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OF COUNSEL
K. MICHAEL SAWICKI

FAX: 716-855-3101
(NOT FOR SERVICE OF PAPERS)

June 29, 2016

VIA HAND DELIVERY

TO: Hon. Barbara Miller-Williams
Hon. Betty Jean Grant
Hon. Peter J. Savage, III
Hon. Kevin R. Hardwick
Hon. Thomas A. Loughran
Hon. Edward A. Rath, III
Hon. Patrick B. Burke
Hon. Ted B. Morton
Hon. Lynne M. Dixon
Hon. Joseph C. Lorigo
Hon. John J. Mills

Edward A. Rath Building
95 Franklin Street
Buffalo, New York 14202

Re: Project Name: Erie Community College Science Technology Engineering and
Math (STEM) Building

Project Number: ECDPW Project No. EG-14-19

Disqualification of Bid of Scrufari Construction Company, Inc.

Dear Hon. Members of the Erie County Legislature:

This firm represents LPCiminelli, Inc. ("LPCiminelli"). We direct you to our letter of June 22, 2016 and our letter of June 15, 2016.

It has now come to our attention that the County Attorney has claimed that the LPCiminelli bid with respect to the above project was incomplete based on an alleged failure to fully complete the required Part A of the Minority/Women Business Enterprise Utilization Report. The County attorney referred to our file copy of the report that was attached to our letter of June 15, 2016 to John C. Loffredo, P.E. which we provided to you with our letter to you of June 22, 2016. The County Attorney is in error. The complete bid of LPCiminelli is enclosed.

Hon. Barbara Miller-Williams et al
June 29, 2016
Page 2

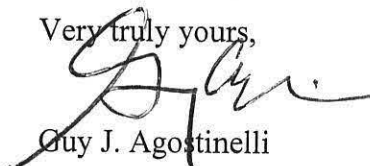
As Legislature is well aware, and as the County officials should have reported to you in this case, many bids are completed by hand shortly before the bid and then submitted. That is what LPCiminelli did here. LPCiminelli did not have ready access to the complete bid at the time of our letter of June 15, 2016. A complete copy of the LPCiminelli bid has now been retrieved, and this complete bid is now enclosed. The Legislature will note that the portion of the bid that the County Attorney claimed was not complete was actually completed by hand. We have flagged the page for your convenience.

We reiterate for the reasons set forth in our letter of June 15, 2016 that the bid of Scrufari Construction Company, Inc. ("Scrufari") should be disqualified and that contract for the above-referenced project should be awarded to LPCiminelli based upon its second low bid at the bid opening taking into account the alternates selected by the County. LPCiminelli fully complied with the bid specifications in submitting its bid including submission of an executed Minority/Women Business Enterprise Utilization Report with its bid proposal.

The failure of a bidder to fully complete and submit Part A is no mere irregularity that can be properly waived by the County. This was a material requirement. All bidders need to be treated equally and fairly or the integrity of the bidding process is compromised. Completion of Part A was deemed essential by the County in its bid requirements. This was required at the time of the bid so that all bidders would be on equal footing. Scrufari cannot be permitted to supply this information at a later time for the reasons we have stated. Any waiver or purported waiver of this requirement would show favoritism to Scrufari.

Thank you for your attention to this urgent matter.

Very truly yours,



Guy J. Agostinelli

GJA/wk
Enclosures

cc: Clerk, Erie County Legislature
John C. Loffredo, P. E., Commissioner of Public Works
Stefan I. Mychajliw, Erie County Comptroller
Michael A. Siragusa, Esq., Erie County Attorney
(each via hand delivery; with copy of enclosure)

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

NAME OF BIDDER

BID SUBMITTED BY: LPCiminelli Inc.

PROPOSAL FOR:

GENERAL CONSTRUCTION BID PACKAGE (BP) 01

ECC STEM BUILDING

6205 Main Street, Williamsville, NY 14221

TO: **John C. Loffredo, P.E. Commissioner of Public Works**
Erie County Department of Public Works
Suite 1400, Rath Building, 95 Franklin Street, Buffalo NY 14202

Commissioner Loffredo:

Pursuant to and in compliance with your advertisement for Bids, the undersigned offers to furnish all materials and all plant, labor, supplies, equipment, transportation and other facilities necessary or proper for, or incidental to the construction work, as required by and in strict accord with the contract documents dated 05/02/2016 entitled: "Erie Community College STEM Building" including all Addenda for the following sum of:

BASE BID:

SEVEN MILLION TWO HUNDRED NINETY FIVE
THOUSAND DOLLARS /100 DOLLARS (\$ 7,295,000)

Completion: We agree to complete this work within 488 calendar days from the Notice to Proceed.

CAUTION: Be advised that Erie County Law 2-2006 will be enforced. All bidders must adhere to the provisions detailed on page G-7 of this Proposal. For consideration, bidders must (1) check the appropriate box and (2) enclose the corresponding paperwork.

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

ALTERNATE BIDS

The undersigned further proposes and agrees that if any or all of the following alternates are accepted and included in the contract, the total amount of the contract as heretofore stated, shall be accordingly increased, or decreased, as the case may be. All materials and workmanship shall be in strict accordance with specifications and drawings.

The Owner, as a term and condition of Bid, reserves the right to either accept or reject any or all of the alternates appearing below. Pursuant to the Owner's right of acceptance or rejection, the Contractor submitting this Proposal hereby agrees that he will hold all of the alternate prices appearing below for the duration of the contract.

A. Alternate Bid ALT-6:

Base bid - Provide height of clerestory glazing as indicated on drawings.

Add alternate - Raise clearstory roof, roof framing, and height of curtainwall system one foot six inches (1'-6") as indicated on Drawings. Additional Glazing/Storefront framing by BP-03 Exterior Wall. Reference elevations and section details for further information.

ADD ONE-THOUSAND /100 DOLLARS (\$ 1,000)

Completion in Calendar Days No Add'l Days Needed

B. Alternate Bid ALT-7:

Base Bid: Provide steel column stub-ups, capped and flashed into the roofing system as indicated on the Drawings.

Add Alternate: Provide steel framing and exterior metal louvered screen as indicated on Drawings and as specified in Section 089119 "Fixed Louvers and Equipment Screens". Structural steel channels and HSS Tube columns to be provided by BP-01 General Trades. Steel angle, Aluminum supports and metal louvered screen to be provided by BP-03 Exterior Wall.

ADD TWENTY-THREE THOUSAND /100 DOLLARS (\$ 23,000)

Completion in Calendar Days No Add'l Days Needed

C. Alternate Bid ALT-16:

Base Bid: Provide Porcelain tile flooring and wall base as indicated on Drawings including but not limited to drawing A602-Room Finish Schedule and as specified in Section 093000 "Tiling".

Add Alternate: In place of porcelain tile flooring and wall base defined in the base bid scope of work, provide Terrazzo flooring and wall base as indicated on Drawings including but not limited to drawing A602-Room Finish Schedule and as specified in Section 096623 "Resinous Matrix Terrazzo Flooring".

ADD ONE HUNDRED NINETY ONE THOUSAND 1100 DOLLARS (\$191,300)

Completion in Calendar Days No Add'l Days Needed THREE HUNDRED

D. Alternate Bid ALT-25:

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

Base Bid: Provide plastic laminated clad laboratory casework as indicated on Drawings and as specified in Section 123553.16 "Plastic Laminated Clad Laboratory Casework".

Add Alternate: In place of plastic laminated clad laboratory casework defined in the base bid scope of work, provide wood laboratory casework as indicated on Drawings and as specified in Section 123553.19 "Wood Laboratory Casework".

~~ADD SEVENTEEN THOUSAND SEVEN~~ ^{HUNDRED} ^{42,000}
/100 DOLLARS (\$ ~~17,700~~)

Completion in Calendar Days No Add'l Days Needed FORTY TWO THOUSAND DOLLARS

E. Alternate Bid ALT-30:

Base Bid: Provide porcelain tile wainscot at corridors as indicated on Drawings including but not limited to drawing A602 – Room Finish Schedule and as specified in Section 093000 "Tiling".

Add Alternate: In place of porcelain tile wainscot defined in the base bid scope of work, provide framed decorative panel system wainscot as indicated on Drawings including but not limited to drawing A602 – Room Finish Schedule and as specified in Section 097710 "Framed Decorative Panel System".

