation Dept. performed two audits and alleged that a Painter-Striper should have been classified as a Painter-Lineperson. SMC disputed these findings. In order to resolve the disputes, SMC paid the underpayments to resolve the apparent violations. SMC did not admit that any violations occurred, but nonetheless discloses the matter.

In 2018, the New York State Department of Transportation investigated Safety Marking's qualifications as a responsible contractor/bidder arising out of an allegation raised that Safety Marking was somehow affiliated with another company. After a hearing was held in August 2018 before the New York State Department of Transportation, Safety Marking was determined to be a responsible contractor/bidder under New York regulations.

On April 5, 2019 the company received a civil investigative demand from the United States Attorney's office, Northern District of New York. The civil demand required the company to provide documentation to the government relating to The Fence Man, Inc., an unaffiliated company. Safety Marking, Inc. has complied with the investigative demand and disclosed all documents in accordance thereto.

In January 2020 an employee who was terminated for aggressive and bullying conduct filed a Charge with the NLRB alleging that his bullying conduct was protected speech under the NLRA. No Complaint was issued by the NLRB and the Charge was withdrawn in February 2020 after a settlement.



**STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION**

**2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546**

Phone: 860-594-3128



June 16, 2016

Mark Kelly, President
Safety Marking, Inc.
460 Bostwick Avenue
Bridgeport, Connecticut 06605

Re: Contractor's Prequalification
Statement (CON-16)

Dear Mr. Kelly;

This is to notify you that your Firm's subject statement has been found to be satisfactory by this Department.

It will expire June 30, 2019

Your Maximum Capacity Rating is _____

Your Construction Group Classifications are:

Group No. 16 Pavement Markings

A Proposal Request (Part "C") can be obtained via this link:
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Department of Transportation

ANDREW M. CUOMO
Governor

PAUL A. KARAS
Acting Commissioner

JANICE A. McLACHLAN
Acting Chief Counsel

BY EMAIL and US MAIL

Mark Kelly, President
Safety Marking, Inc.
255 Hancock Avenue
Bridgeport, Connecticut 06605

August 22, 2018

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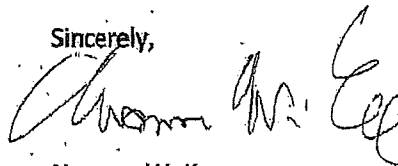
Determination and Conditions

The Department has considered Safety Marking's submitted materials, as well as the presentation and responses from the CRU Meeting. The Department finds that Safety Marking is deemed to be a responsible entity eligible for award of the above referenced subcontracts, subject to compliance with the following conditions:

- (1) If FenceMan is again designated as a DBE or MWBE entity, any business conducted between Safety Marking and FenceMan must be reviewed by an independent monitor, to be hired by Safety Marking and approved by the Department. The independent monitor will report its findings directly to the Department.
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- (3) Safety Marking has an affirmative obligation to inform the Department if it learns that Samantha Kelly or any other relative of yours owns or operates, in whole or part, any entity designated as a DBE or MWBE entity.

Safety Marking understands and agrees that in the event of any future responsibility issue, the Department retains all rights that it would have under the terms of its contracts with Safety Marking.

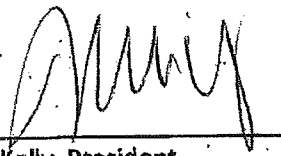
Sincerely,



Norman W. Kee,
Assistant Counsel

Agreed and Accepted:

Safety Marking, Inc.

By: 
Mark Kelly, President

cc: Joshua Hawks-Ladds, Esq.



Department of Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

Cathy Calhoun
Chief of Staff

BY EMAIL and US MAIL

June 6, 2016

Mark Kelly, President
Safety Marking, Inc.
255 Hancock Avenue
Bridgeport, Connecticut 06605

Dear Mr. Kelly,

Safety Marking, Inc. ("Safety Marking") is the putative low bidder on New York State Department of Transportation (the "Department") Contract D263122, a 2016 Durable Pavement Marking Contract. The Department has a statutory responsibility to award contracts to the lowest responsible bidder as will best promote the public interest.

By letter of May 4, 2016, Safety Marking was called in to meet with the Department's Contract Review Unit (CRU) to discuss Safety Marking's status as a responsible contractor following a federal jury verdict awarding punitive and compensatory damages to two Safety Marking employees who sued Safety Marking and a number of the company's employees in the United States District Court for the District of Connecticut. In the lawsuit, Plaintiffs alleged that Safety Marking and the individual defendants created, tolerated, and ignored a racially hostile work environment. The Department was also concerned about the accuracy of the New York State Vendor Responsibility Questionnaire For-Profit Construction form (CCA-2) submitted by Safety Marking in January 2016, which does not disclose this lawsuit.

The Department asked Safety Marking to set forth its position on these issues, and to submit materials for consideration by a CRU panel prior to a May 18, 2016 CRU Meeting. Safety Marking's submissions included a May 12, 2016 letter from Safety Marking's attorney Joshua Hawks-Ladds, which, broadly speaking, stated that the trial suffered from erroneous decisions made by the judge and that the verdict was improper and would be overturned after post-verdict briefing or on appeal. The May 12 letter also noted that you, as President of Safety Marking, were exonerated. Additionally, the letter explained that after the verdict, Connecticut Department of Transportation officials reviewed Safety Marking's status, and deemed Safety Marking a responsible bidder eligible for award of state contracts.

The May 12 letter also asserted that you did not think the CCA-2 solicited information about the lawsuit. Furthermore, both the letter and attached affidavits state that Jack Matis, Safety Marking's Controller, filled out the CCA-2 and that he was unaware of the lawsuit. Additionally, the letter says that the lawsuit was disclosed to other governmental entities. Accompanying the May 12 letter were submissions including relevant Safety Marking's policies and procedures, training materials, an organization chart, a summary of employment data, submissions to The City of New York Department of Small Business Services disclosing the lawsuit, Plaintiffs' evaluations of fellow employees and Safety Marking, an overview of Safety Marking, and minutes from a post-verdict, company-wide meeting.

The CRU Meeting

You, Kelly Lavoie, Safety Marking's Human Resources Manager, and Mr. Hawks-Ladds attended the May 18, 2016 CRU Meeting. After introductions and an overview of the CRU meeting process, I summarized the Department's concerns regarding the lawsuit and the CCA-2 reporting. Mr. Hawks-Ladds discussed the lawsuit, and then you discussed the both the lawsuit and Safety Marking more generally. Ms. Lavoie gave some background on the process Safety Marking undertook to improve company policies regarding discrimination and harassment. Also discussed was the March 29, 2016 company-wide meeting held shortly after the verdict in the lawsuit, at which you addressed all Safety Marking employees and discussed the company's Anti-Harassment/Anti-Discrimination Policy and Complaint Procedures. The CRU panel and Safety Marking representatives engaged in a discussion of these issues. After the May 18 meeting, in response to a question from the Department, Mr. Hawks-Ladds confirmed that the Safety Marking Employee Handbook, 2015 version, copies of which were distributed at the CRU meeting, contained the Anti-Harassment/Anti-Discrimination Policy and Complaint Procedures referred to in the minutes of the March 29, 2016 company meeting.

Determination and Conditions

The Department has considered Safety Marking's submitted materials, presentation and responses at the CRU Meeting, and follow-up communications. The Department finds that Safety Marking is deemed to be the lowest responsible bidder on Contract D263122, subject to compliance with certain conditions. These conditions are as follows:

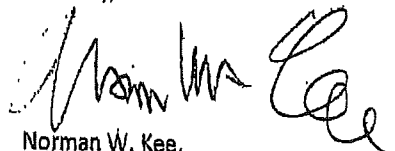
- (1) Safety Marking must revise and resubmit a CCA-2 setting forth the lawsuit and details of the jury verdict. The revised CCA-2 should be submitted no later than June 17, 2016.

(2) Safety Marking must insure that it fulfills Section 105-02 of the Department's Standard Specifications, which addresses the Character of Workers. Section 105-02 requires that work be done under the supervision of a reliable Superintendent, and that orders given by the Engineer will be followed by a foreperson in charge of work at issue. Safety Marking must designate supervisory staff whenever it works on a Department project, and must make that designation known to Department personnel.

The CRU finds that Safety Marking is a responsible contractor and may be awarded Contract D263122, subject to Safety Marking's compliance with the conditions set forth above and all other requirements of the Contract. The Contract award is made in express reliance on Safety Marking's promises and assertions, and its commitment to prevent discrimination and harassment at all times and in all respects. If Safety Marking performs according to its promises and assertions and fulfills the conditions set forth above, then it will continue to be the lowest responsible bidder as will best promote the public interest on Contract D263122, and will remain eligible for award on future Department contracts. Upon award of D263122, Safety Marking agrees to proceed with due diligence to commence work on the same.

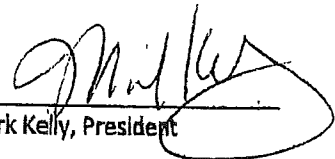
Safety Marking understands and agrees that in the event of any future responsibility issue, the Department retains any and all rights that it would have under the terms of its contracts with Safety Marking.

Sincerely,


Norman W. Kee,
Assistant Counsel

Agreed and Accepted:

Safety Marking, Inc.

By: 
Mark Kelly, President

cc: Joshua Hawks-Ladds, Esq.

BUSINESS HISTORY FORM

13)

Over three years ago, the Company was involved in a lawsuit filed by two former employees under 42 U.S.C. Sec. 1981, relating to the conduct of five Safety Marking employees that occurred sometime between 2008-2012. In March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Due to this litigation, in Spring 2016, both CTDOT and NYDOT conducted an in depth Contract Compliance Review of Safety Marking, Inc. and both concluded that Safety Marking, Inc. was a responsible bidder.

In 2018, the New York State Department of Transportation investigated Safety Marking's qualifications as a responsible contractor/bidder arising out of an allegation raised that Safety Marking was somehow affiliated with another company. After a hearing was held in August 2018 before the New York State Department of Transportation, Safety Marking was determined to be a responsible contractor/bidder under New York regulations.

On April 5, 2019 the company received a civil investigative demand from the United States Attorney's office, Northern District of New York. The civil demand requires the company to provide documentation to the government relating to The Fence Man, Inc., an unaffiliated company. The company is complying with the investigative demand and disclosing documents in accordance thereto.

BUSINESS HISTORY FORM

13)

Over four years ago, the Company was involved in a lawsuit filed by two former employees under 42 U.S.C. Sec. 1981, relating to the conduct of five Safety Marking employees that occurred sometime between 2008-2012. In March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Due to this litigation, in Spring 2016, both CTDOT and NYDOT conducted an in depth Contract Compliance Review of Safety Marking, Inc. and both concluded that Safety Marking, Inc. was a responsible bidder.

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In January 2020 an employee who was terminated for aggressive and bullying conduct filed a Charge with the NLRB alleging that his bullying conduct was protected speech under the NLRA. No Complaint was issued by the NLRB and the Charge was withdrawn in February 2020 after a settlement.



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"OUR REPUTATION IS BUILT ONE LINE AT A TIME."

Letter from the President regarding SMC's involvement in a litigation

Safety Marking, Inc. feels that it is important to be forth coming that it was indeed the subject of litigation for several years involving two former employees. These two employees alleged that they were victims of discrimination for incidents relating to the conduct of five Safety Marking, Inc. employees that occurred sometime between 2008-2012. The company fought the unsubstantiated litigation through trial and then through post-trial motions, but due to what it believes were grievous errors of law and clearly erroneous rulings by the judge, in March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Following the verdict, both CT DOT and NY DOT did their due diligence and investigated Safety Marking and its practices and both concluded that there were no findings of non-responsibility. Both confirmed Safety Marking's status as a responsible contractor and Safety Marking was awarded the contracts.

Safety Marking believes strongly in its EEO policies and employs approximately 50% minorities. Safety Marking and its management do not tolerate harassment or discrimination of any kind and communicate our Company's policies and Complaint Procedures with each and every employee. Our Company's Employee Handbook was updated in 2015 and revised in 2017 and includes all policies and procedures. It has been distributed and reviewed with every employee by our Human Resources Manager who was hired in January 2015. All of our employees, supervisors and managers attend mandatory annual training that is conducted each year by our Human Resources Manager which covers Harassment training and our Company's EEO Policy. And our EEO Policy is posted on our bulletin boards at each of our locations as well as in our Compliance Books that we have on our work sites.

Our company prides itself on our Company's 360 Review processes which we have been doing since 1997. This process gives each employee the opportunity to evaluate every employee, supervisor and manager that he/she works with in the company and has the opportunity to confidentially review the person's ability, attitude and how the person helped, taught or provided the tools to help the employee do their job. In the past, I conducted these reviews with every employee. Last year, we enhanced the process and now each employee meets with three other members of our management team in addition to me in their review process. Each employee sits down with the Safety Director, the Operations Manager, the Human Resources Manager and then I. During these meetings the employee is able to discuss the pertinent aspects of their job, bring up any ideas or suggestions they may have on making things better or any problems or concerns that they may have as well. We spend over three months each year on the employee review process and take it very seriously to ensure that our employees are in

the right position, getting the right tools and training to do their job and address any concerns that they bring to our attention.

Safety Marking, Inc. is committed to providing a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits any unlawful discriminatory practices. Through our continued communications, training and Open Door Policy that we have with our employees, we are confident that our employees feel good about the company that they work for. Unfortunately, anyone can accuse you of something without any witness or proof that it in fact occurred and all you can do is defend yourself. There were many facts that we were not allowed by the judge to be presented to the jury in our defense case which if allowed may have led to a different outcome. But the process is far from being perfect and the grievous errors of law and rulings by the judge only compounded our fate.

Please feel free to contact me with any questions or if you require any further information pertaining to this matter. You can also reach out to our Human Resources Manager, Kelly Lavoie, who would be happy to answer any questions or provide you with any other information you may need. She can be reached at 203-814-3416. We welcome you to visit our operation as well if you wish so that you have a better understanding of what we do. I would be happy to give you a tour of our facility and have you meet our Safety Marking family.

Mark Kelly
Mark Kelly
President



Established 1973
An Affirmative Action-Equal Opportunity Employer
Providing Equal Opportunities for Minorities, Females,
Veterans & Individuals with Disabilities

"OUR REPUTATION IS BUILT ONE LINE AT A TIME."

Re: Letter from the President regarding SMC's involvement in a litigation

To Whom It May Concern:

Safety Marking, Inc. feels that it is important to be forth coming that it was indeed the subject of litigation for several years involving two former employees. These two employees alleged that they were victims of discrimination for incidents relating to the conduct of five Safety Marking, Inc. employees that occurred sometime between 2008-2012. The company fought the unsubstantiated litigation through trial and then through post-trial motions, but due to what it believes were grievous errors of law and clearly erroneous rulings by the judge, in March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Following the verdict, both CT DOT and NY DOT did their due diligence and investigated Safety Marking and its practices and both concluded that there were no findings of non-responsibility. Both confirmed Safety Marking's status as a responsible contractor and Safety Marking was awarded the contracts.

Safety Marking believes strongly in its EEO policies and employs approximately 50% minorities. Safety Marking and its management do not tolerate harassment or discrimination of any kind. Since the lawsuit, Safety Marking has taken many steps to enhance our operation to ensure the highest level of professionalism and compliance.

One of the first of many steps that the company took was to hire an experienced, seasoned Human Resources Manager in January 2015. The Human Resources role in a company is to evaluate all procedures and processes to ensure that the company and its practices follow all state and federal laws and requirements. A complete audit was done and some of the changes that were immediately implemented included revising the Employee Handbook which was distributed to every employee in the company and all policies and procedures were reviewed with all employees in mandatory meetings. We enhanced the existing New Employee Orientation program and changed it from a one-day session to a 4-day program. The first day starts with the Human Resources Manager covering a number of things including all company policies and procedures, a review of the Employee Handbook, as well as a thorough explanation and outline of the company's EEO/Affirmative Action and Anti-Harassment Policies which also includes interactive exercises along with follow up discussions. The other three days of the program are led by Safety Marking's Safety Director and three other Managers and cover other topics including Safe Driving and Work Zone Safety, OSHA, PPE and other key training areas applicable to our equipment and our operation. This training is also modified and condensed into a one-day program and done annually as a refresher for all current employees at the beginning of each season at mandatory Return to Work meetings. The purpose of these meetings is to communicate, educate and train all employees in the key areas of our operation. It is imperative for our employees to know that we do not tolerate any form of discrimination, harassment or bullying and will take every action possible to ensure that we are providing a workplace free from that behavior.

Every employee is welcomed and treated with respect here at our company from day one. One of the things that we feel is important in ensuring this, is that everyone addresses each other by the person's name. For this to happen, we added the employees' name to their shirts, vests and jackets so that everyone can address each other by their name immediately, even if they are just meeting the person for the first time.

Our company prides itself on our Company's 360 Review processes which we have been doing since 1997. This process gives each employee the opportunity to evaluate every employee, supervisor and manager that he/she works with in the company and has the opportunity to confidentially review the person's ability, attitude and how the person helped, taught or provided the tools to help the employee do their job. In the past, I conducted these reviews with every employee. In 2016, we enhanced the process and now each employee meets with three other members of our management team in addition to me in their review process. Each employee sits down with the Safety Director, the Operations Manager, the Human Resources Manager and then me. During these meetings the employee is able to discuss the pertinent aspects of their job, bring up any ideas or suggestions they may have on making things better or any problems or concerns that they may have as well. We spend over three months each year on the employee review process and take it very seriously to ensure that our employees are in the right position, getting the right tools and training to do their job and address any concerns that they bring to our attention.

In January 2018, Safety Marking hired a Manager of Learning and Development. Bringing 25 years' experience to our company, this individual has helped create a Learning-Focused Organization by 1) increasing the frequency of Operations Training, 2) instituting a Professional Development Training Program in tandem with a Competencies Framework for all employees, and 3) building a Learning Management System into the company's website. A newly built 30-seat training facility was added to our Bridgeport, CT headquarters where instructor-led classes are delivered weekly to employees, video training is produced, and employee coaching can take place. Additionally, this role also provides Success Coaching to employees across all three locations.

In summary, Safety Marking, Inc. is committed to providing a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits any unlawful discriminatory practices. Through our continued communications, training and Open Door Policy that we have with our employees, we are confident that our employees feel good about Safety Marking.

Please feel free to contact me with any questions or if you require any further information pertaining to this matter. You can also reach out to our Human Resources Manager, Kelly Lavoie, who would be happy to answer any questions or provide you with any other information you may need. She can be reached at 203-814-3416. We welcome you to visit our operation as well if you wish so that you have a better understanding of what we do. I would be happy to give you a tour of our facility and have you meet our Safety Marking family.



Mark K. Kelly
President

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1304526
Inspection Date(s): 03/28/2018 - 03/28/2018
Issuance Date: 03/28/2018



Citation and Notification of Penalty

Company Name: Safety Marking Inc.
Inspection Site: Route 84, New Britain, CT 06051

Citation 1 Item 1 - Type of Violation: **Other-than-Serious**

29 CFR 1904.39(a)(2): The employer did not report an in-patient hospitalization, amputation, or loss of an eye as a result of a work-related incident to OSHA within twenty-four (24) hours:

Jobsite located on I-84, New Britain, Connecticut: On, or about, March 28, 2018, the employer had not reported a work-related injury that occurred on September 28, 2017 that resulted in the hospitalization of an employee.

Date By Which Violation Must be Abated:
Proposed Penalty:

05/14/2018
\$7068.00

A handwritten signature in black ink, appearing to read "Dale Varney", written over a horizontal line.

Dale Varney
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

SMC Safety Marking Inc.

Established 1973

An Equal Opportunity Employer M/F

"OUR REPUTATION IS BUILT ONE LINE AT A TIME."

Occupational Safety and Health Administration

May 30, 2018

William Cotter Federal Building

135 High Street, Suite 361

Hartford, CT 06103

RE: OSHA Inspection No. 1304526

Mr. Dale Varney

OSHA, Hartford, CT,

Please accept this letter of abatement for OSHA Inspection No. 1304526.

Citation 1, Item 1, Violation: Other-than-Serious. Jobsite located on I-84, New Britain, CT: Safety Marking Inc. failed to report a work related injury that occurred on September 28, 2017 that resulted in hospitalization of an employee. Corrected on March 28, 2017 by answering to OSHA Citation and putting into place Reporting and Recordkeeping protocols to report within 24 hours any in-patient hospitalizations, amputations, or loss of eye.

All Safety Marking Inc. management has been informed of this new protocol, so that any injuries that meet the new OSHA Reporting requirements are reported to the Safety Department and reported within 24 hours.

I, Patrick Clyne, Safety Director of Safety Marking Inc. confirm that this information submitted is accurate and Safety Marking Inc. will report all injuries as required by the new OSHA Reporting requirements.

Thank you,



Patrick Clyne

Safety Director

Safety Marking Inc.

255 Hancock Ave

Bridgeport, CT 06605

255 Hancock Avenue, Bridgeport, Connecticut 06605 Phone: 203-333-6870 FAX: 203-333-9099
59 Stilson Road, Richmond, Rhode Island 02898 Phone: 401-539-1016 FAX: 401-539-3153
84 Sylvester Street, Westbury, NY 11590 Phone: 516-333-0489 FAX: 516-334-0813
www.safetymarking.net

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

In the Matter of: **Safety Marking, Inc.**
OSHA Inspection Number: **1304526**

INFORMAL SETTLEMENT AGREEMENT

The undersigned Employer and the undersigned Occupational Safety and Health Administration (OSHA), in settlement of the above citation and penalties, which were issued on **03/28/2018** hereby, agree as follows:

1. The Employer agrees to correct the violations as cited in the above citations or as amended below.
2. The Employer agrees to pay the proposed penalties, if any, as issued with the above citation(s), or, if amended by this agreement, as amended below.
3. The Employer and OSHA agree that the following citations and penalties, if any, are not being amended:

N/A

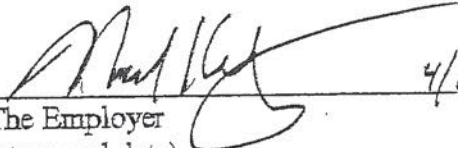
4. OSHA agrees that the following citations and penalties are being amended as shown below:

Citation 1 Item 1 penalty is reduced by 50%

5. The employer, by signing this informal settlement agreement, hereby waives its right to contest.
6. The employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s) referred to in paragraph 4 above. This Settlement Agreement must remain posted until the violations cited have been corrected, or for 3 working days (excluding weekends and Federal Holidays), whichever is longer.
7. The employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.

8. Each party hereby agrees to bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.
9. If the modified penalty, \$3,534.00 is not paid by May 1, 2018, the penalty will revert to the original amount of \$7,068.00 plus administrative cost.

For Occupational Safety
And Health Administration
Dale Varney
(Signature and date)


For The Employer
(Signature and date)

4/10/18

-----Original Message-----

From: notification@pay.gov <notification@pay.gov>

Sent: Wednesday, April 18, 2018 6:05 PM

To: PJ Clyne <PClyne@safetymarking.net>

Subject: Pay.gov Payment Confirmation: OSHA Penalty Collection

Your payment has been submitted to Pay.gov and the details are below. To confirm that the payment processed as expected, you may refer to your bank statement on the scheduled payment date. If you have any questions or wish to cancel this payment, you will need to contact the agency you paid at your earliest convenience.

Application Name: OSHA Penalty Collection

Pay.gov Tracking ID: 2694PTT7

Agency Tracking ID: 75469043469

Account Holder Name: Safety Marking, Inc.

Transaction Type: ACH Debit

Transaction Amount: \$3,534.00

Payment Date: 04/19/2018

Account Type: Business Checking

Routing Number: 011900445

Account Number: *****1323

Transaction Date: 04/18/2018 06:04:50 PM EDT

Total Payments Scheduled: 1

Frequency: OneTime

Company Name: Safety Marking, Inc.

Company Address: 255 Hancock Ave, BRIDGEPORT, CT 06605

Doing Business As:

Contact Name: Mark Kelly

Contact Phone Number: (203) 333-6870

Contact Email Address: jmatis@safetymarking.net

Inspection 1: Number: 1304526 -- Amount: \$3,534.00

Inspection 2:

Inspection 3:

Inspection 4:

Transaction ID:

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT REPLY.

14e

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1304526
Inspection Date(s): 03/28/2018 - 03/28/2018
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Citation and Notification of Penalty

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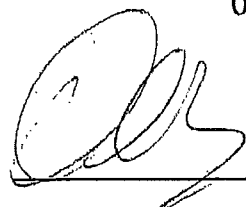
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"OUR REPUTATION IS BUILT ONE LINE AT A TIME."

Occupational Safety and Health Administration

May 30, 2018

William Cotter Federal Building

135 High Street, Suite 361

Hartford, CT 06103

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Thank you,



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Safety Director

Safety Marking Inc.

255 Hancock Ave

Bridgeport, CT 06605

255 Hancock Avenue, Bridgeport, Connecticut 06605 Phone: 203-333-6870 FAX: 203-333-9099

59 Stillson Road, Richmond, Rhode Island 02898 Phone: 401-539-1016 FAX: 401-539-3153

84 Sylvester Street, Westbury, NY 11590 Phone: 516-333-0489 FAX: 516-334-0813

www.safetymarking.net

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

In the Matter of: **Safety Marking, Inc.**
OSHA Inspection Number: **1304526**

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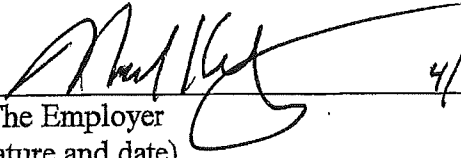
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For Occupational Safety
And Health Administration
Dale Varney
(Signature and date)


For The Employer
(Signature and date)

4/10/18



The Office of
Secretary of the State Denise W. Merrill

Business Inquiry

Business Details

Business Name: SAFETY MARKING, INC.
Business ID: 0228841
Business Address: 255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605
Mailing Address: 255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605
Date Inc/Registration: Feb 10, 1989
Annual Report Due Date: 02/07/2019

Principals Details

Name/Title	Business Address	Residence Address
MARK K. KELLY PRESIDENT, SECRETARY AND TREASURER	255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605	55 WEST ROAD, EASTON, CT, 06612
MARK K. KELLY DIRECTOR	255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605	55 WEST ROAD, EASTON, CT, 06612

Agent Summary

Agent Name MARK K. KELLY
Agent Business Address C/O SAFETY MARKING, INC., 255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605
Agent Residence Address 55 WEST ROAD, EASTON, CT, 06612
Agent Mailing Address NONE



The Office of Secretary of the State Denise W. Merrill

Business Inquiry

Business Details

Business Name: **SAFETY MARKING, INC.**

Business ID: **0228841**

Business Address: **255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605**

Mailing Address: **255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605**

Date Inc/Registration: **Feb 10, 1989**

Annual Report Due Date: **02/07/2019**

Principals Details

Name/Title	Business Address	Residence Address
MARK K. KELLY PRESIDENT, SECRETARY AND TREASURER	255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605	55 WEST ROAD, EASTON, CT, 06612
MARK K. KELLY DIRECTOR	255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605	55 WEST ROAD, EASTON, CT, 06612

Agent Summary

Agent Name **MARK K. KELLY**

Agent Business Address **C/O SAFETY MARKING, INC., 255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605**

Agent Residence Address **55 WEST ROAD, EASTON, CT, 06612**

Agent Mailing Address **NONE**



The Office of Secretary of the State Denise W. Merrill

Business Inquiry

Business Details

Business Name: **SAFETY MARKING, INC.**

Business ID: **0228841**

Business Address: **255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605**

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MARK K. KELLY DIRECTOR	255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605	55 WEST ROAD, EASTON, CT, 06612

Agent Summary

Agent Name: **MARK K. KELLY**

Agent Business Address: **C/O SAFETY MARKING, INC., 255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605**

Agent Residence Address: **55 WEST ROAD, EASTON, CT, 06612**

Agent Mailing Address: **NONE**

A. Please see attached history & resumes

i) Incorporated February 10, 1989

ii) Mark Kelly, President, Secretary, Treasurer (sole officer)

iii) 100% of Shares;

iv) See Item ii

v) Incorporated in the State of Connecticut

vi) 150 Employees

vii) Annual Revenue \$30 Million \$35 Million

Awarded the 3 striping projects in 2011 12 for the County of Nassau DPW. Have had the maintenance contract with the PANYNJ for JFK, LGA, EWR, SWF & TEB for over 13 years; Have and have had the striping contract with the NYSDOT – Region 10 for over 20 years; Have and have had multiple striping contracts with CTDOT – Have and have had striping contracts with RIDOT; Have the Prime contract with the MTA TBTA; Have and have had the striping contracts with the NYSTA.

Opened a shop/office in Westbury, NY dedicated to Nassau and Suffolk Counties in 2005

Opened a shop/office in Richmond, RI dedicated to the State of RI in 1999

Acquired a waterblasting truck in 2012 and have added 3 more to our fleet

viii)

Not Applicable/None

B.

In business for 46 Years

C.

We own our own vehicles – please see attached equipment list

Safety Marking, Inc. has very little turn over and has high quality, experienced personnel.

Please see attached resumes



SAFETY MARKING, INC.

255 Hancock Avenue

Bridgeport, CT 06605

FEIN: 06-1267005

- A. - Safety Marking, Inc. has been owned and operated by Mark Kelly since 1973 and is the #1 line striping company in the Northeast and in the top 5 in the Nation.- with annual revenues of \$35,000,000.00. Safety Marking, Inc. is a full service highway, roadway and airport marking company with expertise in every aspect of pavement marking. Our Corporate Headquarters are located in Bridgeport, CT with offices in Richmond, RI and Westbury, NY. We have successfully completed striping jobs, large and small that include Highway striping, Airports, Parking lots and Custom jobs.

Safety Marking, Inc. offers a full range of products and services that include all aspects of stage construction and application of all durable markings (Epoxy, Thermoplastic, Preformed Tape and Heat Fused Tape) as well as removal of existing markings by hydro blasting, grinding & shot blasting.

Safety Marking, Inc. is committed to looking toward the future and is constantly working with industry leaders on testing and developing the next generation of pavement markings.

Some company milestones are as follows:

- 1973 – Safety Marking, Inc. is founded by President and COO, Mark Kelly
- 1988 - Company launches a full-time highway and roadway marking operation
- 1993 - Company celebrates its 20th anniversary and beings the first CT State Prime job
- 1994 - Company establishes new Headquarters in Bridgeport, CT
- 1995 – Company contracts first NYSDOT Prime job
- 1996 – Company marks first RIDOT State Prime job
- 1999 – Company expands to RI and opens second office facility in Richmond
- 2002 – Company completes initial PANYNJ Prime servicing LGA, JFK, EWR & TEB
- 2005 – Company opens third office in Westbury, NY
- 2012 – Company acquires waterblasting truck for hydroblasting removal
- 2013 – Company expands its Bridgeport offices and moves its Headquarters to 255 Hancock Ave
- 2013 – Company is awarded 7 Year PANYNJ Maintenance contract
- 2014 – Company is awarded 5 Year Westchester County Airport striping & rubber removal contract
- 2015 – Company is awarded 3 Year Hydro-rubber removal bid for the CT Airport Authority
- 2015 – Company awarded 3.5 Year subcontract with Rampart Hydro for PANYNJ Rubber Removal Contract
- 2016 – Company is awarded all 7 CTDOT striping projects, NYSDOT striping contract on Long Island and RIDOT striping contract
- 2017 – Company is awarded a NYSDOT striping contract on Long Island, striping contract with Suffolk County, MacArthur Airport Contract, Dutchess County striping contract, 2 striping contracts with Westchester County and a RIDOT striping contract.

Incorporated February 10, 1989 in business for 46 Years with approximately 150 employees
Mark Kelly, President owns 100% of Shares and is the sole officer of Safety Marking, Inc.



MARK KELLY, President

Contact Information

Cell # - Office # -
203.333-6870

Email - mkelly@safetymarking.net

Safety Marking, Inc.

255 Hancock Ave.
Bridgeport, CT 06605

The #1 Striping Company in the Northeast & in the Top 5 in the Country

Position

President & Owner

Experience

- Founded Safety Marking in 1973 serving Fairfield County
- Launched full time highway and roadway marking operation 1988
- Managed first Prime contract in CT 1993
- Established Headquarters in Bridgeport, CT 1994
- Managed first NYSDOT Prime contract 1995
- Managed first RIDOT Prime contract 1996
- Established Rhode Island Office 1990
- Managed PANY & NJ Airport Prime (JFK, LGA, EWR, TEB & SWF) 2002-Present
- Established Long Island Office 2005
- Managed multiple DOT construction and maintenance projects in CT, RI, NJ, MA, ME, NH & VT ranging in value from \$10,000 to \$8 million
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
- 46 Years experience in the line striping industry

Memberships

Advisory Council Member, Donor and Supporter – *The Thomas Merton Center, Bridgeport, CT since 1996*
Former Board of Trustees – *St Vincent's Foundation Medical Center, Bridgeport, CT*
Former Board Member – *Wakeman Boys and Girls Club, Bridgeport & Southport, CT from 2006 - 2016. Continuing substantial involvement & commitment*



LUCAS PAPAGEORGE, General Manager

Contact Information

Cell # - 781-333-6870

Email – LPapageorge@safetymarking.net

Office # - 203.814-3401

Safety Marking, Inc.

255 Hancock Avenue
Bridgeport, CT 06605

Position

(203) 333 - 6870

General Manager

Experience

- Employed by Safety Marking since 1991
- Managed various construction and maintenance projects in ranging in value from \$10,000 to \$3 million
- Fully trained and experienced in application and removal of all temporary and durable pavement markings offered by SMC.
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
-

Additional Training

- First Aid & CPR certified
- OSHA 10
-



David Steffens

Contact Information

Cell # - Office # -
203.814-3402

Email - dsteffens@safetymarking.net

Safety Marking, Inc.
255 Hancock Ave.
Bridgeport, CT 06605
203.333-6870

Position

Operations Manager

Experience

- B.S. in Marketing Plymouth State University
- Employed by Safety Marking since 1994
- Experienced Operations Manager since 1997
- Managed various DOT construction and maintenance projects in CT, NY & RI ranging in value from \$10,000 to \$8,000,000
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
- Experienced in new and phase construction
- Experienced in all phases of line striping operations



James Cody

Contact Information

Cell # - Office # -
203.814-3423

Email - jcody@safetymarking.net

Safety Marking, Inc.
255 Hancock Ave.
Bridgeport, CT 06605
203.333-6870

Position

Long Island Superintendent

Experience

- Employed by Safety Marking since 1996
- Managed various construction and maintenance projects in CT, NY & RI ranging in value from \$10,000 to \$8,000,000
- Fully trained and experienced in application and removal of all temporary and durable pavement markings offered by SMC.
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
- Experienced in layout of new and phase construction
- 32 Years experience in the line striping industry

Additional Training

- First Aid & CPR certified
- ATSSA certified Traffic Control Technician
- ATSSA certified Traffic Control Supervisor
- 30 Hr OSHA Certified



CHRIS BONN

**Contact
Information**

Cell # - Office # -
203.814-3420

Email - cbonn@safetymarking.net

Safety Marking, Inc.
255 Hancock Ave.
Bridgeport, CT 06605
(203) 333 - 6870

RI Office
59 Stilson Rd
Richmond, RI 02898
(401) 539 - 1016

Position

Rhode Island Manager

Experience

- Employed by Safety Marking since 2015
- 20 Years' Experience in the Construction Industry
- Managed various construction and maintenance projects in RI, CT, VT, NH, MA, and ME, ranging in value from \$10,000 to \$3 million
- Fully trained and experienced in application and removal of all temporary and durable pavement markings offered by SMC.
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
- Experienced in layout of new and phase construction

**Additional
Training**

- First Aid & CPR certified
- ATSSA certified Traffic Control Technician
- ATSSA certified Traffic Control Supervisor

References

RIDOT
Jim Deleo
401-265-8352

D'Ambra Construction
Mike D'ambra Jr.
800 Jefferson Blvd
Warwick, RI
401-737-1300

Cardi Construction
Robert Knox
400 Lincoln Ave
Warwick, RI
401-739-8300

Education

- University of Rhode Island BS Civil Engineering



Abraham Nieves

Contact Information

Cell # - 333-6870
Email - anieves@safetymarking.net

Safety Marking, Inc.
255 Hancock Ave.
Bridgeport, CT 06605

(203) 333 - 6870

Position

Airport Manager

Experience

- Employed by Safety Marking since 1995
- Managed various construction and maintenance projects in CT, NY, RI ranging in value from \$10,000 to \$3 million
- Fully trained and experienced in application and removal of all temporary and durable pavement markings offered by SMC.
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
- Experienced in layout of new and phase construction

Additional Training

- First Aid & CPR certified
- OSHA 30 Hr
- AirMark Certified
- Hydro-removal Certified
- ATSSA certified Traffic Control Technician
- ATSSA certified Traffic Control Supervisor



Patrick J. Clyne

Contact Information

Cell # - Office # -
203.814-3410

Email - pjclyne@safetymarking.net

Safety Marking, Inc.
255 Hancock Ave.
Bridgeport, CT 06605
203.333-6870

Position

Safety Director

Experience

- Employed by Safety Marking since 1993
- Managed various construction and maintenance projects in CT, NY & RI ranging in value from \$10,000 to \$6,000,000
- Fully trained and experienced in application and removal of all temporary and durable pavement markings offered by SMC.
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
- Experienced in layout of new and phase construction

Additional Training

- First Aid & CPR certified
- ATSSA certified Traffic Control Technician
- ATSSA certified Traffic Control Supervisor
- 30 Hr OSHA Certified

Education

Humboldt State University – BS in Biology

Equipment		Description	Year	Make	Model	Vin #	Marker#
ATTENUATOR CONE RACK							
CT-0051	AT-51	ATTENUATOR/CONE/MSGBRD	2005	ISUZU	FXR	4GTM8F1385F700860	39705-A
CT-0052	AT-52	ATTENUATOR/CONE/FLATBED	2005	ISUZU	FXR	4GTM8F1375F700879	39863-A
CT-0053	AT-53	ATTENUATOR/CONE/MSGBRD	2006	ISUZU	FXR	4GTM8F1336F700265	59674A
CT-0054	AT-54	ATTENUATOR/SIGNBOARD	2000	INTERNATIO	4700	1HTSCAAM21H331594	K61437
CT-0055	AT-55	ATTENUATOR/SIGNBOARD	2000	INTERNATIO	4700	1HTSCAAM9YH315452	K67593
CT-0056	AT-56	ATTENUATOR/TAPE TRUCK	2003	FREIGHTLIN	FL 70	1FVABTAKX3HK38593	47973-A
CT-0057	AT-57	ATTENUATOR/CONE/FLATBED	2010	FORD	F750	3FRXF7FFXAV275369	49360A
CT-0058	AT-58	ATTENUATOR/CONE/RACK BODY	2010	FORD	F-750	3FRXF7FG8AV271152	50431A
CT-0059	AT-59	ATTENUATOR/CONE/RACK BODY	2010	FORD	F-750	3FRXF7FE5AV274217	50430A
CT-0060	AT-60	ATTENUATOR/MESSAGE BOARD	2004	INTERNATIO	4300	1HTMMAAL14H663124	K79890
CT-0061	AT-61	ATTENUATOR/MESSAGE BOARD	2004	INTERNATIO	4300	1HTMMAAL84H663122	102775-RI
CT-0062	AT-62	ATTENUATOR/MESSAGE BOARD	2011	INTERNATIO	4300	1HTJTSKL4BH363813	K95995
CT-0063	AT-63	ATTENUATOR/MESSAGE BOARD	2011	INTERNATIO	4300	1HTJTSKL7BH363806	K95994
CT-0064	AT-64	ATTENUATOR/MESSAGE BOARD	2000	GMC/ISUZU	FTR	1GDM7C1C1YJ515307	32655A
CT-0065	AT-65	ATTENUATOR CONE MESSAGE B	2015	FORD	F-750	3FRXF7FL1FV003113	57103A
CT-0066	AT-66	ATTENUATOR/CONE/MSGBRD	2016	INTERNATIO	4300 SBA 4	1HTMMMN5GH283142	58173A
CT-0067	AT-67	ATTENUATOR/CONE/MSGBRD	2008	FORD	F-750	3FRXF75C88V075270	48963A
BOX TRUCK							
BX-0007	V-7	BOX TRUCK	1999	CHEVROLET	W-4	J8BC4B140X7015136	J-87321
BX-0010	V-10	BOX TRUCK	2006	ISUZU	NQR	JALE5B16967903395	K38457
BX-0011	V-11	BOX TRUCK	2003	ISUZU	NQR	JALE5B14437902164	K71639
BX-0013	V-13	BOX TRUCK	2010	ISUZU	NQR	JALE5W162C7900213	K83845
BX-0014	V-14	BOX TRUCK	2004	ISUZU	FRR	JALF5C13647700946	J22139
BX-0015	AV-15	AIRPORT BOX VAN	2012	FORD	F-750	3FRXF7FE7BV692327	53640A
BX-0016	AV-16	AIRPORT BOX VAN	2015	FORD	F-750	3FRXW7FE7FV720150	57102A
BX-0017	V-17	BOX TRUCK	2012	ISUZU	NPR	JALC4W164C7002206	AB10954
BX-0018	V-18	BOX TRUCK	2012	ISUZU	NPR	JALC4W160C7002199	AB10953
BX-0019	V-19	BOX TRUCK	2012	ISUZU	NPR	JALC4W16XC7002324	AB52549
BX-0020	V-20	BOX TRUCK	2010	ISUZU	NPR	JALE5W162A7900435	AE05890
BX-0021	AV-21	AIRPORT BOX VAN	2017	FORD	F-750	1FDYW7DE8HDB06518	61110A
BX-0022	AV-22	AIRPORT BOX VAN	2017	FORD	F-750	1FDYW7DE6HDB06517	61179A
BX-0023	V-23	BOX TRUCK	2001	GMC	W55042	J8DE5B14917900973	K90616
BX-0024	V-24	BOX VAN	2013	ISUZU	NRR	JALE5W165D7901664	AE31953
BX-0025	V-25	BOX VAN	2014	ISUZU	NRR	JALE5W161E7900657	AE31952
BX-0026	AV-26	BOX TRUCK	2019	ISUZU	NRR	JALE5J161K7004950	AE53685
BROOM							
BR-0004	BCT-4	BROOM/CONE TRUCK	2004	GMC	WT550	J8DF5C13147700451	K-38467
SW-0002	S-2	BROOM BEAR SWEEPER	2000	FREIGHTLIN	FL70	1FV6HJBA6YHG76794	31304-A
CAR							
CR-0015	CAR-15	CODYS TAHOE	2011	CHEVY	TAHOE	1GNSKAE01BR311430	488YYZ
CR-0016	CAR-16	JACKS JEEP	2013	JEEP	GR CHK	1C4RJFCTOEC239437	912UAN
CR-0017	CAR-17	DEKES JEEP	2014	JEEP	GR CHK	1C4RJFBG1EC415173	AL70672
CR-0018	CAR-18	MARKS JEEP	2015	JEEP	GR CHK	1C4RJFCT5FC914443	8AWAE1
CR-0019	CAR-19	LUKES EQUINOX	2017	CHEVY	EQUINOX	2GNFLFEK7H6279763	C102225
DUMP							
DT-0003	D-3	DUMP TRUCK	2005	STERLING	ACTERRA	2FZACGS05AU32815	41892A
DT-0005	D-5	DUMP TRUCK	2008	FREIGHTLIN	M2	1FVHCYBS38HAB0237	57608A

