

E-64-22 ADDITIONAL INFORMATION 2

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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: John M. McCarthy
Date of birth: 07/08/1967
Home address: 4 Broadlea Road
City: Goshen State/Province/Territory: NY Zip/Postal Code: 10942
Country: US

Business Address: 44 South Broadway
City: White Plains State/Province/Territory: NY Zip/Postal Code: 10601
Country: US
Telephone: 914-694-2100

Other present address(es): None
City: _____ State/Province/Territory: _____ Zip/Postal Code: _____
Country: _____
Telephone: _____

List of other addresses and telephone numbers attached

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

President	_____	Treasurer	_____
Chairman of Board	_____	Shareholder	_____
Chief Exec. Officer	<u>12/15/2014</u>	Secretary	_____
Chief Financial Officer	_____	Partner	_____
Vice President	_____		
(Other)	_____		

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

YES ☐ NO ☒ If Yes, provide details.

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.

Arcadis of NY, Inc. - serving as CEO from 01/16/17 to Present

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.

Arcadis of NY, Inc.

Arcadis U.S., Inc. (Arcadis)

Attached is a list of other government entities that Arcadis performs work for regionally through Arcadis of New York, Inc.

1 File(s) Uploaded: New York State Contracts- Arcadis-1.pdf

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.

See attached.

- 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.

See attached.

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.

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.

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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.

See attachment.

1 File(s) Uploaded: Nassau County_PQF Item 11 CONFIDENTIAL Attachment.pdf

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, John M. McCarthy, 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, John M. McCarthy, 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.

Hazen and Sawyer/ Malcolm Pirnie, the Water Division of
Arcadis, JV

Name of submitting business

Electronically signed and certified at the date and time indicated by:
John M. McCarthy [JOHN.MCCARTHY@ARCADIS.COM]

JV Principal

Title

06/07/2022 10:04:41 PM

Date

State New York, US

Arcadis Contracts

Status Active

Contract Customer Name

City of Albany, NY

City of Albany, NY - Community Development Agency

City of Amsterdam, NY

City of Buffalo, NY

City of Cohoes, NY

City of Johnstown, NY

City of Kingston, NY

City of Mount Vernon, NY

City of Newburgh, NY

City of North Tonawanda, NY

City of Olean, NY

City of Port Jervis, NY

City of Syracuse, NY

City of White Plains, NY

City of Yonkers, NY

Dept. of Public Works City of New Rochelle

Dormitory Authority of the State of New York

New York City Department of Design and Construction

New York City Department of Design and Construction (Construction)

New York City Department of Environmental Protection

New York City Department of Environmental Protection (Bureau of Engineering Design and Construction)

New York City Department of Environmental Protection (Bureau of Environmental Planning and Assessment)

New York City Department of Environmental Protection (Bureau of Wastewater Treatment)

New York City Department of Environmental Protection (Bureau of Water Supply)

New York City Department of Environmental Protection (Construction Demolition Abatement)

New York City Department of Environmental Protection, NY

New York City Department of Parks and Recreation

New York City Department of Sanitation

New York City Economic Development Corporation

New York City Health And Hospitals Corporation

New York City Housing Authority

New York City Law Department

New York State Department of Environmental Conservation

New York State Electric & Gas

New York State Energy Research and Development Authority

New York State Environmental Facilities Corporation

New York State Office of Parks, Recreation and Historic Preservation

US Army Corps of Engineers

Question 11 – Principal Questionnaire Form:

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.

Arcadis U.S., Inc., parent company of Arcadis CE, Inc.,

Matter #1

Name of Investigating Government Agency: California Attorney General

Date Initiated: 2/22/17 – 11/31/2017

The California Attorney General investigated allegations arising from a project where Arcadis U.S., Inc. ("Arcadis") performed environmental sampling work for the California Department of Toxic Substances Control (DTSC). The issues involved questions about the manner in which sampling was performed, health and safety issues, and compliance with anti-harassment/nondiscrimination policies. Arcadis fully cooperated with the investigation. In November, 2017 the California Attorney General issued a report confirming that Arcadis was fully compliant with all technical aspects of the project and health and safety requirements. Arcadis also trained employees on anti-discrimination policies and took appropriate action, as needed, in full compliance with those policies.

Outcome: The investigation is now concluded.

Matter #2

Name of Investigating Government Agency: Louisiana State Board of Ethics

Date Initiated: 5/2018 – Dismissed 12/13/2018

In May, 2018 Arcadis U.S., Inc. ("Arcadis") and one of its current full-time employees (our "Employee") each received notice from the Louisiana State Board of Ethics ("Ethics Board") advising that the Ethics Board authorized a confidential investigation related to the New Orleans Sewerage and Water Board's ("Water Board") engagement of Arcadis under a Professional Services Agreement. Under that agreement, Arcadis was hired as an independent contractor to the Water Board and our Employee was partially-embedded at the Water Board to perform the agreed scope of services. It appears that the investigation notice was triggered by the erroneous assumption that our Employee was receiving salary from both Arcadis and the Water Board. Arcadis has reached out to the Ethics Board to confirm that our Employee has received salary from only Arcadis and is employed by only Arcadis. As grounds for the investigation, the Ethics Board appears to allege that Arcadis' Employee may have been deemed a "public employee" while performing the services at the Water Board on behalf of Arcadis, and therefore, should not have received anything of value from Arcadis while working in such capacity. As an independent contractor, Arcadis would dispute any allegation that our Employee was a public employee or that any benefit Arcadis provided to our Employee as a normal condition of employment at Arcadis would be prohibited.

Outcome: This matter has been dismissed.