ADD ONE HUNDRED FIFTEEN THOUSAND FIVE ^{HUNDRED} /100 DOLLARS (\$115,500)

Completion in Calendar Days _____

Alternate ALT-30.1

Note - if Deduct Alternate No. 49 is accepted the quantity of framed decorative panel system required in Add Alternate No. 30.1 is reduced. For Add Alternate 30.1 submit the cost to provide the total (reduced) quantity of framed decorative panel system.

ADD ONE HUNDRED FORTY EIGHT THOUSAND /100 DOLLARS (\$148,000)

Completion in Calendar Days _____

F. Alternate Bid ALT-49:

Base Bid: Provide plastic laminate accent features in corridors as indicated on Drawings, including but not limited to drawings A413, A414, A415 and A504 and as specified in Section 064116 "Plastic-Laminate-Faced Architectural Millwork".

Deduct Alternate: Delete plastic laminate accent features in corridors as indicated on Drawings, including but not limited to drawings A413, A414, A415 and A504 and as specified in Section 064116 "Plastic-Laminate-Faced Architectural Millwork".

DEDUCT SIXTEEN THOUSAND ^{-16,000} /100 DOLLARS (\$)

Completion in Calendar Days _____

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

G. Alternate Bid ALT-50:

Base Bid: Provide and install lab sterilization equipment as indicated on Drawings and as specified in Section 115300 "Lab Sterilizers".

Deduct Alternate: Delete providing and installation of lab sterilization equipment as indicated on Drawings and as specified in Section 115300 "Lab Sterilizers".

DEDUCT FIFTY THOUSAND /100 DOLLARS (\$50,000)

Completion in Calendar Days

ALLOWANCES AND UNIT PRICES

Certain work is specified in the Contract Documents by allowance. The allowances include: furnishing all materials and all plant, labor, supplies, equipment, transportation and other facilities necessary or proper for, or incidental to the work. Allowances have been established in lieu of additional requirements and to defer selection of actual materials and equipment to a later date when additional information is available for evaluation. If necessary, additional requirements will be issued by Change Order.

Unit pricing must be provided with your initial response. Unit Prices shall include: Materials - Field costs and accessories required for install inclusive of waste, Labor - Transportation & freight, installation, stand-by costs for other trades, shop & field labor (inclusive of supervision & engineering), Misc. - Engineering, calculations, submittals, temp utilities, escalation, insurance, overhead, profits, bonds, etc. Unit Prices shall apply to any quantity of work associated with this project ("no minimums"). Deduct pricing shall equal addition pricing. Erie County Department of Public Works reserves the right to NOT use the unit prices & instead request a Labor / Material breakdown for a particular item.

Allowance/Unit Price no.: See Allowances: Section 011020

1.	Allowance for \$25,000 in temporary water service usage costs	
2.	Allowance of 212CY of rock excavation associated with foundation wall and pier installations.	
3.	Allowance of \$12,500 for service and installation costs by National Fuel.	
4.	Include an allowance of 39 (1') foundation step locations Per Stepped Footing Detail on S004 for elevation changes between foundation wall	
5.	Include a \$15,000 allowance for exterior signage not currently defined.	
6.	Include a \$1,500 allowance to furnish and install a temporary project sign.	
7.	Include a quantity of One Hundred Fifty (150) installations of lightning protection base plates in accordance with Supplemental Drawing A900.	
1.	Unit price for 30CY dumpster pull and disposal	\$ 400 .00 /EA
2.	Unit price for CY of Rock Excavation	\$125 .00 /CY

ADDENDA:

The foregoing proposal covers the following Addenda:
(Here list, by number, each addendum issued prior to bidding.)

Addendum #1 Dated 5/13/2016	Addendum #4 Dated 5/27/2016
Addendum #2 Dated 5/20/2016	Addendum #5 Dated 6/2/2016
Addendum #3 Dated 5/26/2016	

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

NON-COLLUSIVE BIDDING CERTIFICATE.

1. By submission of this bid, the bidder and each person signing on behalf of the 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 its knowledge and belief:
 - a. The prices in this bid have been arrived at independently with no 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; and
 - 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 a bid for the purpose of restricting competition; and
 - d. If the bidder is a corporation, this certificate is and shall be deemed to have been authorized by the board of directors of the bidder, and such authorization is and shall be deemed to include the signing and submission of the bid and the inclusion therein of this certificate of non-collusion as the act and deed of the corporation.
2. Pursuant to 103-d, General Municipal Law, a bid shall not be considered for award nor shall any award be made where the above Non-Collusive Certificate, Paragraphs 1, (A), (B), (C), and (D) have not been complied with, unless explained, justified and legally excused in accordance with said law.

This proposal and/or contract shall be governed by New York State Law.

The undersigned agrees together into a contract for the above stated compensation, under the terms and conditions outlined, plus any other conditions mutually agreed upon.

SUBSCRIBED:

NAME OF FIRM: LPCiminelli Inc.

AUTHORIZED SIGNATURE:

PRINTED OR TYPEWRITTEN
NAME OF SIGNATORY:

Frank L. Ciminelli II

TITLE: President

ADDRESS: 2421 Main Street

PHONE No.: 716-855-1200

FAX No.: 716-854-6655

EMAIL ADDRESS: FCiminelli@lpciminelli.com

DATE: 6/1/2016

SEAL IF BIDDER
IS A CORPORATION

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

To facilitate correct drawing and execution of contract, Bidders shall supply full information concerning legal status as follows:

NAME: LPCiminelli Inc.

CORPORATION ~~CO-PARTNERSHIP~~ ~~AN INDIVIDUAL~~ ~~TRADE~~
(Strike out classification not applicable.)

ADDRESS OF PRINCIPAL OFFICE:

Street: 2421 Main Street

City: Buffalo

State: New York

LOCAL BRANCH OFFICE ADDRESS:

Same as above

INCORPORATED UNDER THE LAWS OF THE STATE OF: New York

If Foreign Corporation, state if authorized to do business in the State of New York: (YES) (NO)

If Co-Partnership, Names of Partners and Addresses are:

N/A

If doing business under Trade Name, Assumed Name or Firm Style:

Name of Owner: N/A

Certificate Filed: _____

(Place)

(Date)

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

NEW YORK STATE CERTIFIED APPRENTICESHIP
TRAINING PROGRAM CERTIFICATION

Pursuant to Erie County Local Law 2-2006 the following MUST be submitted along with supporting documentation unless the Contracting Agency has otherwise determined under Section 2f of the Erie County Rules and Regulations that the New York State Certified Apprenticeship Training Program does not apply.

TO BE FILLED OUT BY BIDDER: please check that which applies on sign below.

☒ Enclosed is a copy of the certification of approval of the New York State Certified Apprenticeship Training Program (NYSCATP) by the New York State Department of Labor which, as Bidder, will use in connection with the construction contract. Also Enclosed is a written plan demonstrating how apprentices will be utilized by the Bidder As Prime Contractor or by the Subcontractor(s) to the Bidder as Prime Contractor. Such Plan shall include at a minimum:

- i. An organized written plan in place that embodies the terms and conditions of employment, training and supervision of one or more apprentices;
- ii. A schedule of wages to be paid to the apprentices consistent with the skills required and approved by the New York State Department of Labor;
- iii. Equal employment and affirmative action plans; and
- iv. Demonstration that ten percent (10%) of the Workforce of the Prime Contractor (inclusive of the workforce utilized by any Subcontractor(s) to the Bidder) shall consist of persons participating in NYSCATP.

[] Enclosed is a detailed explanatory written statement as to the inapplicability of Apprenticeship participation due to: the lack of career opportunities in NYSCATP Approved by New York State Department of Labor Commissioner; OR the magnitude of the construction contract which would make use of apprentices impracticable.

See attached Apprenticeship letters from the local Unions LPCiminelli is signed with. Letters are attached to the Experience Questionnaire.


SIGNATURE

LPCiminelli Inc.
COMPANY NAME

6/1/2016
DATE

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

CONTRACTOR'S OWN WORKFORCE

(This form must be submitted with the Contractor's bid proposal)

Pursuant to Section 3.18 – Contractor's Own Workforce, of the General Conditions, the Contractor submitting a bid proposal acknowledges that they will perform a minimum of 25% of the work with their own workforce as follows:

Task	Value of Work
Place Concrete	1,025,000
Earthwork	300,000
Misc. Installations	300,000
General Conditions / GEN. REQ'S	600,000
Total Value of Workforce	\$ 2,225,000
Percentage of Total Bid	> 25 %


SIGNATURE

LPCiminelli Inc.
COMPANY NAME

6/1/2016
DATE

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

Erie County Equal Pay Certification

In order to comply with Executive Order 13 dated November 6, 2014, we hereby certify that we are in compliance with federal law, including the Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964, Federal Executive Order 11246 of September 24, 1965 and New York State Labor Law Section 194 (together "Equal Pay Law"). The average compensation for female employees is not consistently below the average compensation for male employees, taking into account mitigating factors. We understand that this certification is a material component of this contract. Violation of the provisions of Executive Order 13, which is attached hereto and made a part hereof, can constitute grounds for the immediate termination of this contract and may constitute grounds for determining that a bidder is not qualified to participate in future county contracts.