Equipment	Description	Year	Make	Model	Vin #	Marker#
EPOXY						
EP-0013	ED-13 EPOXY DETAIL SPRAY TRUCK	2008	ISUZU	FVR	4GTJ7F1B68F700146	K47988
EP-0014	E-14 EPOXY PAINT TRUCK 700 GAL	2009	PETERBILT	320	3BPZL00XX9F719864	47727A
EP-0015	EB-15 EPOXY PAINT TRUCK BLACK	2002	ISUZU	FTR	4GTK7C1382J700679	J-85500
EP-0016	E-16 EPOXY PAINT TRUCK 700 GAL	2011	PETERBILT	320	3BPZL70X2CF160021	59673A
EP-0017	E-17 EPOXY PAINT TRUCK 450 GAL	2014	PETERBILT	320	3BPZHJ8XXEF247476	55221A
EP-0018	E-18 EPOXY PAINT TRUCK 825 GAL	2015	PETERBILT	320	3BPZLJ0X9FF292579	57850A
EP-0019	E-19 EPOXY PAINT TRUCK 825 GAL	2016	PETERBILT	320	3BPZLJ0X5GF100785	60090A
EP-0020	ED-20 EPOXY DETAIL SPRAY TRUCK	2017	PETERBILT	220	3BPPHM7X8HF591273	58958A
EP-0021	ED-21 EPOXY DETAIL SPRAY TRUCK	2017	PETERBILT	220	3BPPHM7XXHF591274	58959A
EP-0022	ED-22 EPOXY DETAIL SPRAY TRUCK	2016	ISUZU	NRR	JALE5W164G7303148	AB06911
EP-0023	E-23 EPOXY PAINT TRUCK 450 GAL	2018	PETERBILT	520	3BPDHJ8X0JF177796	60960A
EP-0024	E-24 EPOXY PAINT TRUCK 825 GAL	2018	PETERBILT	520	3BPDJXJEX4JF188470	61955A
EP-0025	ED-25 EPOXY DETAIL W/Y SPRAY TR	2018	ISUZU	NRR	JALE5W163J7304380	AE29929
EP-0026	E-26 EPOXY PAINT TRUCK 525 GAL	2019	PETERBILT	520	3BPDJXJ8XXKF102963	63798A
EP-0027	E-27 EPOXY PAINT TRUCK 600 GAL	2020	PETERBILT	520	3BPDJLJ0X3LF107092	65628A
FLATBED						
FL-0059	CT-59 CONE TRUCK	2000	ISUZU	NPR	JALC4B141Y7017437	K13712
FL-0060	CT-60 CONE TRUCK	2000	CHEV	W5500	J8BE5B146Y7901386	K32457
FL-0061	CT-61 CONE TRUCK	2000	ISUZU	NPR	JALB4B14817004119	K38454
FL-0062	CT-62 CONE TRUCK	2001	ISUZU	NPR	JALB4B14927005085	K38456
FL-0063	CT-63 CONE TRUCK	2005	FORD	F-450	1FDXF46P65EA40369	K47843
FL-0064	CT-64 CONE TRUCK	2015	ISUZU	NRR	JALE5W169F7301832	L25300
FL-0065	CT-65 CONE TRUCK	2015	ISUZU	NRR	JALE5W16XF7301998	L22273
FL-0066	CT-66 CONE TRUCK	2001	ISUZU	FRR	JALF5C13017701165	J78839
FL-0067	CT-67 CONE TRUCK	2000	ISUZU	FRR	JALF5C131Y7701475	J71130
FL-0068	CT-68 CONE TRUCK	1998	ISUZU	NQR	JALC4B1K1W7001153	J-87713
FL-0069	CT-69 CONE TRUCK	2003	ISUZU	FRR	JALF5C13637700816	K10847
DETAIL GLUE						
GL-0004	D-4 DETAIL GLUE TRUCK	2004	INTERNATIO	4000	1HTMMAAMX4H680917	K90617
GRINDING						
GR-0008	G-8 GRINDING TRUCK	2006	ISUZU	FXR	4GTP8F1346F700109	41849A
GR-0009	SAW-9 GROOVING TRUCK	2006	ISUZU	FXR	4GTP8F1396F700414	44622A
GR-0010	G-10 GRINDING TRUCK	2009	ISUZU	FVR	4GTK7F1B09F700004	K58329
GR-0011	G-11 GRINDING TRUCK	2008	ISUZU	FTR	4GTK7F1B68F700328	K78639
GR-0012	G-12 GRINDING TRUCK	2009	ISUZU	T7F042	4GTJ7F1B59F700074	K92585
GR-0014	G-14 GRINDING TRUCK	2006	CHEVY	T7F042	1GBJ7F1386F417159	K94655
GR-0015	SAW-15 GROOVING TRUCK	2015	PETERBILT	320	3BPZHJ8XOFF256690	55220A
GR-0016	G-16 GRINDING TRUCK	2017	PETERBILT	220	3BPPHM7X6HF591272	58960A
GR-0017	G-17 GRINDING TRUCK	2018	PETERBILT	220	3BPPHM7X9JF591577	61111A
PICKUP						
PI-0005	P-5 S-10 PICKUP	2002	CHEVROLET	S-10 PICKU	1GCCS145928193532	3CA604
PI-0006	P-6 F350 PICKUP	2002	FORD	F350 PICKU	1FTSF30F92EA92874	2CW534
PI-0007	P-7 PICK-UP	2003	CHEV	SILVERADO	1GCEK19V03E71980	6CX981
PI-0008	P-8 F250 PICKUP	2004	FORD	F250 2WD	1FTNF20P04ED07352	8CX 303
PI-0009	P-9 F250 PICKUP	2005	FORD	F250	1FTSX21515EB82652	19CV50
PI-0010	P-10 PICK-UP	2000	FORD	SWR SUPE	1FTNF21F8YEA03391	19CZ03
PI-0011	P-11 PICK-UP	2006	FORD	F-250	1FTSF20P46ED24127	57152-RI
PI-0012	P-12 PICKUP	2008	CHEVROLET	SILVERADO	2GCEK13C181115184	64CY39
PI-0013	P-13 PICKUP	2008	CHEVROLET	SILVERADO	2GCEK13CX81177764	64CY40
PI-0014	P-14 PICKUP	2000	CHEVROLET	C2500	1GCGC23R7YF451169	K69153
PI-0015	P-15 F-350 PICKUP	2008	FORD	F-350	1FTWF30518ED04104	K58338
PI-0016	P-16 CHEVY SILVERADO 4X4	2009	CHEVROLET	SILVERADO	3GCEK13C49G286939	101781-RI
PI-0017	P-17 1500 SILVERADO	2017	CHEVY	1500 SILVE	3GCUKREC7HG320281	C102224
PI-0018	P-18 1500 SILVERADO	2017	CHEVY	SILVERADO	1GCVKREC0HZ381959	C129521
PI-0019	P-19 1500 SILVERADO	2014	CHEVY	1500 SILVE	1GCVKREC7EZ379525	C147861
PI-0020	P-20 1500 SILVERADO	2018	CHEVY	SILVERADO	3GCUKREC9JG582518	AP71679

Equipment	Description	Year	Make	Model	Vin #	Marker#	
PAINT							
PT-0019	PT-19	PAINT TRUCK 120 GAL	2006	ISUZU	FXR	JALE5B16567301366	K-38502
PT-0020	PT-20	AIRPORT PAINT TRUCK	2007	GMC	T850	1GDP8F1B47F421913	45689A
PT-0021	PT-21	PAINT TRUCK 120 GAL	2008	ISUZU	FVR	4GTK7F1B88F700315	K66551
PT-0022	PT-22	PAINT TRUCK 120 GAL	2009	ISUZU	FVR	4GTK7F1B88F700363	K76669
PT-0023	PT-23	PAINT TRUCK 700 GAL	2010	PETERBUILT	320	3BPZH58X1AF107141	48864A
PT-0024	PT-24	PAINT TRUCK 700 GAL	2010	PETERBUILT	320	3BPZH58X1AF107142	48865A
PT-0026	PT-26	PAINT TRUCK 700 GAL	2014	PETERBILT	320	3BPZHJ8X5EF251998	55626A
PT-0027	PT-27	PAINT TRUCK 240 GAL	2016	PETERBILT	220	3BPPHM7XGF591043	58369A
PT-0028	PT-28	PAINT TRUCK 700 GAL	2017	PETERBILT	320	3BPZHJ8X4HF107749	59113A
PT-0029	PT-29	PAINT TRUCK 60 GAL	2017	ISUZU	NRR	JALE5W168H7301940	AB06943
PT-0030	PT-30	PAINT TRUCK 120 GALLON	2018	ISUZU	FTR	54DK6S163JSG00439	AE05617
PT-0031	PT-31	PAINT TRUCK 700 GAL YELLO	2019	PETERBILT	520	3BPDKJ8X8KF104307	63699A
RACK							
RA-0040	R-40	RACK BODY	1999	ISUZU	NQR	07/ JALE5B145X7902468	J44536
RA-0041	R-41	RACK BODY	1999	ISUZU	NQR	JALE5B145X7902471	J44541
RA-0042	R-42	RACK BODY	1999	ISUZU	NQR	07/9 JALE5B147X7902245	J44537
RA-0043	R-43	RACK BODY	2001	ISUZU	NQR	01/01 JALE5B14027900023	J77376
RA-0044	R-44	RACK BODY	2002	ISUZU	NQR	01/01 JALE5B14727900049	J77375
RA-0046	R-46	RACK BODY	2003	ISUZU	NQR	JALE5B14937901382	H-99231
RA-0047	R-47	RACK BODY	2003	ISUZU	NQR	JALE5J14237901928	J-99015
RA-0048	R-48	RACK BODY	2005	ISUZU	NQR	JALE5B16057901162	J17780
RA-0049	R-49	RACK BODY	2006	ISUZU	NQR	JALE5J16567900598	K31130
RA-0050	R-50	RACK BODY	2007	ISUZU	FVR	4GTM7F1347F700022	60549A
RA-0051	R-51	RACK BODY	2008	ISUZU	NQR	JALE5W16187900341	K-47885
RA-0052	R-52	RACK BODY	2011	ISUZU	NQR	JALE5J168B7901822	K82656
RA-0053	R-53	RACK BODY	2015	ISUZU	NRR	JALE5W163F7301566	L22274
RAMP							
RT-0002	RT-2	RAMP TRUCK	1998	ISUZU	NPR	JALC4BIKIW7002965	J-93069
RT-0003	RT-3	RAMP TRUCK	2004	ISUZU	FRR	JALF5C13547700923	K14691
THERMO							
TH-0002	TP-2	THERMO PAINT TRUCK	2004	STERLING	ACTERRA	2FZACGAK34AM18439	36101A
TH-0004	TP-4	THERMO PAINT TRUCK	2016	INTERNATIO	4300	1HTMMMMN2GH210116	57609A
RACK BODY HYDRO-BLAST							
WT-0004	WB-4	HYDROBLAST TRUCK	2016	PETERBILT	320	3BPZX7EX9GF103009	57997A
WT-0005	WB-5	HYDROBLAST TRUCK	2018	PETERBILT	M520	3BPDX7EX1JF196657	61879A
WT-0006	WB-6	HYDROBLAST TRUCK	2019	PETERBILT	M520	3BPDX7EX3KF104160	63493A
WT-0007	WB-7	HYDROBLAST TRUCK	2019	PETERBILT	520	3BPDX7EX1KF103945	64657A



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?

YES ☐ NO ☒ If yes, to what campaign committee?

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.

Electronically signed and certified at the date and time indicated by:
Mark Kelly [MKELLY@SAFETYMARKING.NET]

Dated: 05/20/2020 04:19:50 PM

Vendor: Safety Marking, Inc.

Title: President



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 the last page 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?

YES ☐ NO ☒ If yes, to what campaign committee? If none, you must so state:

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.

Electronically signed and certified at the date and time indicated by:
Mark Kelly [MKELLY@SAFETYMARKING.NET]

Dated: 05/20/2020 04:23:50 PM

Vendor: Safety Marking, Inc.

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: Mark Kelly
Date of birth: ~~XXXXXXXXXX~~
Home address: ~~XXXXXXXXXX~~
City: ~~XXXXX~~ State/Province/Territory: ~~XXXXX~~ Zip/Postal Code: ~~XXXXXX~~
Country: US

Business Address: 255 Hancock Avenue
City: Bridgeport State/Province/Territory: CT Zip/Postal Code: 06605
Country: US
Telephone: 2033336870

Other present address(es): 460 Bostwick Avenue
City: Bridgeport State/Province/Territory: CT Zip/Postal Code: 06605
Country: US
Telephone: 2033336870

List of other addresses and telephone numbers attached

Type	Business
Description	
Address	59 Stilson Road
City	Richmond State/Province/Territory: RI Zip/Postal Code: 02898
Country	US
Phone	(401) 539-1016

Type	Business
Description	
Address	500 Bostwick Avenue
City	Bridgeport State/Province/Territory: CT Zip/Postal Code: 06605
Country	US
Phone	

Type	Business
Description	
Address	85 New York Avenue
City	Westbury State/Province/Territory: NY Zip/Postal Code: 11590
Country	US
Phone	(516) 333-0489

Type	Business
Description	
Address	84 Sylvester Street
City	Westbury State/Province/Territory: CT Zip/Postal Code: 11590
Country	US

2. Positions held in submitting business and starting date of each (check all applicable)

President	02/10/1989	Treasurer	02/10/1989
Chairman of Board		Shareholder	02/10/1989
Chief Exec. Officer	02/10/1989	Secretary	05/01/2016
Chief Financial Officer		Partner	
Vice President			
(Other)			

Type	Description	Start Date
Treasurer		02/10/1989

3. Do you have an equity interest in the business submitting the questionnaire?

YES ☒ NO ☐ If Yes, provide details.

Own 100% of Shares

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 ☐ NO ☒ If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?

YES ☒ NO ☐ If Yes, provide details.

Sole Owner of Safety Marking of NY, Inc. since May 1, 2016. Safety Marking of NY, Inc. exclusively provides union labor to Safety Marking, Inc. Safety Marking of NY, Inc. will not be performing any active work on these projects.

2 File(s) Uploaded: Principal Questionnaire Form-Safety Marking of NY, Inc..pdf, Safety Marking of NY, Inc. PQ April 2020.pdf

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 ☒ 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 ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- 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 ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- 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 ☒ If yes, provide an explanation of the circumstances and corrective action taken.

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?
YES ☐ NO ☒ If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9. a. Is there any felony charge pending against you?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- b. Is there any misdemeanor charge pending against you?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- c. Is there any administrative charge pending against you?
 YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.
- 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? Y
 YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.
- e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
 YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.
- f. In the past 5 years, have you been found in violation of any administrative or statutory charges?
 YES ☒ NO ☐ If yes, provide an explanation of the circumstances and corrective action taken.

In July 2016, the NYC Parks & Recreation Dept. performed two audits and alleged that a Painter-Striper should have been classified as a Painter-Lineperson. SMC disputed these findings. In order to resolve the disputes, SMC paid the underpayments to resolve the apparent violations. SMC did not admit that any violations occurred, but nonetheless discloses the matter.

On March 28, 2018 - Citation 1 - OSHA Other-than-Serious Violation (please see attached for detail)

2 File(s) Uploaded: Attachment for Question 9 f.pdf, Item 9f.pdf

10. 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 an explanation of the circumstances and corrective action taken.

NYS DOT & CTDOT conducted a compliance review due to the lawsuit and concluded that Safety Marking, Inc. to be a responsible contractor and no sanctions were imposed. Please see detail in the attachments and Letter from the President.
11. 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 an explanation of the circumstances and corrective action taken.

12. 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 an explanation of the circumstances and corrective action taken.

13. 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 an explanation of the circumstances and corrective action taken.

I, Mark Kelly , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Mark Kelly , hereby certify that I have read and understand all the items contained in this form; 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 form; 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 form as additional inducement to enter into a contract with the submitting business entity.

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.

Safety Marking, Inc.

Name of submitting business

Electronically signed and certified at the date and time indicated by:

Mark Kelly [MKELLY@SAFETYMARKING.NET]

President

Title

04/08/2020 02:01:21 PM

Date

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 Mark Kelly - Safety Marking of NY, Inc.
Date of birth XXXXXXXXXX
Home address XXXXXXXXXX
City/state/zip XXXXXXXXXX
Business address 90 Sylvester Street
City/state/zip Westbury, NY 11590
Telephone 203.814.3400 or 203.333-6870 x 400
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 / 01 / 2016 Treasurer 05 / 01 / 2016
Chairman of Board / / Shareholder 04 / 05 / 2007
Chief Exec. Officer / / Secretary 04 / 05 / 2007
Chief Financial Officer / / Partner / /
Vice President / / / /
(Other)

3. Do you have an equity interest in the business submitting the questionnaire?
YES x NO If Yes, provide details. Mark Kelly owns 100% of Shares since May 1, 2016
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 NO x If Yes, provide details.
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 x NO ;
If Yes, provide details. Mark Kelly is the sole officer of Safety Marking, Inc. since May 1, 2016 and has owned 100% of its shares since February 10, 1989.

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 X NO ____
If Yes, provide details. Safety Marking, Inc. has been awarded multiple contracts from CTDOT, NYSDOT, NYSTA, NCDPW, Suffolk County DPW, PANYNJ, Towns of Huntington, North Hempstead, Glen Cover, the MTA TBTA and others.

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 X 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 X 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 X 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 X 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 X If Yes, provide details for each such charge.
 - b) Is there any misdemeanor charge pending against you? YES ____ NO X If Yes, provide details for each such charge.
 - c) Is there any administrative charge pending against you? YES ____ NO X 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 X 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 X 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 X NO ____ If Yes, provide details for each such occurrence. Please see attachment # 8f
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 X 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 X NO ____ If Yes; provide details for each such investigation. NYSDOT & CTDOT conducted a compliance review due to the lawsuit and concluded Safety Marking, Inc. to be a responsible contractor and no sanctions were imposed. Please see #10 below and attached Letter from the President.
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 X 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 X If Yes, provide details for each such year.

ITEM #10

The company was involved in a lawsuit filed by two former employees under 42 U.S.C. Sec. 1981, relating to the conduct of five Safety Marking employees that occurred sometime between 2008-2012. In March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Due to this litigation, in the Spring of 2016, both CTDOT and NYDOT conducted an in-depth Contract Compliance Review of Safety Marking, Inc. and both concluded that Safety Marking, Inc. was a responsible bidder.

In 2018, the New York State Department of Transportation investigated Safety Marking's qualifications as a responsible contractor/bidder arising out of an allegation raised that Safety Marking was somehow affiliated with another company. After a hearing was held in August 2018 before the New York State Department of Transportation, Safety Marking was determined to be a responsible contractor/bidder under New York regulations.

On April 5, 2019 the company received a civil investigative demand from the United States Attorney's office, Northern District of New York. The civil demand required the company to provide documentation to the government relating to The Fence Man, Inc., an unaffiliated company. Safety Marking, Inc. has complied with the investigative demand and disclosed all documents in accordance thereto.

In January 2020 an employee who was terminated for aggressive and bullying conduct filed a Charge with the NLRB alleging that his bullying conduct was protected speech under the NLRA. No Complaint was issued by the NLRB and the Charge was withdrawn in February 2020 after a settlement.

PRINCIPAL QUESTIONNAIRE – Safety Marking of NY, Inc.

8 f

In July 2016, the NYC Parks & Recreation Dept. performed two audits and alleged that a Painter-Striper should have been classified as a Painter-Lineperson. SMC disputed these findings. In order to resolve the disputes, SMC paid the underpayments to resolve the apparent violations. SMC did not admit that any violations occurred, but nonetheless discloses the matter.

Citation 1 - OSHA Other-than-Serious Violation (please see attached for detail)

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1304526
Inspection Date(s): 03/28/2018 - 03/28/2018
Issuance Date: 03/28/2018



Citation and Notification of Penalty

Company Name: Safety Marking Inc.
Inspection Site: Route 84, New Britain, CT 06051

Citation 1 Item 1 - Type of Violation: **Other-than-Serious**

29 CFR 1904.39(a)(2): The employer did not report an in-patient hospitalization, amputation, or loss of an eye as a result of a work-related incident to OSHA within twenty-four (24) hours:

Jobsite located on I-84, New Britain, Connecticut: On, or about, March 28, 2018, the employer had not reported a work-related injury that occurred on September 28, 2017 that resulted in the hospitalization of an employee.

Date By Which Violation Must be Abated:
Proposed Penalty:

05/14/2018
\$7068.00

A handwritten signature in black ink, appearing to read "Dale Varney", written over a horizontal line.

Dale Varney
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

SMC **Safety Marking Inc.**

Established 1973

An Equal Opportunity Employer M/F

"OUR REPUTATION IS BUILT ONE LINE AT A TIME."

Occupational Safety and Health Administration

May 30, 2018

William Cotter Federal Building

135 High Street, Suite 361

Hartford, CT 06103

RE: OSHA Inspection No. 1304526

Mr. Dale Varney

OSHA, Hartford, CT,

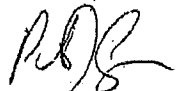
Please accept this letter of abatement for OSHA Inspection No. 1304526.

Citation 1, Item 1, Violation: Other-than-Serious. Jobsite located on I-84, New Britain, CT; Safety Marking Inc. failed to report a work related injury that occurred on September 28, 2017 that resulted in hospitalization of an employee. Corrected on March 28, 2017 by answering to OSHA Citation and putting into place Reporting and Recordkeeping protocols to report within 24 hours any in-patient hospitalizations, amputations, or loss of eye.

All Safety Marking Inc. management has been informed of this new protocol, so that any injuries that meet the new OSHA Reporting requirements are reported to the Safety Department and reported within 24 hours.

I, Patrick Clyne, Safety Director of Safety Marking Inc. confirm that this information submitted is accurate and Safety Marking Inc. will report all injuries as required by the new OSHA Reporting requirements.

Thank you,



Patrick Clyne

Safety Director

Safety Marking Inc.

255 Hancock Ave

Bridgeport, CT 06605

255 Hancock Avenue, Bridgeport, Connecticut 06605 Phone: 203-333-6870 FAX: 203-333-9099

59 Stilson Road, Richmond, Rhode Island 02898 Phone: 401-539-1016 FAX: 401-539-3153

84 Sylvester Street, Westbury, NY 11590 Phone: 516-333-0489 FAX: 516-334-0813

www.safetymarking.net

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

In the Matter of: **Safety Marking, Inc.**
OSHA Inspection Number: **1304526**

INFORMAL SETTLEMENT AGREEMENT

The undersigned Employer and the undersigned Occupational Safety and Health Administration (OSHA), in settlement of the above citation and penalties, which were issued on **03/28/2018** hereby, agree as follows:

1. The Employer agrees to correct the violations as cited in the above citations or as amended below.
2. The Employer agrees to pay the proposed penalties, if any, as issued with the above citation(s), or, if amended by this agreement, as amended below.
3. The Employer and OSHA agree that the following citations and penalties, if any, are not being amended:

N/A

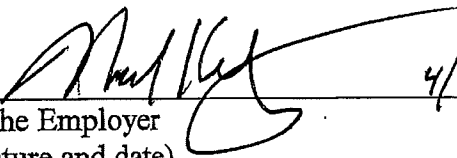
4. OSHA agrees that the following citations and penalties are being amended as shown below:

Citation 1 Item 1 penalty is reduced by 50%

5. The employer, by signing this informal settlement agreement, hereby waives its right to contest.
6. The employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s) referred to in paragraph 4 above. This Settlement Agreement must remain posted until the violations cited have been corrected, or for 3 working days (excluding weekends and Federal Holidays), whichever is longer.
7. The employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.

8. Each party hereby agrees to bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.
9. If the modified penalty, **\$3,534.00** is not paid by **May 1, 2018**, the penalty will revert to the original amount of **\$7,068.00** plus administrative cost.

For Occupational Safety
And Health Administration
Dale Varney
(Signature and date)



For The Employer
(Signature and date)

4/10/18



Established 1973

*An Affirmative Action-Equal Opportunity Employer
Providing Equal Opportunities for Minorities, Females,
Veterans & Individuals with Disabilities*

"OUR REPUTATION IS BUILT ONE LINE AT A TIME."

Re: Letter from the President regarding SMC's involvement in a litigation

To Whom It May Concern:

Safety Marking, Inc. feels that it is important to be forth coming that it was indeed the subject of litigation for several years involving two former employees. These two employees alleged that they were victims of discrimination for incidents relating to the conduct of five Safety Marking, Inc. employees that occurred sometime between 2008-2012. The company fought the unsubstantiated litigation through trial and then through post-trial motions, but due to what it believes were grievous errors of law and clearly erroneous rulings by the judge, in March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Following the verdict, both CT DOT and NY DOT did their due diligence and investigated Safety Marking and its practices and both concluded that there were no findings of non-responsibility. Both confirmed Safety Marking's status as a responsible contractor and Safety Marking was awarded the contracts.

Safety Marking believes strongly in its EEO policies and employs approximately 50% minorities. Safety Marking and its management do not tolerate harassment or discrimination of any kind. Since the lawsuit, Safety Marking has taken many steps to enhance our operation to ensure the highest level of professionalism and compliance.

One of the first of many steps that the company took was to hire an experienced, seasoned Human Resources Manager in January 2015. The Human Resources role in a company is to evaluate all procedures and processes to ensure that the company and its practices follow all state and federal laws and requirements. A complete audit was done and some of the changes that were immediately implemented included revising the Employee Handbook which was distributed to every employee in the company and all policies and procedures were reviewed with all employees in mandatory meetings. We enhanced the existing New Employee Orientation program and changed it from a one-day session to a 4-day program. The first day starts with the Human Resources Manager covering a number of things including all company policies and procedures, a review of the Employee Handbook, as well as a thorough explanation and outline of the company's EEO/Affirmative Action and Anti-Harassment Policies which also includes interactive exercises along with follow up discussions. The other three days of the program are led by Safety Marking's Safety Director and three other Managers and cover other topics including Safe Driving and Work Zone Safety, OSHA, PPE and other key training areas applicable to our equipment and our operation. This training is also modified and condensed into a one-day program and done annually as a refresher for all current employees at the beginning of each season at mandatory Return to Work meetings. The purpose of these meetings is to communicate, educate and train all employees in the key areas of our operation. It is imperative for our employees to know that we do not tolerate any form of discrimination, harassment or bullying and will take every action possible to ensure that we are providing a workplace free from that behavior.

Every employee is welcomed and treated with respect here at our company from day one. One of the things that we feel is important in ensuring this, is that everyone addresses each other by the person's name. For this to happen, we added the employees' name to their shirts, vests and jackets so that everyone can address each other by their name immediately, even if they are just meeting the person for the first time.

Our company prides itself on our Company's 360 Review processes which we have been doing since 1997. This process gives each employee the opportunity to evaluate every employee, supervisor and manager that he/she works with in the company and has the opportunity to confidentially review the person's ability, attitude and how the person helped, taught or provided the tools to help the employee do their job. In the past, I conducted these reviews with every employee. In 2016, we enhanced the process and now each employee meets with three other members of our management team in addition to me in their review process. Each employee sits down with the Safety Director, the Operations Manager, the Human Resources Manager and then me. During these meetings the employee is able to discuss the pertinent aspects of their job, bring up any ideas or suggestions they may have on making things better or any problems or concerns that they may have as well. We spend over three months each year on the employee review process and take it very seriously to ensure that our employees are in the right position, getting the right tools and training to do their job and address any concerns that they bring to our attention.

In January 2018, Safety Marking hired a Manager of Learning and Development. Bringing 25 years' experience to our company, this individual has helped create a Learning-Focused Organization by 1) increasing the frequency of Operations Training, 2) instituting a Professional Development Training Program in tandem with a Competencies Framework for all employees, and 3) building a Learning Management System into the company's website. A newly built 30-seat training facility was added to our Bridgeport, CT headquarters where instructor-led classes are delivered weekly to employees, video training is produced, and employee coaching can take place. Additionally, this role also provides Success Coaching to employees across all three locations.

In summary, Safety Marking, Inc. is committed to providing a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits any unlawful discriminatory practices. Through our continued communications, training and Open Door Policy that we have with our employees, we are confident that our employees feel good about Safety Marking.

Please feel free to contact me with any questions or if you require any further information pertaining to this matter. You can also reach out to our Human Resources Manager, Kelly Lavoie, who would be happy to answer any questions or provide you with any other information you may need. She can be reached at 203-814-3416. We welcome you to visit our operation as well if you wish so that you have a better understanding of what we do. I would be happy to give you a tour of our facility and have you meet our Safety Marking family.



Mark K. Kelly
President



Department of Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

Cathy Calhoun
Chief of Staff

BY EMAIL and US MAIL

June 6, 2016

Mark Kelly, President
Safety Marking, Inc.
255 Hancock Avenue
Bridgeport, Connecticut 06605

Dear Mr. Kelly,

Safety Marking, Inc. ("Safety Marking") is the putative low bidder on New York State Department of Transportation (the "Department") Contract D263122, a 2016 Durable Pavement Marking Contract. The Department has a statutory responsibility to award contracts to the lowest responsible bidder as will best promote the public interest.

By letter of May 4, 2016, Safety Marking was called in to meet with the Department's Contract Review Unit (CRU) to discuss Safety Marking's status as a responsible contractor following a federal jury verdict awarding punitive and compensatory damages to two Safety Marking employees who sued Safety Marking and a number of the company's employees in the United States District Court for the District of Connecticut. In the lawsuit, Plaintiffs alleged that Safety Marking and the individual defendants created, tolerated, and ignored a racially hostile work environment. The Department was also concerned about the accuracy of the New York State Vendor Responsibility Questionnaire For-Profit Construction form (CCA-2) submitted by Safety Marking in January 2016, which does not disclose this lawsuit.

The Department asked Safety Marking to set forth its position on these issues, and to submit materials for consideration by a CRU panel prior to a May 18, 2016 CRU Meeting. Safety Marking's submissions included a May 12, 2016 letter from Safety Marking's attorney Joshua Hawks-Ladds, which, broadly speaking, stated that the trial suffered from erroneous decisions made by the judge and that the verdict was improper and would be overturned after post-verdict briefing or on appeal. The May 12 letter also noted that you, as President of Safety Marking, were exonerated. Additionally, the letter explained that after the verdict, Connecticut Department of Transportation officials reviewed Safety Marking's status, and deemed Safety Marking a responsible bidder eligible for award of state contracts.

The May 12 letter also asserted that you did not think the CCA-2 solicited information about the lawsuit. Furthermore, both the letter and attached affidavits state that Jack Matis, Safety Marking's Controller, filled out the CCA-2 and that he was unaware of the lawsuit. Additionally, the letter says that the lawsuit was disclosed to other governmental entities. Accompanying the May 12 letter were submissions including relevant Safety Marking's policies and procedures, training materials, an organization chart, a summary of employment data, submissions to The City of New York Department of Small Business Services disclosing the lawsuit, Plaintiffs' evaluations of fellow employees and Safety Marking, an overview of Safety Marking, and minutes from a post-verdict, company-wide meeting.

The CRU Meeting

You, Kelly Lavoie, Safety Marking's Human Resources Manager, and Mr. Hawks-Ladds attended the May 18, 2016 CRU Meeting. After introductions and an overview of the CRU meeting process, I summarized the Department's concerns regarding the lawsuit and the CCA-2 reporting. Mr. Hawks-Ladds discussed the lawsuit, and then you discussed the both the lawsuit and Safety Marking more generally. Ms. Lavoie gave some background on the process Safety Marking undertook to improve company policies regarding discrimination and harassment. Also discussed was the March 29, 2016 company-wide meeting held shortly after the verdict in the lawsuit, at which you addressed all Safety Marking employees and discussed the company's Anti-Harassment/Anti-Discrimination Policy and Complaint Procedures. The CRU panel and Safety Marking representatives engaged in a discussion of these issues. After the May 18 meeting, in response to a question from the Department, Mr. Hawks-Ladds confirmed that the Safety Marking Employee Handbook, 2015 version, copies of which were distributed at the CRU meeting, contained the Anti-Harassment/Anti-Discrimination Policy and Complaint Procedures referred to in the minutes of the March 29, 2016 company meeting.

Determination and Conditions

The Department has considered Safety Marking's submitted materials, presentation and responses at the CRU Meeting, and follow-up communications. The Department finds that Safety Marking is deemed to be the lowest responsible bidder on Contract D263122, subject to compliance with certain conditions. These conditions are as follows:

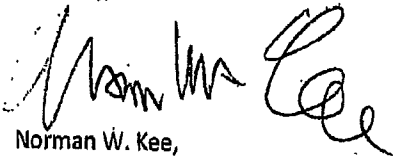
- (1) Safety Marking must revise and resubmit a CCA-2 setting forth the lawsuit and details of the jury verdict. The revised CCA-2 should be submitted no later than June 17, 2016.

(2) Safety Marking must insure that it fulfills Section 105-02 of the Department's Standard Specifications, which addresses the Character of Workers. Section 105-02 requires that work be done under the supervision of a reliable Superintendent, and that orders given by the Engineer will be followed by a foreperson in charge of work at issue. Safety Marking must designate supervisory staff whenever it works on a Department project, and must make that designation known to Department personnel.

The CRU finds that Safety Marking is a responsible contractor and may be awarded Contract D263122, subject to Safety Marking's compliance with the conditions set forth above and all other requirements of the Contract. The Contract award is made in express reliance on Safety Marking's promises and assertions, and its commitment to prevent discrimination and harassment at all times and in all respects. If Safety Marking performs according to its promises and assertions and fulfills the conditions set forth above, then it will continue to be the lowest responsible bidder as will best promote the public interest on Contract D263122, and will remain eligible for award on future Department contracts. Upon award of D263122, Safety Marking agrees to proceed with due diligence to commence work on the same.

Safety Marking understands and agrees that in the event of any future responsibility issue, the Department retains any and all rights that it would have under the terms of its contracts with Safety Marking.

Sincerely,


Norman W. Kee,
Assistant Counsel

Agreed and Accepted:

Safety Marking, Inc.

By: 

Mark Kelly, President

cc: Joshua Hawks-Ladds, Esq.



Department of Transportation

ANDREW M. CUOMO
Governor

PAUL A. KARAS
Acting Commissioner

JANICE A. McLACHLAN
Acting Chief Counsel

BY EMAIL and US MAIL

Mark Kelly, President
Safety Marking, Inc.
255 Hancock Avenue
Bridgeport, Connecticut 06605

August 22, 2018

Dear Mr. Kelly,

Safety Marking, Inc. ("Safety Marking") is a potential subcontractor on several New York State Department of Transportation (the "Department") contracts, including D263661, D263682, D263687, D263711, D263724, D263735, and D263744. The Department has a statutory responsibility to award contracts and subcontracts to responsible entities as will best promote the public interest.

In May 2016, Safety Marking met with the Department's Contract Review Unit (CRU) to discuss Safety Marking's status as a responsible contractor following a jury verdict awarding damages to two Safety Marking employees who alleged that Safety Marking created, tolerated, and ignored a racially hostile work environment. The Department was also concerned about the accuracy of the New York State Vendor Responsibility Questionnaire For-Profit Construction form (CCA-2) submitted by Safety Marking in January 2016. Safety Marking was deemed a responsible contractor provided that it submit a corrected CCA-2, and that Safety Marking fulfill Section 105-02 of the Department's Standard Specifications, which requires contractors to designate supervisory staff. Safety Marking complied with these requirements, and that determination was spread to cover numerous subcontracts.

Recently, the CRU learned that The FenceMan, Inc. ("FenceMan"), a company owned by your daughter Samantha Kelly, had its Disadvantaged Business Enterprise ("DBE") certification removed. Among the reasons cited for the removal of certification was: (1) a sharing of resources and employees between Safety Marking and FenceMan; (2) Safety Marking performing work assigned to FenceMan; and (3) FenceMan invoicing for work done by Safety Marking. By letter of August 3, 2018, you were asked to meet with the CRU to address these issues.

Prior to meeting with the CRU, Safety Marking, through an August 16, 2018 letter (the "Response") from attorney Joshua A. Hawks-Ladds, submitted materials for consideration. Stated broadly, the Response notes that "even though [FenceMan] is owned by Mark Kelly's estranged daughter, Samantha, there

never was an 'affiliation' between the two companies and, as relevant to this current inquiry, a complete fracture has occurred between the two companies (and, unfortunately, between Mr. Kelly and his daughter)." The Response adds that "Mark Kelly is estranged from his daughter and has not seen her since December 2017. They barely communicate with each other and their business associations were always limited as described herein and are currently nonexistent."

Additionally, the Response notes that since Samantha Kelly's 2013 acquisition of FenceMan, neither Mr. Kelly nor Safety Marking have had anything to do with FenceMan other than occasionally leasing specialized equipment and personnel to run the equipment, and selling material to FenceMan at fair market value. The Response states that "[t]he leasing of specialized equipment and providing personnel to run the machines is commonplace in the line striping industry because the equipment costs hundreds of thousands of dollars and only certain companies (like Safety Marking) have the wherewithal to buy this equipment and employ the qualified personnel to run it." The Response further states that it has leased equipment and personnel to at least six other line-striping companies.

Safety Marking continued leasing various equipment to FenceMan through 2017. However, in 2018, Safety Marking has not leased any trucks to FenceMan. FenceMan no longer rents property from an LLC affiliated with you. The Response also notes that Safety Marking and FenceMan do not share personnel. "However, the line striping industry is small and personnel often move between companies." Some personnel are hired out of union halls. Others quit Safety Marking, worked for FenceMan, and came back to Safety Marking.

The Response adds that in 2014, over Mr. Kelly's protests, MTA required Safety Marking to subcontract with FenceMan for five years to meet WBE goals. "Safety Marking has contracted with many other DBE/WBE striping companies on numerous occasions and if Mr. Kelly wanted to favor his daughter's company (or enrich his own company) he could have subcontracted out the work to [FenceMan] instead of these other DBE/WBE companies." Lastly, "Safety Marking does not intend to do business with [FenceMan] any longer," unless required to do so.

At the August 21, 2018 meeting with the CRU, the above points made in the Response were further explained. In addition, you, along with Mr. Hawks-Ladds, explained the expense of running epoxy striping equipment due to cost of acquisition, maintenance, and training of personnel.

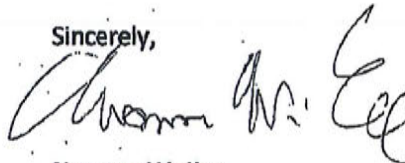
Determination and Conditions

The Department has considered Safety Marking's submitted materials, as well as the presentation and responses from the CRU Meeting. The Department finds that Safety Marking is deemed to be a responsible entity eligible for award of the above referenced subcontracts, subject to compliance with the following conditions:

- (1) If FenceMan is again designated as a DBE or MWBE entity, any business conducted between Safety Marking and FenceMan must be reviewed by an independent monitor, to be hired by Safety Marking and approved by the Department. The independent monitor will report its findings directly to the Department.
- (2) If any entity owned or operated, in whole or part, by Samantha Kelly or any other relative of yours is designated as a DBE or MWBE entity, any business conducted between Safety Marking and that entity must be reviewed by an independent monitor, to be hired by Safety Marking and approved by the Department. The independent monitor will report its findings directly to the Department.
- (3) Safety Marking has an affirmative obligation to inform the Department if it learns that Samantha Kelly or any other relative of yours owns or operates, in whole or part, any entity designated as a DBE or MWBE entity.

Safety Marking understands and agrees that in the event of any future responsibility issue, the Department retains all rights that it would have under the terms of its contracts with Safety Marking.

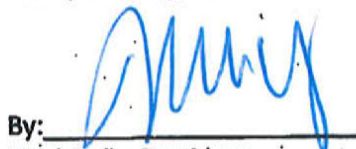
Sincerely,



Norman W. Kee,
Assistant Counsel

Agreed and Accepted:

Safety Marking, Inc.



By:
Mark Kelly, President

cc: Joshua Hawks-Ladds, Esq.



**STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION**

**2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546**

Phone: 860-594-3128



June 16, 2016

Mark Kelly, President
Safety Marking, Inc.
460 Bostwick Avenue
Bridgeport, Connecticut 06605

Re: Contractor's Prequalification
Statement (CON-16)

Dear Mr. Kelly;

This is to notify you that your Firm's subject statement has been found to be satisfactory by this Department.

It will expire June 30, 2019

Your Maximum Capacity Rating ~~XXXXXXXXXXXX~~

Your Construction Group Classifications are:

Group No. 16 Pavement Markings

A Proposal Request (Part "C") can be obtained via this link:
<http://www.ct.gov/dot/lib/dot/documents/dcontractdev/partc.xls>

No bidders that have mutual financial interests, or common ownership, directors, officers or principal shareholders (i.e., shareholders holding at least five percent [5%] of either the common or the preferred shares of the company's stock) may bid for the same Department contract. Such proscribed bidders shall include, but not be limited to, affiliates and subsidiaries of each other. If any non-bidding party has an ownership interest in more than one bidder that is bidding for a given contract, either directly or through the former's ownership interests in another company, no matter how high up or far removed in a vertical or horizontal chain of ownership that party might be from the bidders, the bids of those bidders shall not be accepted.

In addition, with respect to any given Department contract that is advertised for bidding, no bidder owned by, or in the chain of ownership of, a company which provides surety bonds may bid against a bidder for whom a bond has been or will be provided by that company for the given contract bidding. All bids proscribed by the terms of this paragraph will be rejected by the Commissioner.

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, Mark Kelly, 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 08 day of April 2020



Notary Public Caroline Sumner
My Commission Expires: January 31, 2024

CAROLINE SUMNER
Notary Public - Connecticut
My Commission Expires
January 31, 2024

SAFETY MARKING of NY, INC>

Name of submitting business

Mark Kelly

Print name


Signature

President

Title

04 / 08 / 2020

Date

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1304526
Inspection Date(s): 03/28/2018 - 03/28/2018
Issuance Date: 03/28/2018



Citation and Notification of Penalty

Company Name: Safety Marking Inc.
Inspection Site: Route 84, New Britain, CT 06051

Citation 1 Item 1 - Type of Violation: **Other-than-Serious**

29 CFR 1904.39(a)(2): The employer did not report an in-patient hospitalization, amputation, or loss of an eye as a result of a work-related incident to OSHA within twenty-four (24) hours:

Jobsite located on I-84, New Britain, Connecticut: On, or about, March 28, 2018, the employer had not reported a work-related injury that occurred on September 28, 2017 that resulted in the hospitalization of an employee.

Date By Which Violation Must be Abated:
Proposed Penalty:

05/14/2018
\$7068.00

A handwritten signature in black ink, appearing to read "Dale Varney", written over a horizontal line.

Dale Varney
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

SMC Safety Marking Inc.

Established 1973

An Equal Opportunity Employer M/F

"OUR REPUTATION IS BUILT ONE LINE AT A TIME."

Occupational Safety and Health Administration

May 30, 2018

William Cotter Federal Building

135 High Street, Suite 361

Hartford, CT 06103

RE: OSHA Inspection No. 1304526

Mr. Dale Varney

OSHA, Hartford, CT,

Please accept this letter of abatement for OSHA Inspection No. 1304526.

Citation 1, Item 1, Violation: Other-than-Serious. Jobsite located on I-84, New Britain, CT: Safety Marking Inc. failed to report a work related injury that occurred on September 28, 2017 that resulted in hospitalization of an employee. Corrected on March 28, 2017 by answering to OSHA Citation and putting into place Reporting and Recordkeeping protocols to report within 24 hours any in-patient hospitalizations, amputations, or loss of eye.

All Safety Marking Inc. management has been informed of this new protocol, so that any injuries that meet the new OSHA Reporting requirements are reported to the Safety Department and reported within 24 hours.

I, Patrick Clyne, Safety Director of Safety Marking Inc. confirm that this information submitted is accurate and Safety Marking Inc. will report all injuries as required by the new OSHA Reporting requirements.

Thank you,



Patrick Clyne

Safety Director

Safety Marking Inc.

