**DOCUMENT 002221**

**SUPPLEMENTARY INSTRUCTIONS TO BIDDERS – PROJECT LABOR AGREEMENT**

This Supplement modifies the Instructions to Bidders. Where any part of the Instructions to Bidders is modified by this supplement, the unaltered provisions of that part shall remain in effect.

**4. PREPARATION OF BIDS**

Add the following:

4.8 Each bidder on a public work contract, where the preparation of separate specifications is not required, shall submit with its bid the names of each subcontractor that the bidder will use to perform work on the contract, and the agreed-upon amount to be paid to each, for: (a) plumbing and gas fitting, (b) steam heating, hot water heating, ventilating and air conditioning apparatus and (c) electric wiring and standard illuminating fixtures. After the low bid is announced, the names of such subcontractors submitted with the low bid shall then be announced.

 4.8.1 For electronic bids:

 All bidders must complete a Contractor’s List of Subcontractors (BDC 59P) within Bid Express®. Bidders who plan to self-perform work must indicate this on Form BDC 59P, as required.

4.8.2 For paper bids:

4.8.2.1 All bidders must complete form BDC 59P - PROJECT LABOR AGREEMENT LIST OF SUBCONTRACTORS. The form should be legible and it must be included, in a separate sealed envelope, with the other bid documents in the Bid Envelope. Bidders who plan to self-perform work must indicate this on form BDC 59P, as required.

 4.8.2.2 Sign form BDC 59P - PROJECT LABOR AGREEMENT LIST OF SUBCONTRACTORS in the space provided. An officer or a principal of a corporation or a partnership signing for the firm shall print or type the title of the person on the line provided. The same procedure shall apply to the bid of joint venture by two or more firms, except that the signature and title of an officer or a principal of each member firm of the joint venture shall be required. All signatures must be original. Mechanically reproduced signatures or copies are not acceptable.

4.9 No contract will be awarded without a completed and signed form BDC 59P - PROJECT LABOR AGREEMENT LIST OF SUBCONTRACTORS. Failure to submit, sign or provide Subcontractor’s Agreed Upon Amount on the BDC 59P form will result in disqualification of the bid.

4.10 After bids are received, any changes by the low bidder to subcontractors or agreed-upon amounts to be paid to each subcontractor shall require the approval of the Contracting Officer pursuant to Section 135 of the State Finance Law. Submit any proposed changes on form BDC59.1 CONTRACTOR’S PROPOSAL FOR SUBCONTRACTOR CHANGE. For changes proposed before award of the contract, send form BDC 59.1 to the Designated Contact.

**6. SUBMISSION OF BID**

Change 6.2 to read:

6.2 Submit Bid Form, Bid Security, Offerer Disclosure of Prior Non-Responsibility Determinations

(form DCA-3) and form BDC 59P - PROJECT LABOR AGREEMENT LIST OF SUBCONTRACTORS.

Add the following:

6.2.2.1 Enclose completed Form BDC 59P in a separate sealed envelope, within the sealed Bid Envelope.

**END OF DOCUMENT**