We have evaluated wages and benefits to ensure compliance with the Federal Equal Pay Law.

Frank L. Ciminelli II
Signature

Verification

STATE OF New York
COUNTY OF ERIE) SS:

A)

N/A, being duly sworn, states he or she is the owner of (or a partner in) N/A, and is making the foregoing Certification and that the statements and representations made in the Certification are true to his or her own knowledge.

B)

Frank L. Ciminelli II, being duly sworn, states that he or she is the Name of Corporate Officer President, of LPCiminelli Inc., Title of Corporate Officer Name of Corporation the enterprise making the foregoing Certification, that he or she has read the Certification and knows its contents, that the statements and representations made in the Certification are true to his or her own knowledge, and that the Certification is made at the direction of the Board of Directors of the Corporation.

Sworn to before me this 1st
Day of June, 2014
Patricia A. Diez

PATRICIA A. DIEZ
Notary Public, State of New York
No. 01D16289197
Qualified in Niagara County
Commission Expires 09/23/2017

COUNTY OF ERIE DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
PROJECT NO. DPW EG-14-19

BID DATE: 6/1/2016
TODAY'S DATE: 6/1/2016

**ERIE COUNTY MINORITY/WOMEN BUSINESS ENTERPRISE
UTILIZATION REPORT – PART A**

COMPANY: LPCiminelli, Inc.
AUTHORIZED REPRESENTATIVE: Frank L. Ciminelli II
ADDRESS: 2421 Main Street, Buffalo, NY 14214
TELEPHONE NUMBER: 716-855-1200
PROJECT NAME: ECC STEM Building - General Construction Bid Package (BP) 01
PROJECT NUMBER: DPW EG-14-19

I. List actions taken to identify, solicit, and contact Minority Business Enterprise (MBE) & Women Business Enterprise (WBE) to bid on subcontracts for this project.

1. Sent out invites via iSqFt
2. Posted job to the local Construction Exchange
3. Attended the MBE/WBE Outreach Event on 2/17/2016 at ECC hosted by Turner
4. Attended the Pre-Bid on 5/18/2016 and contacted relevant MWBE's to BP 01 after the meeting
5. _____
6. _____

II. List all bona-fide Minority/ Women Business Enterprise, sub-contractors, suppliers, professional personnel, solicited, contracted, or presently negotiating a contract in accordance with the minority business utilization goal set forth by the County of Erie.

MBE/WBE OWNED FIRMS		SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME	Upstate Steel, Inc.	Reinforcing Material	\$60,000	WBE	YES _____	Prime Contract Not Awarded
ADDRESS	1800 Dale Road					
CITY, STATE	Cheektowaga, NY 14225					
TELEPHONE	716-892-8434				NO <u>X</u> _____	
IRS #	_____					

MBE/WBE OWNED FIRMS		SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME	G&J Contracting	Reinforcing Installation	\$40,000	MBE	YES _____	Prime Contract Not Awarded
ADDRESS	5140 Walmore Road					
CITY, STATE	Sanborn, NY 14132					
TELEPHONE	716-297-0389				NO <u>X</u> _____	
IRS #	_____					

10/2013

**COUNTY OF ERIE DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
PROJECT NO. DPW EG-14-19**

MBE/WBE OWNED FIRMS		SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME	<u>Iroquois Bar Corp</u>	Concrete Material	\$194,000	MBE	YES _____	Prime Contract Not Awarded
ADDRESS	<u>155 Commerce Drive</u>					
CITY, STATE	<u>Lackawanna, NY 14218</u>					
TELEPHONE	<u>716-270-0433</u>				NO <u>X</u> _____	
IRS #	_____					

MBE/WBE OWNED FIRMS		SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME	<u>FSR Contracting, Inc.</u>	Waterproofin g, joint sealing	\$30,000	WBE	YES _____	Prime Contract Not Awarded
ADDRESS	<u>3737 Lakeshore Road</u>					
CITY, STATE	<u>Bleedell, NY 14219</u>					
TELEPHONE	<u>716-822-1200</u>				NO <u>X</u> _____	
IRS #	_____					

MBE/WBE OWNED FIRMS		SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME	<u>G.P. Land & Carpet Corp</u>	Flooring	\$250,000	WBE	YES _____	Prime Contract Not Awarded
ADDRESS	<u>5905 Lake Road South</u>					
CITY, STATE	<u>Brockport, NY 14420</u>					
TELEPHONE	<u>585-637-2828</u>				NO <u>X</u> _____	
IRS #	_____					

III. Assistance offered by contractor to MBE's/WBE's as to bonding, union requirements obtaining work capital, etc.

SEE LAST PAGE

1. _____
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5. _____
6. _____

COUNTY OF ERIE DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
PROJECT NO. DPW EG-14-19

MBE/WBE OWNED FIRMS		SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME	Mark Carrone Inc.	Sitework		WBE	YES _____	Prime Contract Not Awarded
ADDRESS	2368 Maryland Ave					
CITY, STATE	Niagara Falls, NY 14305					
TELEPHONE	716-282-5244					
IRS #						
					NO <u>X</u>	

MBE/WBE OWNED FIRMS		SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME	Scott Lawn Yard Inc.	Landscaping	\$150,000	WBE	YES _____	Prime Contract Not Awarded
ADDRESS	5552 Townline Road					
CITY, STATE	Sanborn, NY 14132					
TELEPHONE	716-731-6415					
IRS #						
					NO <u>X</u>	

MBE/WBE OWNED FIRMS		SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME	B Pariso Transport Inc.	Trucking and stone material	\$125,000	WBE	YES _____	Prime Contract Not Awarded
ADDRESS	2647 Whitehaven Road					
CITY, STATE	Grand Island, NY 14072					
TELEPHONE	716-731-6415					
IRS #						
					NO <u>X</u>	

III. Assistance offered by contractor to MBE's/WBE's as to bonding, union requirements obtaining work capital, etc.

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**COUNTY OF ERIE DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
PROJECT NO. DPW EG-14-19**

MBE/WBE OWNED FIRMS	SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME <u>Rochester Rigging & Erectors</u>				YES _____	Prime Contract Not Awarded
ADDRESS <u>7819 State Route 5 & 20</u>					
CITY, STATE <u>Bloomfield, NY 14469</u>	Structural Steel	\$1,705,500	WBE		
TELEPHONE <u>585-657-7665</u>				NO <u>X</u> _____	
IRS # _____					

MBE/WBE OWNED FIRMS	SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME _____				YES _____	
ADDRESS _____					
CITY, STATE _____					
TELEPHONE _____				NO _____	
IRS # _____					

MBE/WBE OWNED FIRMS	SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME _____				YES _____	
ADDRESS _____					
CITY, STATE _____					
TELEPHONE _____				NO _____	
IRS # _____					

III. Assistance offered by contractor to MBE's/WBE's as to bonding, union requirements obtaining work capital, etc.

SEE LAST PAGE

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**COUNTY OF ERIE DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
PROJECT NO. DPW EG-14-19**

MBE/WBE OWNED FIRMS		SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME	<u>Buffalo Xerographix Inc.</u>				YES _____	Prime Contract Not Awarded
ADDRESS	<u>33 Pequet Parkway</u>					
CITY, STATE	<u>Tonawanda, NY 14150</u>	Printer rental	\$5,000	MBE		
TELEPHONE	<u>716-693-0343</u>				NO <u>X</u> _____	
IRS #	_____					

MBE/WBE OWNED FIRMS		SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME	<u>Rodriguez Construction Group</u>	Dumpster rental			YES _____	Prime Contract Not Awarded
ADDRESS	<u>522 Taunton Place</u>					
CITY, STATE	<u>Buffalo, NY 14216</u>		\$50,000	MBE		
TELEPHONE	<u>716-464-3257</u>				NO <u>X</u> _____	
IRS #	_____					