255 Hancock Ave

Bridgeport, CT 06605

255 Hancock Avenue, Bridgeport, Connecticut 06605 Phone: 203-333-6870 FAX: 203-333-9099
59 Stilson Road, Richmond, Rhode Island 02898 Phone: 401-539-1016 FAX: 401-539-3153
84 Sylvester Street, Westbury, NY 11590 Phone: 516-333-0489 FAX: 516-334-0813
www.safetymarking.net

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

In the Matter of: **Safety Marking, Inc.**
OSHA Inspection Number: **1304526**

INFORMAL SETTLEMENT AGREEMENT

The undersigned Employer and the undersigned Occupational Safety and Health Administration (OSHA), in settlement of the above citation and penalties, which were issued on **03/28/2018** hereby, agree as follows:

1. The Employer agrees to correct the violations as cited in the above citations or as amended below.
2. The Employer agrees to pay the proposed penalties, if any, as issued with the above citation(s), or, if amended by this agreement, as amended below.
3. The Employer and OSHA agree that the following citations and penalties, if any, are not being amended:

N/A

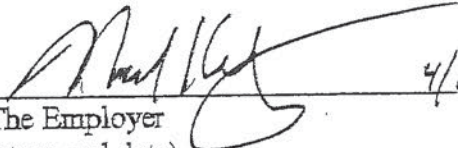
4. OSHA agrees that the following citations and penalties are being amended as shown below:

Citation 1 Item 1 penalty is reduced by 50%

5. The employer, by signing this informal settlement agreement, hereby waives its right to contest.
6. The employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s) referred to in paragraph 4 above. This Settlement Agreement must remain posted until the violations cited have been corrected, or for 3 working days (excluding weekends and Federal Holidays), whichever is longer.
7. The employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.

8. Each party hereby agrees to bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.
9. If the modified penalty, \$3,534.00 is not paid by May 1, 2018, the penalty will revert to the original amount of \$7,068.00 plus administrative cost.

For Occupational Safety
And Health Administration
Dale Varney
(Signature and date)


For The Employer
(Signature and date)

4/10/18

-----Original Message-----

From: notification@pay.gov <notification@pay.gov>

Sent: Wednesday, April 18, 2018 6:05 PM

To: PJ Clyne <PClyne@safetymarking.net>

Subject: Pay.gov Payment Confirmation: OSHA Penalty Collection

Your payment has been submitted to Pay.gov and the details are below. To confirm that the payment processed as expected, you may refer to your bank statement on the scheduled payment date. If you have any questions or wish to cancel this payment, you will need to contact the agency you paid at your earliest convenience.

Application Name: OSHA Penalty Collection

Pay.gov Tracking ID: 2694PTT7

Agency Tracking ID: 75469043469

Account Holder Name: Safety Marking, Inc.

Transaction Type: ACH Debit

Transaction Amount: \$3,534.00

Payment Date: 04/19/2018

Account Type: Business Checking

Routing Number: 011900445

Account Number: *****1323

Transaction Date: 04/18/2018 06:04:50 PM EDT

Total Payments Scheduled: 1

Frequency: OneTime

Company Name: Safety Marking, Inc.

Company Address: 255 Hancock Ave, BRIDGEPORT, CT 06605

Doing Business As:

Contact Name: Mark Kelly

Contact Phone Number: (203) 333-6870

Contact Email Address: jmatis@safetymarking.net

Inspection 1: Number: 1304526 -- Amount: \$3,534.00

Inspection 2:

Inspection 3:

Inspection 4:

Transaction ID:

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT REPLY.

9f

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1304526
Inspection Date(s): 03/28/2018 - 03/28/2018
Issuance Date: 03/28/2018



Citation and Notification of Penalty

Company Name: Safety Marking Inc.
Inspection Site: Route 84, New Britain, CT 06051

Citation 1 Item 1 - Type of Violation: **Other-than-Serious**

29 CFR 1904.39(a)(2): The employer did not report an in-patient hospitalization, amputation, or loss of an eye as a result of a work-related incident to OSHA within twenty-four (24) hours:

Jobsite located on I-84, New Britain, Connecticut: On, or about, March 28, 2018, the employer had not reported a work-related injury that occurred on September 28, 2017 that resulted in the hospitalization of an employee.

Date By Which Violation Must be Abated:
Proposed Penalty:

05/14/2018
\$7068.00

A handwritten signature in black ink, appearing to read "Dale Varney", written over a horizontal line.

Dale Varney
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



SMC Safety Marking Inc.

Established 1973

An Equal Opportunity Employer M/F V/IWD

"OUR REPUTATION IS BUILT ONE LINE AT A TIME."

April 28, 2017

Harold Booth
Field Contract Manager
MTA Bridges and Tunnels
Procurement Department

Re: Contract TN-60 – Safety Marking, Inc.

Dear Mr. Booth:

This letter is in response to your request for clarification regarding information stated on the Vendex. The following information should give you the information you need in order to confirm Safety Marking, Inc. as a subcontractor on the above project.

The first subject matter pertains to an audit done by the Office of Federal Contract Compliance for the evaluation period, May 31, 2013 – June 1, 2014. The findings from that audit revealed that Safety Marking, Inc. had not implemented an applicant tracking system for new hires and did not review its EEO policy and Affirmative Action obligations with all employees, supervisors and managers at least once a year. Safety Marking, Inc. entered into a Conciliation Agreement with the Office of Federal Contract Compliance committing to implementing the systems and review processes immediately and on an ongoing basis. Safety Marking, Inc. agreed to furnish the Office of Federal Contract Compliance with two reports. The first report covered the period from the execution of this Agreement through December 31, 2015 which was due to the OFCCP office no later than February 15, 2016. And the second and final report covered the period of January 1, 2016 through December 31, 2016 and was due to the OFCCP office no later than February 15, 2017. Both reports provided documentation demonstrating that the company had implemented an applicant tracking log and was collecting and maintaining all the necessary information, as well as documentation of the meetings and training that was done to review Safety Marking, Inc.'s EEO policy and documentation of the annual reviews conducted with all supervisors on their adherence to the company's EEO policies and affirmative action obligations. I have attached both letters from the OFCCP that confirms the receipt of as well as the content of the two progress reports. These letters from the OFCCP document their evaluation that Safety Marking, Inc. complied with all items in the Conciliation Agreement and have successfully remedied the areas in question in their initial evaluation.

255 Hancock Avenue, Bridgeport, Connecticut 06605 Phone: 203-333-6870 FAX: 203-333-9099
59 Stilson Road, Richmond, Rhode Island 02898 Phone: 401-539-1016 FAX: 401-539-3153
84 Sylvester Street, Westbury, NY 11590 Phone: 516-333-0489 FAX: 516-334-0813
www.safetymarking.net

The second subject matter pertains to the lawsuit filed by two former employees for incidents relating to the conduct of five Safety Marking employees that occurred sometime between 2008-2012. In March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Following the verdict, both CT DOT and NY DOT did their due diligence and investigated Safety Marking and its practices and both concluded that there were no findings of non-responsibility. Both confirmed Safety Marking's status as a responsible contractor and Safety Marking was awarded the contracts. I have attached the letters from both CT DOT and NY DOT confirming their findings and awarding Safety Marking, Inc. the contracts.

Safety Marking believes strongly in its EEO policies and employs approximately 50% minorities. Safety Marking and its management do not tolerate harassment or discrimination of any kind and communicate our Company's policies and Complaint Procedures with each and every employee. Our Company's Employee Handbook was updated in 2015 and includes all policies and procedures and was distributed and reviewed with every employee by our new Human Resources Manager who was hired in January 2015. All of our employees, supervisors and managers attend mandatory annual training that is conducted each year by our Human Resources Manager which covers Harassment training and our Company's EEO Policy. And our EEO Policy is posted on our bulletin boards at each of our locations as well as in our Compliance Books that we have on our work sites.

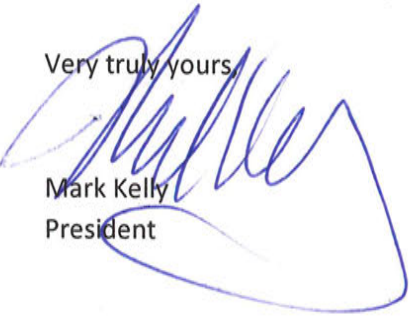
Our company prides itself on our Company's 360 Review processes which we have been doing since 1997. This process gives each employee the opportunity to evaluate every employee, supervisor and manager that he/she works with in the company and has the opportunity to confidentially review the person's ability, attitude and how the person helped, taught or provided the tools to help the employee do their job. In the past, I conducted these reviews with every employee. Last year, we enhanced the process and now each employee meets with three other members of our management team in addition to me in their review process. Each employee sits down with the Safety Director, the Operations Manager, the Human Resources Manager and then I. During these meetings the employee is able to discuss the pertinent aspects of their job, bring up any ideas or suggestions they may have on making things better or any problems or concerns that they may have as well. We spend over three months each year on the employee review process and take it very seriously to ensure that our employees are in the right position, getting the right tools and training to do their job and address any concerns that they bring to our attention.

Safety Marking, Inc. is committed to providing a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits any unlawful discriminatory practices. Through our continued communications, training and Open Door Policy that we have with our employees, we are confident that our employees feel good about the company that they work for. Unfortunately, anyone can accuse you of something without any witness or proof that it in fact occurred and all you can do is defend yourself. There were many facts that we were not allowed by the judge to be presented to the

jury in our defense case which if allowed may have led to a different outcome. But the process is far from being perfect and the grievous errors of law and rulings by the judge only compounded our fate.

Please feel free to contact me with any questions or if you require any further information pertaining to this matter. I would be happy to speak with you more on this and welcome you to visit our operation so that you have a better understanding of everything. I would be happy to give you a tour of our facility and have you meet our Safety Marking family.

Very truly yours,



Mark Kelly
President



Department of Transportation

ANDREW M. CUOMO
Governor

PAUL A. KARAS
Acting Commissioner

JANICE A. McLACHLAN
Acting Chief Counsel

BY EMAIL and US MAIL

Mark Kelly, President
Safety Marking, Inc.
255 Hancock Avenue
Bridgeport, Connecticut 06605

August 22, 2018

Dear Mr. Kelly,

Safety Marking, Inc. ("Safety Marking") is a potential subcontractor on several New York State Department of Transportation (the "Department") contracts, including D263661, D263682, D263687, D263711, D263724, D263735, and D263744. The Department has a statutory responsibility to award contracts and subcontracts to responsible entities as will best promote the public interest.

In May 2016, Safety Marking met with the Department's Contract Review Unit (CRU) to discuss Safety Marking's status as a responsible contractor following a jury verdict awarding damages to two Safety Marking employees who alleged that Safety Marking created, tolerated, and ignored a racially hostile work environment. The Department was also concerned about the accuracy of the New York State Vendor Responsibility Questionnaire For-Profit Construction form (CCA-2) submitted by Safety Marking in January 2016. Safety Marking was deemed a responsible contractor provided that it submit a corrected CCA-2, and that Safety Marking fulfill Section 105-02 of the Department's Standard Specifications, which requires contractors to designate supervisory staff. Safety Marking complied with these requirements, and that determination was spread to cover numerous subcontracts.

Recently, the CRU learned that The FenceMan, Inc. ("FenceMan"), a company owned by your daughter Samantha Kelly, had its Disadvantaged Business Enterprise ("DBE") certification removed. Among the reasons cited for the removal of certification was: (1) a sharing of resources and employees between Safety Marking and FenceMan; (2) Safety Marking performing work assigned to FenceMan; and (3) FenceMan invoicing for work done by Safety Marking. By letter of August 3, 2018, you were asked to meet with the CRU to address these issues.

Prior to meeting with the CRU, Safety Marking, through an August 16, 2018 letter (the "Response") from attorney Joshua A. Hawks-Ladds, submitted materials for consideration. Stated broadly, the Response notes that "even though [FenceMan] is owned by Mark Kelly's estranged daughter, Samantha, there

never was an 'affiliation' between the two companies and, as relevant to this current inquiry, a complete fracture has occurred between the two companies (and, unfortunately, between Mr. Kelly and his daughter)." The Response adds that "Mark Kelly is estranged from his daughter and has not seen her since December 2017. They barely communicate with each other and their business associations were always limited as described herein and are currently nonexistent."

Additionally, the Response notes that since Samantha Kelly's 2013 acquisition of FenceMan, neither Mr. Kelly nor Safety Marking have had anything to do with FenceMan other than occasionally leasing specialized equipment and personnel to run the equipment, and selling material to FenceMan at fair market value. The Response states that "[t]he leasing of specialized equipment and providing personnel to run the machines is commonplace in the line striping industry because the equipment costs hundreds of thousands of dollars and only certain companies (like Safety Marking) have the wherewithal to buy this equipment and employ the qualified personnel to run it." The Response further states that it has leased equipment and personnel to at least six other line-striping companies.

Safety Marking continued leasing various equipment to FenceMan through 2017. However, in 2018, Safety Marking has not leased any trucks to FenceMan. FenceMan no longer rents property from an LLC affiliated with you. The Response also notes that Safety Marking and FenceMan do not share personnel. "However, the line striping industry is small and personnel often move between companies." Some personnel are hired out of union halls. Others quit Safety Marking, worked for FenceMan, and came back to Safety Marking.

The Response adds that in 2014, over Mr. Kelly's protests, MTA required Safety Marking to subcontract with FenceMan for five years to meet WBE goals. "Safety Marking has contracted with many other DBE/WBE striping companies on numerous occasions and if Mr. Kelly wanted to favor his daughter's company (or enrich his own company) he could have subcontracted out the work to [FenceMan] instead of these other DBE/WBE companies." Lastly, "Safety Marking does not intend to do business with [FenceMan] any longer," unless required to do so.

At the August 21, 2018 meeting with the CRU, the above points made in the Response were further explained. In addition, you, along with Mr. Hawks-Ladds, explained the expense of running epoxy striping equipment due to cost of acquisition, maintenance, and training of personnel.

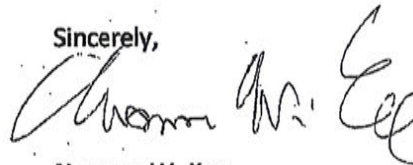
Determination and Conditions

The Department has considered Safety Marking's submitted materials, as well as the presentation and responses from the CRU Meeting. The Department finds that Safety Marking is deemed to be a responsible entity eligible for award of the above referenced subcontracts, subject to compliance with the following conditions:

- (1) If FenceMan is again designated as a DBE or MWBE entity, any business conducted between Safety Marking and FenceMan must be reviewed by an independent monitor, to be hired by Safety Marking and approved by the Department. The independent monitor will report its findings directly to the Department.
- (2) If any entity owned or operated, in whole or part, by Samantha Kelly or any other relative of yours is designated as a DBE or MWBE entity, any business conducted between Safety Marking and that entity must be reviewed by an independent monitor, to be hired by Safety Marking and approved by the Department. The independent monitor will report its findings directly to the Department.
- (3) Safety Marking has an affirmative obligation to inform the Department if it learns that Samantha Kelly or any other relative of yours owns or operates, in whole or part, any entity designated as a DBE or MWBE entity.

Safety Marking understands and agrees that in the event of any future responsibility issue, the Department retains all rights that it would have under the terms of its contracts with Safety Marking.

Sincerely,



Norman W. Kee,
Assistant Counsel

Agreed and Accepted:

Safety Marking, Inc.

By: 
Mark Kelly, President

cc: Joshua Hawks-Ladds, Esq.

Letter from the President regarding SMC's involvement in a litigation

Safety Marking, Inc. feels that it is important to be forth coming that it was indeed the subject of litigation for several years involving two former employees. These two employees alleged that they were victims of discrimination for incidents relating to the conduct of five Safety Marking, Inc. employees that occurred sometime between 2008-2012. The company fought the unsubstantiated litigation through trial and then through post-trial motions, but due to what it believes were grievous errors of law and clearly erroneous rulings by the judge, in March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Following the verdict, both CT DOT and NY DOT did their due diligence and investigated Safety Marking and its practices and both concluded that there were no findings of non-responsibility. Both confirmed Safety Marking's status as a responsible contractor and Safety Marking was awarded the contracts.

Safety Marking believes strongly in its EEO policies and employs approximately 50% minorities. Safety Marking and its management do not tolerate harassment or discrimination of any kind and communicate our Company's policies and Complaint Procedures with each and every employee. Our Company's Employee Handbook was updated in 2015 and revised in 2017 and includes all policies and procedures. It has been distributed and reviewed with every employee by our Human Resources Manager who was hired in January 2015. All of our employees, supervisors and managers attend mandatory annual training that is conducted each year by our Human Resources Manager which covers Harassment training and our Company's EEO Policy. And our EEO Policy is posted on our bulletin boards at each of our locations as well as in our Compliance Books that we have on our work sites.

Our company prides itself on our Company's 360 Review processes which we have been doing since 1997. This process gives each employee the opportunity to evaluate every employee, supervisor and manager that he/she works with in the company and has the opportunity to confidentially review the person's ability, attitude and how the person helped, taught or provided the tools to help the employee do their job. In the past, I conducted these reviews with every employee. Last year, we enhanced the process and now each employee meets with three other members of our management team in addition to me in their review process. Each employee sits down with the Safety Director, the Operations Manager, the Human Resources Manager and then I. During these meetings the employee is able to discuss the pertinent aspects of their job, bring up any ideas or suggestions they may have on making things better or any problems or concerns that they may have as well. We spend over three months each year on the employee review process and take it very seriously to ensure that our employees are in

the right position, getting the right tools and training to do their job and address any concerns that they bring to our attention.

Safety Marking, Inc. is committed to providing a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits any unlawful discriminatory practices. Through our continued communications, training and Open Door Policy that we have with our employees, we are confident that our employees feel good about the company that they work for. Unfortunately, anyone can accuse you of something without any witness or proof that it in fact occurred and all you can do is defend yourself. There were many facts that we were not allowed by the judge to be presented to the jury in our defense case which if allowed may have led to a different outcome. But the process is far from being perfect and the grievous errors of law and rulings by the judge only compounded our fate.

Please feel free to contact me with any questions or if you require any further information pertaining to this matter. You can also reach out to our Human Resources Manager, Kelly Lavoie, who would be happy to answer any questions or provide you with any other information you may need. She can be reached at 203-814-3416. We welcome you to visit our operation as well if you wish so that you have a better understanding of what we do. I would be happy to give you a tour of our facility and have you meet our Safety Marking family.

Mark Kelly
Mark Kelly
President



Established 1973
An Affirmative Action-Equal Opportunity Employer
Providing Equal Opportunities for Minorities, Females,
Veterans & Individuals with Disabilities

"OUR REPUTATION IS BUILT ONE LINE AT A TIME."

Re: Letter from the President regarding SMC's involvement in a litigation

To Whom It May Concern:

Safety Marking, Inc. feels that it is important to be forth coming that it was indeed the subject of litigation for several years involving two former employees. These two employees alleged that they were victims of discrimination for incidents relating to the conduct of five Safety Marking, Inc. employees that occurred sometime between 2008-2012. The company fought the unsubstantiated litigation through trial and then through post-trial motions, but due to what it believes were grievous errors of law and clearly erroneous rulings by the judge, in March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Following the verdict, both CT DOT and NY DOT did their due diligence and investigated Safety Marking and its practices and both concluded that there were no findings of non-responsibility. Both confirmed Safety Marking's status as a responsible contractor and Safety Marking was awarded the contracts.

Safety Marking believes strongly in its EEO policies and employs approximately 50% minorities. Safety Marking and its management do not tolerate harassment or discrimination of any kind. Since the lawsuit, Safety Marking has taken many steps to enhance our operation to ensure the highest level of professionalism and compliance.

One of the first of many steps that the company took was to hire an experienced, seasoned Human Resources Manager in January 2015. The Human Resources role in a company is to evaluate all procedures and processes to ensure that the company and its practices follow all state and federal laws and requirements. A complete audit was done and some of the changes that were immediately implemented included revising the Employee Handbook which was distributed to every employee in the company and all policies and procedures were reviewed with all employees in mandatory meetings. We enhanced the existing New Employee Orientation program and changed it from a one-day session to a 4-day program. The first day starts with the Human Resources Manager covering a number of things including all company policies and procedures, a review of the Employee Handbook, as well as a thorough explanation and outline of the company's EEO/Affirmative Action and Anti-Harassment Policies which also includes interactive exercises along with follow up discussions. The other three days of the program are led by Safety Marking's Safety Director and three other Managers and cover other topics including Safe Driving and Work Zone Safety, OSHA, PPE and other key training areas applicable to our equipment and our operation. This training is also modified and condensed into a one-day program and done annually as a refresher for all current employees at the beginning of each season at mandatory Return to Work meetings. The purpose of these meetings is to communicate, educate and train all employees in the key areas of our operation. It is imperative for our employees to know that we do not tolerate any form of discrimination, harassment or bullying and will take every action possible to ensure that we are providing a workplace free from that behavior.

Every employee is welcomed and treated with respect here at our company from day one. One of the things that we feel is important in ensuring this, is that everyone addresses each other by the person's name. For this to happen, we added the employees' name to their shirts, vests and jackets so that everyone can address each other by their name immediately, even if they are just meeting the person for the first time.

Our company prides itself on our Company's 360 Review processes which we have been doing since 1997. This process gives each employee the opportunity to evaluate every employee, supervisor and manager that he/she works with in the company and has the opportunity to confidentially review the person's ability, attitude and how the person helped, taught or provided the tools to help the employee do their job. In the past, I conducted these reviews with every employee. In 2016, we enhanced the process and now each employee meets with three other members of our management team in addition to me in their review process. Each employee sits down with the Safety Director, the Operations Manager, the Human Resources Manager and then me. During these meetings the employee is able to discuss the pertinent aspects of their job, bring up any ideas or suggestions they may have on making things better or any problems or concerns that they may have as well. We spend over three months each year on the employee review process and take it very seriously to ensure that our employees are in the right position, getting the right tools and training to do their job and address any concerns that they bring to our attention.

In January 2018, Safety Marking hired a Manager of Learning and Development. Bringing 25 years' experience to our company, this individual has helped create a Learning-Focused Organization by 1) increasing the frequency of Operations Training, 2) instituting a Professional Development Training Program in tandem with a Competencies Framework for all employees, and 3) building a Learning Management System into the company's website. A newly built 30-seat training facility was added to our Bridgeport, CT headquarters where instructor-led classes are delivered weekly to employees, video training is produced, and employee coaching can take place. Additionally, this role also provides Success Coaching to employees across all three locations.

In summary, Safety Marking, Inc. is committed to providing a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits any unlawful discriminatory practices. Through our continued communications, training and Open Door Policy that we have with our employees, we are confident that our employees feel good about Safety Marking.

Please feel free to contact me with any questions or if you require any further information pertaining to this matter. You can also reach out to our Human Resources Manager, Kelly Lavoie, who would be happy to answer any questions or provide you with any other information you may need. She can be reached at 203-814-3416. We welcome you to visit our operation as well if you wish so that you have a better understanding of what we do. I would be happy to give you a tour of our facility and have you meet our Safety Marking family.



Mark K. Kelly
President

PRINCIPAL QUESTIONNAIRE
ITEM #10

The company was involved in a lawsuit filed by two former employees under 42 U.S.C. Sec. 1981, relating to the conduct of five Safety Marking employees that occurred sometime between 2008-2012. In March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Due to this litigation, in the Spring of 2016, both CTDOT and NYDOT conducted an in-depth Contract Compliance Review of Safety Marking, Inc. and both concluded that Safety Marking, Inc. was a responsible bidder.

In 2018, the New York State Department of Transportation investigated Safety Marking's qualifications as a responsible contractor/bidder arising out of an allegation raised that Safety Marking was somehow affiliated with another company. After a hearing was held in August 2018 before the New York State Department of Transportation, Safety Marking was determined to be a responsible contractor/bidder under New York regulations.

On April 5, 2019 the company received a civil investigative demand from the United States Attorney's office, Northern District of New York. The civil demand required the company to provide documentation to the government relating to The Fence Man, Inc., an unaffiliated company. Safety Marking, Inc. has complied with the investigative demand and disclosed all documents in accordance thereto.

In January 2020 an employee who was terminated for aggressive and bullying conduct filed a Charge with the NLRB alleging that his bullying conduct was protected speech under the NLRA. No Complaint was issued by the NLRB and the Charge was withdrawn in February 2020 after a settlement.



Department of Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

Cathy Calhoun
Chief of Staff

BY EMAIL and US MAIL

June 6, 2016

Mark Kelly, President
Safety Marking, Inc.
255 Hancock Avenue
Bridgeport, Connecticut 06605

Dear Mr. Kelly,

Safety Marking, Inc. ("Safety Marking") is the putative low bidder on New York State Department of Transportation (the "Department") Contract D263122, a 2016 Durable Pavement Marking Contract. The Department has a statutory responsibility to award contracts to the lowest responsible bidder as will best promote the public interest.

By letter of May 4, 2016, Safety Marking was called in to meet with the Department's Contract Review Unit (CRU) to discuss Safety Marking's status as a responsible contractor following a federal jury verdict awarding punitive and compensatory damages to two Safety Marking employees who sued Safety Marking and a number of the company's employees in the United States District Court for the District of Connecticut. In the lawsuit, Plaintiffs alleged that Safety Marking and the individual defendants created, tolerated, and ignored a racially hostile work environment. The Department was also concerned about the accuracy of the New York State Vendor Responsibility Questionnaire For-Profit Construction form (CCA-2) submitted by Safety Marking in January 2016, which does not disclose this lawsuit.

The Department asked Safety Marking to set forth its position on these issues, and to submit materials for consideration by a CRU panel prior to a May 18, 2016 CRU Meeting. Safety Marking's submissions included a May 12, 2016 letter from Safety Marking's attorney Joshua Hawks-Ladds, which, broadly speaking, stated that the trial suffered from erroneous decisions made by the judge and that the verdict was improper and would be overturned after post-verdict briefing or on appeal. The May 12 letter also noted that you, as President of Safety Marking, were exonerated. Additionally, the letter explained that after the verdict, Connecticut Department of Transportation officials reviewed Safety Marking's status, and deemed Safety Marking a responsible bidder eligible for award of state contracts.

The May 12 letter also asserted that you did not think the CCA-2 solicited information about the lawsuit. Furthermore, both the letter and attached affidavits state that Jack Matis, Safety Marking's Controller, filled out the CCA-2 and that he was unaware of the lawsuit. Additionally, the letter says that the lawsuit was disclosed to other governmental entities. Accompanying the May 12 letter were submissions including relevant Safety Marking's policies and procedures, training materials, an organization chart, a summary of employment data, submissions to The City of New York Department of Small Business Services disclosing the lawsuit, Plaintiffs' evaluations of fellow employees and Safety Marking, an overview of Safety Marking, and minutes from a post-verdict, company-wide meeting.

The CRU Meeting

You, Kelly Lavoie, Safety Marking's Human Resources Manager, and Mr. Hawks-Ladds attended the May 18, 2016 CRU Meeting. After introductions and an overview of the CRU meeting process, I summarized the Department's concerns regarding the lawsuit and the CCA-2 reporting. Mr. Hawks-Ladds discussed the lawsuit, and then you discussed both the lawsuit and Safety Marking more generally. Ms. Lavoie gave some background on the process Safety Marking undertook to improve company policies regarding discrimination and harassment. Also discussed was the March 29, 2016 company-wide meeting held shortly after the verdict in the lawsuit, at which you addressed all Safety Marking employees and discussed the company's Anti-Harassment/Anti-Discrimination Policy and Complaint Procedures. The CRU panel and Safety Marking representatives engaged in a discussion of these issues. After the May 18 meeting, in response to a question from the Department, Mr. Hawks-Ladds confirmed that the Safety Marking Employee Handbook, 2015 version, copies of which were distributed at the CRU meeting, contained the Anti-Harassment/Anti-Discrimination Policy and Complaint Procedures referred to in the minutes of the March 29, 2016 company meeting.

Determination and Conditions

The Department has considered Safety Marking's submitted materials, presentation and responses at the CRU Meeting, and follow-up communications. The Department finds that Safety Marking is deemed to be the lowest responsible bidder on Contract D263122, subject to compliance with certain conditions. These conditions are as follows:

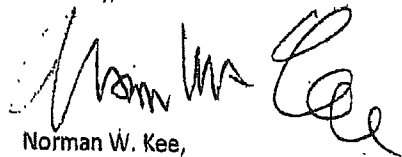
- (1) Safety Marking must revise and resubmit a CCA-2 setting forth the lawsuit and details of the jury verdict. The revised CCA-2 should be submitted no later than June 17, 2016.

(2) Safety Marking must insure that it fulfills Section 105-02 of the Department's Standard Specifications, which addresses the Character of Workers. Section 105-02 requires that work be done under the supervision of a reliable Superintendent, and that orders given by the Engineer will be followed by a foreperson in charge of work at issue. Safety Marking must designate supervisory staff whenever it works on a Department project, and must make that designation known to Department personnel.

The CRU finds that Safety Marking is a responsible contractor and may be awarded Contract D263122, subject to Safety Marking's compliance with the conditions set forth above and all other requirements of the Contract. The Contract award is made in express reliance on Safety Marking's promises and assertions, and its commitment to prevent discrimination and harassment at all times and in all respects. If Safety Marking performs according to its promises and assertions and fulfills the conditions set forth above, then it will continue to be the lowest responsible bidder as will best promote the public interest on Contract D263122, and will remain eligible for award on future Department contracts. Upon award of D263122, Safety Marking agrees to proceed with due diligence to commence work on the same.

Safety Marking understands and agrees that in the event of any future responsibility issue, the Department retains any and all rights that it would have under the terms of its contracts with Safety Marking.

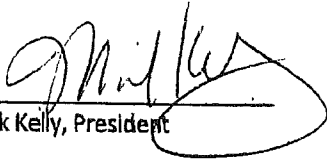
Sincerely,



Norman W. Kee,
Assistant Counsel

Agreed and Accepted:

Safety Marking, Inc.

By: 
Mark Kelly, President

cc: Joshua Hawks-Ladds, Esq.



Department of Transportation

ANDREW M. CUOMO
Governor

PAUL A. KARAS
Acting Commissioner

JANICE A. McLACHLAN
Acting Chief Counsel

BY EMAIL and US MAIL

Mark Kelly, President
Safety Marking, Inc.
255 Hancock Avenue
Bridgeport, Connecticut 06605

August 22, 2018

Dear Mr. Kelly,

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Prior to meeting with the CRU, Safety Marking, through an August 16, 2018 letter (the "Response") from attorney Joshua A. Hawks-Ladds, submitted materials for consideration. Stated broadly, the Response notes that "even though [FenceMan] is owned by Mark Kelly's estranged daughter, Samantha, there

never was an 'affiliation' between the two companies and, as relevant to this current inquiry, a complete fracture has occurred between the two companies (and, unfortunately, between Mr. Kelly and his daughter)." The Response adds that "Mark Kelly is estranged from his daughter and has not seen her since December 2017. They barely communicate with each other and their business associations were always limited as described herein and are currently nonexistent."

Additionally, the Response notes that since Samantha Kelly's 2013 acquisition of FenceMan, neither Mr. Kelly nor Safety Marking have had anything to do with FenceMan other than occasionally leasing specialized equipment and personnel to run the equipment, and selling material to FenceMan at fair market value. The Response states that "[t]he leasing of specialized equipment and providing personnel to run the machines is commonplace in the line striping industry because the equipment costs hundreds of thousands of dollars and only certain companies (like Safety Marking) have the wherewithal to buy this equipment and employ the qualified personnel to run it." The Response further states that it has leased equipment and personnel to at least six other line-striping companies.

Safety Marking continued leasing various equipment to FenceMan through 2017. However, in 2018, Safety Marking has not leased any trucks to FenceMan. FenceMan no longer rents property from an LLC affiliated with you. The Response also notes that Safety Marking and FenceMan do not share personnel. "However, the line striping industry is small and personnel often move between companies." Some personnel are hired out of union halls. Others quit Safety Marking, worked for FenceMan, and came back to Safety Marking.

The Response adds that in 2014, over Mr. Kelly's protests, MTA required Safety Marking to subcontract with FenceMan for five years to meet WBE goals. "Safety Marking has contracted with many other DBE/WBE striping companies on numerous occasions and if Mr. Kelly wanted to favor his daughter's company (or enrich his own company) he could have subcontracted out the work to [FenceMan] instead of these other DBE/WBE companies." Lastly, "Safety Marking does not intend to do business with [FenceMan] any longer," unless required to do so.

At the August 21, 2018 meeting with the CRU, the above points made in the Response were further explained. In addition, you, along with Mr. Hawks-Ladds, explained the expense of running epoxy striping equipment due to cost of acquisition, maintenance, and training of personnel.

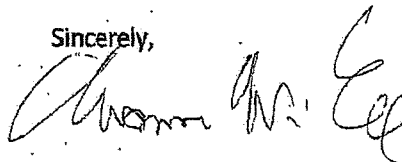
Determination and Conditions

The Department has considered Safety Marking's submitted materials, as well as the presentation and responses from the CRU Meeting. The Department finds that Safety Marking is deemed to be a responsible entity eligible for award of the above referenced subcontracts, subject to compliance with the following conditions:

- (1) If FenceMan is again designated as a DBE or MWBE entity, any business conducted between Safety Marking and FenceMan must be reviewed by an independent monitor, to be hired by Safety Marking and approved by the Department. The independent monitor will report its findings directly to the Department.
- (2) If any entity owned or operated, in whole or part, by Samantha Kelly or any other relative of yours is designated as a DBE or MWBE entity, any business conducted between Safety Marking and that entity must be reviewed by an independent monitor, to be hired by Safety Marking and approved by the Department. The independent monitor will report its findings directly to the Department.
- (3) Safety Marking has an affirmative obligation to inform the Department if it learns that Samantha Kelly or any other relative of yours owns or operates, in whole or part, any entity designated as a DBE or MWBE entity.

Safety Marking understands and agrees that in the event of any future responsibility issue, the Department retains all rights that it would have under the terms of its contracts with Safety Marking.

Sincerely,



Norman W. Kee,
Assistant Counsel

Agreed and Accepted:

Safety Marking, Inc.

By: 

Mark Kelly, President

cc: Joshua Hawks-Ladds, Esq.



**STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION**

**2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546**

Phone: 860-594-3128



June 16, 2016

Mark Kelly, President
Safety Marking, Inc.
460 Bostwick Avenue
Bridgeport, Connecticut 06605

Re: Contractor's Prequalification
Statement (CON-16)

Dear Mr. Kelly;

This is to notify you that your Firm's subject statement has been found to be satisfactory by this Department.

It will expire June 30, 2019

Your Maximum Capacity Rating is _____

Your Construction Group Classifications are:

Group No. 16 Pavement Markings

A Proposal Request (Part "C") can be obtained via this link:
<http://www.ct.gov/dot/lib/dot/documents/dcontractdev/partc.xls>

No bidders that have mutual financial interests, or common ownership, directors, officers or principal shareholders (i.e., shareholders holding at least five percent [5%] of either the common or the preferred shares of the company's stock) may bid for the same Department contract. Such proscribed bidders shall include, but not be limited to, affiliates and subsidiaries of each other. If any non-bidding party has an ownership interest in more than one bidder that is bidding for a given contract, either directly or through the former's ownership interests in another company, no matter how high up or far removed in a vertical or horizontal chain of ownership that party might be from the bidders, the bids of those bidders shall not be accepted.

In addition, with respect to any given Department contract that is advertised for bidding, no bidder owned by, or in the chain of ownership of, a company which provides surety bonds may bid against a bidder for whom a bond has been or will be provided by that company for the given contract bidding. All bids proscribed by the terms of this paragraph will be rejected by the Commissioner.

PRINCIPAL QUESTIONNAIRE
ITEM #10

Over four years ago, the Company was involved in a lawsuit filed by two former employees under 42 U.S.C. Sec. 1981, relating to the conduct of five Safety Marking employees that occurred sometime between 2008-2012. In March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Due to this litigation, in Spring 2016, both CTDOT and NYDOT conducted an in depth Contract Compliance Review of Safety Marking, Inc. and both concluded that Safety Marking, Inc. was a responsible bidder.

In 2018, the New York State Department of Transportation investigated Safety Marking's qualifications as a responsible contractor/bidder arising out of an allegation raised that Safety Marking was somehow affiliated with another company. After a hearing was held in August 2018 before the New York State Department of Transportation, Safety Marking was determined to be a responsible contractor/bidder under New York regulations.

On April 5, 2019 the company received a civil investigative demand from the United States Attorney's office, Northern District of New York. The civil demand requires the company to provide documentation to the government relating to The Fence Man, Inc., an unaffiliated company. The company is complying with the investigative demand and disclosing documents in accordance thereto.

In January 2020 an employee who was terminated for aggressive and bullying conduct filed a Charge with the NLRB alleging that his bullying conduct was protected speech under the NLRA. No Complaint was issued by the NLRB and the Charge was withdrawn in February 2020 after a settlement.

COUNTY OF NASSAU

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

1. Name of the Entity: Safety Marking, Inc,Address: 255 Hancock AvenueCity: Bridgeport State/Province/Territory: CT Zip/Postal Code: 06605Country: US2. Entity's Vendor Identification Number: 0612670053. Type of Business: Other (specify) S Corp

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):

1 File(s) uploaded C.O.N.C.O.R.pdf

No principals have been attached to this form.

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.

If none, explain.

Mark Kelly,

No shareholders, members, or partners have been attached to this form.

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.

Safety Marking of NY, Inc is an affiliate whose sole function is to supply union labor to Safety Marking, Inc. when a contract requires unionized labor. Safety Marking of NY, Inc. supplies unionized labor to Safety Marking, Inc. exclusively and will not be performing any active work on these projects.

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.

Are there lobbyists involved in this matter?

YES ☐ NO ☒

(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.

Electronically signed and certified at the date and time indicated by:

Mark Kelly [MKELLY@SAFETYMARKING.NET]

Dated: 04/07/2020 01:01:00 PM

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 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.



The Office of Secretary of the State Denise W. Merrill

Business Inquiry

Business Details

Business Name: **SAFETY MARKING, INC.**

Business ID: **0228841**

Business Address: **255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605**

Mailing Address: **255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605**

Date Inc/Registration: **Feb 10, 1989**

Annual Report Due Date: **02/07/2019**

Principals Details

Name/Title	Business Address	Residence Address
MARK K. KELLY PRESIDENT, SECRETARY AND TREASURER	255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605	55 WEST ROAD, EASTON, CT, 06612
MARK K. KELLY DIRECTOR	255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605	55 WEST ROAD, EASTON, CT, 06612

Agent Summary

Agent Name **MARK K. KELLY**

Agent Business Address **C/O SAFETY MARKING, INC., 255 HANCOCK AVENUE, BRIDGEPORT, CT, 06605**

Agent Residence Address **55 WEST ROAD, EASTON, CT, 06612**

Agent Mailing Address **NONE**

COUNTY OF NASSAU

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

1. Name of the Entity: Safety Marking of NY, Inc.

Address: 90 Sylvester Street

City: Westbury State/Province/Territory: NY Zip/Postal Code: 11590

Country: US

2. Entity's Vendor Identification Number: 208807933

3. Type of Business: Other (specify) S Corporation

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):

1 File(s) uploaded Safety Marking of NY, Inc. - Officer Information.pdf

No principals have been attached to this form.

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.

If none, explain.

1 File(s) uploaded Safety Marking of NY, Inc. - Officer Information.pdf

No shareholders, members, or partners have been attached to this form.

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.

Affiliate - Safety Marking, Inc. - 255 Hancock Avenue, Bridgeport, CT 06605

1 File(s) uploaded ccvd - Safety Marking, Inc..pdf

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.

Are there lobbyists involved in this matter?

YES ☐ NO ☒

(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.

Electronically signed and certified at the date and time indicated by:

Caroline Sumner [CAROLINE.SUMNER@SAFETYMARKING.NET]

Dated: 05/28/2020 07:44:51 AM

Title: Contract Specialist

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.

Safety Marking of NY, Inc.

Mark Kelly, President & Sole Officer
Owns 100% of Shares

COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo

TO: Office of the County Executive
Att: Brian J. Schneider, Deputy County Executive

FROM: Department of Public Works

DATE: January 24, 2020

SUBJECT: RECOMMENDATION OF AWARD

Contract No.: H62153-12G

Title: Nassau County Pavement Markings Improvements
Phase 12 0761.22, various Locations,
Nassau County, NY

Bids Received: January 7, 2020

We have examined the bids submitted for the contract mentioned above. Finding them to be in order, we recommend this contract be awarded to Safety Marking, Inc., as the lowest responsible bidder with a total amount \$953,636.75; which is 14.9% below the engineer's estimate and budgeted funds.

Funding for said services is available under Capital Project number H62153. With your concurrence, the Department will process the agreement through the appropriate approvals.

Following your approval, or disapproval, we will proceed accordingly.



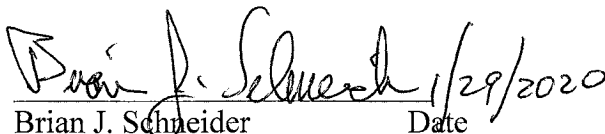
Kenneth G. Arnold
Commissioner

KGA:JGP:HTL:jd

c: Joseph G. Pecora, Deputy Commissioner of Public Works
Harold T. Lutz, Director of Traffic Engineering
Christopher Paggi, Assistant Director of Traffic Engineering
✓ David Cotter, Traffic Engineer I

APPROVED:

DISAPPROVED:


Date 1/29/2020

Brian J. Schneider
Deputy County Executive

Brian J. Schneider
Deputy County Executive

Date



COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo

TO: Kenneth G. Arnold, P.E., Commissioner

FROM: Harold T. Lutz, P.E., Director of Traffic Engineering

DATE: July 29, 2020

SUBJECT: Low Participation for Pavement Marking Contract
Various County Roadways
Bid Contract No. H62153-12G

The Pavement Marking Contract for various County roads throughout Nassau County was advertised in Newsday on December 4th, 11th, 18th, and 24th of 2019; and in the New York State Contract Reporter from December 4, 2019 through January 6, 2020; and in eProcure from December 6, 2019 through January 6, 2020.

Twenty-four (24) vendors viewed the solicitation on eProcure. Three (3) vendors purchased the Contract Documents and two (2) bids was received.

Upon investigating the low participation via inquiry, it has been determined that the general response has been consistent. The general claim is that the contract is for construction work and the vendors who viewed the Solicitation are design and engineering firms who are not capable of completing the necessary construction work.

The following are the questions from the Low Vendor Participation memo from DCE John Chiara, with responses:

1. Review the specification to ensure that it is not unduly restrictive so as to limit competition. Is any component of the solicitation so restrictive that only one or a small number of vendors is capable of responding to the solicitation? If so, were those vendors notified of the solicitation?

Response: The solicitation was not restrictive; however, there is a limited pool of qualified construction firms that have the appropriate staff and resources necessary for the installation of epoxy pavement markings on roadway surfaces and meet the requirements of the contract.

2. Was the solicitation advertised and posted on the County website as required?

Response: Yes.

3. Would we be likely to obtain greater vendor participation by advertising in other venues (e.g. New York State Contract Reporter, trade journals, and other local media, etc.)?

Response: The solicitation was advertised in NYSCR and Newsday.

4. Was the NIGP commodity code used to conduct the solicitation appropriately? Were appropriate vendors registered with the County for that code or otherwise notified?

Response: The correct commodity codes were utilized in eProcure, accordingly, the



Kenneth G. Arnold, Commissioner

July 29, 2020

Page 2

SUBJECT: Low Participation for Pavement Marking Contract
Various County Roadways
Bid Contract No. H62153-12G

vendors registered for that commodity code received an automatic notification.

5. Is the market for the specified goods or services structurally limited (i.e. are there geographic, capital, vendor capacity, service schedule, or other requirements) such that greater vendor participation is not possible?

Response: No.

6. Survey vendors that receive notice of the solicitation but did not respond to determine why the vendor chose not to do so. Typical responses include but are not limited to:

- a. The vendor did not see the advertisement.

Response: Twenty-four (24) vendors were notified on eProcure, sixteen (16) downloaded the documents.

- b. The vendor does not offer the specified goods/services as a follow-up ask if the specification is too specific to a competitor's product (is the specification "brand specific" or written to one manufacturer's or service provider's offering?).

Response: The work specification was not too specific so as to restrict participation.

- c. The vendor is too busy with other work at this time.

Response: Most vendors contacted stated that they did not install pavement markings.

- d. The vendor is not interested in pursuing a County contract at this time as a follow-up ask as to why this is the case.

Response: Most vendors contacted stated that they did not install pavement markings.

Harold T. Lutz

Harold T. Lutz

Director of Traffic Engineering

HTL:

c: Jane Houdek, Counsel to the Department of Public Works
Loretta Dionisio, Assistant to Deputy Commissioner
Christopher Paggi, Assistant Director of Traffic Engineering
David Cotter, Traffic Engineer I

APPROVED:

DISAPPROVED:

Kenneth G. Arnold 8/3/20
Kenneth G. Arnold Date
Commissioner

Kenneth G. Arnold Date
Commissioner

Bid Opening: 1 /7 /2020

Engineer: Harold Lutz Phone: (516) 571-9453

Contractor	Address	Insurance	Payment	Bid Amount	Alternate Bid
Safety Marking Inc.	255 Hancock Avenue Bridgeport, CT 06605	Travelers Casualty & Surety Co	10% Amt Bid	\$953,636.75	\$0.00
Metro Express Services Inc., A Division of Triangle Services, Inc.	1301 Metropolitan Ave Brooklyn, NY 11237	Westchester Insurance Company	10% Amt Bid	\$1,498,173.50	\$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.

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 Order

Project Title: Nassau County Pavement Markings Phase 12

Department: Public Works Project Manager: David Cotter

Date: March 21, 2019

Service Requested: Requesting authorization to advertise and let a pavement markings maintenance and refurbishment project.

Justification: This project is part of an ongoing Nassau County maintenance program and will result in the refurbishment of worn and faded pavement markings on Nassau County Federal Aid eligible roads including long lines, stop lines, crosswalks, hatching, symbols, and letters to assure good visibility and promote safe and efficient traffic movement and operation.

Requested by: Harold Lutz PE, Director of Traffic Engineering

Department/Agency/Office

Project Cost for this Phase/Contract: (Plan/Design/Construction/CM/Equipment)

\$1,250,000.00

Circle appropriate phase

Total Project Cost: \$1,250,000.00

Date Start Work: June 2020

Duration: 12 Months

Includes, design, construction and CM

Phase being requested

Phase being requested

Capital Funding Approval: YES ☐NO ☐

SIGNATURE

DATE

Funding Allocation (Capital Project):

62153

See Attached Sheet if multiyear ☐

NIFS Entered:

SIGNATURE

DATE

AIM Entered:

SIGNATURE

DATE

Funding Code:

62153-012

use this on all encumbrances

Timesheet Code:

19-0078

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: David Cotter, Traffic Engineer I

FROM: Office of the Commissioner

DATE: September 30, 2019

SUBJECT: CSEA Sub-Contracting Approval
C19-058 – Contract No.: H62153
Pavement Markings Phase 12

Please be aware in accordance with Section 32-3 of the CSEA/County CBA, the Department has met with CSEA representatives to discuss your proposed DPW contract referenced above. The Department has determined that it will proceed with the above-referenced contract known as **C19-058**.

Please prepare the necessary documentation to proceed with your work.

If you have any questions, please speak with Jonathan Lesman.



Roseann D'Alleva
Deputy Commissioner

RD:las

c: Joseph Pecora, Deputy Commissioner
Harold T. Lutz, Director of Traffic Engineering
Loretta Dionisio, Assistant to Deputy Commissioner
Christopher Paggi, Assistant Director of Traffic Engineering
Jonathan Lesman, Management Analyst II



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: May 31, 2019

SUBJECT: CSEA Notification of a Proposed DPW Contract
Pavement Markings Phase 12
Contract No: H62153

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: The replacement of existing pavement markings with epoxy paint on all Nassau County roadways.
2. The work involves the following: Restriping of all long lines, stop bars, crosswalks, letters, and symbols along County roadways with epoxy paint. Please note that the use of epoxy paint has not been historically installed by County staff at the pavement marking shop. This shop is trained for the application of tape, thermos, and water-based paints. The shop will continue to apply these materials. The Department is looking to utilize epoxy as it is now the preferred specification of the New York State Department of Transportation.
3. 3.An estimate of the cost is: \$1,250,000.00
4. 4.An estimate of the duration is: Twelve (12) months
5. Due to the nature and complexity of this work, historically, projects of this type have not been completed utilizing County work force.

Should you wish to propose an alternative to the proposed contract/agreement, please respond within ten (10) days to: Department of Public Works, Att: Roseann D'Alleva, Deputy Commissioner, telephone 1-0525, fax 1-9657.



Roseann D'Alleva
Deputy Commissioner

RD:HTL:jd

c: Christopher Nicolino, Director, Office of Labor Relations
Loretta Dionisio, Assistant to Deputy Commissioner
Harold T. Lutz, Director of Traffic Engineering
Christopher Yansick, Unit Head, Financial Services Unit
Diane Pyne, Unit Head, Human Resources
Christopher Paggi, Assistant Director of Traffic Engineering
Jonathan Lesman, Management Analyst II
✓ David Cotter, Traffic Engineer I



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 SAFETY MARKING, INC.

as Principal; and Travelers Casualty & Surety Company of America 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 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 7th day of January, 2020

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. H62153-12G for the Nassau County Pavement Marking Improvements Phase 12

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.

NO TEXT ON THIS PAGE

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.

NO TEXT ON THIS PAGE

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.

SAFETY MARKING, INC.

Contractor

by 
Mark Kelly, President

(L.S.)

(Corporate seal of
Contractor
Title if a corporation)

by _____ (L.S.)

Title

by _____ (L.S.)

Title

Travelers Casualty & Surety Company of America

Surety

by  (L.S.)
Title of Officer

Kenneth J. Coco, Attorney In Fact

Attest:  (L.S.)
Title of Officer

Witness

(Corporate seal
of Surety)

NO TEXT ON THIS PAGE

(Acknowledgment by Contractor if a corporation)

STATE OF CONNECTICUT)

ss.: Bridgeport

COUNTY OF FAIRFIELD)

On this 7th day of January , 2020 , before me personally came Mark Kelly to me known, who, being by me duly sworn, did depose and say for himself, that he resides in that he is the President of the SAFETY MARKING, 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.

Caroline Sumner

Notary Public

Caroline Sumner

My Commission Expires: 1/31/2024

(Acknowledgment by Contractor if a partnership)

STATE OF _____)

ss.:

COUNTY OF _____)

On this _____ day of _____ , 20 _____ , before me personally came _____ to me known and known 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

NO TEXT ON THIS PAGE

(Acknowledgment by Surety Company)

STATE OF CONNECTICUT)

ss.: Farmington

COUNTY OF HARTFORD)

On this 7th day of January , 2020 , before me personally came **Kenneth J. Coco** to me Known, who being by me duly sworn, did depose and say that he resides in **Avon, CT**

that he is the **Attorney In Fact** of the Travelers Casualty & Surety Company of America , 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 **Kenneth P. Morotto Jr** further said that he is acquainted with **Kenneth J. Coco** and knows him to be the **Attorney In Fact** of said company; that the signature of the said **Kenneth J. Coco** subscribed to the within instrument is in the genuine handwriting of the said **Kenneth J. Coco** and was subscribed thereto by like order of the Board of Directors, and in the presence of him, the said **Notary Public**



Notary Public

Kenneth P. Morotto Jr

My Commission Expires: May 31, 2020

NO TEXT ON THIS PAGE

POWER OF ATTORNEY

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



Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Kenneth J. Coco** of Farmington, Connecticut, their true and lawful Attorney-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 3rd day of February, 2017.



State of Connecticut

City of Hartford ss.

By: _____

Robert L. Raney, Senior Vice President

On this the 3rd day of February, 2017, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2021



Marie C. Tetreault
 Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 7th day of January, 2020



Kevin E. Hughes
 Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney-in-Fact and the details of the bond to which the power is attached.

NO TEXT ON THIS PAGE

FINANCIAL STATEMENT

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

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

HARTFORD, CONNECTICUT 06183

FINANCIAL STATEMENT AS OF JUNE 30, 2019

CAPITAL STOCK \$ 6,480,000

ASSETS		LIABILITIES & SURPLUS	
CASH AND INVESTED CASH	\$ 126,044,492	UNEARNED PREMIUMS	\$ 1,044,254,065
BONDS	3,657,484,389	LOSSES	786,554,495
STOCKS	301,556,879	LOSS ADJUSTMENT EXPENSES	169,965,315
INVESTMENT INCOME DUE AND ACCRUED	37,506,938	COMMISSIONS	33,039,858
OTHER INVESTED ASSETS	4,298,731	TAXES, LICENSES AND FEES	12,314,734
PREMIUM BALANCES	291,611,840	OTHER EXPENSES	32,884,644
NET DEFERRED TAX ASSET	51,102,309	CURRENT FEDERAL AND FOREIGN INCOME TAXES	7,883,423
REINSURANCE RECOVERABLE	24,272,783	REMITTANCES AND ITEMS NOT ALLOCATED	16,516,275
SECURITIES LENDING REINVESTED COLLATERAL ASSETS	6,320,191	AMOUNTS WITHHELD / RETAINED BY COMPANY FOR OTHERS	29,111,086
RECEIVABLES FROM PARENT, SUBSIDIARIES AND AFFILIATES	15,814,022	RETROACTIVE REINSURANCE RESERVE ASSUMED	799,095
OTHER ASSETS TRI-PARTY / TAX CREDIT BONDS	3,891,530	POLICYHOLDER DIVIDENDS	11,240,864
ASSUMED REINSURANCE RECEIVABLE AND PAYABLE	667,396	PROVISION FOR REINSURANCE	7,641,356
OTHER ASSETS	1,043,260	ADVANCE PREMIUM	1,256,693
		PAYABLE FOR SECURITIES LENDING	6,320,191
		ESCHEAT LIABILITY	1,232,814
		CEDED REINSURANCE NET PREMIUMS PAYABLE	46,393,646
		OTHER ACCRUED EXPENSES AND LIABILITIES	75,783
		TOTAL LIABILITIES	\$ 2,202,484,127
		CAPITAL STOCK	\$ 6,480,000
		PAID IN SURPLUS	433,803,760
		OTHER SURPLUS	1,877,545,873
		TOTAL SURPLUS TO POLICYHOLDERS	\$ 2,317,829,633
TOTAL ASSETS	\$ 4,520,313,760	TOTAL LIABILITIES & SURPLUS	\$ 4,520,313,760

STATE OF CONNECTICUT)
COUNTY OF HARTFORD) ss.
CITY OF HARTFORD)

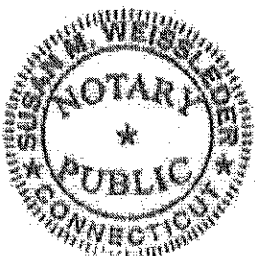
MICHAEL J. DOODY, BEING DULY SWORN, SAYS THAT HE IS VICE PRESIDENT, FINANCE, OF TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, AND THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, THE FOREGOING IS A TRUE AND CORRECT STATEMENT OF THE FINANCIAL CONDITION OF SAID COMPANY AS OF THE 30TH DAY OF JUNE, 2019.

Michael J. Doody
VICE PRESIDENT, FINANCE

SUBSCRIBED AND SWORN TO BEFORE ME THIS
23RD DAY OF AUGUST, 2019

Susan M. Weissleder
NOTARY PUBLIC

SUSAN M. WEISSLEDER
Notary Public
My Commission Expires November 30, 2022



NO TEXT ON THIS PAGE

CERTIFICATE OF SOLVENCY

ATTENTION: Insert the "Certificate of Solvency" after this page in with your bid submission.

**CERTIFICATE OF SOLVENCY UNDER SECTION 1111 OF THE NEW
YORK INSURANCE LAW**

STATE OF NEW YORK

DEPARTMENT OF FINANCIAL SERVICES

It is hereby certified that

Travelers Casualty and Surety Company of America
Of Hartford, Connecticut

a corporation organized under the laws of the State of Connecticut and duly authorized to transact the business of insurance in this State, is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guaranties and other obligations required or permitted by law; and that the said corporation is possessed of a capital and surplus including gross paid-in and contributed surplus and unassigned funds (surplus) aggregating the sum of \$2,088,189,284 (Capital \$6,480,000) as is shown by its sworn financial statement for the year ending December 31, 2016 on file in this Department, prior to audit.

The said corporation cannot lawfully expose itself to loss on any one risk or hazard to an amount exceeding 10% of its surplus to policyholders, unless it shall be protected in excess of that amount in the manner provided in Section 4118 of the Insurance Law of this State.



In Witness Whereof, I have

unto set my hand and affixed

official seal of this Department
in the City of Albany, this

17th day of April, 2017.

Maria T. Vullo
Superintendent

By

Jacqueline Catalfamo

Jacqueline Catalfamo
Special Deputy Superintendent

NO TEXT ON THIS PAGE



NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS

WICKS EXEMPT LIST OF SUBCONTRACTORS

CONTRACT NO. H62153-12G

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.

Contractor's Name and Address <u>Safety Marking, Inc.</u> <u>255 Hancock Avenue</u> <u>Bridgewater, CT 06605</u> Federal ID No.: <u>06-1267005</u>	Project Description (Project Title, Facility Name and Address): <u>Nassau County Pavement Marking</u> <u>Phase 12 Improvements</u>	Bid Date: <u>1/7/2020</u>	Total Contract Amt: <u>\$ 953,636.75</u>
--	--	------------------------------	---

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

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		
Federal ID No.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Federal ID No.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Federal ID No.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

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: 1/7/2020

PROPOSAL

COUNTY OF NASSAU
STATE OF NEW YORK

PROPOSAL

FOR
NASSAU COUNTY PAVEMENT MARKING PHASE 12 IMPROVEMENTS
P.I.N. 0761.22
VARIOUS LOCATIONS
NASSAU COUNTY, NEW YORK

CONTRACT NO.: H62153-12G

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: Safety Marking, Inc.
(Individual, Firm or Corporation, as case may be)

Bidder's Address: 255 Hancock Avenue, Bridgeport, CT 06605

Telephone: 203.333-6870

Date: 1/7/2020

Fax Tel: 203.333-9099

E-MAIL: mkelly@safetymarking.net

NO TEXT ON THIS PAGE

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

Name of Partners

Residence of Partners

N/A

N/A

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

Organized under the laws of the State of: Connecticut

Name of President: Mark Kelly

President's Domicile: _____

Name of Vice President: None

Vice President's Domicile: N/A

Corporate Officer: Mark Kelly

Title: President & Sole Officer

Corporate Officer's Domicile: _____

____ Title: _____

Corporate Officer's Domicile: _____

NO TEXT ON THIS PAGE

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 the 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 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.

NO TEXT ON THIS PAGE

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

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 \$500,00 attach here verification letter regarding your firm's having an approved State of New York Apprentices Training Program.

POSTAL & OTHER INFORMATION

Notes & References



APPRENTICESHIP AND TRAINING - JOURNEYMEN - RETRAINING SCHOOL
INTERNATIONAL UNION OF OPERATING ENGINEERS
LOCAL UNIONS 138, 138A, 138B Nassau & Suffolk Counties

Item IV
SCHOOL (831) 286-8677
FAX (831) 286-8683

UNION - P.O. BOX 206, FARMINGDALE, N.Y. 11735-0206

SCHOOL - 575 HORSEBLOCK ROAD, BROOKHAVEN, N.Y. 11719

December 13, 2019

Nassau County Dept. of Public Works
1550 Franklin Ave
Mineola, NY 11501

Re: Local 138 Apprenticeship School (the "Apprenticeship School")
NYS Sponsor # 00422
NYS ATP Code # 18318
Safety Marking, Inc.

Job # H62153-12G – Nassau County Pavement Marking Improvements Phase 12,
Various locations in Nassau County

To Whom It May Concern,

This letter serves to confirm that the **Apprenticeship School** currently conducts a fully registered and approved New York State Training (ATP). The ATP is co-sponsored by Local 138 and all employers/signatories, including but not limited to Safety Marking, Inc., to the Local 138 Agreement Covering Working Conditions, dated June 1, 2019 to May 31, 2023. The ATP complies with all provisions of Suffolk and Nassau County Law.

Any further inquiries should be directed to the undersigned's attention.

Sincerely,

JOHN DUFFY
BUSINESS MANAGER & TREASURER
CHAIRMAN BOARD OF TRUSTEES
LOCAL 138 APPRENTICESHIP TRAINING FUND



Department
of Labor

The Department of Labor, on behalf of the State of New York, issues this

Certificate of Completion of Apprenticeship Training

to certify that

Samantha Karen

HAS SERVED AN APPRENTICESHIP OF 3 YEAR(S)

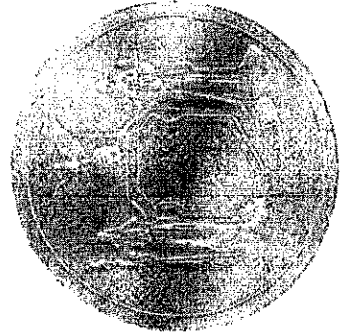
IN THE OCCUPATION OF: Optg. Engineer (Heavy Equipment)

IN THE EMPLOY OF Int'l Union Operating Engineers LU #438 ETC LI

UNDER STANDARDS APPROVED BY THE COMMISSIONER OF LABOR

AND IS A QUALIFIED: Optg. Engineer (Heavy Equipment)

GIVEN AT ALBANY, NEW YORK, ON: Saturday, March 09, 2019



Roberta Reardon

Roberta Reardon
Commissioner of Labor
Andrew M. Cuomo, Governor

MINORITY, WOMEN'S AND DISADVANTAGED GOALS

The New York State Department of Transportation has established the following Minority Business Enterprise (MBE) and Women's Business Enterprise (WBE) utilization goals for this contract in accordance with §§102-12 of the New York State Standard Specifications. The goals are expressed as a percentage of the total bid price.

For Clarification of Utilization Requirements refer to New York State Specification §102-12

MBE Goal – 0 percent

WBE Goal – 0 percent

EEO Participation Goals for Minority – 5.8%

EEO Participation Goals for Women – 6.9%

Disadvantaged Business Enterprise (DBE) Goal – 3%

Directories and/or information related to the current certification status of Minority and Women's Enterprises, can be obtained by contacting the:

New York State Department of Economic Development
Division of Minority and Women's Business Development
One Commerce Plaza
Albany, New York 12223
(518) 473-6442

Minority/Women's Business Enterprise Officer

The Bidder shall designate and enter below the name of a Minority/Women's Business Enterprise Officer who will have the responsibility for and must be capable of effectively administering and promoting an active Minority/Women's Business Enterprise Program and who must be assigned adequate authority and responsibility to do so.

Bidder Designated D/M/WBE

Officer Kelly Lavoie, HR Mgr/ EEO officer
(Name, Title)

Telephone Number 203.333-6870

RETURN THIS PAGE WITH BID

NO TEXT ON THIS PAGE

Pavement Markings Phase 12

PIN 0761.22

Contract # H62153-12G

NASSAU COUNTY RIGHT-OF-WAY CERTIFICATION

The Contractor shall certify that all work performed under this contract shall be on Nassau County right-of-way only. At no time shall the Contractor's personnel or equipment be permitted on private property. This certification shall remain in effect for the duration of this contract.

Bidder

Officer: Mark Kelly, President
(Name, Title)

Telephone Number: 203.333-6870 x 400

RETURN THIS PAGE WITH BID

NO TEXT ON THIS PAGE

DO NOT REMOVE THIS PAGE FROM BOOK

SCHEDULE OF PRICES						
ITEM NO.	ESTIMATED QUANTITIES	ITEMS WITH UNIT PRICES WRITTEN IN WORDS	UNIT BID PRICE		TOTAL AMOUNT	
			DOLLARS	CENTS	DOLLARS	CENTS
619.01	1 LS	Basic Work Zone Traffic Control FOR: <u>Forty Thousand Dollars and no cents</u> Dollars Cents	\$40,000	00	\$40,000	00
619.24	1 LS	Nighttime Operations FOR: <u>Twenty Thousand Dollars and no cents</u> Dollars Cents	\$20,000	00	\$20,000	00
635.0103	926,300 LF	Remove Existing Pavement Marking Striping FOR: <u>Zero Dollars and Twenty cents</u> Dollars Cents	\$0	20	\$185,260	00
635.0203	332 EA	Remove Existing Pavement Marking Letters FOR: <u>Fifteen Dollars and no cents</u> Dollars Cents	\$15	00	\$4,980	00
635.0303	442 EA	Remove Existing Pavement Marking Symbols FOR: <u>Fifteen Dollars and no cents</u> Dollars Cents	\$15	00	\$6,630	00
685.07200110	410,810 LF	White Epoxy ReflectORIZED Pavement Stripes - 20 MILS (Wet Night Visibility Spheres) FOR: <u>Zero Dollars and Forty cents</u> Dollars Cents	\$0	40	\$164,324	00
685.07200210	332 EA	White Epoxy ReflectORIZED Pavement Letters: 20 MILS (Wet Night Visibility Spheres) FOR: <u>one Hundred Sixty Dollars and no cents</u> Dollars Cents	\$160	00	\$53,120	00
685.07200310	427 EA	White Epoxy ReflectORIZED Pavement Symbols: 20 MILS (Wet Night Visibility Spheres) FOR: <u>Two Hundred Five Dollars and no cents</u> Dollars Cents	\$205	00	\$87,535	00

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SCHEDULE OF PRICES

ITEM NO.	ESTIMATED QUANTITIES	ITEMS WITH UNIT PRICES WRITTEN IN WORDS	UNIT BID PRICE		TOTAL AMOUNT	
			DOLLARS	CENTS	DOLLARS	CENTS
685.07200410	14,795 LF	White Epoxy ReflectORIZED Pavement Stripes - 20 MILS Cross Hatching (Wet Night Visibility Spheres) FOR: <u>one Dollar and Fifteen Cents</u> Dollars Cents	# 1	15	\$17,014	25
685.07200510	80,535 LF	White Epoxy ReflectORIZED Pavement Stripes - 20 MILS Special Markings (Wet Night Visibility Spheres) FOR: <u>Two Dollars and Twenty Cents</u> Dollars Cents	# 2	20	\$177,177	00
685.07200610	410,450 LF	Yellow Epoxy ReflectORIZED Pavement Stripes - 20 MILS (Wet Night Visibility Spheres) FOR: <u>Zero Dollars and Forty Cents</u> Dollars Cents	# 0	40	\$164,180	00
685.07200710	9,710 LF	Yellow Epoxy ReflectORIZED Pavement Stripes - 20 MILS Cross Hatching (Wet Night Visibility Spheres) FOR: <u>one Dollar and Fifteen Cents</u> Dollars Cents	# 1	15	\$11,166	50
685.07200810	0 EA	White Epoxy ReflectORIZED Pavement Markings - 20 MILS Yield Line Symbol - Small - (Wet Night Visibility Spheres) FOR: <u>one Hundred Fifty Dollars and no cents</u> Dollars Cents	#150	00	0	00
685.07200910	15 EA	White Epoxy ReflectORIZED Pavement Markings - 20 MILS Yield Line Symbol - Large - (Wet Night Visibility Spheres) FOR: <u>one Hundred Fifty Dollars and no cents</u> Dollars Cents	#150	00	\$2,250	00
699.040001	1 LS	Mobilization FOR: <u>Twenty thousand dollars and no cents</u> Dollars Cents	\$20,000	00	\$20,000	00

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PIN 0761.22

TOTAL OR GROSS BID MUST BE WRITTEN IN WORDS

FOR Nine Hundred Fifty Three Thousand Six Hundred Thirty Six Dollars and seventy-five cents
Dollars Cents

CONTRACTOR: Safety Marking, Inc.
BY: Mark Kelly
TITLE: President
SIGNATURE: [Signature]
DATE: January 7, 2020

NO TEXT ON THIS PAGE

NON-COLLUSIVE / PROCUREMENT LOBBYING BIDDING CERTIFICATION

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

- A. The prices of this bid have been arrived at independently without collusion, consultation, communication or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
- B. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- C. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.
- D. Within the previous four years, has the bidder been found non-responsible by a government entity? (check one)
_____ YES ☒ NO
- E. If "yes", was the determination of non-responsibility due to (1) engaging in impermissible contacts with a government entity, or (2) the intentional provision of false or incomplete information to a government entity? (check one)

_____ YES _____ NO

(If yes, please explain on a separate sheet.)

The undersigned acknowledges receipt of the following numbered addenda to the Contract Documents:

None

NO TEXT ON THIS PAGE

The undersigned has carefully examined the Contract Documents and agrees to perform this contract and to provide all goods and / or services, labor, material and equipment necessary for this contract. In addition, the bidder certifies that all information submitted regarding the Procurement Lobbying Law is complete, true and accurate. If such information is found to be intentionally false or intentionally incomplete, the Municipality reserves the right to terminate the resulting contract by providing written notification to the Contractor in accordance with the written notification terms of the contract.

Date: 1/7/2020

Signature: 

Print Name: Mark Kelly

Title: President

Company Name: Safety Marking, Inc.

Street Address: 255 Hancock Avenue

City / State / Zip: Bridgeport, CT 06605

Mailing Address: _____
(If different from Street Address)

Federal I.D. #: 06-1267005

Telephone #: 203.333-6870

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If a bidder is a corporation, indicate officers below; if a bidder is a firm, indicate members below; if a bidder is a partnership, indicate partners below:

Name

Legal Residence

Mark Kelly, President
(President / Member / Partner)

N/A
(Vice President / Member / Partner)

N/A

Mark Kelly, Secretary
(Secretary / Member / Partner)

Mark Kelly, Treasurer
(Treasurer / Member / Partner)

Page 74 of 530

SECTION 02100 - PAVER PAVING

1. SUMMARY

A. Section Includes

1. Paver Paving

NO TEXT ON THIS PAGE

QUALIFICATION STATEMENT

Note: All blanks in the form are to be filled in, typed if possible. 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? 47 YEARS
2. How many years experience in the construction work of a similar type as this contract has your firm had;
 - a. as a Prime Contractor 28 YEARS
 - b. as a Subcontractor 47 YEARS
3. List below the construction projects your firm has under way as of this date:

Contract Amount	Class of work	Percent Completed	Name and Address of Owner or Contracting Officer
--------------------	------------------	----------------------	---

Please see attached

(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:

Contract Amount	Class of work	Percent Completed	Name and Address of Owner or Contracting Officer
--------------------	------------------	----------------------	---

Please see attached

(use additional blank sheets if additional space is necessary)

5. Have you:
 - a. ever failed to complete any work awarded to You? No
If so; identify the project, the owner, the contract amount, the circumstances and date of all such failures to complete.

NO TEXT ON THIS PAGE

OWNER, ADDRESS, & TELEPHONE NO.	CONTRACT \$ AMOUNT	CONTRACT	LOCATION	TYPE OF WORK	CONTACT	CONTRACT \$ AMOUNT	% COMPLETE	ESTIMATED COMPLETE DATE
COUNTY OF WESTCHESTER 148 MARTIME AVENUE WHITE PLAINS, NY 10601 (914)995-2594	857,385.00	WCA14006	WESTCHESTER CTY AIRPORT	RUNWAY AND TAXIWAY PAINTING AND RUBBER REMOVAL	ANI TOM RUMBARGER (914)995-4885	205,205.00	5.00	11/24
STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION 250 VETERENS MEMORIAL HIGHWAY HAUPPAUGE, N.Y. 11788-5518 (631)420-7333	7,526,614.00	D263829	NASSAUS/SUFFOLK COUNTIES	INSTALLATION OF DURABLE PVMT MKGS VARIOUS	J. DIONISIO (631)918-2539	7,526,614.00	50.0	8/20
PORT AUTHORITY OF NY AND NJ 225 PARK AVENUE, SOUTH NEW YORK, NY 10003	6,908,079.00	4600011918	JFK, LGA, EWR, TEB & SWF AIRPORTS	RUBBER REMOVAL DEPOSITS FROM RUNWAYS	JFK-MARCELO MORELLI (718)244-3787 LGA-LIZZETTE ROBLES (718)533-3600 EWR-WARD HOEKSTRA (973)961-6604 TEB-PAM PHILLIPS (201)807-4018	6,908,079.00	75.0	11/20
STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION 2800 BERLIN TURNPIKE NEWINGTON, CT 06131-7546	900,000.00	18PSX0127AB	CT DISTRICTS 1,2,3,4	INSTALLATION OF EPOXY PVMT MKGS NON-INTERSTATE, EXPRESSWAYS & ROADWAYS	DIST.1-RICHARD PELLETIER (860)258-4521 DIST.2-KEITH COOPER (860)823-3223 DIST.3-RICHARD PORTER (203)389-3035 DIST.4-ARON STEEVES (203)591-3610	900,000.00	50.0	08/21
COUNTY OF SUFFOLK SUFFOLK CTY DEPT OF PUBLIC WORKS 335 YAPHANK AVENUE YAPHANK, NY 11980	19,256.00	SPM110819	VARIOUS IN SUFFOLK CTY	SPECIAL PAVEMENT MKGS VARIOUS ROADWAYS COUNTY WIDE	WILLIAM HILMAN (631)852-4002	19,256.00	0.0	12/20
COUNTY OF SUFFOLK SUFFOLK CTY DEPT OF PUBLIC WORKS 335 YAPHANK AVENUE YAPHANK, NY 11980	2,677,266.80	CP-5037	VARIOUS IN SUFFOLK CTY	PAVEMENT MKGS REPLACEMENT PROGRAM - VARIOUS ROADWAYS COUNTY-WIDE	WILLIAM HILMAN (631)852-4002	2,677,266.80	75.0	12/20

ITEM NO. 3

SAFETY MARKING, INC.
WORK EXPERIENCE
PRIME CONTRACTS IN PROGRESS

PAGE 2

OWNER, ADDRESS, & TELEPHONE NO.	CONTRACT \$ AMOUNT	CONTRACT	LOCATION	TYPE OF WORK	CONTACT	CONTRACT \$ AMOUNT	% COMPLETE	ESTIMATED COMPLETE DATE
COUNTY OF SUFFOLK SUFFOLK CITY DEPT OF PUBLIC WORKS 335 YAPHANK AVENUE YAPHANK, NY 11980	2,677,266.80	CP-5037	VARIOUS IN SUFFOLK CITY	PAVEMENT MKGS REPLACEMENT PROGRAM - VARIOUS ROADWAYS COUNTY-WIDE	WILLIAM HILMAN (631)852-4002	2,677,266.80	75.0	12/20
RHODE ISLAND DEPARTMENT OF TRANSPORTATION TWO CAPITOL HILL-ROOM 110 PROVIDENCE, RI 02903 (401)478-2570	1,928,798.00	2019-CT-024	STATEWIDE STRIPING EAST BAY EPOXY PAVMT STRIPING		JAMES DELEO (401)265-8352	21,258,003.00	50.0	11/20
TOWN OF ISLIP MACARTHUR AIRPORT 100 ARRIVAL AVE RONKONKOMA, NY 11779	15000	DAT 2017-5	MACARTHUR AIRPORT	RUNWAY RUBBER AND PAINT REMOV CARL VOGT AND RE-PAINTING SERVICES	9631)467-3300	15,000.00	50.0	12/22
PORT AUTHORITY OF NY AND NJ 225 PARK AVENUE, SOUTH NEW YORK, NY 10003	6,908,079.00	4600009777	JFK, LGA, EWR, TEB AIRPORTS	REMOVAL OF EPOXY AND LATEX PAINT AND APPLICATION OF LATEX PAINT	JFK-MARCELO MORELLI (718)244-3787 LGA-LIZZETTE ROBLES (718)533-3600 EWR-WARD HOEKSTRA (973)961-6604 TEB-PAM PHILLIPS (201)807-4018	6,908,079.00	75.0	11/20
COUNTY OF DUTCHESS DEPARTMENT OF PUBLIC WORKS 38 DUTCHESS TURNPIKE POUGHKEEPSIE, NY 12603 (845)486-2925	392,095.00	DCH-2017-03	DUTCHESS CITY ROADS	EPOXY & PAINT PAVEMENT STRIPING	MATTHEW DAVIS (845)486-2925	392,095.00	75.0	12/19

ITEM NO. 4

SAFETY MARKING, INC.
WORK EXPERIENCE
PRIME CONTRACTS COMPLETED

PAGE 1

OWNER, ADDRESS, & TELEPHONE NO.	CONTRACT NUMBER	LOCATION	PROJECT/CONTRACT DESCRIPTION	CONTACT	CONTRACT AMOUNT	COMPLETE DATE
RHODE ISLAND DEPARTMENT OF TRANSPORTATION TWO CAPITOL HILL-ROOM 110 PROVIDENCE, RI 02903 (401)478-2570	2018-CT-025	STATEWIDE STRIPING-CENTRAL	EPOXY PVMT STRIPING	JAMES DELEO (401)265-8352	2,077,993.00	12/19
RHODE ISLAND DEPARTMENT OF TRANSPORTATION TWO CAPITOL HILL-ROOM 110 PROVIDENCE, RI 02903 (401)478-2570	2018-CT-026	STATEWIDE STRIPING-SOUTH	EPOXY PVMT STRIPING	JAMES DELEO (401)265-8352	1,774,893.00	12/19
COUNTY OF WESTCHESTER 148 MARTIME AVENUE WHITE PLAINS, NY 10601 (914)995-2594	WCA14006	WESTCHESTER CTY AIRPORT	RUNWAY AND TAXIWAY PAINTING AND RUBBER REMOVAL	TOM RUMBARGER (914)995-4885	728,768.27	07/19
MTA BRIDGES AND TUNNELS (TBTA) 2 BROADWAY NEW YORK, NY 10004	13-MNT-2911	NEW YORK CITY	PLACEMENT & REMOVAL OF TRAFFIC PVMT MKGS AT VARIOUS AUTHORITY FACILITIES	GLENN OLSEN (212)360-2905	1,159,360.71	9/19
RHODE ISLAND DEPARTMENT OF TRANSPORTATION TWO CAPITOL HILL-ROOM 110 PROVIDENCE, RI 02903 (401)478-2570	2017-CT-001	STATEWIDE STRIPING-EAST BAY	EPOXY PVMT STRIPING	JAMES DELEO (401)265-8352	1,928,798.00	11/18
STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION 2800 BERLIN TURNPIKE NEWINGTON, CT 06131-7546	16PSX0035	CT DISTRICTS 1,2,3,4	INSTALLATION OF EPOXY PVMT MKGS NON-INTERSTATE, EXPRESSWAYS & ROADWAYS	DIST. 1-RICHARD PELLETIER (860)258-4521 DIST. 2-KEITH COOPER (860)823-3223 DIST. 3-RICHARD PORTER (203)389-3035 DIST. 4-ARON STEEVES (203)591-3610	900,000.00	11/18
STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION 250 VETERANS MEMORIAL HIGHWAY HAUPPAUGE, N.Y. 11788-5518 (631)420-7333	D263305	NASSAU/SUFFOLK COUNTIES	INSTALLATION OF DURABLE PVMT MKGS VARIOUS	J. DIONISIO (631)918-2539	7,528,614.00	7/18

ITEM NO. 4

SAFETY MARKING, INC.
WORK EXPERIENCE
PRIME CONTRACTS COMPLETED

PAGE 2

OWNER, ADDRESS, & TELEPHONE NO.	CONTRACT NUMBER	LOCATION	PROJECT/CONTRACT DESCRIPTION	CONTACT	CONTRACT AMOUNT	COMPLETE DATE
RHODE ISLAND DEPARTMENT OF TRANSPORTATION TWO CAPITOL HILL-ROOM 110 PROVIDENCE, RI 02903 (401)478-2570	2015-CT-094	STATEWIDE STRIPING-CENTRAL	EPOXY PVMT STRIPING	JAMES DELEO (401)265-8352	1,928,798.00	12/17
COUNTY OF NASSAU DEPARTMENT OF PUBLIC WORKS 1550 FRANKLIN AVENUE MINEOLA, NY 11501-4822	H82153A	NASSAU COUNTY	PAVEMENT MARKING IMPROVEMENTS - PHASE 8	RICHARD KRAMER (516)571-1950	675,527.00	10/17
STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION 2800 BERLIN TURNPIKE NEWINGTON, CT 06131-7546	174-415	VARIOUS IN DISTRICT 4	INSTALLATION OF CENTERLINE RUMBLE STRIPS	CRAIG ALBERT (860)321-7428	236,144.00	10/17
STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION 250 VETERANS MEMORIAL HIGHWAY HAUPPAUGE, N.Y. 11788-5518 (631)420-7333	D263122	NASSAU/SUFFOLK COUNTIES	INSTALLATION OF DURABLE PVMT MKGS VARIOUS	J. DIONISIO (631)918-2539	6,885,892.24	7/17

b. ever been defaulted on a contract? No
If so; identify the project, the owner, the contract amount,
the circumstances and the date of all default actions.

c. ever been declared a non-responsible bidder by any
municipality or public agency? No
If so; identify the project, the owner, the contract amount,
the circumstances and the date of all such declarations.

d. ever been barred from bidding municipal or public
contracts? No
If so; identify the municipality or public agency, the
circumstances, date and term of disbarment for all debarments.

(use additional blank sheets if additional space is necessary)

6. Has any officer, partner or principal of your firm ever been on
officer, partner or principal of some other firm:

a. that failed to complete a construction contract? No
If so, state name of individual and identify the name of firm,
the project, the owner, the contract amount, the circumstances
and the date of all such failures to complete for all
principals of the firm.

b. that has ever been defaulted on a contract? No
If so; state the name of the individual and identify the
name of the firm, the project, the owner, the contract amount,
the circumstances and the date of all default actions for all
principals of the firm.

NO TEXT ON THIS PAGE

c. that has ever been declared a non-responsible bidder by any municipality or public agency? No
If so; state the name of the individual and identify the name of the firm, the project, the owner, the contract amount, the circumstances and the date of all such declarations for all principals of the firm.

d. that has ever been barred from bidding municipal or public contracts? No
If so; state the name of the individual and identify the name of the firm, the municipality or public agency, the circumstances, date and term of debarment for all debarments for all principals of the firm.

(use additional blank sheets if additional space is necessary)

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. Disclose any and all violations of the Prevailing Wage and Supplemental Payment Requirements of the Labor Law of New York State. *please see attached*

9. Disclose any and all other Labor Law Violations, including, but not limited to, child labor violations, failure to pay wages, or unemployment insurance tax delinquencies within the past five years.

NONE

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Question # 8 - In July 2016, an audit was done by the NYC Parks & Recreation and the finding was a misclassification of Painter-Striper and should have been a Painter-Lineperson resulting in a small underpayment. Payment was made for the underpayments and the matter was resolved.

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

None. (Safety Marking, Inc. has an affiliate, Safety Marking of NY, Inc. which provides union labor exclusively to Safety Marking, Inc.)