MBE/WBE OWNED FIRMS		SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME	<u>Frandina Engineering</u>	Surveying services			YES _____	Prime Contract Not Awarded
ADDRESS	<u>1701 Hertel Ave</u>					
CITY, STATE	<u>Buffalo, NY 14216</u>		\$15,000	WBE		
TELEPHONE	<u>716-883-1299</u>				NO <u>X</u> _____	
IRS #	_____					

III. Assistance offered by contractor to MBE's/WBE's as to bonding, union requirements obtaining work capital, etc.

SEE LAST PAGE

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

COUNTY OF ERIE DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
PROJECT NO. DPW EG-14-19

MBE/WBE OWNED FIRMS		SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME	Sienna Environmental	IAQ Testing and Reporting			YES _____	
ADDRESS	350 Elmwood Ave					Prime Contract Not Awarded
CITY, STATE	Buffalo, NY 14222		\$10,000	MBE and WBE		
TELEPHONE	716-362-0848				NO <u>X</u> _____	
IRS #						

MBE/WBE OWNED FIRMS		SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME	Modern Custodial Services	Cleaning Services			YES _____	
ADDRESS	701 Seneca Street Su 730					Prime Contract Not Awarded
CITY, STATE	Buffalo, NY 14210		\$20,000	MBE		
TELEPHONE	716-583-0707				NO <u>X</u> _____	
IRS #						

MBE/WBE OWNED FIRMS		SUPPLY/ SERVICE	AMOUNT OF PROPOSAL	PRIOR CERTIFICATION	CONTRACT EXECUTED	REASON IF CONTRACT NOT AWARDED
NAME	Commercial Material Services	Lumber Material			YES _____	
ADDRESS	3024 Niagara Falls Blvd Su 111					Prime Contract Not Awarded
CITY, STATE	North Tonawanda, NY 14120		\$25,000	WBE		
TELEPHONE	716-213-0363				NO <u>X</u> _____	
IRS #						

III. Assistance offered by contractor to MBE's/WBE's as to bonding, union requirements obtaining work capital, etc.

1. Technical, administrative and reporting assistance offered through our office
2. Contractor offered subguard program eliminating need for bonding
3. _____
4. _____
5. _____
6. _____

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IV. Total Dollar Amount to be subcontracted to:

Minority Business Enterprise(s).

\$ 1,313,100

Women Business Enterprise(s). (If applicable)

\$ 1,213,000

V. Total Amount of Bid:

\$ 7,295,000

VI. MBE Percent (%) of project bid:

18 %

WBE Percent (%) of project bid:

14 %

VII. YOU MUST ATTACH COPIES OF RELEVANT CORRESPONDENCE AND DOCUMENTS, INCLUDING RETURN RECEIPTS.

Frank / [Signature]

SIGNATURE OF AUTHORIZED REPRESENTATIVE

6/1/2016

DATE

VIII. CONTRACTOR'S DESIGNATED EQUAL OPPORTUNITY OFFICER (EEO)

Stephanie Pennington

NAME

6/1/2016

DATE

COUNTY OF ERIE DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
PROJECT NO. DPW EG-14-19

EXPERIENCE QUESTIONNAIRE *

Name of Project: Erie Community College Science Technology Engineering and Math (STEM) Building

Submitted by: LPCiminelli, Inc.

☒ Corporation
☐ Co-partnership
☐ An Individual
☐ Joint Venture

Principal Office: _____

Telephone #: 716.855.1200

FAX #: 716.854.6655

The Signatory of this questionnaire guarantees the truth and accuracy of all statements and of all statements and of all answers to interrogatories hereinafter made.

1. How many years has your organization been in business as a contractor under your present business name? 12
2. How many years experience in _____ construction work has your organization had:
(a) As a Contractor 56
(b) As a Sub-Contractor _____
3. What projects have your organization completed in the last five years?

Contract Amount	Class of Work	Date Completed	Name & Address of Owner
Please see attached			

4. List the Names and Addresses of Officers and/or Partners of the organization:
Louis P. Ciminelli, Chairman & CEO - 2421 Main Street, Buffalo, NY 14214
Frank L. Ciminelli II, President - 2421 Main Street, Buffalo, NY 14214
Amy L. Clifton, Secretary & Treasurer - 2421 Main Street, Buffalo, NY 14214
Patrick J. Smally, VP of Risk Management - 2421 Main Street, Buffalo, NY 14214

*Attach Additional Sheets as necessary

COUNTY OF ERIE DEPARTMENT OF PUBLIC WORKS
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5. Have you ever failed to complete any work awarded to you? No

If so, provide the name of the project, the date of the project, if the failure was as a subcontractor, the name of the prime contractor and the reasons for the failure to complete the work.

6. Has any Officer or Partner of your organization ever been an Officer or Partner of some other organization that failed to complete a construction contract? No If so, state the name of the individual, the other organization and the reason therefore.

7. Has this organization or any of its directors, officers, partners or owners:

- a. Been convicted of any business-related conduct constituting a crime under State or Federal law? No If yes, provide dates and details

- b. Been debarred, suspended or in any way prohibited from bidding on government contracts? No If yes, provide dates and details

- c. Had any of its bids been rejected on the grounds that they were not a responsible bidder? No If yes, provide dates and details

- d. Been determined to be in violation of any State or Federal Labor Law or regulation, including OSHA violations? No If yes, provide dates and detail.

- e. Had its DBE, MBE, or WBE certification revoked? N/A If yes, provide dates and details.

COUNTY OF ERIE DEPARTMENT OF PUBLIC WORKS
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- f. Had a Bid rejected on any competitively bid contract for failure to meet statutory affirmative action, MBE or WBE requirements? No. If yes, provide dates and details
- g. Been determined to be in violation of Federal or State environmental laws in conjunction with any construction project? No. If yes, provide dates and details.
8. Has any Officer or Partner of your organization ever failed to complete a construction contract in his own name? No If so, state name of the individual, name of Owner, and reason therefore.
9. Does your firm have a financial interest in any other business? Yes If yes, state the firm's name and address.
LPCiminelli Construction Corporation - 2421 Main Street Buffalo, NY 14214
10. List those projects upon which your firm will be actively engaged at the time bids are received for this project. Please provide the name and address of the Owner, the Architect/Engineer, the approximate contract amount and the approximate percentage of completion of your firm's work (as of the date of this project Bid opening):
- | Name & Address of Owner | Contract Amount | Percent of Work Completed |
|-------------------------|-----------------|---------------------------|
| Please see attached | | |
11. List equipment and describe facilities, which your firm has now or will have available to begin and complete the work to be performed under the contract.
LPCiminelli has an equipment and maintenance yard located at 1740 Broadway Ave, Buffalo, NY 14212. We have attached a list of our company owned equipment.

COUNTY OF ERIE DEPARTMENT OF PUBLIC WORKS
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12. What proportion of the work will be performed by your firm with your own work force?
CIP concrete, select sitework, misc. rough carpentry, PLAM millwork install, entrance floor mat install,
concrete paving, etc.
13. In the last five years have liquidated damages, penalties, liens, defaults or cancellations been imposed or filed against your firm on any project? Yes If so please list those projects:
Please see attached
14. Within the last two years, has your firm been the lowest bidder in a competitive bidding and not been awarded the contract? No If so, list the project name and give reasons why contract was not awarded to you:
15. Within the past five years, have there been any contracts performed by your firm on which the final payment has been the subject of litigation? Yes If so, list the names of the projects involved:
LPCiminelli is currently suing the Buffalo Public School District over failure to pay invoices on projects that were substantially completed in 2014.
16. List Corporations or Individuals for whom your firm has performed work and the person who should be contacted for references:
Maid of the Mist, Winter Storage - Christopher Glynn, President 716.284.8897
Erie County Medical Center, Master Plan - Douglas Flynn, AVP of Facilities & Construction 716.898.5830
SUNY Niagara County Community College, Culinary Institute - Dr. James Klyczek, President 716.998.3271
17. List Municipalities for whom your firm has performed work and the person who should be contacted for references:
N/A