11. 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
Mark Kelly	President	47 years	All phases of line striping & removal	All capacities
Lucas Papadogorge	General Manager	28 years	All phases of line striping & removal	All capacities
David Steffens	Operations Manager	26 years	All phases of line striping & removal	All capacities
James Cody	LI Superintendent	36 years	All phases of line striping & removal	All capacities

(use additional blank sheets if additional space is necessary)

12. 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.	Years of Service	Present Location
------	--	------------------	------------------

Please see attached Equipment List. Equipment is located in Bridgeport, CT, Westbury, NY and Richmond, RI

(use additional blank sheets if additional space is necessary)

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

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Equipment	Description	Year	Make	Model	Vin #	Marker#	
ATTENUATOR CONE RACK							
CT-0051	AT-51	ATTENUATOR/CONE/MSGBRD	2005	ISUZU	FXR	4GTM8F1385F700860	66826A
CT-0052	AT-52	ATTENUATOR/CONE/FLATBED	2005	ISUZU	FXR	4GTM8F1375F700879	39863-A
CT-0053	AT-53	ATTENUATOR/CONE/MSGBRD	2006	ISUZU	FXR	4GTM8F1336F700265	59674A
CT-0054	AT-54	ATTENUATOR/SIGNBOARD	2000	INTERNATIO	4700	1HTSCAAM21H331594	K61437
CT-0055	AT-55	ATTENUATOR/SIGNBOARD	2000	INTERNATIO	4700	1HTSCAAM9YH315452	K67593
CT-0056	AT-56	ATTENUATOR/TAPE TRUCK	2003	FREIGHTLIN	FL 70	1FVABTAKX3HK38593	47973-A
CT-0057	AT-57	ATTENUATOR/CONE/FLATBED	2010	FORD	F750	3FRXF7FFXAV275369	49360A
CT-0058	AT-58	ATTENUATOR/CONE/RACK BODY	2010	FORD	F-750	3FRXF7FG8AV271152	50431A
CT-0059	AT-59	ATTENUATOR/CONE/RACK BODY	2010	FORD	F-750	3FRXF7FE5AV274217	50430A
CT-0060	AT-60	ATTENUATOR/MESSAGE BOARD	2004	INTERNATIO	4300	1HTMMAAL14H663124	K79890
CT-0061	AT-61	ATTENUATOR/MESSAGE BOARD	2004	INTERNATIO	4300	1HTMMAAL84H663122	102775-RI
CT-0062	AT-62	ATTENUATOR/MESSAGE BOARD	2011	INTERNATIO	4300	1HTJTSKL4BH363813	K95995
CT-0063	AT-63	ATTENUATOR/MESSAGE BOARD	2011	INTERNATIO	4300	1HTJTSKL7BH363806	K95994
CT-0064	AT-64	ATTENUATOR/MESSAGE BOARD	2000	GMC/ISUZU	FTR	1GDM7C1C1YJ515307	32655A
CT-0065	AT-65	ATTENUATOR CONE MESSAGE B	2015	FORD	F-750	3FRXF7FL1FV003113	57103A
CT-0066	AT-66	ATTENUATOR/CONE/MSGBRD	2016	INTERNATIO	4300 SBA 4	1HTMMMN5GH283142	58173A
CT-0067	AT-67	ATTENUATOR/CONE/MSGBRD	2008	FORD	F-750	3FRXF75C88V075270	48963A
BOX TRUCK							
BX-0007	V-7	BOX TRUCK	1999	CHEVROLET	W-4	J8BC4B140X7015136	J-87321
BX-0010	V-10	BOX TRUCK	2006	ISUZU	NQR	JALE5B16967903395	K38457
BX-0011	V-11	BOX TRUCK	2003	ISUZU	NQR	JALE5B14437902164	K71639
BX-0013	V-13	BOX TRUCK	2010	ISUZU	NQR	JALE5W162C7900213	K83845
BX-0014	V-14	BOX TRUCK	2004	ISUZU	FRR	JALF5C13647700946	J22139
BX-0015	AV-15	AIRPORT BOX VAN	2012	FORD	F-750	3FRXF7FE7BV692327	53640A
BX-0016	AV-16	AIRPORT BOX VAN	2015	FORD	F-750	3FRXW7FE7FV720150	57102A
BX-0017	V-17	BOX TRUCK	2012	ISUZU	NPR	JALC4W164C7002206	AB10954
BX-0018	V-18	BOX TRUCK	2012	ISUZU	NPR	JALC4W160C7002199	AB10953
BX-0019	V-19	BOX TRUCK	2012	ISUZU	NPR	JALC4W16XC7002324	AB52549
BX-0020	V-20	BOX TRUCK	2010	ISUZU	NPR	JALE5W162A7900435	AE05890
BX-0021	AV-21	AIRPORT BOX VAN	2017	FORD	F-750	1FDYW7DE8HDB06518	61110A
BX-0022	AV-22	AIRPORT BOX VAN	2017	FORD	F-750	1FDYW7DE6HDB06517	61179A
BX-0023	V-23	BOX TRUCK	2001	GMC	W55042	J8DE5B14917900973	K90616
BX-0024	V-24	BOX VAN	2013	ISUZU	NRR	JALE5W165D7901664	AE31953
BX-0025	V-25	BOX VAN	2014	ISUZU	NRR	JALE5W161E7900657	AE31952
BX-0026	AV-26	BOX TRUCK	2019	ISUZU	NRR	JALE5J161K7304950	AE53685
BROOM							
BR-0004	BCT-4	BROOM/CONE TRUCK	2004	GMC	WT550	J8DF5C13147700451	K-38467
SW-0002	S-2	BROOM BEAR SWEEPER	2000	FREIGHTLIN	FL70	1FV6HJBA6YHG76794	31304-A
CAR							
CR-0015	CAR-15	CODYS TAHOE	2011	CHEVY	TAHOE	1GNSKAE01BR311430	488YYZ
CR-0016	CAR-16	JACKS JEEP	2013	JEEP	GR CHK	1C4RJFCTOEC239437	912UAN
CR-0017	CAR-17	DEKES JEEP	2014	JEEP	GR CHK	1C4RJFBG1EC415173	AL70672
CR-0018	CAR-18	MARKS JEEP	2015	JEEP	GR CHK	1C4RJFCT5FC914443	8AWAE1
CR-0019	CAR-19	LUKES EQUINOX	2017	CHEVY	EQUINOX	2GNFLFEK7H6279763	C102225
DUMP							
DT-0003	D-3	DUMP TRUCK	2005	STERLING	ACTERRA	2FZACGS05AU32815	41892A
DT-0005	D-5	DUMP TRUCK	2008	FREIGHTLIN	M2	1FVHCYBS38HAB0237	57608A

Equipment	Description		Year	Make	Model	Vin #	Marker#
EPOXY							
EP-0013	ED-13	EPOXY DETAIL SPRAY TRUCK	2008	ISUZU	FVR	4GTJ7F1B68F700146	K47988
EP-0014	E-14	EPOXY PAINT TRUCK 700 GAL	2009	PETERBILT	320	3BPZL00XX9F719864	47727A
EP-0015	EB-15	EPOXY PAINT TRUCK BLACK	2002	ISUZU	FTR	4GTK7C1382J700679	J-85500
EP-0016	E-16	EPOXY PAINT TRUCK 700 GAL	2011	PETERBILT	320	3BPZL70X2CF160021	59673A
EP-0017	E-17	EPOXY PAINT TRUCK 450 GAL	2014	PETERBILT	320	3BPZHJ8XXEF247476	55221A
EP-0018	E-18	EPOXY PAINT TRUCK 825 GAL	2015	PETERBILT	320	3BPZLJ0X9FF292579	57850A
EP-0019	E-19	EPOXY PAINT TRUCK 825 GAL	2016	PETERBILT	320	3BPZLJ0X5GF100785	60090A
EP-0020	ED-20	EPOXY DETAIL SPRAY TRUCK	2017	PETERBILT	220	3BPPHM7X8HF591273	58958A
EP-0021	ED-21	EPOXY DETAIL SPRAY TRUCK	2017	PETERBILT	220	3BPPHM7XXHF591274	58959A
EP-0022	ED-22	EPOXY DETAIL SPRAY TRUCK	2016	ISUZU	NRR	JALE5W164G7303148	AB06911
EP-0023	E-23	EPOXY PAINT TRUCK 450 GAL	2018	PETERBILT	520	3BPDHJ8X0JF177796	60960A
EP-0024	E-24	EPOXY PAINT TRUCK 825 GAL	2018	PETERBILT	520	3BPDXJEX4JF188470	61955A
EP-0025	ED-25	EPOXY DETAIL W/Y SPRAY TR	2018	ISUZU	NRR	JALE5W163J7304380	AE29929
EP-0026	E-26	EPOXY PAINT TRUCK 525 GAL	2019	PETERBILT	520	3BPDKJ8XXKF102963	63798A
EP-0027	E-27	EPOXY PAINT TRUCK 600 GAL	2020	PETERBILT	520	3BPDLJ0X3LF107092	65628A
FLATBED							
FL-0059	CT-59	CONE TRUCK	2000	ISUZU	NPR	JALC4B141Y7017437	K13712
FL-0060	CT-60	CONE TRUCK	2000	CHEV	W5500	J8BE5B146Y7901386	K32457
FL-0061	CT-61	CONE TRUCK	2000	ISUZU	NPR	JALB4B14817004119	K38454
FL-0062	CT-62	CONE TRUCK	2001	ISUZU	NPR	JALB4B14927005085	K38456
FL-0063	CT-63	CONE TRUCK	2005	FORD	F-450	1FDXF46P65EA40369	K47843
FL-0064	CT-64	CONE TRUCK	2015	ISUZU	NRR	JALE5W169F7301832	L25300
FL-0065	CT-65	CONE TRUCK	2015	ISUZU	NRR	JALE5W16XF7301998	L22273
FL-0066	CT-66	CONE TRUCK	2001	ISUZU	FRR	JALF5C13017701165	J78839
FL-0067	CT-67	CONE TRUCK	2000	ISUZU	FRR	JALF5C131Y7701475	J71130
FL-0068	CT-68	CONE TRUCK	1998	ISUZU	NQR	JALC4B1K1W7001153	J-87713
FL-0069	CT-69	CONE TRUCK	2003	ISUZU	FRR	JALF5C13637700816	K10847
DETAIL GLUE							
GL-0004	D-4	DETAIL GLUE TRUCK	2004	INTERNATIO	4000	1HTMMAAMX4H680917	K90617
GRINDING							
GR-0008	G-8	GRINDING TRUCK	2006	ISUZU	FXR	4GTP8F1346F700109	41849A
GR-0009	SAW-9	GROOVING TRUCK	2006	ISUZU	FXR	4GTP8F1396F700414	44622A
GR-0010	G-10	GRINDING TRUCK	2009	ISUZU	FVR	4GTK7F1B09F700004	K58329
GR-0011	G-11	GRINDING TRUCK	2008	ISUZU	FTR	4GTK7F1B68F700328	K78639
GR-0012	G-12	GRINDING TRUCK	2009	ISUZU	T7F042	4GTJ7F1B59F700074	K92585
GR-0014	G-14	GRINDING TRUCK	2006	CHEVY	T7F042	1GBJ7F1386F417159	K94655
GR-0015	SAW-15	GROOVING TRUCK	2015	PETERBILT	320	3BPZHJ8XOFF256690	55220A
GR-0016	G-16	GRINDING TRUCK	2017	PETERBILT	220	3BPPHM7X6HF591272	66825A
GR-0017	G-17	GRINDING TRUCK	2018	PETERBILT	220	3BPPHM7X9JF591577	61111A
GR-0018	G-18	GRINDING TRUCK	2020	PETERBILT	520	3BPDHJ8X7LF108218	66824A
PICKUP							
PI-0005	P-5	S-10 PICKUP	2002	CHEVROLET	S-10 PICKU	1GCCS145928193532	3CA604
PI-0006	P-6	F350 PICKUP	2002	FORD	F350 PICKU	1FTSF30F92EA92874	2CW534
PI-0007	P-7	PICK-UP	2003	CHEV	SILVERADO	1GCEK19V03E71980	6CX981
PI-0008	P-8	F250 PICKUP	2004	FORD	F250 2WD	1FTNF20P04ED07352	8CX 303
PI-0009	P-9	F250 PICKUP	2005	FORD	F250	1FTSX21515EB82652	19CV50
PI-0010	P-10	PICK-UP	2000	FORD	SWR SUPE	1FTNF21F8YEA03391	19CZ03
PI-0011	P-11	PICK-UP	2006	FORD	F-250	1FTSF20P46ED24127	57152-RI
PI-0012	P-12	PICKUP	2008	CHEVROLET	SILVERADO	2GCEK13C181115184	64CY39
PI-0013	P-13	PICKUP	2008	CHEVROLET	SILVERADO	2GCEK13CX81177764	64CY40
PI-0014	P-14	PICKUP	2000	CHEVROLET	C2500	1GCGC23R7YF451169	K69153
PI-0015	P-15	F-350 PICKUP	2008	FORD	F-350	1FTWF30518ED04104	K58338
PI-0016	P-16	CHEVY SILVERADO 4X4	2009	CHEVROLET	SILVERADO	3GCEK13C49G286939	101781-RI
PI-0017	P-17	1500 SILVERADO	2017	CHEVY	1500 SILVE	3GCUKREC7HG320281	C102224
PI-0018	P-18	1500 SILVERADO	2017	CHEVY	SILVERADO	1GCVKREC0HZ381959	C129521
PI-0019	P-19	1500 SILVERADO	2014	CHEVY	1500 SILVE	1GCVKREC7EZ379525	C147861
PI-0020	P-20	1500 SILVERADO	2018	CHEVY	SILVERADO	3GCUKREC9JG582518	AP71679

Equipment	Description	Year	Make	Model	Vin #	Marker#
PAINT						
PT-0019	PT-19 PAINT TRUCK 120 GAL	2006	ISUZU	FXR	JALE5B16567301366	K-38502
PT-0020	PT-20 AIRPORT PAINT TRUCK	2007	GMC	T850	1GDP8F1B47F421913	45689A
PT-0021	PT-21 PAINT TRUCK 120 GAL.	2008	ISUZU	FVR	4GPK7F1B88F700315	K66551
PT-0022	PT-22 PAINT TRUCK 120 GAL	2009	ISUZU	FVR	4GPK7F1B88F700363	K76669
PT-0023	PT-23 PAINT TRUCK 700 GAL	2010	PETERBUILT	320	3BPZH58X1AF107141	48864A
PT-0024	PT-24 PAINT TRUCK 700 GAL	2010	PETERBUILT	320	3BPZH58X1AF107142	48865A
PT-0026	PT-26 PAINT TRUCK 700 GAL	2014	PETERBILT	320	3BPZHJ8X5EF251998	55626A
PT-0027	PT-27 PAINT TRUCK 240 GAL	2016	PETERBILT	220	3BPJPHM7XGF591043	58369A
PT-0028	PT-28 PAINT TRUCK 700 GAL	2017	PETERBILT	320	3BPZHJ8X4HF107749	59113A
PT-0029	PT-29 PAINT TRUCK 60 GAL	2017	ISUZU	NRR	JALE5W168H7301940	AB06943
PT-0030	PT-30 PAINT TRUCK 120 GALLON	2018	ISUZU	FTR	54DK6S163JSG00439	AE05617
PT-0031	PT-31 PAINT TRUCK 700 GAL YELLO	2019	PETERBILT	520	3BPDKJ8X8KF104307	63699A
RACK						
RA-0040	R-40 RACK BODY	1999	ISUZU	NQR 07/	JALE5B145X7902468	J44536
RA-0041	R-41 RACK BODY	1999	ISUZU	NQR	JALE5B145X7902471	J44541
RA-0042	R-42 RACK BODY	1999	ISUZU	NQR 07/9	JALE5B147X7902245	J44537
RA-0043	R-43 RACK BODY	2001	ISUZU	NQR 01/01	JALE5B14027900023	J77376
RA-0044	R-44 RACK BODY	2002	ISUZU	NQR 01/01	JALE5B14727900049	J77375
RA-0046	R-46 RACK BODY	2003	ISUZU	NQR	JALE5B14937901382	H-99231
RA-0047	R-47 RACK BODY	2003	ISUZU	NQR	JALE5J14237901928	J-99015
RA-0048	R-48 RACK BODY	2005	ISUZU	NQR	JALE5B16057901162	J17780
RA-0049	R-49 RACK BODY	2006	ISUZU	NQR	JALE5J16567900598	K31130
RA-0050	R-50 RACK BODY	2007	ISUZU	FVR	4GTM7F1347F700022	60549A
RA-0051	R-51 RACK BODY	2008	ISUZU	NQR	JALE5W16187900341	K-47885
RA-0052	R-52 RACK BODY	2011	ISUZU	NQR	JALE5J168B7901822	K82656
RA-0053	R-53 RACK BODY	2015	ISUZU	NRR	JALE5W163F7301566	L22274
RAMP						
RT-0002	RT-2 RAMP TRUCK	1998	ISUZU	NPR	JALC4BIKIW7002965	J-93069
RT-0003	RT-3 RAMP TRUCK	2004	ISUZU	FRR	JALF5C13547700923	K14691
THERMO						
TH-0002	TP-2 THERMO PAINT TRUCK	2004	STERLING	ACTERRA	2FZACGAK34AM18439	36101A
TH-0004	TP-4 THERMO PAINT TRUCK	2016	INTERNATIO	4300	1HTMMMMN2GH210116	57609A
RACK BODY HYDRO-BLAST						
WT-0004	WB-4 HYDROBLAST TRUCK	2016	PETERBILT	320	3BPZX7EX9GF103009	57997A
WT-0005	WB-5 HYDROBLAST TRUCK	2018	PETERBILT	M520	3BPDX7EX1JF196657	61879A
WT-0006	WB-6 HYDROBLAST TRUCK	2019	PETERBILT	M520	3BPDX7EX3KF104160	63493A
WT-0007	WB-7 HYDROBLAST TRUCK	2019	PETERBILT	520	3BPDX7EX1KF103945	64657A

13. 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.

NONE

(use additional blank sheets if additional space is necessary)

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

*James Cody drove and inspected all the roads
and inventoried the conditions of all the roads.*

(use additional blank sheets if additional space is necessary)

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

*Remove existing pavement markings - each
intersection. Layout each intersection for new
epoxy pavement markings. Install epoxy
pavement markings.*

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

James Cody - resume attached.

17. Insurance carried by your firm:

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

Please see attached certificate sample

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SMC**James Cody**

**Contact
Information**

Cell # -
Office # - 203.814-3423

Email - jcody@safetymarking.net

Safety Marking, Inc.
255 Hancock Ave.
Bridgeport, CT 06605
203.333-6870

Position**Long Island Superintendent****Experience**

- Employed by Safety Marking since 1996
- Managed various construction and maintenance projects in CT, NY & RI ranging in value from \$10,000 to \$8,000,000
- Fully trained and experienced in application and removal of all temporary and durable pavement markings offered by SMC.
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
- Experienced in layout of new and phase construction
- 36 Years experience in the line striping industry

**Additional
Training**

- First Aid & CPR certified
- ATSSA certified Traffic Control Technician
- ATSSA certified Traffic Control Supervisor
- 30 Hr OSHA Certified



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/6/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
TriPoint Insurance
21c Arts Center Ct
Avon, CT 06001

CONTACT
NAME: Christine Dodds
PHONE (A/C, No, Ext): 860-618-1104 FAX (A/C, No): 860-499-5352
E-MAIL: cdodds@tripointins.com
ADDRESS:

INSURED
Safety Marking, Inc.
255 Hancock Avenue
Bridgeport CT 06605

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Zurich American Insurance Company	16535
INSURER B: Endurance Assurance Corporation	11551
INSURER C: American Zurich Insurance Company	40142
INSURER D: Markel American Insurance Company	28932
INSURER E: American Guarantee and Liability Ins Co	26247
INSURER F: North River Insurance Company	21105

COVERAGES

CERTIFICATE NUMBER: 53420288

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	GLO0381556-04	7/1/2019	7/1/2020	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	BAP0381557-04	7/1/2019	7/1/2020	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB DED RETENTION \$	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	ELD10004051506	7/1/2019	7/1/2020	EACH OCCURRENCE \$2,000,000 AGGREGATE \$2,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	WC0381555-04	7/1/2019	7/1/2020	<input checked="" type="checkbox"/> PER STATUTE E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
D	Excess Liability	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	MKLM1EUE100295	7/1/2019	7/1/2020	\$2,000,000 occ/\$2,000,000 agg
E	Excess Liability	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	AEC 7564971-01	7/1/2019	7/1/2020	\$5,000,000 occ/\$5,000,000 agg
F	Excess Liability	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	5228058078	7/1/2019	7/1/2020	\$10,000,000 occ/\$10,000,000 agg

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

H62153-12G - Nassau County Pavement Marking Improvements - Phase 12

County of Nassau
1194 Prospect Avenue
Westbury NY 11590

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Christine Dodds

18. The undersigned hereby declares: That the foregoing information contained in this bid is a true statement, including, but not limited to, the financial condition of the individual firm herein first named as of the date herein given; the undersigned has read that portion of the Instructions to the Bidders entitled "**Qualifications and Responsibility of Bidders**" and that the bidder acknowledges its affirmative obligation to transmit with this statement any matters relevant and material to those contractor qualifications and responsibility standards; that this statement is for the express purpose of inducing the party to whom it is submitted to award the submitted a contract or issuance of a permit; that any depository, vendor or other agency herein named is authorized to supply such party with any information necessary to verify this statement; and that it understands and agrees that any material misrepresentation or omission of material fact may be deemed grounds for disqualification of the bidder as "not responsible," and may also subject the bidder to future debarment, penalties, and sanctions, to the extent permitted by law.



Mark Kelly, President

1/7/2020

Date

NO TEXT ON THIS PAGE

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

(Form of affidavit where Bidder is a corporation)

STATE OF NEW YORK)

Connecticut

) ss.: *Bridgeport*

COUNTY OF ~~NASSAU~~)

Fairfield

Mark Kelly
he resides ~~at [REDACTED]~~
in the City of ~~[REDACTED]~~
Safety Marking, Inc.

Being duly sworn, deposes and says: That
Street,
that he 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 signed 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 *7th* day of *January*

2022

CAROLINE SUMNER
Notary Public - Connecticut
My Commission Expires
January 31, 2024

Caroline Sumner
Notary

(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 hereunto 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

(Form of Affidavit where Bidder is a 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

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MacBride Fair Employment Principles

NONDISCRIMINATION IN EMPLOYMENT IN NORTHERN IRELAND:

MACBRIDE FAIR EMPLOYMENT PRINCIPLES

In accordance with Chapter 807 of the Laws of 1992 the bidder, by submission of this bid, certifies that it or any individual or legal entity in which the bidder holds a 10% or greater ownership interest, or any individual or legal entity that holds a 10% or greater ownership interest in the bidder, either: (answer yes or no to one or both of the following, as applicable),

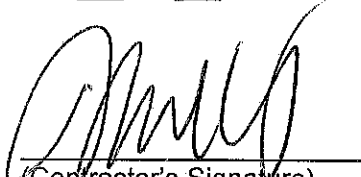
(1) have business operations in Northern Ireland,

Yes ___ No ☒

if yes:

(2) shall take lawful steps in good faith to conduct any business operations they have in Northern Ireland in accordance with the MacBride Fair Employment Principles relating to nondiscrimination in employment and freedom of workplace opportunity regarding such operations in Northern Ireland, and shall permit independent monitoring of their compliance with such Principles.

Yes ___ No ___


(Contractor's Signature)
Mark Kelly, President

SafetyMarking Inc.
(Name of Business)

NO TEXT ON THIS PAGE

IRAN DIVESTMENT ACT – CERTIFICATION

Pursuant to New York State Finance Law §165-a, Iran Divestment Act of 2012, the Office of General Services is required to post on its web site <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> a list of persons who have been determined to engage in investment activities in Iran ("the List"), as defined in that Act. Under Public Authorities Law § 2879-c, Iranian Energy Sector Divestment, the Authority, may not enter into or award a Contract unless it obtains a certification from a Bidder, who shall check the box and make the certification in Subparagraph a, below, that they are not on the List. If that certification cannot be made, the Authority may consider entering into a Contract, on a case by case basis if the Bidder checks the box and makes the certification in Subparagraph b, below, that their Iran investment is ceasing.

For purposes of this provision, a person engages in investment activities in Iran if: (A) the person provides goods or services of twenty million dollars or more in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or (B) the person is a financial institution that extends twenty million dollars or more in credit to another person, for forty-five days or more, if that person will use the credit to provide goods or services in the energy sector in Iran.

The Certification is as follows:

- ☒ **a. Certification that the Bidder is not on the List:** Each person, where person means natural person, corporation, company, limited liability company, business association, partnership society, trust, or any other nongovernmental entity, organization, or group, and each person signing on behalf of any other party, certifies, and in the case of a joint bid or proposal or partnership each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each person is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law, or,
- ☐ **b. Certification that the Bidder's investment in Iran is ceasing:** The person cannot make the certification in Subparagraph a, above, but asks the Authority to consider them for award of the Contract by certifying, under penalty of perjury, that the person's investment activities in Iran were made before April 12, 2012; the person's investment activities in Iran have not been expanded or renewed after April 12, 2012; and the person has adopted, publicized and is implementing a formal plan to cease its investment activities in Iran and to refrain from engaging in any new investments in Iran.

Signature/Date

Print Name and Position

1/7/2020 Mark Kelly, President

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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 of 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.

Mark Kelly, President
Name and Title of Authorized Representative

1/7/20
m/d/yy

[Signature]
Signature

1/7/20
Date

Safety Marking, Inc.
Name of Organization

255 Hancock Avenue, Bridgeport, CT 06605
Address of Organization

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

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Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposes," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of reports in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

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CONTRACTOR CERTIFICATION STATEMENT REGARDING
STORM WATER POLLUTION AT THE WORK SITE

I certify under penalty of the law that I understand and agree to comply with the terms and conditions of the pollution prevention plan for the construction site identified in such plans as a condition of authorization to discharge storm water. I also understand the operator (Nassau County) must comply with the terms and conditions of the New York State Pollution Discharge Elimination System ("SPDES") general permit for storm water discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Finally, I understand my contractual obligations in the matter as outlined in the contract documents.

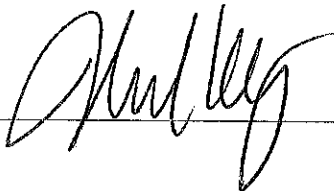
CONTRACTOR'S NAME: Safety Marking, Inc.

TELEPHONE NUMBER: 203. 333-6870

WORK SITE OR FACILITY NAME: Various locations in Nassau
County

WORK SITE OR FACILITY ADDRESS OR
OTHER IDENTIFYING DESCRIPTION: Nassau County

Signature



1/7/2020
Date

Mark Kelly, President
Print Name and Title of Signer

NO TEXT ON THIS PAGE

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, plus the Add Alternate(s), minus the Deduct Alternate(s) where applicable, 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.

2013-01-01

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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>
68507200110	white epoxy stripes	Epoplex & Potters Industries
68507200210	white epoxy letters	"
68507200310	white epoxy symbols	"
68507200410	white epoxy cross hatch	"
68507200510	white epoxy special markings	"
68507200610	yellow epoxy stripes	"
68507200710	yellow epoxy cross hatch	"
68507200810	white epoxy yield line symbol-sm	"
68507200910	white epoxy yield line symbol-lg	"

Epoplex
one Park Avenue
Maple Shade, NJ 08052

Potters Industries
POB 840
Valley Forge, PA 19482

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PROPOSAL

GENERAL CONSTRUCTION

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

Safety Marking, Inc.

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

Individual's Social Security Number: N/A

Firm or Corporation's Federal ID Number: 06-1267005

Firm or Corporation's Municipal License ID Number: N/A

Municipal Licensing Agency: N/A

By: [Signature]

Date: 1/7/2020

(Print): Mark Kelly

Title: President

WHERE BIDDER IS A CORPORATION, ADD

ATTEST:

[Signature]
Secretary
Mark Kelly

(CORPORATE)
(SEAL)

TOTAL

580

.....

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SOLE CORPORATE OFFICER ACKNOWLEDGMENT

STATE OF CONNECTICUT)
 ss: Bridgeport
COUNTY OF FAIRFIELD)

On this 7th day of January 2020, before me personally

came Mark K. Kelly personally known to me or proved to me on
(Name of Sole Officer)

the basis of satisfactory evidence to be the individual whose name is subscribed to the within
instrument and acknowledged to me that he/she executed the same in his/her capacity as

President and Sole Officer and Director of SAFETY MARKING, INC.
(Name of Corporation)

the corporation described in and which executed the within instrument, and acknowledged that
he/she owns all the issued and outstanding capital stock of said corporation, and that he/she
signed the within instrument on behalf of said corporation.

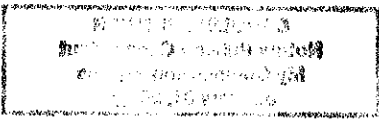
Caroline Sumner

Notary Public

Caroline Sumner

My Commission Expires: January 31, 2024

CAROLINE SUMNER
Notary Public - Connecticut
My Commission Expires
January 31, 2024





The Office of
Secretary of the State Denise W. Merrill

Business Inquiry

Business Details

Business Name: SAFETY MARKING, INC.

Business ID: 0228941

Business Address: 255 HANCOCK AVENUE, BRIDGEPORT, CT, 06606

Mailing Address: 255 HANCOCK AVENUE, BRIDGEPORT, CT, 06606

Date Inc/Registration: Feb 10, 1989

Annual Report Due Date: 02/07/2019

Principals Details

Name/Title

MARK K. KELLY PRESIDENT, SECRETARY AND TREASURER

MARK K. KELLY DIRECTOR

Business Address

255 HANCOCK AVENUE, BRIDGEPORT, CT, 06606

255 HANCOCK AVENUE, BRIDGEPORT, CT, 06606

Residence Address

55 WEST ROAD, EASTON, CT, 06612

55 WEST ROAD, EASTON, CT, 06612

Agent Summary

Agent Name: MARK K. KELLY

Agent Business Address: C/O SAFETY MARKING, INC., 255 HANCOCK AVENUE, BRIDGEPORT, CT, 06606

Agent Residence Address: 55 WEST ROAD, EASTON, CT, 06612

Agent Mailing Address: NONE

PROPOSAL

GENERAL CONSTRUCTION

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

NO TEXT ON THIS PAGE

PROPOSAL

GENERAL CONSTRUCTION

(Form of Affidavit where Bidder is a Corporation)

Connecticut
STATE OF NEW YORK)
) ss.: *Bridgeport*
COUNTY OF ~~NASSAU~~ *Fairfield*

Mark Kelly Being duly sworn, deposes and says: That
he resides at ~~XXXXXXXXXXXXXXXXXXXX~~ that he 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 *15* day of *January* 20*20*

Caroline Sumner

Notary Public

CAROLINE SUMNER
Notary Public - Connecticut
My Commission Expires
January 31, 20*21*

NO TEXT ON THIS PAGE



LAURA CURRAN
NASSAU COUNTY EXECUTIVE



KENNETH G. ARNOLD, P.E.
COMMISSIONER

COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
1194 PROSPECT AVENUE
WESTBURY, NEW YORK 11590-2723

VENDOR PORTAL ACKNOWLEDGMENT

Vendor Name: Safety Marking, Inc.
Contract Title: Nassau County Pavement Marking Improvements Phase 12
Contract Number: H62153-12G

Vendors doing business with Nassau County, including those responding to this solicitation, must register with the County's Vendor Portal in order to submit the mandatory vendor disclosure forms required for an award pursuant to this solicitation. Vendors may register at www.nassaucountyny.gov by clicking the "Vendor Portal Registration" button at the bottom of the webpage. Failure to do so may result in a delay of contract award.

The undersigned hereby acknowledges that he/she has registered and has submitted the required disclosures on the Nassau County Vendor Portal.

Signature

A handwritten signature in black ink, appearing to read "Mark Kelly", is written over a horizontal line.

Date

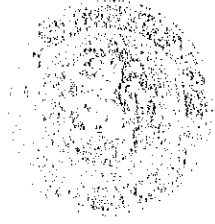
January 7, 2020

Print Name

Mark Kelly, President

If you attempted to register via the Portal but were unable to do so, please explain here:

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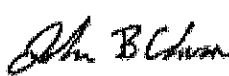

LAURA CURRAN
NASSAU COUNTY EXECUTIVE

NASSAU COUNTY



Vendor Code of Ethics



POLICY/PROCEDURE TITLE: Nassau County Vendor Code of Ethics	DATE ISSUED: June 5 th , 2019
DEPARTMENT ISSUING: Executive – Compliance	AUTHORIZED and SIGNED BY:  Deputy County Executive For Compliance  County Executive

POLICY:

The Office of the Nassau County Executive recognizes the importance of the vendor community in helping the County provide necessary services for the residents of Nassau County. It is the policy of the County Executive to ensure that all vendors doing business with Nassau County operate under the highest standards of legal and ethical conduct.

PURPOSE:

To set forth a Code of Conduct for vendors to ensure that Nassau County Vendors are conducting their business with integrity, ethics, and compliance with all applicable laws and regulations.

SCOPE:

All vendors doing business or seeking to do business with Nassau County as specified in the Code.



Vendor Code of Ethics

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Vendor Code of Ethics

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Chapter 11: PROHIBITION ON RETALIATION

Section 11.01 Prohibition



Vendor Code of Ethics

Chapter 1: DEFINITIONS

As used in this Code, the following terms have the following meanings:

Adverse Job-Related Action includes any material alteration to existing terms, conditions, and privileges of employment, such as dismissal, demotion, suspension, compulsory leave, disciplinary action, creation of a hostile work environment, negative performance evaluation, any action resulting in loss of staff, office space or equipment or other benefit, reduction in compensation, failure to appoint, failure to promote, or any transfer or assignment or failure to transfer or assign against the wishes of the affected employee.

Contact means any oral or written communication with any Nassau County Employee, other than the Designated Point(s) of Contact, where it could be reasonably inferred that such contact was intended to influence, or could reasonably be expected to influence, the subject of a County procurement.

Designated Point(s) of Contact means the individual(s) designated by the County to be a Vendor's only contact with Nassau County following the public advertisement of a solicitation or the issuance of a request for a bid, proposal, or quote for small purchase, until the award of a resulting contract and, where applicable, approval by the County Legislature. This timeframe, further defined in the State Procurement Lobbying Law, is also known as the Restricted Period.

Nassau County Employee means any officer, official or employee of Nassau County.

Family Member means (i) a Nassau County Employee's Spouse, Domestic Partner, Child, Sibling or Parent; (ii) a person who is a direct descendant (or the spouse of a direct descendant) of a Sibling of the Nassau County Employee or a Sibling of the Nassau County Employee's Spouse or Domestic Partner; or (iii) a person living in the same household as a Nassau County Employee.

Gift means the transfer, without equivalent consideration, of anything of benefit, tangible or intangible, having more than nominal value, including, but not limited to, cash, loans, forbearance,



Vendor Code of Ethics

services, travel, gratuities of any kind, favors, money, meals, refreshments, entertainment, hospitality, admittance to private clubs, use of time-shares, personal use of the Vendor's facilities, promises, tickets to entertainment or sporting events, weekend trips, golf outings, loans of equipment, or other thing or benefit. A Gift need not be intended to influence or reward any individual or entity.

Nassau County Code of Ethics means Nassau County Charter Section 2218, and the rules and regulations promulgated thereunder as may be amended or modified.

Participating Employee means any Vendor employee who engages in any written or oral communication of a non-clerical or non-administrative nature with Nassau County or with a Nassau County Employee(s) as part of or in connection with the procurement.

Participating Nassau County Employee means any Nassau County Employee who the Vendor knows, has reason to know, or can reasonably anticipate is involved in a specific procurement, in either a direct or decision-making capacity, but not in a clerical capacity. This includes but is not limited to the Designated Point of Contact, the project manager, the project manager's staff to the extent that they are involved in the procurement, members of selection committees, technical experts and negotiating teams.

Primary Contracting Party means a Vendor who intends to directly enter into or has a contract with Nassau County.

Retaliatory Action is defined as any Adverse Job-Related Action taken by, or at the direction or request of, a Vendor or a Vendors' Employees as a result of any individual's (i) good-faith report with respect to a violation or potential violation of this Code or the law; or (ii) cooperation in any investigation of unlawful conduct or misconduct conducted by Nassau County or by federal, state, or local law enforcement officials.

State Procurement Lobbying Law means New York State Finance Law Sections 139-j and 139-k, and the rules and regulations promulgated thereunder as may be amended or modified.

Vendor means any individual or entity seeking to or doing business



Vendor Code of Ethics

with Nassau County within the scope of this Code, including, without limitation, contractors, consultants, suppliers, manufacturers seeking to act as the primary contracting party, officers and employees of the foregoing, as well as any subcontractors, subconsultants and suppliers at all lower tiers.

Chapter 2: LIMITATIONS AND REPORTING OF CONTACTS WITH NASSAU COUNTY

Section 2.01 Designated Point(s) of Contact

Each procurement solicitation issued by Nassau County will identify the Designated Point(s) of Contact for that solicitation as required by the State Procurement Lobbying Law. Once the Designated Point(s) of Contact is/are established, the Vendor and any person or entity acting on the Vendor's behalf, including without limitation, those providing compensated or uncompensated lobbying, advocacy, consulting or other services should ensure that its contacts with Nassau County are in compliance with the requirements of the State Procurement Lobbying Law.

Chapter 3: GIFTS OR CONTINGENT FEES

Section 3.01 Zero Tolerance

No Vendor may offer or give any Gift, directly or indirectly, to a Nassau County Employee. Similarly, no Vendor may offer or give any Gift, directly or indirectly, to any Family Member of a Nassau County employee where such Gift is made because of the Vendor's relationship with the Nassau County Employee. Additionally, no Vendor may accept a gift from a Nassau County Employee.

This Zero-Tolerance Policy applies regardless of actual intentions. In other words, even if a Gift does not, or is not intended to, influence an action or decision by a Nassau County Employee, it is prohibited by this Code.

Section 3.02 Personal Relationships

Notwithstanding the foregoing, if a Vendor has a pre-existing family or personal relationship with the Employee, a Gift that is wholly unconnected with the Employee's duties on behalf of Nassau County is



Vendor Code of Ethics

not necessarily prohibited.

In determining whether the giving of an item was motivated by personal rather than business concerns, the following factors are considered:

- (a) the history of the relationship between the donor and the recipient, including but not limited to the mutuality of gift giving;
- (b) whether the item was paid for by the donor.

The giving of an item shall not be considered to be motivated by a family or personal relationship if the donor seeks to charge or deduct the value of the item as a business expense or seeks reimbursement from a client.

However, regardless of the family or personal relationship between a Vendor and an employee, a Gift is strictly forbidden where it is being given under circumstances where it can reasonably be inferred that it was intended to influence the employee in the performance of his or her official duties.

Section 3.03 Contingent Fees

The Vendor will not employ or retain any individual or entity for the purpose of soliciting or securing a Nassau County contract upon any agreement or understanding for a commission, percentage, brokerage, or fee that is contingent or dependent upon the outcome of the procurement.

Chapter 4: NEGOTIATIONS FOR FUTURE EMPLOYMENT

Section 4.01 Restrictions During the Procurement Process

Vendors shall not discuss future employment with Participating Nassau County Employees or their Family Members from the date the procurement is advertised or solicited through 30 days following the date that the procurement is awarded, even if a Participating Nassau County Employee contacts the Vendor regarding employment. Questions regarding whether a particular Nassau County employee is a Participating Nassau County Employee for a specific



Vendor Code of Ethics

procurement should be directed to the Designated Point of Contact for the procurement.

Section 4.02 Restrictions Post Award

Vendors are prohibited from offering or discussing an employment opportunity with a Nassau County Employee or his or her Family Members before whom the Vendor has or expects to have a pending specific matter including, but not limited to, negotiations, performance evaluation, task order selection, approval of a voucher or invoice, or approval of or agreement to a contract amendment, change order, or deviation or waiver until:

- (i) 30 days from the time the matter before the Employee is closed, or
- (ii) 30 days from the time the Employee has no further involvement with the matter because of recusal or reassignment.

Chapter 5: CONFLICT OF INTEREST

Section 5.01 Financial Interest

Neither the Vendor, nor any director, officer, principal, owner, or partner thereof, as the case may be, may have a 10% or greater interest, nor shall the Vendor, nor any director, officer, principal, owner, or partner thereof, acquire a 10% or greater interest, either directly or indirectly, in any company or firm that would conflict in any manner or degree with the performance of the Nassau County contract.

The Vendor will not permit an employee having a 10% or greater interest, either directly or indirectly, in any company or firm that would conflict in any manner or degree with the performance of the Nassau County contract to be employed in the performance of the Nassau County contract.

Section 5.02 Personal Business Dealings

Neither the Vendor, nor any director, officer, principal, owner, or partner thereof, may have a non-County business dealing with a



Vendor Code of Ethics



Participating Nassau County Employee where it can be reasonably inferred that the purpose of the business dealing, at least in part, is to influence the Participating Nassau County Employee's action on a pending County matter.

Section 5.03 Disclosure and Cooperation

The Vendor shall disclose immediately to the County any real or potential conflict of interest of which it becomes aware. This obligation is ongoing and shall last through the completion of performance of the contract. The Vendor shall provide to Nassau County, at the County's request and upon such forms as may be furnished by Nassau County, a disclosure of organizational, financial, contractual or other affiliations with any organization or entity that has interests that may be substantially affected by the procurement solicitation or award. The Vendor shall fully cooperate in any inquiry or investigation undertaken by Nassau County to determine whether any such affiliations present a conflict of interest, or whether any other provision of this Code has been violated. The Vendor shall fully cooperate with audits, investigations, examinations and reviews by the Nassau County Inspector General conducted pursuant to section 187 of the Nassau County Charter.

Section 5.04 Confidential Information

At no time shall any Vendor who obtains confidential or proprietary Nassau County information in the course of doing or seeking to do business with the County disclose any such information to any person not authorized by Nassau County to receive such information or use such information for any personal gain except as necessary to fulfill its contractual obligations to Nassau County.

If the Vendor receives from any source confidential or proprietary Nassau County information prior to the award of a resulting contract and, where applicable, approval by the County Legislature, without the explicit approval of the Designated Point of Contact, the Vendor shall immediately so notify the Designated Point of Contact.

Nassau County confidential or proprietary information includes, but is not limited to, internal cost estimates and proposals submitted by other Vendors.



Vendor Code of Ethics

Section 5.05 Prohibition Regarding Bidding by Participants in Procurement Development

No Vendor who participates in the development of a scope of work, solicitation documents, assessment criteria, contractual instruments or technical specifications may participate as a bidder, sub-bidder, proposer or sub-proposer on that particular procurement or perform any work on that particular procurement or any other procurement that would constitute an organizational conflict of interest or would give that Vendor an unfair advantage over other bidders or proposers on that procurement. This prohibition may be waived in writing by the County Chief Procurement Officer upon a showing of good cause.

Chapter 6: FORMER NASSAU COUNTY EMPLOYEES

Section 6.01 Appearance Before Former Agency-Two Year Bar

Except as provided for in Section 2218(8) of the Nassau County Code of Ethics, the Vendor will not permit a former Nassau County Employee to appear or practice before any Nassau County agency, either prior to award or in the performance of a Nassau County contract, for a period of two years after termination of the Nassau County Employee's services with the County.

Section 6.02 Appearance Before Former Agency-Life Time Bar

Except as provided for in Section 2218(8) of the Nassau County Code of Ethics, the Vendor will not permit a former Nassau County Employee to appear, practice, communicate or otherwise render services before the agency that employed the officer or employee or any other agency of Nassau County, either prior to award or in the performance of an agency's contract in relation to any case, proceeding, application or transaction with respect to which such former officer or employee was directly concerned and in which he or she personally participated, or which was under his or her active consideration during the period of his or her employment. This provision is a lifetime bar on projects that the former Nassau County Employee previously worked on while employed by the County.



Vendor Code of Ethics

Chapter 7: NON-COLLUSION

Section 7.01 Independent Bid Assessment

The Vendor will calculate the price(s) contained in any bid or proposal independently, without collusion, consultation, communication, or agreement with any competing Vendor for the purpose of restricting competition.

Section 7.02 Non-Communication of Bid

Unless otherwise required by law, the price(s) which the Vendor quotes in its bid or proposal will not knowingly be disclosed by the Vendor, directly or indirectly, to any competing Vendor prior to the closing date for bids or proposals.

Section 7.03 Bid Submission

The Vendor will not make any attempt to induce any other individual or entity to submit or not to submit a bid or proposal.

Chapter 8: DISTRIBUTION AND CERTIFICATION

Section 8.01 Distribution of Vendor Code of Ethics and Vendor's Participating Employee Acknowledgements

As a condition of being considered for the award of any contract above the County's small purchase threshold of \$10,000, the Vendor will be required to distribute copies of the Nassau County Vendor Code of Ethics to all Participating Employees prior to any of those employee's participation in the procurement. The Code may be distributed either in hard copy or electronically as a separate PDF.

Additionally, as a condition of being considered for the award of any contract above the County's small purchase threshold, the Vendor will be required to obtain an acknowledgement from each of its Participating Employees ("Participating Employee Acknowledgements") that they have received, read, understand, and will comply with the Nassau County Vendor Code of Ethics.



Vendor Code of Ethics

The Vendor's responsibility for distributing copies of the Nassau County Vendor Code of Ethics and obtaining such signed Participating Employee Acknowledgements is ongoing until completion of performance of the contract and shall be retained for the same period as the Vendor is required to retain other contract documents in accordance with their contract with the County.

Receipt and retention of Participating Employee Acknowledgments by the Vendor shall be subject to audit by Nassau County.

Section 8.02 Vendor Certifications

The vendor by signing the final contract thereby certifies and attests to the following:

- (a) The Vendor has been provided with a copy of the Nassau County Vendor Code of Ethics and will comply with all of the provisions of the Code;
- (b) All of its Participating Employees during the course of procurement or contract have been provided with a copy of the Nassau County Vendor Code of Ethics prior to any of those employees' participation in the procurement;
- (c) All Participating Employees have completed the acknowledgement required by Section 8.01 of this Code;
- (d) The Vendor will retain all of the signed Participating Employee Acknowledgements for the same period as the Vendor is required to retain other contract documents in accordance with their contract with the County;
- (e) The Vendor will continue to distribute the Nassau County Vendor Code of Ethics, obtain signed Participating Employee Acknowledgements as new Participating Employees are added or changed during the contract period, and retain all of the signed acknowledgements for the same period as the Vendor is required to retain other contract documents in accordance with their contract with the County.



Vendor Code of Ethics

Section 8.03 Subcontractor Certifications

As a condition of being considered for the award of any contract above the County's small purchase threshold, the Vendor will obtain certifications executed by authorized officials from all of its lower tier subcontractors, subconsultants and suppliers (as well as from any other subcontractors, subconsultants and suppliers from whom that Vendor is soliciting or has received proposals for work on a Nassau County contract) whose employees have communicated or may communicate with Nassau County Employees. This obligation is ongoing and shall last through the completion of performance of the contract. Receipt and retention of lower tier certifications by the Vendor shall be subject to audit by Nassau County.



Vendor Code of Ethics

Chapter 9: PENALTIES

Section 9.01 Responsibility Determination

For violation of any provision of the Nassau County Vendor Code of Ethics, Nassau County may avail itself of every remedy in law or equity, or as agreed to by parties in any contract, including but not limited to declaring the Vendor non-responsible or in material breach of the contract.

Section 9.02 Civil/Criminal Penalties

Additionally, violation of the Nassau County Vendor Code of Ethics or a provision thereof may subject the Vendor to criminal or civil penalties under State or Federal law.

Chapter 10: REPORTING OBLIGATION

Section 10.01 Reporting Gift Requests

Notwithstanding the provisions of Chapter 4 above, the Vendor is obligated to immediately report to Nassau County's Inspector General and the County Chief Procurement Officer, any and all requests made to the Vendor by any Nassau County Employee for a Gift.

Section 10.02 Reporting Material Changes

The Vendor is under a continuing obligation to report any change in circumstances that materially affects any prior report to Nassau County to Department of Chief Contracting Officer, including but not limited to disclosure of conflicts of interest and representations made in the Contractor Responsibility Form.

Section 10.03 Reporting Violations and Overpayments

The Vendor is obligated to timely report in writing to Nassau County's Inspector General, in connection with the award, performance or closeout of the Nassau County contract or subcontract, any credible evidence of significant overpayments on the contract or that a principal, employee, agent or subcontractor has committed a



Vendor Code of Ethics

violation of law involving fraud, conflict of interest, bribery or gratuities.

Chapter 11: PROHIBITION ON RETALIATION

Section 11.01 Prohibition

To facilitate the reporting obligations under Chapter 10, this code strictly forbids all Vendors and Vendors' Employees from taking any Retaliatory Action against individuals who make such reports.



Vendor Code of Ethics

CERTIFICATION REGARDING DISTRIBUTION OF NASSAU COUNTY VENDOR CODE OF ETHICS

Bid/Proposal No.: H62153-12G

Project Description: NCDPW Pavement Marking Improvements Phase 12G
Phase 5cc attached

The prospective lower tier participant _____ (subcontractor, subconsultant, or supplier name) hereby certifies, by submission of this bid or proposal to _____ [prime contractor] in connection with the Nassau County bid or proposal number referenced above, to the best of its knowledge and belief, that all officers and personnel who have communicated or may communicate with Nassau County employees during the course of the procurement and through the completion of performance of the contract have been provided with a copy of the Nassau County Vendor Code of Ethics prior to each of these employee's participating in the procurement.

Executed this _____ day of _____, 20____.

By _____ Signature of Authorized Official

Name and Title of Authorized Official

NO TEXT ON THIS PAGE



Vendor Code of Ethics

CERTIFICATION REGARDING DISTRIBUTION OF NASSAU COUNTY VENDOR CODE OF ETHICS

Bid/Proposal No.: H62153-12G

Project Description: NCDPW Pavement Marking Improvement Phase 12

The prospective lower tier participant Apex Striping (subcontractor, subconsultant, or supplier name) hereby certifies, by submission of this bid or proposal to Safety Marking, Inc. [prime contractor] in connection with the Nassau County bid or proposal number referenced above, to the best of its knowledge and belief, that all officers and personnel who have communicated or may communicate with Nassau County employees during the course of the procurement and through the completion of performance of the contract have been provided with a copy of the Nassau County Vendor Code of Ethics prior to each of these employee's participating in the procurement.

Executed this 6th day of January, 2020

By  Signature of Authorized Official

Susan McDonald, President

Name and Title of Authorized Official



Vendor Code of Ethics

PARTICIPATING EMPLOYEE ACKNOWLEDGEMENT REGARDING NASSAU COUNTY VENDOR CODE OF ETHICS

Company: Safety Marking, Inc.

Bid/Proposal No.: HG2153-12G

I, Mark Kelly, acknowledge that I have received and read the Nassau County Vendor Code of Ethics on 1/7/2020 and that I understand it and will comply with this Code in my participation in procurements between Safety Marking, Inc. (Vendor name) and Nassau County.

Executed this 7th day of January, 2020.

By [Signature] Signature of Employee

Mark Kelly, President Name and Title of Employee

NO TEXT ON THIS PAGE

Notice of Award

NO TEXT ON THIS PAGE

COUNTY OF NASSAU

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

1. Name of the Entity: Safety Mark ing, Inc.
Address: 255 Hancock Avenue
City, State and Zip Code: Bridgeport, CT 06605
2. Entity's Vendor Identification Number: 06-1267005
3. Type of Business: Public Corp Partnership Joint Venture
Ltd. Liability Co Closely Held Corp S Corporation 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):

Mark Kelly, President & Sole Officer -

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.

Mark Kelly, President & Sole Officer - owns 100% of Shares

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.

Safety Marking of NY, Inc. is an Affiliate of Safety Marking, Inc. Safety Marking of NY, Inc. supplies

union labor exclusively to Safety Marking, Inc.

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). 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, or to otherwise engage in lobbying as the term is defined herein. 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

Page 3 of 4

(b) Describe lobbying activity of each lobbyist. See page 4 of 4 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: January 7, 2020

Signed: 

Print Name: Mark Kelly

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 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.

EXECUTIVE ORDER NO. 2 - 2015

EXECUTIVE ORDER PURSUANT TO SECTION 203 OF THE
COUNTY GOVERNMENT LAW OF NASSAU COUNTY TO FURTHER
DISCLOSURE BY THOSE DOING BUSINESS WITH NASSAU
COUNTY

WHEREAS, pursuant to subdivision 1 of section 203 of the Nassau County Charter, the County Executive is responsible for the administration of all departments, offices and functions of the county government; and

WHEREAS, the County Executive, in furtherance of his duties pursuant to subdivision 1 of section 203, is committed to ensuring transparency and openness with respect to the administration of governmental functions; NOW, THEREFORE BE IT

ORDERED, every lobbyist, as defined on the attached Lobbyist Registration and Disclosure Form (hereinafter "Lobbyist Form"), shall annually file the Lobbyist Form with the County Attorney and with the Clerk of the Nassau County Legislature for each calendar year, provided, however, that the filing of such statement of registration shall not be required of any lobbyist who in any year does not earn or incur an amount in excess of one thousand dollars reportable compensation and expenses for the purposes of lobbying, or is an officer, director, trustee or employee of any public corporation when acting in such official capacity; and it is further

ORDERED, that such filing shall be completed on or before January fifteenth by those persons who have been retained, employed or designated as lobbyists on or before December thirty-first of the previous calendar year who reasonably anticipate that in the coming year they will earn or incur combined reportable compensation and expenses in an amount in excess of one thousand dollars; and for those lobbyists retained, employed or designated after December thirty-first, and those lobbyists who, subsequent to their retainer, employment or designation, reasonably anticipate combined reportable compensation and expenses in excess of such amount, such filing must be completed within fifteen days thereafter; and it is further

ORDERED, that the County Attorney shall forward copies of each Lobbyist Form to the Nassau County Department of Information Technology ("IT"), and that IT shall develop and maintain a lobbyist registration page on that County's website, and make available all such Lobbyist Forms for public inspection on the County's website; and it is further

ORDERED, that upon termination of a lobbyist's retainer, employment or designation, such lobbyist and the client, if any, on whose behalf such service has been rendered shall both give notice to the County Attorney in the electronic filing system within thirty days after the lobbyist ceases the activity that required such lobbyist to file a statement of registration; however, such lobbyist shall nevertheless comply with the reporting requirements as set forth above and the reporting requirements for the last periodic reporting period up to the date such activity has ceased; and it is further

ORDERED, any lobbyist required to file a Lobbying Form as set forth herein who, in any lobbying year, earns or incurs combined reportable compensation and expenses in an amount in excess of one thousand dollars, for the purpose of lobbying, shall file with the County Attorney periodic reports, on forms prescribed by the County Attorney, by the fifteenth day next succeeding the end of the reporting period on which the cumulative total for such lobbying year equaled such sum. Such reporting periods shall be the period from January 1 to March 31, April 1 to May 31, June 1 to August 31 and August 31 to December 31; and it is further

ORDERED, that any lobbyist making a report pursuant to the above paragraph shall thereafter file with the County Attorney, on forms prescribed by the County Attorney, a periodic report for each reporting period that such person earns or incurs combined reportable compensation and expenses in an amount in excess of one thousand dollars for the purposes of lobbying during such reporting period. Such report shall be filed not later than the fifteenth day next succeeding the end of such reporting period and shall include the amounts so earned or

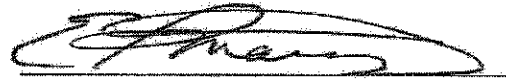
incurred during such reporting period and the cumulative total during the lobbying year; and it is further

ORDERED, that IT shall ensure that the Lobbying Form and the form for periodic reports prescribed by the County Attorney are available on the County website; and it is further

ORDERED, that this Executive Order shall take effect immediately.

Dated:

May 15, 2015



EDWARD P. MANGANO
NASSAU COUNTY EXECUTIVE

COUNTY OF NASSAU

LOBBYIST REGISTRATION AND DISCLOSURE FORM

1. Name 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; or to otherwise engage in lobbying activities as the term is defined herein. 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

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.

Dated: January 7, 2020

Signed: 

Print Name: Mark Kelly

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 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.

Business History Form

In addition to the submission of bids/proposals, as applicable, each bidder/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 bid/proposal.

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

Date: January 7, 2020

1) Bidder's/Proposer's Legal Name: SAFETY MARKING, INC.

2) Address of Place of Business: 255 Hancock Avenue

List all other business addresses used within last five years:

460 Bostwick Ave, Bridgeport, CT 06605; 500 Bostwick Ave, Bridgeport, CT 06605; 84 Sylvester St., Westbury, NY 11590; 85 New York Ave., Westbury, NY; 59 Stilson Rd., Richmond, RI 02898

3) Mailing Address (if different): _____

Phone : 203.333-6870

Does the business own or rent its facilities? Rent

4) Dun and Bradstreet number: 010138881

5) Federal I.D. Number: 06-1267005

6) The bidder/proposer is a (check one): Sole Proprietorship Partnership X
Corporation Other (Describe)

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

8) Does this business control one or more other businesses? Yes X No If Yes, please provide details: Safety Marking, Inc. is affiliated with Safety Marking of NY, Inc. which provides union labor solely and exclusively to Safety Marking, Inc.

9) Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business? Yes X No If Yes, provide details. Affiliate: Safety Marking of NY, Inc. Supplies union labor to Safety Marking, Inc. exclusively.

10) Has the bidder/proposer ever had a bond or surety cancelled or forfeited, or a contract with Nassau County or any other government entity terminated? Yes No X 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 bidder/proposer, during the past seven years, been declared bankrupt? Yes ____ No X
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 X 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 X No ____ If Yes, provide details for each such investigation. Please see detail below & attached. _____

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? No X Yes ____ If Yes, provide details for each such charge. _____

b) Any misdemeanor charge pending? No X Yes ____ 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? No X Yes ____ If Yes, provide details for each such conviction _____

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

13) On May 9, 2016, a former employee, Peter P. Klosterman, filed an administrative complaint with the State of New York, Division of Human Rights against Safety Marking of New York, Inc. an affiliate of Safety Marking. Mr. Klosterman alleges that he was terminated in violation of New York disability discrimination laws. After an investigation and following opportunity for review of related information and evidence by the named parties, the Division of Human Rights determined that there was NO PROBABLE CAUSE to believe that the respondent had engaged in or is engaging in the unlawful discriminatory practice complained of. The complaint was dismissed and the file was closed.

BUSINESS HISTORY FORM

13)

Over four years ago, the Company was involved in a lawsuit filed by two former employees under 42 U.S.C. Sec. 1981, relating to the conduct of five Safety Marking employees that occurred sometime between 2008-2012. In March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Due to this litigation, in Spring 2016, both CTDOT and NYDOT conducted an in depth Contract Compliance Review of Safety Marking, Inc. and both concluded that Safety Marking, Inc. was a responsible bidder.

In 2018, the New York State Department of Transportation investigated Safety Marking's qualifications as a responsible contractor/bidder arising out of an allegation raised that Safety Marking was somehow affiliated with another company. After a hearing was held in August 2018 before the New York State Department of Transportation, Safety Marking was determined to be a responsible contractor/bidder under New York regulations.

On April 5, 2019 the company received a civil investigative demand from the United States Attorney's office, Northern District of New York. The civil demand requires the company to provide documentation to the government relating to The Fence Man, Inc., an unaffiliated company. The company is complying with the investigative demand and disclosing documents in accordance thereto.

Letter from the President regarding SMC's involvement in a litigation

Safety Marking, Inc. feels that it is important to be forth coming that it was indeed the subject of litigation for several years involving two former employees. These two employees alleged that they were victims of discrimination for incidents relating to the conduct of five Safety Marking, Inc. employees that occurred sometime between 2008-2012. The company fought the unsubstantiated litigation through trial and then through post-trial motions, but due to what it believes were grievous errors of law and clearly erroneous rulings by the judge, in March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Following the verdict, both CT DOT and NY DOT did their due diligence and investigated Safety Marking and its practices and both concluded that there were no findings of non-responsibility. Both confirmed Safety Marking's status as a responsible contractor and Safety Marking was awarded the contracts.

Safety Marking believes strongly in its EEO policies and employs approximately 50% minorities. Safety Marking and its management do not tolerate harassment or discrimination of any kind and communicate our Company's policies and Complaint Procedures with each and every employee. Our Company's Employee Handbook was updated in 2015 and revised in 2017 and includes all policies and procedures. It has been distributed and reviewed with every employee by our Human Resources Manager who was hired in January 2015. All of our employees, supervisors and managers attend mandatory annual training that is conducted each year by our Human Resources Manager which covers Harassment training and our Company's EEO Policy. And our EEO Policy is posted on our bulletin boards at each of our locations as well as in our Compliance Books that we have on our work sites.

Our company prides itself on our Company's 360 Review processes which we have been doing since 1997. This process gives each employee the opportunity to evaluate every employee, supervisor and manager that he/she works with in the company and has the opportunity to confidentially review the person's ability, attitude and how the person helped, taught or provided the tools to help the employee do their job. In the past, I conducted these reviews with every employee. Last year, we enhanced the process and now each employee meets with three other members of our management team in addition to me in their review process. Each employee sits down with the Safety Director, the Operations Manager, the Human Resources Manager and then I. During these meetings the employee is able to discuss the pertinent aspects of their job, bring up any ideas or suggestions they may have on making things better or any problems or concerns that they may have as well. We spend over three months each year on the employee review process and take it very seriously to ensure that our employees are in

the right position, getting the right tools and training to do their job and address any concerns that they bring to our attention. _____

Safety Marking, Inc. is committed to providing a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits any unlawful discriminatory practices. Through our continued communications, training and Open Door Policy that we have with our employees, we are confident that our employees feel good about the company that they work for. Unfortunately, anyone can accuse you of something without any witness or proof that it in fact occurred and all you can do is defend yourself. There were many facts that we were not allowed by the judge to be presented to the jury in our defense case which if allowed may have led to a different outcome. But the process is far from being perfect and the grievous errors of law and rulings by the judge only compounded our fate.

Please feel free to contact me with any questions or if you require any further information pertaining to this matter. You can also reach out to our Human Resources Manager, Kelly Lavoie, who would be happy to answer any questions or provide you with any other information you may need. She can be reached at 203-814-3416. We welcome you to visit our operation as well if you wish so that you have a better understanding of what we do. I would be happy to give you a tour of our facility and have you meet our Safety Marking family.

Mark Kelly
Mark Kelly
President

occurrence. In July 2016, an audit was done by the NYC Parks & Recreation which found that a Painter-Striper should have been classified as a Painter-Lineperson, resulting in a small underpayment. Payment was made for the underpayment and the matter was resolved.

On March 28, 2018 - Citation 1 - OSHA Other-than-Serious Violation (please see attached for detail)

- 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? No X Yes ____; 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? No X Yes ____ 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:

(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 as collection agent 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 as collection agent 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 as a collection agent 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.

If a Safety Marking, Inc. employee had any conflict of interest, that employee would not be allowed to be involved with the project in any capacity nor have access to any information regarding the project.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1304526
Inspection Date(s): 03/28/2018 - 03/28/2018
Issuance Date: 03/28/2018



Citation and Notification of Penalty

Company Name: Safety Marking Inc.
Inspection Site: Route 84, New Britain, CT 06051

Citation 1 Item 1 - Type of Violation: **Other-than-Serious**

29 CFR 1904.39(a)(2): The employer did not report an in-patient hospitalization, amputation, or loss of an eye as a result of a work-related incident to OSHA within twenty-four (24) hours:

Jobsite located on I-84, New Britain, Connecticut: On, or about, March 28, 2018, the employer had not reported a work-related injury that occurred on September 28, 2017 that resulted in the hospitalization of an employee.

Date By Which Violation Must be Abated:
Proposed Penalty:

05/14/2018
\$7068.00

A handwritten signature in black ink, appearing to read "Dale Varney", written over a horizontal line.

Dale Varney
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

SMC **Safety Marking Inc.**

Established 1979

An Equal Opportunity Employer M/F

"OUR REPUTATION IS BUILT ONE LINE AT A TIME."

Occupational Safety and Health Administration

May 30, 2018

William Cotter Federal Building

135 High Street, Suite 361

Hartford, CT 06103

RE: OSHA Inspection No. 1304526

Mr. Dale Varney

OSHA, Hartford, CT,

Please accept this letter of abatement for OSHA Inspection No. 1304526.

Citation 1, Item 1, Violation: Other-than-Serious. Jobsite located on I-84, New Britain, CT: Safety Marking Inc. failed to report a work related injury that occurred on September 28, 2017 that resulted in hospitalization of an employee. Corrected on March 28, 2017 by answering to OSHA Citation and putting into place Reporting and Recordkeeping protocols to report within 24 hours any in-patient hospitalizations, amputations, or loss of eye.

All Safety Marking Inc. management has been informed of this new protocol, so that any injuries that meet the new OSHA Reporting requirements are reported to the Safety Department and reported within 24 hours.

I, Patrick Clyne, Safety Director of Safety Marking Inc. confirm that this information submitted is accurate and Safety Marking Inc. will report all injuries as required by the new OSHA Reporting requirements.

Thank you,



Patrick Clyne

Safety Director

Safety Marking Inc.

255 Hancock Ave

Bridgeport, CT 06605

255 Hancock Avenue, Bridgeport, Connecticut 06605 Phone: 203-333-6870 FAX: 203-333-9099

59 Stillson Road, Richmond, Rhode Island 02898 Phone: 401-539-1016 FAX: 401-539-3153

84 Sylvester Street, Westbury, NY 11590 Phone: 516-333-0489 FAX: 516-334-0813

www.safetymarking.net

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

In the Matter of: **Safety Marking, Inc.**
OSHA Inspection Number: **1304526**

INFORMAL SETTLEMENT AGREEMENT

The undersigned Employer and the undersigned Occupational Safety and Health Administration (OSHA), in settlement of the above citation and penalties, which were issued on **03/28/2018** hereby, agree as follows:

1. The Employer agrees to correct the violations as cited in the above citations or as amended below.
2. The Employer agrees to pay the proposed penalties, if any, as issued with the above citation(s), or, if amended by this agreement, as amended below.
3. The Employer and OSHA agree that the following citations and penalties, if any, are not being amended:

N/A


4. OSHA agrees that the following citations and penalties are being amended as shown below:

Citation 1 Item 1 penalty is reduced by 50%

5. The employer, by signing this informal settlement agreement, hereby waives its right to contest.
6. The employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s) referred to in paragraph 4 above. This Settlement Agreement must remain posted until the violations cited have been corrected, or for 3 working days (excluding weekends and Federal Holidays), whichever is longer.
7. The employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.

8. Each party hereby agrees to bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.
9. If the modified penalty, \$3,534.00 is not paid by May 1, 2018, the penalty will revert to the original amount of \$7,068.00 plus administrative cost.

For Occupational Safety
And Health Administration
Dale Varney
(Signature and date)


For The Employer
(Signature and date) 4/10/18

-----Original Message-----

From: notification@pay.gov <notification@pay.gov>

Sent: Wednesday, April 18, 2018 6:05 PM

To: PJ Clyne <PClyne@safetymarking.net>

Subject: Pay.gov Payment Confirmation: OSHA Penalty Collection

Your payment has been submitted to Pay.gov and the details are below. To confirm that the payment processed as expected, you may refer to your bank statement on the scheduled payment date. If you have any questions or wish to cancel this payment, you will need to contact the agency you paid at your earliest convenience.

Application Name: OSHA Penalty Collection

Pay.gov Tracking ID: 2694PTT7

Agency Tracking ID: 75469043469

Account Holder Name: Safety Marking, Inc.

Transaction Type: ACH Debit

Transaction Amount: \$3,534.00

Payment Date: 04/19/2018

Account Type: Business Checking

Routing Number: 011900445

Account Number: *****1323

Transaction Date: 04/18/2018 06:04:50 PM EDT

Total Payments Scheduled: 1

Frequency: OneTime

Company Name: Safety Marking, Inc.

Company Address: 255 Hancock Ave, BRIDGEPORT, CT 06605

Doing Business As:

Contact Name: Mark Kelly

Contact Phone Number: (203) 333-6870

Contact Email Address: jmatis@safetymarking.net

Inspection 1: Number: 1304526 -- Amount: \$3,534.00

Inspection 2:

Inspection 3:

Inspection 4:

Transaction ID:

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT REPLY.

Attachments to Business History Form

Please provide any other information which would be appropriate and helpful in determining the bidder's/proposer's capacity and reliability to perform these services.

- A. Include a resume or detailed description of the bidder's/proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified. *Please see attached for the following:*

Should the bidder/proposer be other than an individual, the bid/proposal should 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 bidder's/proposer's capacity and reliability to perform these services.

- D. Provide names and addresses for no fewer than three references for whom the bidder/proposer has provided similar services or who are qualified to evaluate the bidder's/proposer's capability to perform this work.

Company NYSDOT

Contact Person Jeffrey Dionisio, EIC

Address 3380 Veterans Memorial Highway

City/State Bohemia, NY 11716

Telephone 631.905-7139 cell

Fax # 631.761-6474

E-Mail Address jeffrey.dionisio@dot.ny.gov

A. Please see attached history & resumes

- i) Incorporated February 10, 1989
- ii) Mark Kelly, President, Secretary, Treasurer (sole officer)--
100% of Shares;
- iii) See Item ii
- iv) Incorporated in the State of Connecticut
- v) 150 Employees
- vi) Annual Revenue - \$30 Million - \$35 Million
- vii) Awarded several striping projects in 2011-19 for the County of Nassau DPW. Have the striping maintenance contract with the PANYNJ for JFK, LGA, EWR, SWF & TEB since 2001 to present; have the Rubber Removal contract with the PANYNJ for JFK, LGA, EWR, SWF & TEB; Have and have had striping contracts with the NYSDOT – Region 10 for over 20 years; Have and have had multiple striping contracts with CTDOT – Have and have had striping contracts with RIDOT; Had a Prime striping contract with the MTA TBTA; Have had several striping contracts with the NYSTA.

Opened a shop/office in Westbury, NY dedicated to Nassau and Suffolk Counties in 2005

Opened a shop/office in Richmond, RI dedicated to the State of RI in 1999

Acquired a waterblasting truck in 2012 and have added 3 more to our fleet

- viii) Not Applicable/None

B. In business for 47 Years

- C. We own our own vehicles -- please see attached equipment list
Safety Marking, Inc. has very little turn over and has high quality, experienced personnel.
Please see attached resumes



SAFETY MARKING, INC.

255 Hancock Avenue

Bridgeport, CT 06605

FEIN: 06-1267005

- A. Safety Marking, Inc. has been owned and operated by Mark Kelly since 1973 and is the #1 line striping company in the Northeast and in the top 5 in the Nation with annual revenues of \$35,000,000.00. Safety Marking, Inc. is a full service highway, roadway and airport marking company with expertise in every aspect of pavement marking. Our Corporate Headquarters are located in Bridgeport, CT with offices in Richmond, RI and Westbury, NY. We have successfully completed striping jobs, large and small that include Highway striping, Airports, Parking lots and Custom jobs.

Safety Marking, Inc. offers a full range of products and services that include all aspects of stage construction and application of all durable markings (Epoxy, Thermoplastic, Preformed Tape and Heat Fused Tape) as well as removal of existing markings by hydro blasting, grinding & shot blasting.

Safety Marking, Inc. is committed to looking toward the future and is constantly working with industry leaders on testing and developing the next generation of pavement markings.

Some company milestones are as follows:

- 1973 – Safety Marking, Inc. is founded by President and COO, Mark Kelly
- 1988 - Company launches a full-time highway and roadway marking operation
- 1993 - Company celebrates its 20th anniversary and beings the first CT State Prime job
- 1994 - Company establishes new Headquarters in Bridgeport, CT
- 1995 – Company contracts first NYSDOT Prime job
- 1996 – Company marks first RIDOT State Prime job
- 1999 – Company expands to RI and opens second office facility in Richmond
- 2002 – Company completes initial PANYNJ Prime servicing LGA, JFK, EWR & TEB
- 2005 – Company opens third office in Westbury, NY
- 2012 – Company acquires waterblasting truck for hydroblasting removal
- 2013 – Company expands its Bridgeport offices and moves its Headquarters to 255 Hancock Ave
- 2013 – Company is awarded 7 Year PANYNJ Maintenance contract
- 2014 – Company is awarded 5 Year Westchester County Airport striping & rubber removal contract
- 2015 – Company is awarded 3 Year Hydro-rubber removal bid for the CT Airport Authority
- 2015 – Company awarded 3.5 Year subcontract with Rampart Hydro for PANYNJ Rubber Removal Contract
- 2016 – Company is awarded all 7 CTDOT striping projects, NYSDOT striping contract on Long Island and RIDOT striping contract
- 2017 – Company is awarded a NYSDOT striping contract on Long Island, striping contract with Suffolk County, MacArthur Airport Contract, Dutchess County striping contract, 2 striping contracts with Westchester County and a RIDOT striping contract.

Incorporated February 10, 1989 in business for 47 Years with approximately 150 employees
Mark Kelly, President owns 100% of Shares and is the sole officer of Safety Marking, Inc.



MARK KELLY, President

Contact Information

Cell # - Office #
- 203.333-6870

Email - mkelly@safetymarking.net

Safety Marking, Inc.
255 Hancock Ave.
Bridgeport, CT 06605

The #1 Striping Company in the Northeast & in the Top 5 in the Country

Position

President & Owner

Experience

- Founded Safety Marking in 1973 serving Fairfield County
- Launched full time highway and roadway marking operation 1988
- Managed first Prime contract in CT 1993
- Established Headquarters in Bridgeport, CT 1994
- Managed first NYSDOT Prime contract 1995
- Managed first RIDOT Prime contract 1996
- Established Rhode Island Office 1990
- Managed PANY & NJ Airport Prime (JFK, LGA, EWR, TEB & SWF) 2002-Present
- Established Long Island Office 2005
- Managed multiple DOT construction and maintenance projects in CT, RI, NJ, MA, ME, NH & VT ranging in value from \$10,000 to \$8 million
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
- 47 Years' experience in the line striping industry

Memberships

Advisory Council Member, Donor and Supporter – *The Thomas Merton Center, Bridgeport, CT since 1996*
Former Board of Trustees – *St Vincent's Foundation Medical Center, Bridgeport, CT*
Former Board Member – *Wakeman Boys and Girls Club, Bridgeport & Southport, CT from 2006 - 2016. Continuing substantial involvement & commitment*



LUCAS PAPAGEORGE

Contact Information

Cell # -

Email – LPapageorge@safetymarking.net

Office # - 203.
814-3401

Safety Marking, Inc.
255 Hancock Avenue
Bridgeport, CT 06605

Position

(203) 333 - 6870

Experience

General Manager by Safety Marking since 1991

- Managed various construction and maintenance projects in ranging in value from \$10,000 to \$8 million
- Fully trained and experienced in application and removal of all temporary and durable pavement markings offered by SMC.
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
-

Additional Training

- First Aid & CPR certified
- OSHA 10



DAVID STEFFENS, Operations Manager

Contact Information

Cell # -
Office # - 203.814-3402

Email - dsteffens@safetymarking.net

Safety Marking, Inc.
255 Hancock Ave.
Bridgeport, CT 06605
203.333-6870

Position

Operations Manager

Experience

- B.S. in Marketing - Plymouth State University
- Employed by Safety Marking since 1994
- Experienced Operations Manager since 1997
- Managed various DOT construction and maintenance projects in CT, NY & RI ranging in value from \$10,000 to \$8,000,000
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
- Experienced in new and phase construction
- Experienced in all phases of line striping operations



JAMES CODY, LI SUPERINTENDENT

Contact Information

Cell # -
Office # - 203.814-3423

Email - jcody@safetymarking.net

Safety Marking, Inc.
255 Hancock Ave.
Bridgeport, CT 06605
203.333-6870

Position

Long Island Superintendent

Experience

- Employed by Safety Marking since 1996
- Managed various construction and maintenance projects in CT, NY & RI ranging in value from \$10,000 to \$8,000,000
- Fully trained and experienced in application and removal of all temporary and durable pavement markings offered by SMC.
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
- Experienced in layout of new and phase construction
- 36 Years' experience in the line striping industry

Additional Training

- First Aid & CPR certified
- ATSSA certified Traffic Control Technician
- ATSSA certified Traffic Control Supervisor
- 30 Hr OSHA Certified



Patrick J. Clyne

Contact Information

Cell # -
Office # - 203.814-3410

Email - pjclyne@safetymarking.net

Safety Marking, Inc.
255 Hancock Ave.
Bridgeport, CT 06605
203.333-6870

Position

Safety Director

Experience

- Employed by Safety Marking since 1993
- Managed various construction and maintenance projects in CT, NY & RI ranging in value from \$10,000 to \$6,000,000
- Fully trained and experienced in application and removal of all temporary and durable pavement markings offered by SMC.
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
- Experienced in layout of new and phase construction

Additional Training

- First Aid & CPR certified
- ATSSA certified Traffic Control Technician
- ATSSA certified Traffic Control Supervisor
- 30 Hr OSHA Certified

Education

Humboldt State University – BS in Biology



CHRIS BONN

Contact Information

Cell #-

Email - cbonn@safetymarking.net

Office #
- 203.814-3420

Safety Marking, Inc.
255 Hancock Ave.
Bridgeport, CT 06605
(203) 333 - 6870

RI Office
59 Stilson Rd
Richmond, RI 02898
(401) 539 - 1016

Position

Experience

Rhode Island Manager Safety Marking since 2015

- 24 Years' Experience in the Construction Industry
- Managed various construction and maintenance projects in RI, CT, VT, NH, MA, and ME, ranging in value from \$10,000 to \$3 million
- Fully trained and experienced in application and removal of all temporary and durable pavement markings offered by SMC.
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
- Experienced in layout of new and phase construction

Additional Training

- First Aid & CPR certified
- ATSSA certified Traffic Control Technician
- ATSSA certified Traffic Control Supervisor

References

RIDOT
Jim Deleo
401-265-8352

D'Ambra Construction
Mike D'ambra Jr.
800 Jefferson Blvd
Warwick, RI
401-737-1300

Cardi Construction
Robert Knox
400 Lincoln Ave
Warwick, RI
401-739-8300

Education

- University of Rhode Island BS Civil Engineering



Abraham Nieves

Contact Information

Cell # -
Email - anieves@safetymarking.net

Safety Marking, Inc.
255 Hancock Ave.
Bridgeport, CT 06605

(203) 333 - 6870

Position

Airport Manager

Experience

- Employed by Safety Marking since 1995
- Managed various construction and maintenance projects in CT, NY, RI ranging in value from \$10,000 to \$3 million
- Fully trained and experienced in application and removal of all temporary and durable pavement markings offered by SMC.
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
- Experienced in layout of new and phase construction

Additional Training

- First Aid & CPR certified
- OSHA 30 Hr
- AirMark Certified
- Hydro-removal Certified
- ATSSA certified Traffic Control Technician
- ATSSA certified Traffic Control Supervisor

Equipment	Description	Year	Make	Model	Vin #	Marker#	
ATTENUATOR CONE RACK							
CT-0051	AT-51	ATTENUATOR/CONE/MSGBRD	2005	ISUZU	FXR	4GTM8F1385F700860	66826A
CT-0052	AT-52	ATTENUATOR/CONE/FLATBED	2005	ISUZU	FXR	4GTM8F1375F700879	39863-A
CT-0053	AT-53	ATTENUATOR/CONE/MSGBRD	2006	ISUZU	FXR	4GTM8F1336F700265	59674A
CT-0054	AT-54	ATTENUATOR/SIGNBOARD	2000	INTERNATIO	4700	1HTSCAAM21H331594	K61437
CT-0055	AT-55	ATTENUATOR/SIGNBOARD	2000	INTERNATIO	4700	1HTSCAAM9YH315452	K67593
CT-0056	AT-56	ATTENUATOR/TAPE TRUCK	2003	FREIGHTLIN	FL 70	1FVABTAKX3HK38593	47973-A
CT-0057	AT-57	ATTENUATOR/CONE/FLATBED	2010	FORD	F750	3FRXF7FFXAV275369	49360A
CT-0058	AT-58	ATTENUATOR/CONE/RACK BODY	2010	FORD	F-750	3FRXF7FG8AV271152	50431A
CT-0059	AT-59	ATTENUATOR/CONE/RACK BODY	2010	FORD	F-750	3FRXF7FE5AV274217	50430A
CT-0060	AT-60	ATTENUATOR/MESSAGE BOARD	2004	INTERNATIO	4300	1HTMMAAL14H663124	K79890
CT-0061	AT-61	ATTENUATOR/MESSAGE BOARD	2004	INTERNATIO	4300	1HTMMAAL84H663122	102775-RI
CT-0062	AT-62	ATTENUATOR/MESSAGE BOARD	2011	INTERNATIO	4300	1HTJTSKL4BH363813	K95995
CT-0063	AT-63	ATTENUATOR/MESSAGE BOARD	2011	INTERNATIO	4300	1HTJTSKL7BH363806	K95994
CT-0064	AT-64	ATTENUATOR/MESSAGE BOARD	2000	GMC/ISUZU	FTR	1GDM7C1C1YJ515307	32655A
CT-0065	AT-65	ATTENUATOR CONE MESSAGE B	2015	FORD	F-750	3FRXF7FL1FV003113	57103A
CT-0066	AT-66	ATTENUATOR/CONE/MSGBRD	2016	INTERNATIO	4300 SBA 4	1HTMMMNN5GH283142	58173A
CT-0067	AT-67	ATTENUATOR/CONE/MSGBRD	2008	FORD	F-750	3FRXF75C88V075270	48963A
BOX TRUCK							
BX-0007	V-7	BOX TRUCK	1999	CHEVROLET	W-4	J8BC4B140X7015136	J-87321
BX-0010	V-10	BOX TRUCK	2006	ISUZU	NQR	JALE5B16967903395	K38457
BX-0011	V-11	BOX TRUCK	2003	ISUZU	NQR	JALE5B14437902164	K71639
BX-0013	V-13	BOX TRUCK	2010	ISUZU	NQR	JALE5W162C7900213	K83845
BX-0014	V-14	BOX TRUCK	2004	ISUZU	FRR	JALF5C13647700946	J22139
BX-0015	AV-15	AIRPORT BOX VAN	2012	FORD	F-750	3FRXF7FE7BV692327	53640A
BX-0016	AV-16	AIRPORT BOX VAN	2015	FORD	F-750	3FRXW7FE7FV720150	57102A
BX-0017	V-17	BOX TRUCK	2012	ISUZU	NPR	JALC4W164C7002206	AB10954
BX-0018	V-18	BOX TRUCK	2012	ISUZU	NPR	JALC4W160C7002199	AB10953
BX-0019	V-19	BOX TRUCK	2012	ISUZU	NPR	JALC4W16XC7002324	AB52549
BX-0020	V-20	BOX TRUCK	2010	ISUZU	NPR	JALE5W162A7900435	AE05890
BX-0021	AV-21	AIRPORT BOX VAN	2017	FORD	F-750	1FDYW7DE8HDB06518	61110A
BX-0022	AV-22	AIRPORT BOX VAN	2017	FORD	F-750	1FDYW7DE6HDB06517	61179A
BX-0023	V-23	BOX TRUCK	2001	GMC	W55042	J8DE5B14917900973	K90616
BX-0024	V-24	BOX VAN	2013	ISUZU	NRR	JALE5W165D7901664	AE31953
BX-0025	V-25	BOX VAN	2014	ISUZU	NRR	JALE5W161E7900657	AE31952
BX-0026	AV-26	BOX TRUCK	2019	ISUZU	NRR	JALE5J161K7304950	AE53685
BROOM							
BR-0004	BCT-4	BROOM/CONE TRUCK	2004	GMC	WT550	J8DF5C13147700451	K-38467
SW-0002	S-2	BROOM BEAR SWEEPER	2000	FREIGHTLIN	FL70	1FV6HJBA6YHG76794	31304-A
CAR							
CR-0015	CAR-15	CODYS TAHOE	2011	CHEVY	TAHOE	1GNSKAE01BR311430	488YYZ
CR-0016	CAR-16	JACKS JEEP	2013	JEEP	GR CHK	1C4RJFCTOEC239437	912UAN
CR-0017	CAR-17	DEKES JEEP	2014	JEEP	GR CHK	1C4RJFBG1EC415173	AL70672
CR-0018	CAR-18	MARKS JEEP	2015	JEEP	GR CHK	1C4RJFCT5FC914443	8AWAE1
CR-0019	CAR-19	LUKES EQUINOX	2017	CHEVY	EQUINOX	2GNFLFEK7H6279763	C102225
DUMP							
DT-0003	D-3	DUMP TRUCK	2005	STERLING	ACTERRA	2FZACGS05AU32815	41892A
DT-0005	D-5	DUMP TRUCK	2008	FREIGHTLIN	M2	1FVHCYBS38HAB0237	57608A

Equipment	Description	Year	Make	Model	Vin #	Marker#
EPOXY						
EP-0013	ED-13 EPOXY DETAIL SPRAY TRUCK	2008	ISUZU	FVR	4GTJ7F1B68F700146	K47988
EP-0014	E-14 EPOXY PAINT TRUCK 700 GAL	2009	PETERBILT	320	3BPZL00XX9F719864	47727A
EP-0015	EB-15 EPOXY PAINT TRUCK BLACK	2002	ISUZU	FTR	4GTK7C1382J700679	J-85500
EP-0016	E-16 EPOXY PAINT TRUCK 700 GAL	2011	PETERBILT	320	3BPZL70X2CF160021	59673A
EP-0017	E-17 EPOXY PAINT TRUCK 450 GAL	2014	PETERBILT	320	3BPZHJ8XXEF247476	55221A
EP-0018	E-18 EPOXY PAINT TRUCK 825 GAL	2015	PETERBILT	320	3BPZLJ0X9FF292579	57850A
EP-0019	E-19 EPOXY PAINT TRUCK 825 GAL	2016	PETERBILT	320	3BPZLJ0X5GF100785	60090A
EP-0020	ED-20 EPOXY DETAIL SPRAY TRUCK	2017	PETERBILT	220	3BPPHM7X8HF591273	58958A
EP-0021	ED-21 EPOXY DETAIL SPRAY TRUCK	2017	PETERBILT	220	3BPPHM7XXHF591274	58959A
EP-0022	ED-22 EPOXY DETAIL SPRAY TRUCK	2016	ISUZU	NRR	JALE5W164G7303148	AB0691.1
EP-0023	E-23 EPOXY PAINT TRUCK 450 GAL	2018	PETERBILT	520	3BPDHJ8X0JF177796	60960A
EP-0024	E-24 EPOXY PAINT TRUCK 825 GAL	2018	PETERBILT	520	3BPDHJEX4JF188470	61955A
EP-0025	ED-25 EPOXY DETAIL W/Y SPRAY TR	2018	ISUZU	NRR	JALE5W163J7304380	AE29929
EP-0026	E-26 EPOXY PAINT TRUCK 525 GAL	2019	PETERBILT	520	3BPDKJ8XXKF102963	63798A
EP-0027	E-27 EPOXY PAINT TRUCK 600 GAL	2020	PETERBILT	520	3BPDJ0X3LF107092	65628A
FLATBED						
FL-0059	CT-59 CONE TRUCK	2000	ISUZU	NPR	JALC4B141Y7017437	K13712
FL-0060	CT-60 CONE TRUCK	2000	CHEV	W5500	J8BE5B146Y7901386	K32457
FL-0061	CT-61 CONE TRUCK	2000	ISUZU	NPR	JALB4B14817004119	K38454
FL-0062	CT-62 CONE TRUCK	2001	ISUZU	NPR	JALB4B14927005085	K38456
FL-0063	CT-63 CONE TRUCK	2005	FORD	F-450	1FDXF46P65EA40369	K47843
FL-0064	CT-64 CONE TRUCK	2015	ISUZU	NRR	JALE5W169F7301832	L25300
FL-0065	CT-65 CONE TRUCK	2015	ISUZU	NRR	JALE5W16XF7301998	L22273
FL-0066	CT-66 CONE TRUCK	2001	ISUZU	FRR	JALF5C13017701165	J78839
FL-0067	CT-67 CONE TRUCK	2000	ISUZU	FRR	JALF5C131Y7701475	J71130
FL-0068	CT-68 CONE TRUCK	1998	ISUZU	NQR	JALC4B1K1W7001153	J-87713
FL-0069	CT-69 CONE TRUCK	2003	ISUZU	FRR	JALF5C13637700816	K10847
DETAIL GLUE						
GL-0004	D-4 DETAIL GLUE TRUCK	2004	INTERNATIO	4000	1HTMMAAMX4H680917	K90617
GRINDING						
GR-0008	G-8 GRINDING TRUCK	2006	ISUZU	FXR	4GTP8F1346F700109	41849A
GR-0009	SAW-9 GROOVING TRUCK	2006	ISUZU	FXR	4GTP8F1396F700414	44622A
GR-0010	G-10 GRINDING TRUCK	2009	ISUZU	FVR	4GTK7F1B09F700004	K58329
GR-0011	G-11 GRINDING TRUCK	2008	ISUZU	FTR	4GTK7F1B68F700328	K78639
GR-0012	G-12 GRINDING TRUCK	2009	ISUZU	T7F042	4GTJ7F1B59F700074	K92585
GR-0014	G-14 GRINDING TRUCK	2006	CHEVY	T7F042	1GBJ7F1386F417159	K94655
GR-0015	SAW-15 GROOVING TRUCK	2015	PETERBILT	320	3BPZHJ8XOFF256690	55220A
GR-0016	G-16 GRINDING TRUCK	2017	PETERBILT	220	3BPPHM7X6HF591272	66825A
GR-0017	G-17 GRINDING TRUCK	2018	PETERBILT	220	3BPPHM7X9JF591577	61111A
GR-0018	G-18 GRINDING TRUCK	2020	PETERBILT	520	3BPDHJ8X7LF108218	66824A
PICKUP						
PI-0005	P-5 S-10 PICKUP	2002	CHEVROLET	S-10 PICKU	1GCCS145928193532	3CA604
PI-0006	P-6 F350 PICKUP	2002	FORD	F350 PICKU	1FTSF30F92EA92874	2CW534
PI-0007	P-7 PICK-UP	2003	CHEV	SILVERADO	1GCEK19V03E71980	6CX981
PI-0008	P-8 F250 PICKUP	2004	FORD	F250 2WD	1FTNF20P04ED07352	8CX 303
PI-0009	P-9 F250 PICKUP	2005	FORD	F250	1FTSX21515EB82652	19CV50
PI-0010	P-10 PICK-UP	2000	FORD	SWR SUPE	1FTNF21F8YEA03391	19C203
PI-0011	P-11 PICK-UP	2006	FORD	F-250	1FTSF20P46ED24127	57152-RI
PI-0012	P-12 PICKUP	2008	CHEVROLET	SILVERADO	2GCEK13C181115184	64CY39
PI-0013	P-13 PICKUP	2008	CHEVROLET	SILVERADO	2GCEK13CX81177764	64CY40
PI-0014	P-14 PICKUP	2000	CHEVROLET	C2500	1GCGC23R7YF451169	K69153
PI-0015	P-15 F-350 PICKUP	2008	FORD	F-350	1FTWF30518ED04104	K58338
PI-0016	P-16 CHEVY SILVERADO 4X4	2009	CHEVROLET	SILVERADO	3GCEK13C49G286939	101781-RI
PI-0017	P-17 1500 SILVERADO	2017	CHEVY	1500 SILVE	3GCUKREC7HG320281	C102224
PI-0018	P-18 1500 SILVERADO	2017	CHEVY	SILVERADO	1GCVKREC0HZ381959	C129521
PI-0019	P-19 1500 SILVERADO	2014	CHEVY	1500 SILVE	1GCVKREC7EZ379525	C147861
PI-0020	P-20 1500 SILVERADO	2018	CHEVY	SILVERADO	3GCUKREC9JG582518	AP71679

Equipment	Description	Year	Make	Model	Vin #	Marker#
PAINT						
PT-0019	PT-19 PAINT TRUCK 120 GAL	2006	ISUZU	FXR	JALE5B16567301366	K-38502
PT-0020	PT-20 AIRPORT PAINT TRUCK	2007	GMC	T850	1GDP8F1B47F421913	45689A
PT-0021	PT-21 PAINT TRUCK 120 GAL.	2008	ISUZU	FVR	4GTK7F1B88F700315	K66551
PT-0022	PT-22 PAINT TRUCK 120 GAL	2009	ISUZU	FVR	4GTK7F1B88F700363	K76669
PT-0023	PT-23 PAINT TRUCK 700 GAL	2010	PETERBUILT	320	3BPZH58X1AF107141	48864A
PT-0024	PT-24 PAINT TRUCK 700 GAL	2010	PETERBUILT	320	3BPZH58X1AF107142	48865A
PT-0026	PT-26 PAINT TRUCK 700 GAL	2014	PETERBILT	320	3BPZHJ8X5EF251998	55626A
PT-0027	PT-27 PAINT TRUCK 240 GAL	2016	PETERBILT	220	3BPPHM7XGF591043	58369A
PT-0028	PT-28 PAINT TRUCK 700 GAL	2017	PETERBILT	320	3BPZHJ8X4HF107749	59113A
PT-0029	PT-29 PAINT TRUCK 60 GAL	2017	ISUZU	NRR	JALE5W168H7301940	AB06943
PT-0030	PT-30 PAINT TRUCK 120 GALLON	2018	ISUZU	FTR	54DK6S163JSG00439	AE05617
PT-0031	PT-31 PAINT TRUCK 700 GAL YELLO	2019	PETERBILT	520	3BPDKJ8X8KF104307	63699A
RACK						
RA-0040	R-40 RACK BODY	1999	ISUZU	NQR 07/	JALE5B145X7902468	J44536
RA-0041	R-41 RACK BODY	1999	ISUZU	NQR	JALE5B145X7902471	J44541
RA-0042	R-42 RACK BODY	1999	ISUZU	NQR 07/9	JALE5B147X7902245	J44537
RA-0043	R-43 RACK BODY	2001	ISUZU	NQR 01/01	JALE5B14027900023	J77376
RA-0044	R-44 RACK BODY	2002	ISUZU	NQR 01/01	JALE5B14727900049	J77375
RA-0046	R-46 RACK BODY	2003	ISUZU	NQR	JALE5B14937901382	H-99231
RA-0047	R-47 RACK BODY	2003	ISUZU	NQR	JALE5J14237901928	J-99015
RA-0048	R-48 RACK BODY	2005	ISUZU	NQR	JALE5B16057901162	J17780
RA-0049	R-49 RACK BODY	2006	ISUZU	NQR	JALE5J16567900598	K31130
RA-0050	R-50 RACK BODY	2007	ISUZU	FVR	4GTM7F1347F700022	60549A
RA-0051	R-51 RACK BODY	2008	ISUZU	NQR	JALE5W16187900341	K-47885
RA-0052	R-52 RACK BODY	2011	ISUZU	NQR	JALE5J168B7901822	K82656
RA-0053	R-53 RACK BODY	2015	ISUZU	NRR	JALE5W163F7301566	L22274
RAMP						
RT-0002	RT-2 RAMP TRUCK	1998	ISUZU	NPR	JALC4BIKIW7002965	J-93069
RT-0003	RT-3 RAMP TRUCK	2004	ISUZU	FRR	JALF5C13547700923	K14691
THERMO						
TH-0002	TP-2 THERMO PAINT TRUCK	2004	STERLING	ACTERRA	2FZACGAK34AM18439	36101A
TH-0004	TP-4 THERMO PAINT TRUCK	2016	INTERNATIO	4300	1HTMMMN2GH210116	57609A
RACK BODY HYDRO-BLAST						
WT-0004	WB-4 HYDROBLAST TRUCK	2016	PETERBILT	320	3BPZX7EX9GF103009	57997A
WT-0005	WB-5 HYDROBLAST TRUCK	2018	PETERBILT	M520	3BPDK7EX1JF196657	61879A
WT-0006	WB-6 HYDROBLAST TRUCK	2019	PETERBILT	M520	3BPDK7EX3KF104160	63493A
WT-0007	WB-7 HYDROBLAST TRUCK	2019	PETERBILT	520	3BPDK7EX1KF103945	64657A

Company MTA TBTA

Contact Person Glenn Olsen

Address 2 Broadway

City/State New York, NY 10004

Telephone 212.360-2905

Fax # _____

E-Mail Address golsen@mtabt.org

Company County of Nassau, DPW

Contact Person Harold Lutz

Address 1194 Prospect Avenue

City/State Westbury, NY 11590

Telephone 516.571-9453

Fax # _____

E-Mail Address HLutz@nassaucountyny.gov

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/PROPOSAL OR FUTURE BIDS/PROPOSALS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, Mark Kelly, 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 7th day of January

2020

Caroline Sumner

Notary Public Caroline Sumner

CAROLINE SUMNER
Notary Public - Connecticut
My Commission Expires
January 31, 2024

Name of submitting business: SAFETY MARKING, INC.