**COUNTY OF ERIE DEPARTMENT OF PUBLIC WORKS
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18. List Counties for whom your firm has performed work and the person who should be contacted for references:
N/A
19. List State Bureaus or Departments for whom your firm has performed work and the person who should be contacted for references:
SUNY College at Buffalo, Tower 1 - Josh Mee, Production Manager 716.836.2315
SUNY Cortland, Dragon Hall - Nasrin Parvizi, Associate Vice President, Facilities 607.753.5582
SUNY UB, Crossroads Culinary Center - John Erb, Director of Campus Living 716.645.5619
20. Has your firm performed work for the Federal Government? Yes If so, please list the projects and the person who should be contacted for references:
US Plaza Commercial Building - Danielle Muscat, operations assistant 716.884.5805
U.S. Federal Courthouse - Arnold Feinsilber, Project Manager 212.264.8826
Veterans affairs Medical center Buffalo Parking Ramp - Jonathan Aikin, Contracting Officer 716.862.7890
21. What is the construction experience of all principal individuals of your firm? Please include: the Principal's Name, Current Position in the firm, Number of years of actual construction experience, Type and magnitude of Work:
Louis P. Ciminelli, Chairman & CEO has 41 years of construction experience
Frank L. Ciminelli II, President has 21 years of construction experience
Amy L. Clifton, Secretary & Treasurer has 11 years of construction experience
Patrick J. Smally, VP of Risk Management has 31 years of construction experience
Please reference workload sheets for type and magnitude of work
22. Has your firm filed performance record reports with the Bureau of Contract Information, Inc., Washington, D.C.? No
23. Is any principal of the firm or any member of his immediate family employed by the County of Erie? No
If yes, what Department?
Name of County Employee?
24. Attach to the completed Experience Questionnaire a copy of the Letter Issued by the New York State Department of Labor certifying the bidders Apprenticeship Program.
Please see attached letters from local Unions LPCiminelli Construction Corp is currently signed with.
25. The above information and such other information as the Owner may request or obtain will be used by the Owner in determining the reliability and responsibility of the bidder.

COUNTY OF ERIE DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
PROJECT NO. DPW EG-14-19

Dated at BUFFALO, NY this 24TH day
of MAY 2016.

Name of Organization LPCIMINELLI, INC.

By: Frank L. Ciminelli


Title President

State of New York

County of Erie

FRANK CIMINELLI, II being duly sworn deposes and says that
he is PRESIDENT of LPCIMINELLI, INC.
Name of Organization

and that answers to the foregoing questions and all statements contained therein are true and correct.

Sworn to me this

24TH day of MAY 2016


Notary Public

APRIL L. BRADLEY
No. 01BR6334982
Notary Public, State of New York
Qualified in Niagara County
My Commission Expires 12/28/2019

11. List equipment and describe facilities, which your firm has now or will have available to begin and complete the work to be performed under the contract.

LPCiminelli Partial List of Equipment

LPC Equip #	Description	LPC Equip #	Description
Air Compressors		Forklifts/ Skidsteers	
214	Ingersoll Rand Air Compressor - 185 CFM	248	Bob Cat 743 Wheeled Skidsteer
213	Sullair Air Compressor - 185 CFM	578	Clark C25 (Green) Forklift
212	Sullivan Air Compressor - 185 CFM	250	Kalmar AC Propane C-50 (White) Forklift
Excavators/ Backhoes/ Hyd. Breakers		234	Komatsu WA180 Front End Loader
247	Case 580 Rubber Tire Backhoe	240	New Holland 151-70 Wheeled Skidsteer
12	CAT 312BL Track Excavator	19	Skytrack 10054 Rough Terrain Forklift
14	CAT 315B Track Excavator	261	John Deere 329E Loader Skid Steer
266	Hitachi 160 Crawler Backhoe	262	Kubota SVL 75 Rubber Track Skidsteer
238	JCB 214 Rubber Tire Backhoe	237	Clark C25 Propane Pneumatic Tire Forklift
245	John Deere 135D Track Excavator	239	Clark C25 Propane Pneumatic Tire Forklift
12B	John Deere 135D with Tramac Hyd. Breaker	Misc.	
256	John Deere 310D Rubber Tire Backhoe		2-Wheel Tow Cart - Miller 325 Diesel
130	John Deere 240D LC Track Excavator	269	2-Wheel Utility Trailer w/ Tilt Deck
237B	John Deere 240D LC with Tramac BRV32 Hyd. Breaker	105	Conc Pump - Schwing Trailer Mount
259	Komatsu PC200LC Track Excavator		Formwork - Symons Steel-Ply (price is \$0.12/sf)
260	Kubota 040 Rubber Crawler Backhoe		Generator - Honda Gas 2-4 KW
265	Kubota 080 Rubber Crawler Backhoe		Generator - Multiquip 45 kVa; 86 HP
242	Takeuchi TB135 Track Excavator	267	Generator - Multiquip 45 kVa; 86 HP
242B	Takeuchi TB135 with Magnum Hyd. Breaker	268	Light Tower - Magnum 30'
20	Takeuchi TB175 CR Track Excavator	270	Lincoln Gas Welder 200/250 Amp
20B	Takeuchi TB175 with Hiram Hoe Attach.	140	Milling Machine - Ingersoll Rand MW175
Compactors		283	Mule/Gator/Ranger Site Utility Vehicles
251	Bomag Single Smooth Drum Roller	244	Ride on Floor Sweeper/Vac (Propane)
10	Terex Benford Single Smooth Drum Roller	978	Scarifier w/ Vacuum Von Arx VA-30
1492	Tamper Walk Behind Webber Diesel	23	Scissor Lift - JLG 2630
263	Wacker Neuson Double Drum Ride-On	24	Scissor Lift - JLG 1932
Cranes		1179	Shotblaster w/ Vac - Blastrac 15D
258	Terex RT450 Rough Terrain Hyd.		Topcon Total Station GTS 202 & 2110
Dozers		801	Tree Chipper - Asplundh
252	Case MD85E	264A	Loadfast Electric Material Hoist
21	CAT D3C LGP	264B	Loadfast Rolling Material Platform
150	Komatsu D68		

13. In the last five years have liquidated damages, penalties, liens, defaults or cancellations been imposed or filed against your firm on any project? If so please list those projects:

As LPCiminelli, Inc. is a provider of construction management and general contracting services, LPCiminelli is subject to workers compensation and general liability claims which arise in the general course of business and are completely and fully covered by LPCiminelli's insurance policies. Liens our firm has experienced in the last three years are as follows:

- LPCiminelli Inc. was one of the named parties in a lien filed by Imperial Painting and Fireproofing. The amount of the lien was \$123,676.00. This claim has been settled and the lien has been released.
- LPCiminelli, Inc. is one of the named parties in a lien filed by Grayco Corp. in the amount of \$46,738.29. The subcontractor responsible for the supplier (Grayco) has bonded around the lien and is working to resolve the claim.
- LPCiminelli, Inc. is one of the named parties in a lien filed by EFCO Corporation in the amount of \$95,810.75. The subcontractor responsible for the supplier (EFCO) has been bonded around the lien and is working to resolve the claim.

Current Workload

LP Ciminelli

Project Name	Address	Architect	Owner Name / Contact	Start Date	Completion Date	Project Value	% Complete	GMP, Agency, DB, PM
6th Floor Lab Fit-Out at Conventus	1001 Main Street Buffalo, NY 14203	CHA Consulting	McGuire Development Group, Inc.	8/1/2015	12/31/2016	\$12,000,000	43%	G
Buffalo High-Tech Mfg. Innovation Hub @ Riverband	Abbey Street Buffalo, NY	EYP Architecture & Engineering	Fort Schuyler Management Corp. Utica, New York 13502	6/1/2014	6/1/2017	\$850,000,000	55%	PM
Chautauque Amphitheater	1 Ames Avenue Chautauque, NY	Serena Sturm Architects	Chautauque Institution	2/1/2016	8/1/2017	\$35,000,000	2%	G
Emergency Department	462 Grider St Buffalo, New York	Kideney Architects	Erie County Medical Center Corp.	1/1/2017	6/30/2018	\$35,000,000	0%	G
Empire Outlets of Staten Island	55B Richmond Terr. Staten Island, NY 10301	SHoP Architects	Empire Outlet Builders LLC	6/1/2015	9/1/2017	\$225,000,000	20%	A
Evergreen Center Addition	208 S. Elmwood Ave. Buffalo, NY	SWBR Architects	Evergreen Health Services	9/1/2015	12/31/2016	\$14,000,000	13%	G
Evergreen Lofts	Cherry Street Buffalo, NY	SWBR Architects	STEL (Southern Tier Environments for Living, Inc.)	6/1/2015	12/31/2016	\$11,000,000	59%	G
Group A 2015 Projects	462 Grider St Buffalo, New York	Kideney Architects	Erie County Medical Center Corp.	8/3/2015	9/1/2016	\$5,200,000	65%	A
Kaleida Fit-Out at Conventus	1001 Main Street Buffalo, NY 14203	Shepley Bulfinch	Kaleida Health	7/1/2015	9/1/2016	\$6,000,000	65%	G
Lancaster CSD, 2015 Capital Plan	177 Central Ave Lancaster, NY 14086	Young + Wright Architectural	Lancaster Central School District	5/1/2016	5/1/2019	\$57,300,000	5%	A
Montreign Resort Casino	204 Route 17B Monticello, NY 12701	JCJ Architecture	Empire Resorts, Inc.	6/1/2015	12/31/2017	\$511,000,000	10%	G
Palma Restaurant	250 Delaware Ave. Buffalo, NY 14202	Shes, Inc.	Delaware North	5/1/2016	7/14/2016	\$3,000,000	0%	G
Pratt Institute Emerson Hall	Brooklyn, NY	Cannon Design	Pratt Institute	6/15/2016	8/31/2017	\$32,000,000	0%	G
Ralph Wilson Stadium Training Facility Upgrades	One Bills Drive Orchard Park, NY 14127	Populous	Buffalo Bills Football Club/ Erie County Dept of Public Works	8/1/2015	6/1/2016	\$8,500,000	66%	G
Richardson Olmsted Complex	Elmwood Avenue Buffalo, NY	Flynn Bataglia Architects	Richardson Center Development Corp.	8/1/2014	12/31/2016	\$50,000,000	70%	A