By: Mark Kelly

Print name

Signature

President

Title

01 / 07 / 2020

Date

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered and the 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/ PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name Mark Kelly - Safety Marking, Inc.
Date of birth 11 / 17 / 1954
Home address XXXXXXXXXX
City/state/zip XXXXXXXXXX
Business address 255 Hancock Avenue
City/state/zip Bridgeport, CT 06605
Telephone 203.814-3400 or 203.33306870 x 400
Other present address(es) 460 Bostwick Ave, Bridgeport, CT; 500 Bostwick Ave, Bridgeport, CT; 84 Sylvester St, Westbury, NY 11590
85 New York Ave, Westbury, NY 11590; 59 Silson Rd., Richmond, RI 02898
City/state/zip _____
Telephone 203.814-3400 or 203.33306870 x 400
List of other addresses and telephone numbers attached _____
2. Positions held in submitting business and starting date of each (check all applicable)
President 02 / 10 / 1989 Treasurer 02 / 10 / 1989
Chairman of Board ____/____/____ Shareholder ____/____/____
Chief Exec. Officer 02 / 10 / 1989 Secretary 05 / 01 / 2016
Chief Financial Officer ____/____/____ Partner ____/____/____
Vice President ____/____/____
(Other) _____
3. Do you have an equity interest in the business submitting the questionnaire?
NO ____ YES X If Yes, provide details. Mark Kelly owns 100% of Shares of Safety Marking, Inc.
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? NO X YES ____ If Yes, provide details.
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? NO ____ YES X; If Yes, provide details.
Mark Kelly is the Sole Officer of Safety Marking of NY, Inc., an affiliate of Safety Marking, Inc. since May 1, 2016. Safety Marking of NY, Inc. provides union labor solely and exclusively to Safety Marking, Inc.
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? NO X YES ____ 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? NO X YES ____ 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? NO X YES ____ 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? NO X YES ____ 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? NO X YES ____ 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.) NO
- a) Is there any felony charge pending against you? NO X YES ____ If Yes, provide details for each such charge.
 - b) Is there any misdemeanor charge pending against you? NO X YES ____ If Yes, provide details for each such charge.
 - c) Is there any administrative charge pending against you? NO X YES ____ 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? NO X YES ____ 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? NO X YES ____ 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? NO ____ YES X If Yes, provide details for each such occurrence.

In July 2016, an audit was done by the NYC Parks & Recreation which found that a Painter-Striper should have been classified as a Painter-Lineperson, resulting in a small underpayment. Payment was made for the underpayment and the matter was resolved.

On March 28, 2018 - Citation 1 - OSHA Other-than-Serious Violation (please see attached for detail)

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1304526
Inspection Date(s): 03/28/2018 - 03/28/2018
Issuance Date: 03/28/2018



Citation and Notification of Penalty

Company Name: Safety Marking Inc.
Inspection Site: Route 84, New Britain, CT 06051

Citation 1 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.39(a)(2): The employer did not report an in-patient hospitalization, amputation, or loss of an eye as a result of a work-related incident to OSHA within twenty-four (24) hours:

Jobsite located on I-84, New Britain, Connecticut: On, or about, March 28, 2018, the employer had not reported a work-related injury that occurred on September 28, 2017 that resulted in the hospitalization of an employee.

Date By Which Violation Must be Abated:
Proposed Penalty:

05/14/2018
\$7068.00

A handwritten signature in black ink, appearing to read "Dale Varney", written over a horizontal line.

Dale Varney
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

SMC **Safety Marking Inc.**

Established 1973

An Equal Opportunity Employer M/F

"OUR REPUTATION IS BUILT ONE LINE AT A TIME."

Occupational Safety and Health Administration

May 30, 2018

William Cotter Federal Building

135 High Street, Suite 361

Hartford, CT 06103

RE: OSHA Inspection No. 1304526

Mr. Dale Varney

OSHA, Hartford, CT,

Please accept this letter of abatement for OSHA Inspection No. 1304526.

Citation 1, Item 1, Violation: Other-than-Serious. Jobsite located on I-84, New Britain, CT: Safety Marking Inc. failed to report a work related injury that occurred on September 28, 2017 that resulted in hospitalization of an employee. Corrected on March 28, 2017 by answering to OSHA Citation and putting into place Reporting and Recordkeeping protocols to report within 24 hours any in-patient hospitalizations, amputations, or loss of eye.

All Safety Marking Inc. management has been informed of this new protocol, so that any injuries that meet the new OSHA Reporting requirements are reported to the Safety Department and reported within 24 hours.

I, Patrick Clyne, Safety Director of Safety Marking Inc. confirm that this information submitted is accurate and Safety Marking Inc. will report all injuries as required by the new OSHA Reporting requirements.

Thank you,



Patrick Clyne

Safety Director

Safety Marking Inc.

255 Hancock Ave

Bridgeport, CT 06605

255 Hancock Avenue, Bridgeport, Connecticut 06605 Phone: 203-333-6870 FAX: 203-333-9099

59 Stillson Road, Richmond, Rhode Island 02898 Phone: 401-539-1016 FAX: 401-539-3153

84 Sylvester Street, Westbury, NY 11590 Phone: 516-333-0489 FAX: 516-334-0813

www.safetymarking.net

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

In the Matter of: **Safety Marking, Inc.**
OSHA Inspection Number: **1304526**

INFORMAL SETTLEMENT AGREEMENT

The undersigned Employer and the undersigned Occupational Safety and Health Administration (OSHA), in settlement of the above citation and penalties, which were issued on **03/28/2018** hereby, agree as follows:

1. The Employer agrees to correct the violations as cited in the above citations or as amended below.
2. The Employer agrees to pay the proposed penalties, if any, as issued with the above citation(s), or, if amended by this agreement, as amended below.
3. The Employer and OSHA agree that the following citations and penalties, if any, are not being amended:

N/A

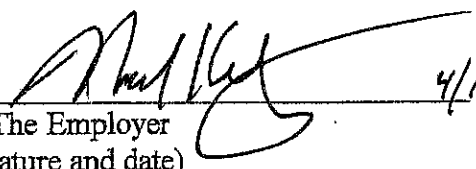
4. OSHA agrees that the following citations and penalties are being amended as shown below:

Citation 1 Item 1 penalty is reduced by 50%

5. The employer, by signing this informal settlement agreement, hereby waives its right to contest.
6. The employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s) referred to in paragraph 4 above. This Settlement Agreement must remain posted until the violations cited have been corrected, or for 3 working days (excluding weekends and Federal Holidays), whichever is longer.
7. The employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.

8. Each party hereby agrees to bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.
9. If the modified penalty, **\$3,534.00** is not paid by **May 1, 2018**, the penalty will revert to the original amount of **\$7,068.00** plus administrative cost.

For Occupational Safety
And Health Administration
Dale Varney
(Signature and date)


For The Employer
(Signature and date)

4/10/18

-----Original Message-----

From: notification@pay.gov <notification@pay.gov>

Sent: Wednesday, April 18, 2018 6:05 PM

To: PJ Clyne <PClyne@safetymarking.net>

Subject: Pay.gov Payment Confirmation: OSHA Penalty Collection

Your payment has been submitted to Pay.gov and the details are below. To confirm that the payment processed as expected, you may refer to your bank statement on the scheduled payment date. If you have any questions or wish to cancel this payment, you will need to contact the agency you paid at your earliest convenience.

Application Name: OSHA Penalty Collection

Pay.gov Tracking ID: 2694PTT7

Agency Tracking ID: 75469043469

Account Holder Name: Safety Marking, Inc.

Transaction Type: ACH Debit

Transaction Amount: \$3,534.00

Payment Date: 04/19/2018

Account Type: Business Checking

Routing Number: 011900445

Account Number: *****1323

Transaction Date: 04/18/2018 06:04:50 PM EDT

Total Payments Scheduled: 1

Frequency: OneTime

Company Name: Safety Marking, Inc.

Company Address: 255 Hancock Ave, BRIDGEPORT, CT 06605

Doing Business As:

Contact Name: Mark Kelly

Contact Phone Number: (203) 333-6870

Contact Email Address: jmatis@safetymarking.net

Inspection 1: Number: 1304526 -- Amount: \$3,534.00

Inspection 2:

Inspection 3:

Inspection 4:

Transaction ID:

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT REPLY.

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? NO X YES ____ 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? NO ____ YES X If Yes; provide details for each such investigation. NYSDOT & CTDOT conducted a compliance review due to the lawsuit and concluded that Safety Marking, Inc. to be a responsible contractor and no sanctions were imposed. Please see detail below & attached letter.
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? NO X YES ____ 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? NO X YES ____ If Yes, provide details for each such year.

10. Over four years ago, the Company was involved in a lawsuit filed by two former employees under 42 U.S.C. Sec. 1981, relating to the conduct of five Safety Marking employees that occurred sometime between 2008-2012. In March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Due to this litigation, in Spring 2016, both CTDOT and NYDOT conducted an in depth Contract Compliance Review of Safety Marking, Inc. and both concluded that Safety Marking, Inc. was a responsible bidder.

In 2018, the New York State Department of Transportation investigated Safety Marking's qualifications as a responsible contractor/bidder arising out of an allegation raised that Safety Marking was somehow affiliated with another company. After a hearing was held in August 2018 before the New York State Department of Transportation, Safety Marking was determined to be a responsible contractor/bidder.

On April 5, 2019 the company received a civil investigative demand from the United States Attorney's office, Northern District of New York. The civil demand requires the company to provide documentation to the government relating to The Fence Man, Inc., an unaffiliated company. The company is complying with the investigative demand and disclosing documents in accordance thereto.

Letter from the President regarding SMC's involvement in a litigation

Safety Marking, Inc. feels that it is important to be forth coming that it was indeed the subject of litigation for several years involving two former employees. These two employees alleged that they were victims of discrimination for incidents relating to the conduct of five Safety Marking, Inc. employees that occurred sometime between 2008-2012. The company fought the unsubstantiated litigation through trial and then through post-trial motions, but due to what it believes were grievous errors of law and clearly erroneous rulings by the judge, in March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Following the verdict, both CT DOT and NY DOT did their due diligence and investigated Safety Marking and its practices and both concluded that there were no findings of non-responsibility. Both confirmed Safety Marking's status as a responsible contractor and Safety Marking was awarded the contracts.

Safety Marking believes strongly in its EEO policies and employs approximately 50% minorities. Safety Marking and its management do not tolerate harassment or discrimination of any kind and communicate our Company's policies and Complaint Procedures with each and every employee. Our Company's Employee Handbook was updated in 2015 and revised in 2017 and includes all policies and procedures. It has been distributed and reviewed with every employee by our Human Resources Manager who was hired in January 2015. All of our employees, supervisors and managers attend mandatory annual training that is conducted each year by our Human Resources Manager which covers Harassment training and our Company's EEO Policy. And our EEO Policy is posted on our bulletin boards at each of our locations as well as in our Compliance Books that we have on our work sites.

Our company prides itself on our Company's 360 Review processes which we have been doing since 1997. This process gives each employee the opportunity to evaluate every employee, supervisor and manager that he/she works with in the company and has the opportunity to confidentially review the person's ability, attitude and how the person helped, taught or provided the tools to help the employee do their job. In the past, I conducted these reviews with every employee. Last year, we enhanced the process and now each employee meets with three other members of our management team in addition to me in their review process. Each employee sits down with the Safety Director, the Operations Manager, the Human Resources Manager and then I. During these meetings the employee is able to discuss the pertinent aspects of their job, bring up any ideas or suggestions they may have on making things better or any problems or concerns that they may have as well. We spend over three months each year on the employee review process and take it very seriously to ensure that our employees are in

the right position, getting the right tools and training to do their job and address any concerns that they bring to our attention.

Safety Marking, Inc. is committed to providing a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits any unlawful discriminatory practices. Through our continued communications, training and Open Door Policy that we have with our employees, we are confident that our employees feel good about the company that they work for. Unfortunately, anyone can accuse you of something without any witness or proof that it in fact occurred and all you can do is defend yourself. There were many facts that we were not allowed by the judge to be presented to the jury in our defense case which if allowed may have led to a different outcome. But the process is far from being perfect and the grievous errors of law and rulings by the judge only compounded our fate.

Please feel free to contact me with any questions or if you require any further information pertaining to this matter. You can also reach out to our Human Resources Manager, Kelly Lavoie, who would be happy to answer any questions or provide you with any other information you may need. She can be reached at 203-814-3416. We welcome you to visit our operation as well if you wish so that you have a better understanding of what we do. I would be happy to give you a tour of our facility and have you meet our Safety Marking family.

Mark Kelly

Mark Kelly

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/PROPOSAL OR FUTURE BIDS/PROPOSALS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, Mark Kelly, 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 7th day of January 2020

Caroline Sumner
Notary Public Caroline Sumner

CAROLINE SUMNER
Notary Public - Connecticut
My Commission Expires
January 31, 2024

SAFETY MARKING, INC.

Name of submitting business

Mark Kelly
Print name

[Signature]
Signature

President

Title

01 / 07 / 2020

Date

COUNTY OF NASSAU

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

1. Name of the Entity: SAFETY MARKING of NY, INC.

Address: 90 Sylvester Street

City, State and Zip Code: Westbury, NY 11590

2. Entity's Vendor Identification Number: 20-880793

3. Type of Business: Public Corp Partnership Joint Venture
Ltd. Liability Co Closely Held Corp S Corporation 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):

Mark Kelly President Secretary & Treasurer

~~NEWAS ROAD EASTON CT 06612~~

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.

Mark Kelly, 55 West Road, Easton, CT 06612 - 100% of Shares

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.

SAFETY MARKING, INC. is an Affiliate of SAFETY MARKING of NY, INC.

SAFETY MARKING of NY, INC. supplies union labor to SAFETY MARKING, INC. exclusively.

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). 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, or to otherwise engage in lobbying as the term is defined herein. 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

Page 3 of 4

(b) Describe lobbying activity of each lobbyist. See page 4 of 4 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: January 7, 2020

Signed: 

Print Name: Mark Kelly

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 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.

EXECUTIVE ORDER NO. 2 - 2015

EXECUTIVE ORDER PURSUANT TO SECTION 203 OF THE
COUNTY GOVERNMENT LAW OF NASSAU COUNTY TO FURTHER
DISCLOSURE BY THOSE DOING BUSINESS WITH NASSAU
COUNTY

WHEREAS, pursuant to subdivision 1 of section 203 of the Nassau County Charter, the County Executive is responsible for the administration of all departments, offices and functions of the county government; and

WHEREAS, the County Executive, in furtherance of his duties pursuant to subdivision 1 of section 203, is committed to ensuring transparency and openness with respect to the administration of governmental functions; NOW, THEREFORE BE IT

ORDERED, every lobbyist, as defined on the attached Lobbyist Registration and Disclosure Form (hereinafter "Lobbyist Form"), shall annually file the Lobbyist Form with the County Attorney and with the Clerk of the Nassau County Legislature for each calendar year, provided, however, that the filing of such statement of registration shall not be required of any lobbyist who in any year does not earn or incur an amount in excess of one thousand dollars reportable compensation and expenses for the purposes of lobbying, or is an officer, director, trustee or employee of any public corporation when acting in such official capacity; and it is further

ORDERED, that such filing shall be completed on or before January fifteenth by those persons who have been retained, employed or designated as lobbyists on or before December thirty-first of the previous calendar year who reasonably anticipate that in the coming year they will earn or incur combined reportable compensation and expenses in an amount in excess of one thousand dollars; and for those lobbyists retained, employed or designated after December thirty-first, and those lobbyists who, subsequent to their retainer, employment or designation, reasonably anticipate combined reportable compensation and expenses in excess of such amount, such filing must be completed within fifteen days thereafter; and it is further

ORDERED, that the County Attorney shall forward copies of each Lobbyist Form to the Nassau County Department of Information Technology ("IT"), and that IT shall develop and maintain a lobbyist registration page on that County's website, and make available all such Lobbyist Forms for public inspection on the County's website; and it is further

ORDERED, that upon termination of a lobbyist's retainer, employment or designation, such lobbyist and the client, if any, on whose behalf such service has been rendered shall both give notice to the County Attorney in the electronic filing system within thirty days after the lobbyist ceases the activity that required such lobbyist to file a statement of registration; however, such lobbyist shall nevertheless comply with the reporting requirements as set forth above and the reporting requirements for the last periodic reporting period up to the date such activity has ceased; and it is further

ORDERED, any lobbyist required to file a Lobbying Form as set forth herein who, in any lobbying year, earns or incurs combined reportable compensation and expenses in an amount in excess of one thousand dollars, for the purpose of lobbying, shall file with the County Attorney periodic reports, on forms prescribed by the County Attorney, by the fifteenth day next succeeding the end of the reporting period on which the cumulative total for such lobbying year equaled such sum. Such reporting periods shall be the period from January 1 to March 31, April 1 to May 31, June 1 to August 31 and August 31 to December 31; and it is further

ORDERED, that any lobbyist making a report pursuant to the above paragraph shall thereafter file with the County Attorney, on forms prescribed by the County Attorney, a periodic report for each reporting period that such person earns or incurs combined reportable compensation and expenses in an amount in excess of one thousand dollars for the purposes of lobbying during such reporting period. Such report shall be filed not later than the fifteenth day next succeeding the end of such reporting period and shall include the amounts so earned or

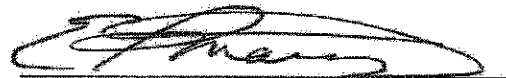
incurred during such reporting period and the cumulative total during the lobbying year; and it is further

ORDERED, that IT shall ensure that the Lobbying Form and the form for periodic reports prescribed by the County Attorney are available on the County website; and it is further

ORDERED, that this Executive Order shall take effect immediately.

Dated:

May 15, 2015



EDWARD P. MANGANO
NASSAU COUNTY EXECUTIVE

COUNTY OF NASSAU

LOBBYIST REGISTRATION AND DISCLOSURE FORM

1. Name 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; or to otherwise engage in lobbying activities as the term is defined herein. 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

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.

Dated: January 7, 2020

Signed: _____

Print Name: Mark Kelly

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 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.

Business History Form

In addition to the submission of bids/proposals, as applicable, each bidder/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 bid/proposal.

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

Date: January 7, 2020

1) Bidder's/Proposer's Legal Name: SAFETY MARKING of NY, Inc.

2) Address of Place of Business: 90 Sylvester Street, Westbury, NY 11590

List all other business addresses used within last five years:

NONE

3) Mailing Address (if different): _____

Phone : 203.333-6870

Does the business own or rent its facilities? Rent

4) Dun and Bradstreet number: NONE

5) Federal I.D. Number: 20-8807933

6) The bidder/proposer is a (check one): Sole Proprietorship Partnership X
Corporation Other (Describe)

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

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

9) Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business? Yes X No If Yes, provide details. Affiliate: Safety Marking, Inc. - Safety Marking of NY, Inc. supplies union labor to Safety Marking, Inc. exclusively.

10) Has the bidder/proposer ever had a bond or surety cancelled or forfeited, or a contract with Nassau County or any other government entity terminated? Yes No X 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 bidder/proposer, during the past seven years, been declared bankrupt? Yes ____ No X
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 X 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 X No ____ If Yes, provide details for each such investigation. Please see detail below & attachment.

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? No X Yes ____ If Yes, provide details for each such charge. _____

b) Any misdemeanor charge pending? No X Yes ____ 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? No X Yes ____ If Yes, provide details for each such conviction _____

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

13) On May 9, 2016, a former employee, Peter P. Klosterman, filed an administrative complaint with the State of New York, Division of Human Rights against Safety Marking of New York, Inc. an affiliate of Safety Marking. Mr. Klosterman alleges that he was terminated in violation of New York disability discrimination laws. After an investigation and following opportunity for review of related information and evidence by the named parties, the Division of Human Rights determined that there was NO PROBABLE CAUSE to believe that the respondent had engaged in or is engaging in the unlawful discriminatory practice complained of. The complaint was dismissed and the file was closed.

Letter from the President regarding SMC's involvement in a litigation

Safety Marking, Inc. feels that it is important to be forth coming that it was indeed the subject of litigation for several years involving two former employees. These two employees alleged that they were victims of discrimination for incidents relating to the conduct of five Safety Marking, Inc. employees that occurred sometime between 2008-2012. The company fought the unsubstantiated litigation through trial and then through post-trial motions, but due to what it believes were grievous errors of law and clearly erroneous rulings by the judge, in March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Following the verdict, both CT DOT and NY DOT did their due diligence and investigated Safety Marking and its practices and both concluded that there were no findings of non-responsibility. Both confirmed Safety Marking's status as a responsible contractor and Safety Marking was awarded the contracts.

Safety Marking believes strongly in its EEO policies and employs approximately 50% minorities. Safety Marking and its management do not tolerate harassment or discrimination of any kind and communicate our Company's policies and Complaint Procedures with each and every employee. Our Company's Employee Handbook was updated in 2015 and revised in 2017 and includes all policies and procedures. It has been distributed and reviewed with every employee by our Human Resources Manager who was hired in January 2015. All of our employees, supervisors and managers attend mandatory annual training that is conducted each year by our Human Resources Manager which covers Harassment training and our Company's EEO Policy. And our EEO Policy is posted on our bulletin boards at each of our locations as well as in our Compliance Books that we have on our work sites.

Our company prides itself on our Company's 360 Review processes which we have been doing since 1997. This process gives each employee the opportunity to evaluate every employee, supervisor and manager that he/she works with in the company and has the opportunity to confidentially review the person's ability, attitude and how the person helped, taught or provided the tools to help the employee do their job. In the past, I conducted these reviews with every employee. Last year, we enhanced the process and now each employee meets with three other members of our management team in addition to me in their review process. Each employee sits down with the Safety Director, the Operations Manager, the Human Resources Manager and then I. During these meetings the employee is able to discuss the pertinent aspects of their job, bring up any ideas or suggestions they may have on making things better or any problems or concerns that they may have as well. We spend over three months each year on the employee review process and take it very seriously to ensure that our employees are in

the right position, getting the right tools and training to do their job and address any concerns that they bring to our attention.

Safety Marking, Inc. is committed to providing a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits any unlawful discriminatory practices. Through our continued communications, training and Open Door Policy that we have with our employees, we are confident that our employees feel good about the company that they work for. Unfortunately, anyone can accuse you of something without any witness or proof that it in fact occurred and all you can do is defend yourself. There were many facts that we were not allowed by the judge to be presented to the jury in our defense case which if allowed may have led to a different outcome. But the process is far from being perfect and the grievous errors of law and rulings by the judge only compounded our fate.

Please feel free to contact me with any questions or if you require any further information pertaining to this matter. You can also reach out to our Human Resources Manager, Kelly Lavoie, who would be happy to answer any questions or provide you with any other information you may need. She can be reached at 203-814-3416. We welcome you to visit our operation as well if you wish so that you have a better understanding of what we do. I would be happy to give you a tour of our facility and have you meet our Safety Marking family.

Mark Kelly
Mark Kelly
President

occurrence. In July 2016, an audit was done by the NYC Parks & Recreation which found that a Painter-Striper should have been classified as a Painter-Lineperson, resulting in a small underpayment. Payment was made for the underpayment and the matter was resolved.

On March 28, 2018 - Citation 1 - OSHA Other-than-Serious Violation (please see attached for detail)

- 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? No X Yes ____; 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? No X Yes ____ 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:

(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 as collection agent 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 as collection agent 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 as a collection agent 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.

If a Safety Marking of NY, Inc. employee had any conflict of interest, that employee would not be allowed to be involved with the project in any capacity nor have access to any information regarding the project.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1304526
Inspection Date(s): 03/28/2018 - 03/28/2018
Issuance Date: 03/28/2018



Citation and Notification of Penalty

Company Name: Safety Marking Inc.
Inspection Site: Route 84, New Britain, CT 06051

Citation 1 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.39(a)(2): The employer did not report an in-patient hospitalization, amputation, or loss of an eye as a result of a work-related incident to OSHA within twenty-four (24) hours:

Jobsite located on I-84, New Britain, Connecticut: On, or about, March 28, 2018, the employer had not reported a work-related injury that occurred on September 28, 2017 that resulted in the hospitalization of an employee.

Date By Which Violation Must be Abated:
Proposed Penalty:

05/14/2018
\$7068.00

A handwritten signature in black ink, appearing to read "Dale Varney", written over a horizontal line.

Dale Varney
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

SMC **Safety Marking Inc.**

Established 1973

An Equal Opportunity Employer M/F

"OUR REPUTATION IS BUILT ONE LINE AT A TIME."

Occupational Safety and Health Administration

May 30, 2018

William Cotter Federal Building

135 High Street, Suite 361

Hartford, CT 06103

RE: OSHA Inspection No. 1304526

Mr. Dale Varney

OSHA, Hartford, CT,


Please accept this letter of abatement for OSHA Inspection No. 1304526.

Citation 1, Item 1, Violation: Other-than-Serious. Jobsite located on I-84, New Britain, CT: Safety Marking Inc. failed to report a work related injury that occurred on September 28, 2017 that resulted in hospitalization of an employee. Corrected on March 28, 2017 by answering to OSHA Citation and putting into place Reporting and Recordkeeping protocols to report within 24 hours any in-patient hospitalizations, amputations, or loss of eye.

All Safety Marking Inc. management has been informed of this new protocol, so that any injuries that meet the new OSHA Reporting requirements are reported to the Safety Department and reported within 24 hours.

I, Patrick Clyne, Safety Director of Safety Marking Inc. confirm that this information submitted is accurate and Safety Marking Inc. will report all injuries as required by the new OSHA Reporting requirements.

Thank you,



Patrick Clyne

Safety Director

Safety Marking Inc.

255 Hancock Ave

Bridgeport, CT 06605

255 Hancock Avenue, Bridgeport, Connecticut 06605 Phone: 203-333-6870 FAX: 203-333-9099

59 Stillson Road, Richmond, Rhode Island 02898 Phone: 401-539-1016 FAX: 401-539-3153

84 Sylvester Street, Westbury, NY 11590 Phone: 516-333-0489 FAX: 516-334-0813

www.safetymarking.net

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

In the Matter of: **Safety Marking, Inc.**

OSHA Inspection Number: **1304526**

INFORMAL SETTLEMENT AGREEMENT

The undersigned Employer and the undersigned Occupational Safety and Health Administration (OSHA), in settlement of the above citation and penalties, which were issued on **03/28/2018** hereby, agree as follows:

1. The Employer agrees to correct the violations as cited in the above citations or as amended below.
2. The Employer agrees to pay the proposed penalties, if any, as issued with the above citation(s), or, if amended by this agreement, as amended below.
3. The Employer and OSHA agree that the following citations and penalties, if any, are not being amended:

N/A

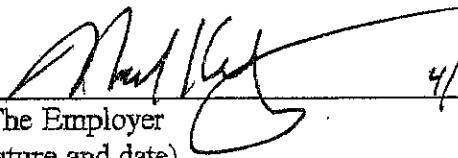
4. OSHA agrees that the following citations and penalties are being amended as shown below:

Citation 1 Item 1 penalty is reduced by 50%

5. The employer, by signing this informal settlement agreement; hereby waives its right to contest.
6. The employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s) referred to in paragraph 4 above. This Settlement Agreement must remain posted until the violations cited have been corrected, or for 3 working days (excluding weekends and Federal Holidays), whichever is longer.
7. The employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.

8. Each party hereby agrees to bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.
9. If the modified penalty, **\$3,534.00** is not paid by **May 1, 2018**, the penalty will revert to the original amount of **\$7,068.00** plus administrative cost.

For Occupational Safety
And Health Administration
Dale Varney
(Signature and date)


For The Employer
(Signature and date)

4/19/18

-----Original Message-----

From: notification@pay.gov <notification@pay.gov>
Sent: Wednesday, April 18, 2018 6:05 PM
To: PJ Clyne <PClyne@safetymarking.net>
Subject: Pay.gov Payment Confirmation: OSHA Penalty Collection

Your payment has been submitted to Pay.gov and the details are below. To confirm that the payment processed as expected, you may refer to your bank statement on the scheduled payment date. If you have any questions or wish to cancel this payment, you will need to contact the agency you paid at your earliest convenience.

Application Name: OSHA Penalty Collection
Pay.gov Tracking ID: 2694PTT7
Agency Tracking ID: 75469043469

Account Holder Name: Safety Marking, Inc.
Transaction Type: ACH Debit
Transaction Amount: \$3,534.00
Payment Date: 04/19/2018
Account Type: Business Checking
Routing Number: 011900445
Account Number: *****1323

Transaction Date: 04/18/2018 06:04:50 PM EDT
Total Payments Scheduled: 1
Frequency: OneTime

Company Name: Safety Marking, Inc.
Company Address: 255 Hancock Ave, BRIDGEPORT, CT 06605
Doing Business As:
Contact Name: Mark Kelly
Contact Phone Number: (203) 333-6870
Contact Email Address: jmatis@safetymarking.net
Inspection 1: Number: 1304526 -- Amount: \$3,534.00
Inspection 2:
Inspection 3:
Inspection 4:
Transaction ID:

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT REPLY.

Attachments to Business History Form

Safety Marking of NY, Inc. supplies union labor exclusively to Safety Marking, Inc. and does not bid prime contracts or subcontracts.

Please provide any other information which would be appropriate and helpful in determining the bidder's/proposer's capacity and reliability to perform these services.

- A. Include a resume or detailed description of the bidder's/proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified. *Please see attached for the following:*

Should the bidder/proposer be other than an individual, the bid/proposal should include:

- i) Date of formation; *April 5, 2007*
- ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner;
Mark Kelly is the sole officer and shareholder 115 West Road, Easton, CT 06027
- iii) Name, address and position of all officers and directors of the company;
Please see ii) above
- iv) State of incorporation (if applicable); *Connecticut*
- v) The number of employees in the firm; *25 Employees*
- vi) Annual revenue of firm; *\$2 Million to 2.4 Million*
- vii) Summary of relevant accomplishments *None/Not Applicable*
- viii) Copies of all state and local licenses and permits. *None/Not Applicable*

- B. Indicate number of years in business. *13 Years*

- C. Provide any other information which would be appropriate and helpful in determining the bidder's/proposer's capacity and reliability to perform these services.

- D. Provide names and addresses for no fewer than three references for whom the bidder/proposer has provided similar services or who are qualified to evaluate the bidder's/proposer's capability to perform this work. *Safety Marking of NY, Inc. supplies union labor exclusively to Safety Marking, Inc. and does not bid contracts or work as a subcontractor for anyone.*

Company _____

Contact Person _____

Address _____

City/State _____

Telephone _____

Fax # _____

E-Mail Address _____

Company _____

Contact Person _____

Address _____

City/State _____

Telephone _____

Fax # _____

E-Mail Address _____

Company _____

Contact Person _____

Address _____

City/State _____

Telephone _____

Fax # _____

E-Mail Address _____

CERTIFICATION

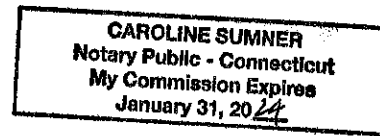
A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID/PROPOSAL OR FUTURE BIDS/PROPOSALS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT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

I, Mark Kelly, 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 7th day of January

2020

Caroline Sumner
Notary Public Caroline Sumner



Name of submitting business: SAFETY MARKING of NY, INC.

By: Mark Kelly

Mark Kelly
Print name

Mark Kelly
Signature

President

President
Title

01 / 07 / 2020

Date

All questions on these questionnaires must be answered and the 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/ PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name Mark Kelly - Safety Marking of NY, Inc.
Date of birth 11 / 17 / 1954
Home address XXXXXX
City/state/zip XXXXXX XXXXX
Business address 90 Sylvester Street
City/state/zip Westbury, NY 11590
Telephone 203.814-3400 or 203.333-6870 x 400
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 / 01 / 2016 Treasurer 05 / 01 / 2016
Chairman of Board _____/_____/_____ Shareholder 04 / 05 / 2007
Chief Exec. Officer _____/_____/_____ Secretary 04 / 05 / 2007
Chief Financial Officer _____/_____/_____ Partner _____/_____/_____
Vice President _____/_____/_____ _____/_____/_____
(Other) _____
3. Do you have an equity interest in the business submitting the questionnaire?
NO _____ YES X If Yes, provide details. Mark Kelly owns 100% of Shares since May 1, 2016
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? NO X YES _____ If Yes, provide details.
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? NO _____ YES X ; If Yes, provide details.
Mark Kelly is the Sole Officer of Safety Marking, Inc. an affiliate of Safety Marking of NY, Inc. and has owned 100% of its shares since February 10, 1989.
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? NO _____ YES X If Yes, provide details.
Safety Marking, Inc. has been awarded multiple contracts from CTDOT, NYSDOT, NYSTA, NCDPW, Suffolk County DPW, PANYNJ, Towns of Huntington, North Hempstead, Glen Cove, the MTA TBTA and others.

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? NO X YES ____ 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? NO X YES ____ 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? NO X YES ____ 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? NO X YES ____ 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.) NO

- a) Is there any felony charge pending against you? NO X YES ____ If Yes, provide details for each such charge.
- b) Is there any misdemeanor charge pending against you? NO X YES ____ If Yes, provide details for each such charge.
- c) Is there any administrative charge pending against you? NO X YES ____ 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? NO X YES ____ 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? NO X YES ____ 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? NO ____ YES X If Yes, provide details for each such occurrence.

In July 2016, an audit was done by the NYC Parks & Recreation which found that a Painter-Striper should have been classified as a Painter-Lineperson, resulting in a small underpayment. Payment was made for the underpayment and the matter was resolved.

On March 28, 2018 - Citation 1 - OSHA Other-than-Serious Violation (please see attached for detail)

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1304526
Inspection Date(s): 03/28/2018 - 03/28/2018
Issuance Date: 03/28/2018



Citation and Notification of Penalty

Company Name: Safety Marking Inc.
Inspection Site: Route 84, New Britain, CT 06051

Citation 1 Item 1 - Type of Violation: **Other-than-Serious**

29 CFR 1904.39(a)(2): The employer did not report an in-patient hospitalization, amputation, or loss of an eye as a result of a work-related incident to OSHA within twenty-four (24) hours:

Jobsite located on I-84, New Britain, Connecticut: On, or about, March 28, 2018, the employer had not reported a work-related injury that occurred on September 28, 2017 that resulted in the hospitalization of an employee.

Date By Which Violation Must be Abated:
Proposed Penalty:

05/14/2018
\$7068.00

A handwritten signature in black ink, appearing to read "Dale Varney", written over a horizontal line.

Dale Varney
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

SMC **Safety Marking Inc.**

Established 1979

An Equal Opportunity Employer M/F

"OUR REPUTATION IS BUILT ONE LINE AT A TIME."

Occupational Safety and Health Administration

May 30, 2018

William Cotter Federal Building

135 High Street, Suite 361

Hartford, CT 06103

RE: OSHA Inspection No. 1304526

Mr. Dale Varney

OSHA, Hartford, CT,

Please accept this letter of abatement for OSHA Inspection No. 1304526.

Citation 1, Item 1, Violation: Other-than-Serious. Jobsite located on I-84, New Britain, CT; Safety Marking Inc. failed to report a work related injury that occurred on September 28, 2017 that resulted in hospitalization of an employee. Corrected on March 28, 2017 by answering to OSHA Citation and putting into place Reporting and Recordkeeping protocols to report within 24 hours any in-patient hospitalizations, amputations, or loss of eye.

All Safety Marking Inc. management has been informed of this new protocol, so that any injuries that meet the new OSHA Reporting requirements are reported to the Safety Department and reported within 24 hours.

I, Patrick Clyne, Safety Director of Safety Marking Inc. confirm that this information submitted is accurate and Safety Marking Inc. will report all injuries as required by the new OSHA Reporting requirements.

Thank you,



Patrick Clyne

Safety Director

Safety Marking Inc.

255 Hancock Ave

Bridgeport, CT 06605

255 Hancock Avenue, Bridgeport, Connecticut 06605 Phone: 203-333-6870 FAX: 203-333-9099

59 Stilson Road, Richmond, Rhode Island 02898 Phone: 401-539-1016 FAX: 401-539-3153

84 Sylvester Street, Westbury, NY 11590 Phone: 516-333-0489 FAX: 516-334-0813

www.safetymarking.net

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

In the Matter of: **Safety Marking, Inc.**
OSHA Inspection Number: **1304526**

INFORMAL SETTLEMENT AGREEMENT

The undersigned Employer and the undersigned Occupational Safety and Health Administration (OSHA), in settlement of the above citation and penalties, which were issued on **03/28/2018** hereby, agree as follows:

1. The Employer agrees to correct the violations as cited in the above citations or as amended below.
2. The Employer agrees to pay the proposed penalties, if any, as issued with the above citation(s), or, if amended by this agreement, as amended below.
3. The Employer and OSHA agree that the following citations and penalties, if any, are not being amended:

N/A

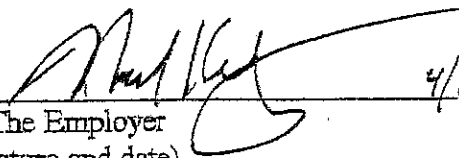
4. OSHA agrees that the following citations and penalties are being amended as shown below:

Citation 1 Item 1 penalty is reduced by 50%

5. The employer, by signing this informal settlement agreement, hereby waives its right to contest.
6. The employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s) referred to in paragraph 4 above. This Settlement Agreement must remain posted until the violations cited have been corrected, or for 3 working days (excluding weekends and Federal Holidays), whichever is longer.
7. The employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.

8. Each party hereby agrees to bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.
9. If the modified penalty, \$3,534.00 is not paid by May 1, 2018, the penalty will revert to the original amount of \$7,068.00 plus administrative cost.

For Occupational Safety
And Health Administration
Dale Varney
(Signature and date)


For The Employer
(Signature and date)

4/10/18

-----Original Message-----

From: notification@pay.gov <notification@pay.gov>

Sent: Wednesday, April 18, 2018 6:05 PM

To: PJ Clyne <PClyne@safetymarking.net>

Subject: Pay.gov Payment Confirmation: OSHA Penalty Collection

Your payment has been submitted to Pay.gov and the details are below. To confirm that the payment processed as expected, you may refer to your bank statement on the scheduled payment date. If you have any questions or wish to cancel this payment, you will need to contact the agency you paid at your earliest convenience.

Application Name: OSHA Penalty Collection

Pay.gov Tracking ID: 2694PTT7

Agency Tracking ID: 75469043469

Account Holder Name: Safety Marking, Inc.

Transaction Type: ACH Debit

Transaction Amount: \$3,534.00

Payment Date: 04/19/2018

Account Type: Business Checking

Routing Number: 011900445

Account Number: *****1323

Transaction Date: 04/18/2018 06:04:50 PM EDT

Total Payments Scheduled: 1

Frequency: OneTime

Company Name: Safety Marking, Inc.

Company Address: 255 Hancock Ave, BRIDGEPORT, CT 06605

Doing Business As:

Contact Name: Mark Kelly

Contact Phone Number: (203) 333-6870

Contact Email Address: jmatis@safetymarking.net

Inspection 1: Number: 1304526 -- Amount: \$3,534.00

Inspection 2:

Inspection 3:

Inspection 4:

Transaction ID:

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT REPLY.

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? NO X YES ____ 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? NO ____ YES X If Yes; provide details for each such investigation. NYSDOT & CTDOT conducted a compliance review due to the lawsuit and concluded that Safety Marking, Inc. to be a responsible contractor and no sanctions were imposed. Please see detail below & attached letter.
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? NO X YES ____ 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? NO X YES ____ If Yes, provide details for each such year.

10. Over four years ago, the Company was involved in a lawsuit filed by two former employees under 42 U.S.C. Sec. 1981, relating to the conduct of five Safety Marking employees that occurred sometime between 2008-2012. In March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Due to this litigation, in Spring 2016, both CTDOT and NYDOT conducted an in depth Contract Compliance Review of Safety Marking, Inc. and both concluded that Safety Marking, Inc. was a responsible bidder.

In 2018, the New York State Department of Transportation investigated Safety Marking's qualifications as a responsible contractor/bidder arising out of an allegation raised that Safety Marking was somehow affiliated with another company. After a hearing was held in August 2018 before the New York State Department of Transportation, Safety Marking was determined to be a responsible contractor/bidder.

On April 5, 2019 the company received a civil investigative demand from the United States Attorney's office, Northern District of New York. The civil demand requires the company to provide documentation to the government relating to The Fence Man, Inc., an unaffiliated company. The company is complying with the investigative demand and disclosing documents in accordance thereto.

Letter from the President regarding SMC's involvement in a litigation

Safety Marking, Inc. feels that it is important to be forth coming that it was indeed the subject of litigation for several years involving two former employees. These two employees alleged that they were victims of discrimination for incidents relating to the conduct of five Safety Marking, Inc. employees that occurred sometime between 2008-2012. The company fought the unsubstantiated litigation through trial and then through post-trial motions, but due to what it believes were grievous errors of law and clearly erroneous rulings by the judge, in March 2016, a verdict was rendered in favor of the two former employees. The jury held Safety Marking, Inc. liable for the conduct of five of the employees. However, after the verdict, the parties settled the matter confidentially. Following the verdict, both CT DOT and NY DOT did their due diligence and investigated Safety Marking and its practices and both concluded that there were no findings of non-responsibility. Both confirmed Safety Marking's status as a responsible contractor and Safety Marking was awarded the contracts.

Safety Marking believes strongly in its EEO policies and employs approximately 50% minorities. Safety Marking and its management do not tolerate harassment or discrimination of any kind and communicate our Company's policies and Complaint Procedures with each and every employee. Our Company's Employee Handbook was updated in 2015 and revised in 2017 and includes all policies and procedures. It has been distributed and reviewed with every employee by our Human Resources Manager who was hired in January 2015. All of our employees, supervisors and managers attend mandatory annual training that is conducted each year by our Human Resources Manager which covers Harassment training and our Company's EEO Policy. And our EEO Policy is posted on our bulletin boards at each of our locations as well as in our Compliance Books that we have on our work sites.

Our company prides itself on our Company's 360 Review processes which we have been doing since 1997. This process gives each employee the opportunity to evaluate every employee, supervisor and manager that he/she works with in the company and has the opportunity to confidentially review the person's ability, attitude and how the person helped, taught or provided the tools to help the employee do their job. In the past, I conducted these reviews with every employee. Last year, we enhanced the process and now each employee meets with three other members of our management team in addition to me in their review process. Each employee sits down with the Safety Director, the Operations Manager, the Human Resources Manager and then I. During these meetings the employee is able to discuss the pertinent aspects of their job, bring up any ideas or suggestions they may have on making things better or any problems or concerns that they may have as well. We spend over three months each year on the employee review process and take it very seriously to ensure that our employees are in

the right position, getting the right tools and training to do their job and address any concerns that they bring to our attention.

Safety Marking, Inc. is committed to providing a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits any unlawful discriminatory practices. Through our continued communications, training and Open Door Policy that we have with our employees, we are confident that our employees feel good about the company that they work for. Unfortunately, anyone can accuse you of something without any witness or proof that it in fact occurred and all you can do is defend yourself. There were many facts that we were not allowed by the judge to be presented to the jury in our defense case which if allowed may have led to a different outcome. But the process is far from being perfect and the grievous errors of law and rulings by the judge only compounded our fate.

Please feel free to contact me with any questions or if you require any further information pertaining to this matter. You can also reach out to our Human Resources Manager, Kelly Lavoie, who would be happy to answer any questions or provide you with any other information you may need. She can be reached at 203-814-3416. We welcome you to visit our operation as well if you wish so that you have a better understanding of what we do. I would be happy to give you a tour of our facility and have you meet our Safety Marking family.

Mark Kelly
Mark Kelly
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/PROPOSAL OR FUTURE BIDS/PROPOSALS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, Mark Kelly, 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 7th day of January 2020

Caroline Sumner
Notary Public Caroline Sumner

CAROLINE SUMNER
Notary Public - Connecticut
My Commission Expires
January 31, 2024

SAFETY MARKING of NY, INC.

Name of submitting business

Mark Kelly
Print name

Mark Kelly
Signature

President

Title

01 / 07 / 2020

Date

DO NOT REMOVE THIS PAGE FROM BOOK

SCHEDULE OF PRICES

ITEM NO.	ESTIMATED QUANTITIES	ITEMS WITH UNIT PRICES WRITTEN IN WORDS	UNIT BID PRICE		TOTAL AMOUNT	
			DOLLARS	CENTS	DOLLARS	CENTS
619.01	1 LS	Basic Work Zone Traffic Control FOR: <u>Forty Thousand Dollars and no cents</u> Dollars Cents	\$40,000	00	\$40,000	00
619.24	1 LS	Nighttime Operations FOR: <u>Twenty Thousand Dollars and no cents</u> Dollars Cents	\$20,000	00	\$20,000	00
635.0103	926,300 LF	Remove Existing Pavement Marking Striping FOR: <u>Zero Dollars and Twenty cents</u> Dollars Cents	\$0	20	\$185,260	00
635.0203	332 EA	Remove Existing Pavement Marking Letters FOR: <u>Fifteen Dollars and no cents</u> Dollars Cents	\$15	00	\$4,980	00
635.0303	442 EA	Remove Existing Pavement Marking Symbols FOR: <u>Fifteen Dollars and no cents</u> Dollars Cents	\$15	00	\$6,630	00
685.07200110	410,810 LF	White Epoxy ReflectORIZED Pavement Stripes - 20 MILS (Wet Night Visibility Spheres) FOR: <u>Zero Dollars and Forty cents</u> Dollars Cents	\$0	40	\$164,324	00
685.07200210	332 EA	White Epoxy ReflectORIZED Pavement Letters: 20 MILS (Wet Night Visibility Spheres) FOR: <u>one Hundred Sixty Dollars and no cents</u> Dollars Cents	\$160	00	\$53,120	00
685.07200310	427 EA	White Epoxy ReflectORIZED Pavement Symbols: 20 MILS (Wet Night Visibility Spheres) FOR: <u>Two Hundred Five Dollars and no cents</u> Dollars Cents	\$205	00	\$87,535	00

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DO NOT REMOVE THIS PAGE FROM BOOK

SCHEDULE OF PRICES

ITEM NO.	ESTIMATED QUANTITIES	ITEMS WITH UNIT PRICES WRITTEN IN WORDS	UNIT BID PRICE		TOTAL AMOUNT	
			DOLLARS	CENTS	DOLLARS	CENTS
685.07200410	14,795 LF	White Epoxy ReflectORIZED Pavement Stripes - 20 MILS Cross Hatching (Wet Night Visibility Spheres) FOR: <u>one Dollar and Fifteen Cents</u> Dollars Cents	# 1	15	\$17,014	25
685.07200510	80,535 LF	White Epoxy ReflectORIZED Pavement Stripes - 20 MILS Special Markings (Wet Night Visibility Spheres) FOR: <u>Two Dollars and Twenty Cents</u> Dollars Cents	# 2	20	\$177,177	00
685.07200610	410,450 LF	Yellow Epoxy ReflectORIZED Pavement Stripes - 20 MILS (Wet Night Visibility Spheres) FOR: <u>Zero Dollars and Forty Cents</u> Dollars Cents	# 0	40	\$164,180	00
685.07200710	9,710 LF	Yellow Epoxy ReflectORIZED Pavement Stripes - 20 MILS Cross Hatching (Wet Night Visibility Spheres) FOR: <u>one Dollar and Fifteen Cents</u> Dollars Cents	# 1	15	\$11,166	50
685.07200810	0 EA	White Epoxy ReflectORIZED Pavement Markings - 20 MILS Yield Line Symbol - Small - (Wet Night Visibility Spheres) FOR: <u>one Hundred Fifty Dollars and no cents</u> Dollars Cents	#150	00	0	00
685.07200910	15 EA	White Epoxy ReflectORIZED Pavement Markings - 20 MILS Yield Line Symbol - Large - (Wet Night Visibility Spheres) FOR: <u>one Hundred Fifty Dollars and no cents</u> Dollars Cents	#150	00	\$2,250	00
699.040001	1 LS	Mobilization FOR: <u>Twenty thousand dollars and no cents</u> Dollars Cents	\$20,000	00	\$20,000	00

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PIN 0761.22

TOTAL OR GROSS BID MUST BE WRITTEN IN WORDS

FOR Nine Hundred Fifty Three Thousand Six Hundred Thirty Six Dollars and seventy-five cents
Dollars Cents

CONTRACTOR: Safety Marking, Inc.
BY: Mark Kelly
TITLE: President
SIGNATURE: [Signature]
DATE: January 7, 2020

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 of 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.

Mark Kelly, President

5/21/2020

Name and Title of Authorized Representative

m/d/yy

Signature

5/21/2020

Date

SAFETY MARKING, INC.

Name of Organization

255 Hancock Avenue, Bridgeport, CT 06605

Address of Organization

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposes," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of reports in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

QUALIFICATION STATEMENT

Note: All blanks in the form are to be filled in, typed if possible. 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? 47 YEARS
2. How many years experience in the construction work of a similar type as this contract has your firm had;
 - a. as a Prime Contractor 28 YEARS
 - b. as a Subcontractor 47 YEARS
3. List below the construction projects your firm has under way as of this date:

Contract Amount	Class of work	Percent Completed	Name and Address of Owner or Contracting Officer
--------------------	------------------	----------------------	---

Please see attached

(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:

Contract Amount	Class of work	Percent Completed	Name and Address of Owner or Contracting Officer
--------------------	------------------	----------------------	---

Please see attached

(use additional blank sheets if additional space is necessary)

5. Have you:
 - a. ever failed to complete any work awarded to You? NO
If so; identify the project, the owner, the contract amount, the circumstances and date of all such failures to complete.

NO TEXT ON THIS PAGE

OWNER, ADDRESS, & TELEPHONE NO.	CONTRACT \$ AMOUNT	CONTRACT	LOCATION	TYPE OF WORK	CONTACT	CONTRACT \$ AMOUNT	% COMPLETE	ESTIMATED COMPLETE DATE
COUNTY OF WESTCHESTER 148 MARTIME AVENUE WHITE PLAINS, NY 10601 (914)995-2594	857,385.00	WCA14008	WESTCHESTER CTY AIRPORT	RUNWAY AND TAXIWAY PAINTING AND RUBBER REMOVAL	ANI TOM RUMBARGER (914)995-4885	205,205.00	5.00	11/24
STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION 250 VETERANS MEMORIAL HIGHWAY HAUPPAUGE, N.Y. 11788-5518 (631)420-7333	7,526,614.00	D263829	NASSAUS/SUFFOLK COUNTIES	INSTALLATION OF DURABLE PVMT MKGS VARIOUS	J. DIONISIO (631)918-2539	7,526,614.00	50.0	8/20
PORT AUTHORITY OF NY AND NJ 225 PARK AVENUE, SOUTH NEW YORK, NY 10003	6,908,079.00	4600011918	JFK, LGA, EWR, TEB & SWF AIRPORTS	RUBBER REMOVAL DEPOSITS FROM RUNWAYS	JFK-MARCELO MORELLI (718)244-3787 LGA-LIZZETTE ROBLES (718)533-3600 EWR-WARD HOEKSTRA (973)961-6604 TEB-PAM PHILLIPS (201)807-4018	6,908,079.00	75.0	11/20
STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION 2800 BERLIN TURNPIKE NEWINGTON, CT 06131-7546	900,000.00	18PSX0127AB	CT DISTRICTS 1,2,3,4	INSTALLATION OF EPOXY PVMT MKGS NON-INTERSTATE, EXPRESSWAYS & ROADWAYS	DIST.1-RICHARD PELLETIER (860)258-4521 DIST.2-KEITH COOPER (860)823-3223 DIST.3-RICHARD PORTER (203)389-3035 DIST.4-ARON STEEVES (203)591-3610	900,000.00	50.0	08/21
COUNTY OF SUFFOLK SUFFOLK CTY DEPT OF PUBLIC WORKS 335 YAPHANK AVENUE YAPHANK, NY 11980	19,256.00	SPM110819	VARIOUS IN SUFFOLK CTY	SPECIAL PAVEMENT MKGS VARIOUS ROADWAYS COUNTY WIDE	WILLIAM HILMAN (631)852-4002	19,256.00	0.0	12/20
COUNTY OF SUFFOLK SUFFOLK CTY DEPT OF PUBLIC WORKS 335 YAPHANK AVENUE YAPHANK, NY 11980	2,677,266.80	CP-5037	VARIOUS IN SUFFOLK CTY	PAVEMENT MKGS REPLACEMENT PROGRAM - VARIOUS ROADWAYS COUNTY-WIDE	WILLIAM HILMAN (631)852-4002	2,677,266.80	75.0	12/20

ITEM NO. 3

SAFETY MARKING, INC.
WORK EXPERIENCE
PRIME CONTRACTS IN PROGRESS

PAGE 2

OWNER, ADDRESS, & TELEPHONE NO.	CONTRACT \$ AMOUNT	CONTRACT	LOCATION	TYPE OF WORK	CONTACT	CONTRACT \$ AMOUNT	% COMPLETE	ESTIMATED COMPLETE DATE
COUNTY OF SUFFOLK SUFFOLK CITY DEPT OF PUBLIC WORKS 335 YAPHANK AVENUE YAPHANK, NY 11980	2,677,266.80	CP-5037	VARIOUS IN SUFFOLK CITY	PAVEMENT MKGS REPLACEMENT PROGRAM - VARIOUS ROADWAYS COUNTY-WIDE	WILLIAM HILMAN (631)852-4002	2,677,266.80	75.0	12/20
RHODE ISLAND DEPARTMENT OF TRANSPORTATION TWO CAPITOL HILL-ROOM 110 PROVIDENCE, RI 02903 (401)478-2570	1,928,798.00	2019-CT-024	STATEWIDE STRIPING EAST BAY EPOXY PAVMT STRIPING		JAMES DELEO (401)265-8352	21,258,003.00	50.0	11/20
TOWN OF ISLIP MACARTHUR AIRPORT 100 ARRIVAL AVE RONKONKOMA, NY 11779	15000	DAT 2017-5	MACARTHUR AIRPORT	RUNWAY RUBBER AND PAINT REMOV CARL VOGT AND RE-PAINTING SERVICES	9631)467-3300	15,000.00	50.0	12/22
PORT AUTHORITY OF NY AND NJ 225 PARK AVENUE, SOUTH NEW YORK, NY 10003	6,908,079.00	4600009777	JFK, LGA, EWR, TEB AIRPORTS	REMOVAL OF EPOXY AND LATEX PAINT AND APPLICATION OF LATEX PAINT	JFK-MARCELO MORELLI (718)244-3787 LGA-LIZZETTE ROBLES (718)533-3600 EWR-WARD HOEKSTRA (973)961-6604 TEB-PAM PHILLIPS (201)807-4018	6,908,079.00	75.0	11/20
COUNTY OF DUTCHESS DEPARTMENT OF PUBLIC WORKS 38 DUTCHESS TURNPIKE POUGHKEEPSIE, NY 12603 (845)486-2925	392,095.00	DCH-2017-03	DUTCHESS CITY ROADS	EPOXY & PAINT PAVEMENT STRIPING	MATTHEW DAVIS (845)486-2925	392,095.00	75.0	12/19

ITEM NO. 4

SAFETY MARKING, INC.
WORK EXPERIENCE
PRIME CONTRACTS COMPLETED

PAGE 1

OWNER, ADDRESS, & TELEPHONE NO.	CONTRACT NUMBER	LOCATION	PROJECT/CONTRACT DESCRIPTION	CONTACT	CONTRACT AMOUNT	COMPLETE DATE
RHODE ISLAND DEPARTMENT OF TRANSPORTATION TWO CAPITOL HILL-ROOM 110 PROVIDENCE, RI 02903 (401)478-2570	2018-CT-025	STATEWIDE STRIPING-CENTRAL	EPOXY PVMT STRIPING	JAMES DELEO (401)265-8352	2,077,993.00	12/19
RHODE ISLAND DEPARTMENT OF TRANSPORTATION TWO CAPITOL HILL-ROOM 110 PROVIDENCE, RI 02903 (401)478-2570	2018-CT-026	STATEWIDE STRIPING-SOUTH	EPOXY PVMT STRIPING	JAMES DELEO (401)265-8352	1,774,893.00	12/19
COUNTY OF WESTCHESTER 148 MARTIME AVENUE WHITE PLAINS, NY 10601 (914)995-2594	WCA14006	WESTCHESTER CTY AIRPORT	RUNWAY AND TAXIWAY PAINTING AND RUBBER REMOVAL	TOM RUMBARGER (914)995-4885	728,768.27	07/19
MTA BRIDGES AND TUNNELS (TBTA) 2 BROADWAY NEW YORK, NY 10004	13-MNT-2911	NEW YORK CITY	PLACEMENT & REMOVAL OF TRAFFIC PVMT MKGS AT VARIOUS AUTHORITY FACILITIES	GLENN OLSEN (212)360-2905	1,159,360.71	9/19
RHODE ISLAND DEPARTMENT OF TRANSPORTATION TWO CAPITOL HILL-ROOM 110 PROVIDENCE, RI 02903 (401)478-2570	2017-CT-001	STATEWIDE STRIPING-EAST BAY	EPOXY PVMT STRIPING	JAMES DELEO (401)265-8352	1,928,798.00	11/18
STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION 2800 BERLIN TURNPIKE NEWINGTON, CT 06131-7546	16PSX0035	CT DISTRICTS 1,2,3,4	INSTALLATION OF EPOXY PVMT MKGS NON-INTERSTATE, EXPRESSWAYS & ROADWAYS	DIST. 1-RICHARD PELLETIER (860)258-4521 DIST. 2-KEITH COOPER (860)823-3223 DIST. 3-RICHARD PORTER (203)389-3035 DIST. 4-ARON STEEVES (203)591-3610	900,000.00	11/18
STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION 250 VETERANS MEMORIAL HIGHWAY HAUPPAUGE, N.Y. 11788-5518 (631)420-7333	D263305	NASSAU/SUFFOLK COUNTIES	INSTALLATION OF DURABLE PVMT MKGS VARIOUS	J. DIONISIO (631)918-2539	7,528,614.00	7/18

ITEM NO. 4

SAFETY MARKING, INC.
WORK EXPERIENCE
PRIME CONTRACTS COMPLETED

PAGE 2

OWNER, ADDRESS, & TELEPHONE NO.	CONTRACT NUMBER	LOCATION	PROJECT/CONTRACT DESCRIPTION	CONTACT	CONTRACT AMOUNT	COMPLETE DATE
RHODE ISLAND DEPARTMENT OF TRANSPORTATION TWO CAPITOL HILL-ROOM 110 PROVIDENCE, RI 02903 (401)478-2570	2015-CT-094	STATEWIDE STRIPING-CENTRAL	EPOXY PVMT STRIPING	JAMES DELEO (401)265-8352	1,928,798.00	12/17
COUNTY OF NASSAU DEPARTMENT OF PUBLIC WORKS 1550 FRANKLIN AVENUE MINEOLA, NY 11501-4822	H82153A	NASSAU COUNTY	PAVEMENT MARKING IMPROVEMENTS - PHASE 8	RICHARD KRAMER (516)571-1950	675,527.00	10/17
STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION 2800 BERLIN TURNPIKE NEWINGTON, CT 06131-7546	174-415	VARIOUS IN DISTRICT 4	INSTALLATION OF CENTERLINE RUMBLE STRIPS	CRAIG ALBERT (860)321-7428	236,144.00	10/17
STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION 250 VETERANS MEMORIAL HIGHWAY HAUPPAUGE, N.Y. 11788-5518 (631)420-7333	D263122	NASSAU/SUFFOLK COUNTIES	INSTALLATION OF DURABLE PVMT MKGS VARIOUS	J. DIONISIO (631)918-2539	6,885,892.24	7/17

b. ever been defaulted on a contract? No
If so; identify the project, the owner, the contract amount,
the circumstances and the date of all default actions.

c. ever been declared a non-responsible bidder by any
municipality or public agency? No
If so; identify the project, the owner, the contract amount,
the circumstances and the date of all such declarations.

d. ever been barred from bidding municipal or public
contracts? No
If so; identify the municipality or public agency, the
circumstances, date and term of disbarment for all debarments.

(use additional blank sheets if additional space is necessary)

6. Has any officer, partner or principal of your firm ever been on
officer, partner or principal of some other firm:

a. that failed to complete a construction contract? No
If so, state name of individual and identify the name of firm,
the project, the owner, the contract amount, the circumstances
and the date of all such failures to complete for all
principals of the firm.

b. that has ever been defaulted on a contract? No
If so; state the name of the individual and identify the
name of the firm, the project, the owner, the contract amount,
the circumstances and the date of all default actions for all
principals of the firm.

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c. that has ever been declared a non-responsible bidder by any municipality or public agency? No
If so; state the name of the individual and identify the name of the firm, the project, the owner, the contract amount, the circumstances and the date of all such declarations for all principals of the firm.

d. that has ever been barred from bidding municipal or public contracts? No
If so; state the name of the individual and identify the name of the firm, the municipality or public agency, the circumstances, date and term of debarment for all debarments for all principals of the firm.

(use additional blank sheets if additional space is necessary)

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. Disclose any and all violations of the Prevailing Wage and Supplemental Payment Requirements of the Labor Law of New York State. *please see attached*

9. Disclose any and all other Labor Law Violations, including, but not limited to, child labor violations, failure to pay wages, or unemployment insurance tax delinquencies within the past five years.

NONE

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Question # 8 - In July 2016, an audit was done by the NYC Parks & Recreation and the finding was a misclassification of Painter-Striper and should have been a Painter-Lineperson resulting in a small underpayment. Payment was made for the underpayments and the matter was resolved.

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

None. (Safety Marking, Inc. has an affiliate, Safety Marking of NY, Inc. which provides union labor exclusively to Safety Marking, Inc.)

11. 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
Mark Kelly	President	47 years	All phases of line striping & removal	All capacities
Lucas Papageorge	General Manager	28 years	All phases of line striping & removal	All capacities
David Steffens	Operations Manager	26 years	All phases of line striping & removal	All capacities
James Cody	LI Superintendent	36 years	All phases of line striping & removal	All capacities

(use additional blank sheets if additional space is necessary)

12. 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.	Years of Service	Present Location
------	--	------------------	------------------

Please see attached Equipment List. Equipment is located in Bridgeport, CT, Westbury, NY and Richmond, RI

(use additional blank sheets if additional space is necessary)

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

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Equipment	Description	Year	Make	Model	Vin #	Marker#	
ATTENUATOR CONE RACK							
CT-0051	AT-51	ATTENUATOR/CONE/MSGBRD	2005	ISUZU	FXR	4GTM8F1385F700860	66826A
CT-0052	AT-52	ATTENUATOR/CONE/FLATBED	2005	ISUZU	FXR	4GTM8F1375F700879	39863-A
CT-0053	AT-53	ATTENUATOR/CONE/MSGBRD	2006	ISUZU	FXR	4GTM8F1336F700265	59674A
CT-0054	AT-54	ATTENUATOR/SIGNBOARD	2000	INTERNATIO	4700	1HTSCAAM21H331594	K61437
CT-0055	AT-55	ATTENUATOR/SIGNBOARD	2000	INTERNATIO	4700	1HTSCAAM9YH315452	K67593
CT-0056	AT-56	ATTENUATOR/TAPE TRUCK	2003	FREIGHTLIN	FL 70	1FVABTAKX3HK38593	47973-A
CT-0057	AT-57	ATTENUATOR/CONE/FLATBED	2010	FORD	F750	3FRXF7FFXAV275369	49360A
CT-0058	AT-58	ATTENUATOR/CONE/RACK BODY	2010	FORD	F-750	3FRXF7FG8AV271152	50431A
CT-0059	AT-59	ATTENUATOR/CONE/RACK BODY	2010	FORD	F-750	3FRXF7FE5AV274217	50430A
CT-0060	AT-60	ATTENUATOR/MESSAGE BOARD	2004	INTERNATIO	4300	1HTMMAAL14H663124	K79890
CT-0061	AT-61	ATTENUATOR/MESSAGE BOARD	2004	INTERNATIO	4300	1HTMMAAL84H663122	102775-RI
CT-0062	AT-62	ATTENUATOR/MESSAGE BOARD	2011	INTERNATIO	4300	1HTJTSKL4BH363813	K95995
CT-0063	AT-63	ATTENUATOR/MESSAGE BOARD	2011	INTERNATIO	4300	1HTJTSKL7BH363806	K95994
CT-0064	AT-64	ATTENUATOR/MESSAGE BOARD	2000	GMC/ISUZU	FTR	1GDM7C1C1YJ515307	32655A
CT-0065	AT-65	ATTENUATOR CONE MESSAGE B	2015	FORD	F-750	3FRXF7FL1FV003113	57103A
CT-0066	AT-66	ATTENUATOR/CONE/MSGBRD	2016	INTERNATIO	4300 SBA 4	1HTMMMN5GH283142	58173A
CT-0067	AT-67	ATTENUATOR/CONE/MSGBRD	2008	FORD	F-750	3FRXF75C88V075270	48963A
BOX TRUCK							
BX-0007	V-7	BOX TRUCK	1999	CHEVROLET	W-4	J8BC4B140X7015136	J-87321
BX-0010	V-10	BOX TRUCK	2006	ISUZU	NQR	JALE5B16967903395	K38457
BX-0011	V-11	BOX TRUCK	2003	ISUZU	NQR	JALE5B14437902164	K71639
BX-0013	V-13	BOX TRUCK	2010	ISUZU	NQR	JALE5W162C7900213	K83845
BX-0014	V-14	BOX TRUCK	2004	ISUZU	FRR	JALF5C13647700946	J22139
BX-0015	AV-15	AIRPORT BOX VAN	2012	FORD	F-750	3FRXF7FE7BV692327	53640A
BX-0016	AV-16	AIRPORT BOX VAN	2015	FORD	F-750	3FRXW7FE7FV720150	57102A
BX-0017	V-17	BOX TRUCK	2012	ISUZU	NPR	JALC4W164C7002206	AB10954
BX-0018	V-18	BOX TRUCK	2012	ISUZU	NPR	JALC4W160C7002199	AB10953
BX-0019	V-19	BOX TRUCK	2012	ISUZU	NPR	JALC4W16XC7002324	AB52549
BX-0020	V-20	BOX TRUCK	2010	ISUZU	NPR	JALE5W162A7900435	AE05890
BX-0021	AV-21	AIRPORT BOX VAN	2017	FORD	F-750	1FDYW7DE8HDB06518	61110A
BX-0022	AV-22	AIRPORT BOX VAN	2017	FORD	F-750	1FDYW7DE6HDB06517	61179A
BX-0023	V-23	BOX TRUCK	2001	GMC	W55042	J8DE5B14917900973	K90616
BX-0024	V-24	BOX VAN	2013	ISUZU	NRR	JALE5W165D7901664	AE31953
BX-0025	V-25	BOX VAN	2014	ISUZU	NRR	JALE5W161E7900657	AE31952
BX-0026	AV-26	BOX TRUCK	2019	ISUZU	NRR	JALE5J161K7304950	AE53685
BROOM							
BR-0004	BCT-4	BROOM/CONE TRUCK	2004	GMC	WT550	J8DF5C13147700451	K-38467
SW-0002	S-2	BROOM BEAR SWEEPER	2000	FREIGHTLIN	FL70	1FV6HJBA6YHG76794	31304-A
CAR							
CR-0015	CAR-15	CODYS TAHOE	2011	CHEVY	TAHOE	1GNSKAE01BR311430	488YYZ
CR-0016	CAR-16	JACKS JEEP	2013	JEEP	GR CHK	1C4RJFCTOEC239437	912UAN
CR-0017	CAR-17	DEKES JEEP	2014	JEEP	GR CHK	1C4RJFBG1EC415173	AL70672
CR-0018	CAR-18	MARKS JEEP	2015	JEEP	GR CHK	1C4RJFCT5FC914443	8AWAE1
CR-0019	CAR-19	LUKES EQUINOX	2017	CHEVY	EQUINOX	2GNFLFEK7H6279763	C102225
DUMP							
DT-0003	D-3	DUMP TRUCK	2005	STERLING	ACTERRA	2FZACGS05AU32815	41892A
DT-0005	D-5	DUMP TRUCK	2008	FREIGHTLIN	M2	1FVHCYBS38HAB0237	57608A

Equipment	Description	Year	Make	Model	Vin #	Marker#
EPOXY						
EP-0013	ED-13 EPOXY DETAIL SPRAY TRUCK	2008	ISUZU	FVR	4GTJ7F1B68F700146	K47988
EP-0014	E-14 EPOXY PAINT TRUCK 700 GAL	2009	PETERBILT	320	3BPZL00XX9F719864	47727A
EP-0015	EB-15 EPOXY PAINT TRUCK BLACK	2002	ISUZU	FTR	4GTK7C1382J700679	J-85500
EP-0016	E-16 EPOXY PAINT TRUCK 700 GAL	2011	PETERBILT	320	3BPZL70X2CF160021	59673A
EP-0017	E-17 EPOXY PAINT TRUCK 450 GAL	2014	PETERBILT	320	3BPZHJ8XXEF247476	55221A
EP-0018	E-18 EPOXY PAINT TRUCK 825 GAL	2015	PETERBILT	320	3BPZLJ0X9FF292579	57850A
EP-0019	E-19 EPOXY PAINT TRUCK 825 GAL	2016	PETERBILT	320	3BPZLJ0X5GF100785	60090A
EP-0020	ED-20 EPOXY DETAIL SPRAY TRUCK	2017	PETERBILT	220	3BPPHM7X8HF591273	58958A
EP-0021	ED-21 EPOXY DETAIL SPRAY TRUCK	2017	PETERBILT	220	3BPPHM7XXHF591274	58959A
EP-0022	ED-22 EPOXY DETAIL SPRAY TRUCK	2016	ISUZU	NRR	JALE5W164G7303148	AB06911
EP-0023	E-23 EPOXY PAINT TRUCK 450 GAL	2018	PETERBILT	520	3BPDHJ8X0JF177796	60960A
EP-0024	E-24 EPOXY PAINT TRUCK 825 GAL	2018	PETERBILT	520	3BPDJXJEX4JF188470	61955A
EP-0025	ED-25 EPOXY DETAIL W/Y SPRAY TR	2018	ISUZU	NRR	JALE5W163J7304380	AE29929
EP-0026	E-26 EPOXY PAINT TRUCK 525 GAL	2019	PETERBILT	520	3BPDKJ8XXKF102963	63798A
EP-0027	E-27 EPOXY PAINT TRUCK 600 GAL	2020	PETERBILT	520	3BPDJLJ0X3LF107092	65628A
FLATBED						
FL-0059	CT-59 CONE TRUCK	2000	ISUZU	NPR	JALC4B141Y7017437	K13712
FL-0060	CT-60 CONE TRUCK	2000	CHEV	W5500	J8BE5B146Y7901386	K32457
FL-0061	CT-61 CONE TRUCK	2000	ISUZU	NPR	JALB4B14817004119	K38454
FL-0062	CT-62 CONE TRUCK	2001	ISUZU	NPR	JALB4B14927005085	K38456
FL-0063	CT-63 CONE TRUCK	2005	FORD	F-450	1FDXF46P65EA40369	K47843
FL-0064	CT-64 CONE TRUCK	2015	ISUZU	NRR	JALE5W169F7301832	L25300
FL-0065	CT-65 CONE TRUCK	2015	ISUZU	NRR	JALE5W16XF7301998	L22273
FL-0066	CT-66 CONE TRUCK	2001	ISUZU	FRR	JALF5C13017701165	J78839
FL-0067	CT-67 CONE TRUCK	2000	ISUZU	FRR	JALF5C131Y7701475	J71130
FL-0068	CT-68 CONE TRUCK	1998	ISUZU	NQR	JALC4B1K1W7001153	J-87713
FL-0069	CT-69 CONE TRUCK	2003	ISUZU	FRR	JALF5C13637700816	K10847
DETAIL GLUE						
GL-0004	D-4 DETAIL GLUE TRUCK	2004	INTERNATIO	4000	1HTMMAAMX4H680917	K90617
GRINDING						
GR-0008	G-8 GRINDING TRUCK	2006	ISUZU	FXR	4GTP8F1346F700109	41849A
GR-0009	SAW-9 GROOVING TRUCK	2006	ISUZU	FXR	4GTP8F1396F700414	44622A
GR-0010	G-10 GRINDING TRUCK	2009	ISUZU	FVR	4GTK7F1B09F700004	K58329
GR-0011	G-11 GRINDING TRUCK	2008	ISUZU	FTR	4GTK7F1B68F700328	K78639
GR-0012	G-12 GRINDING TRUCK	2009	ISUZU	T7F042	4GTJ7F1B59F700074	K92585
GR-0014	G-14 GRINDING TRUCK	2006	CHEVY	T7F042	1GBJ7F1386F417159	K94655
GR-0015	SAW-15 GROOVING TRUCK	2015	PETERBILT	320	3BPZHJ8XOFF256690	55220A
GR-0016	G-16 GRINDING TRUCK	2017	PETERBILT	220	3BPPHM7X6HF591272	66825A
GR-0017	G-17 GRINDING TRUCK	2018	PETERBILT	220	3BPPHM7X9JF591577	61111A
GR-0018	G-18 GRINDING TRUCK	2020	PETERBILT	520	3BPDHJ8X7LF108218	66824A
PICKUP						
PI-0005	P-5 S-10 PICKUP	2002	CHEVROLET	S-10 PICKU	1GCCS145928193532	3CA604
PI-0006	P-6 F350 PICKUP	2002	FORD	F350 PICKU	1FTSF30F92EA92874	2CW534
PI-0007	P-7 PICK-UP	2003	CHEV	SILVERADO	1GCEK19V03E71980	6CX981
PI-0008	P-8 F250 PICKUP	2004	FORD	F250 2WD	1FTNF20P04ED07352	8CX 303
PI-0009	P-9 F250 PICKUP	2005	FORD	F250	1FTSX21515EB82652	19CV50
PI-0010	P-10 PICK-UP	2000	FORD	SWR SUPE	1FTNF21F8YEA03391	19CZ03
PI-0011	P-11 PICK-UP	2006	FORD	F-250	1FTSF20P46ED24127	57152-RI
PI-0012	P-12 PICKUP	2008	CHEVROLET	SILVERADO	2GCEK13C181115184	64CY39
PI-0013	P-13 PICKUP	2008	CHEVROLET	SILVERADO	2GCEK13CX81177764	64CY40
PI-0014	P-14 PICKUP	2000	CHEVROLET	C2500	1GCGC23R7YF451169	K69153
PI-0015	P-15 F-350 PICKUP	2008	FORD	F-350	1FTWF30518ED04104	K58338
PI-0016	P-16 CHEVY SILVERADO 4X4	2009	CHEVROLET	SILVERADO	3GCEK13C49G286939	101781-RI
PI-0017	P-17 1500 SILVERADO	2017	CHEVY	1500 SILVE	3GCUKREC7HG320281	C102224
PI-0018	P-18 1500 SILVERADO	2017	CHEVY	SILVERADO	1GCVKREC0HZ381959	C129521
PI-0019	P-19 1500 SILVERADO	2014	CHEVY	1500 SILVE	1GCVKREC7EZ379525	C147861
PI-0020	P-20 1500 SILVERADO	2018	CHEVY	SILVERADO	3GCUKREC9JG582518	AP71679

Equipment	Description	Year	Make	Model	Vin #	Marker#
PAINT						
PT-0019	PT-19 PAINT TRUCK 120 GAL	2006	ISUZU	FXR	JALE5B16567301366	K-38502
PT-0020	PT-20 AIRPORT PAINT TRUCK	2007	GMC	T850	1GDP8F1B47F421913	45689A
PT-0021	PT-21 PAINT TRUCK 120 GAL.	2008	ISUZU	FVR	4GPK7F1B88F700315	K66551
PT-0022	PT-22 PAINT TRUCK 120 GAL	2009	ISUZU	FVR	4GPK7F1B88F700363	K76669
PT-0023	PT-23 PAINT TRUCK 700 GAL	2010	PETERBUILT	320	3BPZH58X1AF107141	48864A
PT-0024	PT-24 PAINT TRUCK 700 GAL	2010	PETERBUILT	320	3BPZH58X1AF107142	48865A
PT-0026	PT-26 PAINT TRUCK 700 GAL	2014	PETERBILT	320	3BPZHJ8X5EF251998	55626A
PT-0027	PT-27 PAINT TRUCK 240 GAL	2016	PETERBILT	220	3BPPHM7XGF591043	58369A
PT-0028	PT-28 PAINT TRUCK 700 GAL	2017	PETERBILT	320	3BPZHJ8X4HF107749	59113A
PT-0029	PT-29 PAINT TRUCK 60 GAL	2017	ISUZU	NRR	JALE5W168H7301940	AB06943
PT-0030	PT-30 PAINT TRUCK 120 GALLON	2018	ISUZU	FTR	54DK6S163JSG00439	AE05617
PT-0031	PT-31 PAINT TRUCK 700 GAL YELLO	2019	PETERBILT	520	3BPDKJ8X8KF104307	63699A
RACK						
RA-0040	R-40 RACK BODY	1999	ISUZU	NQR 07/	JALE5B145X7902468	J44536
RA-0041	R-41 RACK BODY	1999	ISUZU	NQR	JALE5B145X7902471	J44541
RA-0042	R-42 RACK BODY	1999	ISUZU	NQR 07/9	JALE5B147X7902245	J44537
RA-0043	R-43 RACK BODY	2001	ISUZU	NQR 01/01	JALE5B14027900023	J77376
RA-0044	R-44 RACK BODY	2002	ISUZU	NQR 01/01	JALE5B14727900049	J77375
RA-0046	R-46 RACK BODY	2003	ISUZU	NQR	JALE5B14937901382	H-99231
RA-0047	R-47 RACK BODY	2003	ISUZU	NQR	JALE5J14237901928	J-99015
RA-0048	R-48 RACK BODY	2005	ISUZU	NQR	JALE5B16057901162	J17780
RA-0049	R-49 RACK BODY	2006	ISUZU	NQR	JALE5J16567900598	K31130
RA-0050	R-50 RACK BODY	2007	ISUZU	FVR	4GTM7F1347F700022	60549A
RA-0051	R-51 RACK BODY	2008	ISUZU	NQR	JALE5W16187900341	K-47885
RA-0052	R-52 RACK BODY	2011	ISUZU	NQR	JALE5J168B7901822	K82656
RA-0053	R-53 RACK BODY	2015	ISUZU	NRR	JALE5W163F7301566	L22274
RAMP						
RT-0002	RT-2 RAMP TRUCK	1998	ISUZU	NPR	JALC4BIKIW7002965	J-93069
RT-0003	RT-3 RAMP TRUCK	2004	ISUZU	FRR	JALF5C13547700923	K14691
THERMO						
TH-0002	TP-2 THERMO PAINT TRUCK	2004	STERLING	ACTERRA	2FZACGAK34AM18439	36101A
TH-0004	TP-4 THERMO PAINT TRUCK	2016	INTERNATIO	4300	1HTMMMMN2GH210116	57609A
RACK BODY HYDRO-BLAST						
WT-0004	WB-4 HYDROBLAST TRUCK	2016	PETERBILT	320	3BPZX7EX9GF103009	57997A
WT-0005	WB-5 HYDROBLAST TRUCK	2018	PETERBILT	M520	3BPDX7EX1JF196657	61879A
WT-0006	WB-6 HYDROBLAST TRUCK	2019	PETERBILT	M520	3BPDX7EX3KF104160	63493A
WT-0007	WB-7 HYDROBLAST TRUCK	2019	PETERBILT	520	3BPDX7EX1KF103945	64657A

13. 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.

NONE

(use additional blank sheets if additional space is necessary)

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

*James Cody drove and inspected all the roads
and inventoried the conditions of all the roads.*

(use additional blank sheets if additional space is necessary)

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

*Remove existing pavement markings - each
intersection. Layout each intersection for new
epoxy pavement markings. Install epoxy
pavement markings.*

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

James Cody - resume attached.

17. Insurance carried by your firm:

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

Please see attached certificate sample

NO TEXT ON THIS PAGE

SMC**James Cody**

**Contact
Information**Cell # -
Office # - 203.814-3423

Email - jcody@safetymarking.net

Safety Marking, Inc.
255 Hancock Ave.
Bridgeport, CT 06605
203.333-6870**Position****Long Island Superintendent****Experience**

- Employed by Safety Marking since 1996
- Managed various construction and maintenance projects in CT, NY & RI ranging in value from \$10,000 to \$8,000,000
- Fully trained and experienced in application and removal of all temporary and durable pavement markings offered by SMC.
- Working knowledge of all MUTCD, DOT, & FAA specs and regulations.
- Experienced in layout of new and phase construction
- 36 Years experience in the line striping industry

**Additional
Training**

- First Aid & CPR certified
- ATSSA certified Traffic Control Technician
- ATSSA certified Traffic Control Supervisor
- 30 Hr OSHA Certified



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/6/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
TriPoint Insurance
21c Arts Center Ct
Avon, CT 06001

CONTACT
NAME: Christine Dodds
PHONE (A/C, No, Ext): 860-618-1104 FAX (A/C, No): 860-499-5352
E-MAIL: cdodds@tripointins.com
ADDRESS:

INSURED
Safety Marking, Inc.
255 Hancock Avenue
Bridgeport CT 06605

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Zurich American Insurance Company	16535
INSURER B: Endurance Assurance Corporation	11551
INSURER C: American Zurich Insurance Company	40142
INSURER D: Markel American Insurance Company	28932
INSURER E: American Guarantee and Liability Ins Co	26247
INSURER F: North River Insurance Company	21105

COVERAGES

CERTIFICATE NUMBER: 53420288

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	GLO0381556-04	7/1/2019	7/1/2020	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	BAP0381557-04	7/1/2019	7/1/2020	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB DED RETENTION \$	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	ELD10004051506	7/1/2019	7/1/2020	EACH OCCURRENCE \$2,000,000 AGGREGATE \$2,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	WC0381555-04	7/1/2019	7/1/2020	<input checked="" type="checkbox"/> PER STATUTE E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
D	Excess Liability	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	MKLM1EUE100295	7/1/2019	7/1/2020	\$2,000,000 occ/\$2,000,000 agg
E	Excess Liability	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	AEC 7564971-01	7/1/2019	7/1/2020	\$5,000,000 occ/\$5,000,000 agg
F	Excess Liability	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	5228058078	7/1/2019	7/1/2020	\$10,000,000 occ/\$10,000,000 agg

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

H62153-12G - Nassau County Pavement Marking Improvements - Phase 12

County of Nassau
1194 Prospect Avenue
Westbury NY 11590

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Christine Dodds

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18. The undersigned hereby declares: That the foregoing information contained in this bid is a true statement, including, but not limited to, the financial condition of the individual firm herein first named as of the date herein given; the undersigned has read that portion of the Instructions to the Bidders entitled "**Qualifications and Responsibility of Bidders**" and that the bidder acknowledges its affirmative obligation to transmit with this statement any matters relevant and material to those contractor qualifications and responsibility standards; that this statement is for the express purpose of inducing the party to whom it is submitted to award the submitted a contract or issuance of a permit; that any depository, vendor or other agency herein named is authorized to supply such party with any information necessary to verify this statement; and that it understands and agrees that any material misrepresentation or omission of material fact may be deemed grounds for disqualification of the bidder as "not responsible," and may also subject the bidder to future debarment, penalties, and sanctions, to the extent permitted by law.



Mark Kelly, President

1/7/2020

Date

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

(Form of affidavit where Bidder is a corporation)

STATE OF NEW YORK)

Connecticut

) ss.: *Bridgeport*

COUNTY OF ~~NASSAU~~)

Fairfield

Mark Kelly
he resides at ~~XXXXXXXXXX~~

in the City of ~~XXXXXXXXXX~~

Safety Marking, Inc.

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 signed 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 *7th* day of *January*

Being duly sworn, deposes and says: That
Street,
that he is the *President* of

2022
CAROLINE SUMNER
Notary Public - Connecticut
My Commission Expires
January 31, 2024

Caroline Sumner
Notary

(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 hereunto 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

(Form of Affidavit where Bidder is a 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

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DBE SCHEDULE OF UTILIZATION

Contract No.	PIN	Project Sponsor	
H62153-12G	761.22	Nassau County DPW	
County(ies): Nassau			
X Initial	Amendment	Contractor Name	
Contract Bid Amount:	\$953,636.75	Safety Marking, Inc.	
Contract Goal %:	3%	Contractor Fed ID No.	
Contract Goal Amount:	\$28,609.10	06-1267005	
UTILIZATION INFORMATION			
DBE Name	Fed ID No.	Work Category	DBE Utilization
Apex Striping, inc.	16-1494605	Supplier	\$47,681.84
Total Commitments:			\$47,681.84
Contract Goal:			\$28,609.10
Difference:			\$19,072.74

TO BE COMPLETED BY PROJECT SPONSOR			
The Bidder <u>✓</u> has <u> </u> has not demonstrated good faith efforts to secure DBE utilization in satisfaction of the contract goal as required by the contract specification.			
Signature		Date	1/29/20