Current Workload

Ciminelli

Project Name	Address	Architect	Owner Name / Contact	Start Date	Completion Date	Project Value	% Complete	GMP, Agency, DB, PM
Richmond University Medical Center	335 Bard Avenue Staten Island, NY 10310	Cannon Design	Richmond University Medical Center	6/1/2015	4/30/2016	\$116,000 (preconstruction contract)	90%	
Sabey Corporation	375 Pearl Street New York, NY 10038	Callison	Sabey Corporation	11/1/2015	4/30/2016	\$19,000,000	95%	A
SUNY Purchase	Purchase, NY	Cannon Design	Dormitory Authority State of New York	5/1/2016	9/1/2017	\$30,000,000	0%	G
SUNY UB School of Medicine & Biomedical Sciences	Buffalo, NY	HOK	State University Construction Fund	5/1/2014	9/1/2017	\$280,000,000	45%	G
Tioga Downs Hotel and Amenities Expansion	2384 W River Rd, Nichols, NY 13812	CGL Architects	Tioga Downs Racing & Entertainment	9/1/2015	12/31/2017	\$73,000,000	8%	G
Transit-Oriented Development	Stamford, Connecticut	Studio V Architects	Connecticut Department of Transportation	TBD	TBD	\$550,000,000	0%	G
UB/MD - UB SMBs Fit-Out at Conventus	1001 Main Street Buffalo, NY 14203	Kidney Architects	Conventus Partners, LLC	10/1/2015	12/31/2016	\$8,000,000	40%	G

Completed Work

Ciminelli

Project Name	Address	Owner Name / Contact	Architect	Completion Date	Project Value (in millions)
Buffalo Public Schools Program, Phase 3	Buffalo, NY	Buffalo Board of Education Joint Schools Construction Board	Various Architects	7/30/2010	\$350.0
Depew Union Free School District	Depew, NY	Depew Union Free School District	Young & Wright Architects	9/1/2010	\$32.0
Finger Lakes Gaming & Racetrack Renovation and Expansion	Farmington, NY	Sportsystems Inc. / Finger Lakes Racing Association Inc. / Delaware North Companies Inc.	BHNT Architects and JCJ Architecture, M/E Engineering	12/15/2010	\$23.5
Akron Central Schools	Akron, NY	Akron Central School District	Wendel	1/5/2011	\$20.0
Gowanda Urgent Care	Gowanda, NY	TLC Health Network	Kideney Architects, PC.	4/1/2011	\$1.0
Buffalo State College New Student Housing	Buffalo, NY	BSCF Housing Corporation	Cannon Design	6/30/2011	\$38.2
University at Buffalo William R. Greiner Residence Hall	Amherst, NY	UBF Faculty Student Housing Corp	Cannon Design	8/10/2011	\$50.0
HighPointe on Michigan Skilled Nursing Facility	Buffalo, NY	Kaleida Health	Cannon Design	11/15/2011	\$64.0
Miami Jai Alai Casino Conversion	Miami, FL	Florida Gaming Centers	Tim Heabs Architects	1/5/2012	\$87.0
Buffalo Niagara Medical Campus Parking Ramp	Buffalo, NY	Buffalo Niagara Medical Campus	El Team and Walter P. Moore	2/1/2012	\$31.5
OR renovations 3 & 4	Buffalo, NY	Erie County Medical Center Corp.	Kideney Architects, PC.	3/31/2012	\$0.9
Tri-County Memorial Hospital Demolition	Perrysburg, NY	TLC Health Network	Kideney Architects	8/1/2012	\$1.5
University at Buffalo Clinical Translational Research Center	Buffalo, NY	University at Buffalo	Cannon Design	8/1/2012	\$34.3
Clinical Translational Research Center	Buffalo, NY	University at Buffalo	Cannon Design	6/15/2012	\$34.3
Bayonne Off-Track Wagering	Bayonne, NJ	New Meadowlands Racing, LLC	SOSH Architects	7/1/2012	\$15.2
Veterans Affairs Medical Center Buffalo Parking Ramp	Buffalo, NY	Department of Veterans Affairs, Western New York Healthcare System	Kideney Architects	7/1/2012	\$6.4
Forestville Family Medical Center	Hanover, NY	TLC Health Network	Kideney Architects, PC.	7/3/2012	\$1.2
Cayuga Community College Fulton Campus at River Glen	Auburn, NY	Cayuga Community College	JMZ Architects & Planners	7/15/2012	\$11.2
Niagara Falls Culinary Institute	Niagara Falls, NY	Niagara County Community College	Cannon Design	8/15/2012	\$23.9
Chiller and Cooling Tower	Buffalo, NY	Erie County Medical Center Corp.	M/E Engineering	8/31/2012	\$5.8
Dunkirk City School District	Dunkirk, NY	Dunkirk City School District	Sandberg Kessler Architects and Engineers	9/1/2012	\$33.0
Roswell Park Cancer Institute Campus Upgrades	Buffalo, NY	Roswell Park Cancer Institute Corp.	Various Architects	10/1/2012	\$2.9
Terrace View long Term Care Facility	Buffalo, NY	Erie County Medical Center Corp.	Cannon Design	10/1/2012	\$90.5
University at Buffalo Crossroads Culinary Center	Amherst, NY	Dormitory Authority of the State of New York	Kideney Architects	10/1/2012	\$9.0
Crossroads Culinary Center	Amherst, NY	University at Buffalo	Kideney Architects, PC.	10/15/2012	\$8.7
Stework	Buffalo, NY	Erie County Medical Center Corp.	M/E Engineering	10/31/2012	\$6.0
Buffalo Public Schools Program, Phase 4	Buffalo, NY	Buffalo Board of Education Joint Schools Construction Board	Various Architects	12/1/2012	\$275.0
Regional Center of Excellence for Transplantation & Kidney Care	Buffalo, NY	Erie County Medical Center Corp.	Kideney Architects, PC.	12/15/2012	\$22.0
Invocar Vivadent	Amherst, NY	Invocar Vivadent, Inc.	BHNT Architects	12/30/2012	\$4.1

Completed Work

LP Ciminelli

Project Name	Address	Owner Name / Contact	Architect	Completion Date	Project Value (in millions)
Transitional Care Unit	Buffalo, NY	Erie County Medical Center Corp.	Kideney Architects	2/28/2013	\$1.3
Moog Corporate Headquarters	Elms, NY	Moog, Inc.	Fontanesi, Fotta, Aubrecht, Ernst Arch.	3/1/2013	\$16.0
Buffalo State Science Technology Building	Buffalo, NY	State University of New York College at Buffalo	The SLAM Collaborative	6/1/2013	\$24.0
SUNY Cortland Dragon Hall	Cortland, NY	Dormitory Authority - State of New York	Stantec Inc.	7/15/2013	\$18.7
Seneca Buffalo Creek Casino Parking Garage	Buffalo, NY	Seneca Gaming Corporation	Kideney Architects	8/1/2013	\$9.3
Bethune Lofts	Buffalo, NY	2915 Main St, LLC	Carmina Wood Morris, PC	8/1/2013	\$12.5
Gowanda Urgent Care	Gowanda, NY	TLC Health Network	Kideney Architects, PC.	12/15/2013	\$1.2
Miami Valley Casino Gaming & Racing	Monroe, OH	Delaware North Companies Gaming & Entertainment and Churchill Downs	Thalden Boyd Emery Architects	12/15/2013	\$175.0
OR renovations & MOB Fitout	Buffalo, NY	Erie County Medical Center Corp.		3/30/2014	\$16.5
Meadowlands New Grandstand	Meadowlands, NJ	New Meadowlands Racetrack, LLC	Climans Green Liang Architects Inc	4/1/2014	\$83.0
Depew Union Free School District	Depew, NY	Depew Union Free School District	Young & Wright Architects	4/30/2014	\$16.0
Buffalo Public Schools Program, Phase 5	Buffalo, NY	Buffalo Board of Education Joint Schools Construction Board	Various Architects	5/1/2014	\$175.0
Behavioral Health Center	Buffalo, NY	Erie County Medical Center Corp.	Kideney Architects, PC.	6/1/2014	\$25.0
Cayuga Medical Center	Ithaca, NY	Cayuga Medical Center	HOLT Architects P.C.	7/1/2015	\$15.5
Empire City Casino Expansion	Yonkers, NY	Empire City at Yonkers Raceway	Studio V	6/30/2014	\$50.4
Broome CCC Student Housing	Binghamton, NY	BCC Housing Development Corp.	JMZ Architects & Planners	7/30/2014	\$17.0
Robert Wood Johnson University Hospital	Rahway, NJ	Robert Wood Johnson Hospital/ Rahway	Ewing Cole	8/15/2014	\$1.2
Rochester CSD, East High School	Rochester, NY	Rochester Joint Schools Construction Board	Cannon Design	8/15/2014	\$12.3
SUNY Cobleskill, Student Housing	Cobleskill, NY	Cobleskill Alumni Holdings, LLC	JMZ Architects & Planners	8/15/2014	\$9.0
Generator Replacement	Buffalo, NY	Erie County Medical Center Corp.	M/E Engineering	8/30/2014	\$2.0
Rochester CSD, Edison School	Rochester, NY	Rochester Joint Schools Construction Board	Labella Associates	9/1/2014	\$21.2
Fortune 500 Company	Dayton, NJ	Bloomberg LP	Joseph C. Feltz Architect	9/15/2014	\$1.6
Maid of the Mist, Winter Storage	Niagara Falls, NY	Maid of the Mist Corp.	Parsons Brinckerhoff	9/30/2014	\$32.0
Tioga Downs parking garage	Nichols, NY	American Racing & Entertainment, LLC.	Climans Green Liang	10/1/2014	\$14.0
Fashion Outlets of Niagara	Niagara Falls, NY	Macerich Niagara & Fashion Outlets II, LLC RTKL Associates, Inc.		10/23/2014	\$27.0
Ralph Wilson Stadium Upgrades	Buffalo, NY	Buffalo Bills, Erie County, Empire State Development Corp	Populous	12/1/2014	\$130.0
Group A 2014 Projects	Buffalo, NY	Erie County Medical Center Corp.	Kideney Architects, PC.	6/3/2015	\$10.0
Renovation of Tower 1, Buffalo State College	Buffalo, NY	State University of New York College at Buffalo	Kideney Architects, PC.	8/15/2015	\$10.0
Lancaster CSD 2012 Capital Plan	Lancaster, NY	Lancaster Central School District	Young + Right Architectural	9/30/2015	\$15.0

Completed Work

Ciminelli

Project Name	Address	Owner Name / Contact	Architect	Completion Date	Project Value (in millions)
Buffalo State College Science Building Ph2	354 Broadway Albany, NY 12248	State University of New York College at Buffalo	Cannon Design	10/1/2015	\$20.0
Renovation of Tower 1, Buffalo State College	1300 Elmwood Avenue Buffalo, NY 14222	Dormitory Authority State of New York	Kideney Architects	10/1/2015	\$10.0
Conventus Office Building (Site, Core & Shell)	1001 Main Street Buffalo, NY 14203	Conventus Partners, LLC.	Kideney Architects	10/1/2015	\$73.2
US Plaza Commercial Building	Peace Bridge Plaza Buffalo, NY 14213	Buffalo and Fort Erie Public Bridge Authority	Wendel	4/8/2016	\$20.0

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA
NORTHEAST REGIONAL COUNCIL OF CARPENTERS



INSTITUTED APRIL 5, 2011

June 6, 2016

To Whom It May Concern:

LP Ciminelli, Inc. is a signatory contractor with the Northeast Regional Council of Carpenters.

As a signatory contractor of the Carpenters they are enrolled in a registered Apprenticeship Program through New York State.

If you have any additional questions please do not hesitate to contact me.

Thank You.

Sincerely,

Daryl Bodewes / JK

Daryl Bodewes
Council Representative
Carpenters Local #276



OPERATING ENGINEERS LOCAL 17 TRAINING FUND

2342 PLEASANT AVENUE • LAKE VIEW, NEW YORK 14085-9647

PHONE: (716) 627-2311

FAX: (716) 627-4093



May 24, 2016

To Whom It May Concern:

The following Contractor, Ciminelli Construction Co., is a participant in the Operating Engineers Local 17 Training Fund Apprenticeship program through its current collective bargaining agreement with IUOE Local 17.

As a participant in our Apprenticeship program the Contractor has an agreement with the Union to accept an Apprentice Operating Engineer for every six (6) Operating Engineers they have employed on all jobs collectively.

There also may be Job specific requirements regarding Journeyman/Apprentice Ratios.

Our Training Fund conducts recruitment for new Apprentices on a yearly basis. We have a NYS DOL approved Affirmative Action policy which governs our recruitment policies.

We have enclosed a copy of the NYS DOL AT – 10 for your reference.

We trust this information will satisfy your requirements.

Sincerely,

James A. Smolinski, Jr.
Administrative Manager

COPY



New York State Department of Labor Apprentice Training Program Registration Agreement

REVISION ☐ Wage _____
nature of change

STATE USE ONLY	
AT Sponsor No.	7 1 9 6 0
ATP Code	1 8 - 3 1 8
Effective date of AT Program	

- Name of Sponsor Operating Engineers JAC LU #17
- Mailing Address 2342 Pleasant Ave Lake View N.Y. 14085 Erie
(Number & Street) (City) (State) (Zip Code) (County)
- Actual Address 2342 Pleasant Ave Lake View N.Y. 14085 Erie
(Number & Street) (City) (State) (Zip Code) (County)
- Phone (716) 627-2311 Ext: n/a Fax (716) 627-4093
- Trade / Occupation Operating Engineer (Heavy Equipment)
- No. Employees 3 No. Apprentices 20 No. Journeyworkers 538 7. Ratio 1:1 ; 1:5
(Non-Standard) ☐ Months
- ISC Code n/a 9. DOT Code 8 5 9 - 6 8 3 - 0 1 0 10. Length of Program 4 8 Months
- Apprentice Probationary Period 12 Months 12. Work Process: Standard _____ or Revised X
- Minimum Journeyworker Rate \$28.00 per hour 14. Effective Date of Wages 07/01/14

15. Apprentice Wage Progression for each period – in months (M) or hours (H)

1	2	3	4	5	6	7	8	9	10
M <u>12</u>	M <u>12</u>	M <u>12</u>	M <u>12</u>	M _____	M _____	M _____	M _____	M _____	M _____
H <u>87.5%</u>	H <u>90%</u>	H <u>92.5%</u>	H <u>95%</u>	H _____	H _____	H _____	H _____	H _____	H _____

16. The Sponsor agrees to comply with the provisions on this side and on the reverse side of this agreement.

17. James A. Smolinski, Jr. 7/1/14 18. _____ 1/1
Signature of the Official Sponsor Representative Date Signature of the Union Representative Date
James A. Smolinski, Jr. - Admin. Mgr./ Union Trustee
Print Name and Title of Official Sponsor Representative Print Name, Title and Union Name

19. _____ 1/1
Signature of New York State Department of Labor Date



Cement Masons' Local #111
168 Division Street, North Tonawanda, NY 14128
(716) 854-1484 FAX (716) 854-8248

Facsimile transmittal

To: John Walker
From: John Tomasello
Re: Apprentice AT9

Phone (716) 854-6653

Date: 5-24-2016

Pages: 6

Attn: John Walker

This is The Original Copy.

And A New Form so you can update

Your Sponsor Information.

Please Fill out and send Back ASAP

Thank You John Tomasello

Confidential

This communication may contain privileged and/or confidential information. It is intended solely for the use of the addressee. If you are not the intended recipient, you are strictly prohibited from disclosing, copying, distributing or using any of this information. If you received this communication in error, please contact the sender immediately and destroy the material in its entirety, whether electronic or hard copy.

08-20-13:10:46AM Local #111

:7188958240

2/ 3



New York State Department of Labor

Sponsor Information Sheet

Instructions:

- Please complete all questions. If a question does not apply to your entity, please enter "N/A."
- You must include an explanation and supporting documentation for all "yes" responses.
- For Individual Joint Programs, you must submit a completed AT 8 form from the applicant/sponsor and from the union.
- For Individual Non-Joint Programs, you must submit a completed AT 8 form from the applicant/sponsor only.
- For Group Joint Programs, you must submit a completed AT 8 form from the applicant/sponsor and each signatory company and union that serves on the governing body as a Joint Apprenticeship Training Committee (JATC) member. Only one AT 8 is required per union.
- For Group Non-Joint Programs, you must submit a completed AT 8 form from the applicant/sponsor and each signatory company that serves on the Board of Directors or other governing body of the applicant/sponsor.
- You must have the completed form notarized by a Notary Public or certified by a Commissioner of Deeds or we will not accept it.

Sponsor Name: Cement Mason LU#111 JATC		Trade Name: Cement Mason
Name of Entity Completing Form: L.P. Ciminelli Construction Corp		FEIN No.: 16-0850628
Mailing Address: 2421 Main St Buffalo NY 14214		NYS Employer Registration (ER) No.: 07-502481
Fax No: 716-654-6655	Phone No: 716-655-1200	E-mail Address: khunt@lpciminelli.com
Type of Entity (Mark primary function): <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Proprietorship <input type="checkbox"/> Joint Venture <input type="checkbox"/> LLC <input type="checkbox"/> LLP <input type="checkbox"/> Other <input type="checkbox"/> JATC <input type="checkbox"/> Association <input type="checkbox"/> Union <input type="checkbox"/> Signatory Company serving on the JATC or on the Board of Directors or other governing body For partnership or joint venture, list names and addresses of all partners. For corporations, list names and addresses of all officers and directors. For "Other", explain. Submit details on the letterhead of the person or entity completing the form. <i>See attached</i>		
How many years has your organization been in business? <i>52</i>		
Have you done business under a different name? If yes, attach on company or union letterhead a list of the names of the former entity(ies) with their address(es), FEIN(s) and ER No(s). <i>See attached</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Is the Sponsor a Group Joint or Group Non-Joint Program? If yes, list the names, addresses, and FEIN or NYS ER Nos. for each employer who is signatory to the program. Submit this data in an unprotected electronic spreadsheet (e.g. Excel) to the Apprentice Training Representative.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Answer all questions below. For all yes responses, attach explanation and/or appropriate documentation.

Within the past five (5) years has your organization, any affiliate, any predecessor company or entity, owner of 5% or more of the entity's shares, director, officer, partner, or proprietor been the subject of:

A conviction for a crime under state or federal law?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
An indictment or pending indictment for any conduct constituting a crime under state or federal law?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
A grant of immunity for any conduct constituting a crime under state or federal law?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
A federal suspension, debarment, bid rejection or disapproval of any proposed contract or subcontract for lack of responsibility; or denial or revocation of pre-qualification for any bid in any state or municipality, or a voluntary exclusion agreement?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Any pending or open investigation of a possible violation of any federal law or regulation, including but not limited to, investigations by the National Labor Relations Board (NLRB), Occupational Safety and Health Administration (OSHA), or US Department of Labor (USDOL) Wage and Hour Division?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Any determination of a violation of a federal law or regulation including, but not limited to, determinations by the NLRB, OSHA, or the USDOL Wage and Hour Division?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Any pending or open investigation of a possible violation of New York State, any other state, or municipal law or regulation including, but not limited to, investigations by the Bureau of Public Work?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Any determination of a violation of any state or municipal law or regulation, including, but not limited to, Public Work violations?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, was the violation determined to be willful?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Any stipulations, settlement, consent order or like agreement involving any state, municipal or federal enforcement action (judicial or regulatory)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Any investigations, claims or lawsuits before the US Equal Employment Opportunity Commission (EEOC), USDOL Office of Federal Contract Compliance Program (OFCCP), NYS Division of Human Rights, federal or state courts or local Civil Rights Commissions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

06-20-13:10:46AM:Local #111

171B8858248

3/ 3

Certification - I, the undersigned recognize that I submit this questionnaire to permit the New York State Department of Labor to review the background of the applicant, sponsor, signatories or union at the time of this new program application, during program probation, at recertification, or as otherwise deemed appropriate by the Department.

Applicant, sponsor, signatory or union:

- Certifies that the Department may use its sole discretion to choose the means to determine the truth and accuracy of all statements made herein
- Certifies that intentional submission of false or misleading information may constitute a Class A misdemeanor under Penal Law (PL) § 210.35, and may be punishable by a fine of up to \$1000 (PL § 80.05(1)) and/or imprisonment of up to one year (PL § 70.16(1))
- Certifies that the information submitted in this questionnaire and any attached pages is true, accurate and complete

This authorizes the New York State Department of Labor to release any Unemployment Insurance (UI) information it may possess to the Apprentice Training Office to verify information and UI compliance in connection with this application or program.

The undersigned recognizes that any adverse information uncovered regarding any applicant, sponsor, or signatory or union participating in a Joint Apprenticeship Committee, or other sponsoring association, may adversely affect the sponsor's application request or program. Signing this document constitutes permission to release this information (including UI information) concerning the entity completing this form to the program sponsor.

A. E. Clark
Signature of CEO, Chair or Representative granted legal authority
to bind the Entity

6/21/13 Date Ang L. Clark, Secretary Print Name and Title

Sworn to me this: 21st day of June, 2013

Debra M. Miller
Signature of Notary Public or Commissioner of Deeds

DEBRA M. MILLER
Notary Public, State of New York
Qualified in Erie County
My Commission Expires June 18, 2015

LPCiminelli

NYS DOL – Sponsor Information Sheet

Officers and Directors

- **Louis P. Ciminelli** **Chairman, Chief Executive Officer, and President**
- **Frank L. Ciminelli II** **Senior Vice President**
- **Amy L. Clifton** **Secretary and Treasurer**
- **Patrick J. Smally** **Assistant Treasurer**

Former Entity Names – All entities have the same Federal ID # 16-0850628

- **1961 – Frank L. Ciminelli Construction Co. Inc.; 1740 Broadway, Buffalo, NY 14212**
- **1996 – Louis P. Ciminelli Construction Co. Inc.; 369 Franklin St., Buffalo, NY 14202**
- **2004 – LPCiminelli Construction Corp.; 2421 Main Street, Buffalo, NY 14202**

THE AMERICAN INSTITUTE OF ARCHITECTS

AIA Document A310 Bid Bond

KNOW ALL MEN BY THESE PRESENTS, THAT WE LPCiminelli, Inc.

2421 Main Street, Buffalo, NY 14214

as Principal, hereinafter called the Principal, and Liberty Mutual Insurance Company

175 Berkeley Street, Boston, MA 02116

a corporation duly organized under the laws of the State of MA

as Surety, hereinafter called the Surety, are held and firmly bound unto County of Erie

95 Franklin Street, Buffalo, NY 14202

as Obligee, hereinafter called the Obligee, in the sum of Five Percent of Amount Bid

Dollars (\$ 5%),

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Project No. DPW EG-14-19, ECC STEM Building

NOW, THEREFORE, If the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and materials furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 1st day of June, 2016

Frank I. Ciminelli 6/12/2016
(Witness)
Patrick A. Siz

LPCiminelli, Inc.

By: Frank I. Ciminelli (Principal) (Seal)
PRESIDENT (Title)

AnnMarie Keane
(Witness)



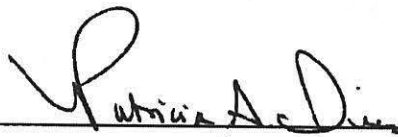
Liberty Mutual Insurance Company

By: Jane L. Fedorczyk (Surety) (Seal)
Attorney-In-Fact Jane L. Fedorczyk (Title)

ACKNOWLEDGEMENT OF CONTRACTOR, IF A CORPORATION

STATE OF NEW YORK
COUNTY OF Erie

ON THE 1st DAY OF June 2016, BEFORE ME PERSONALLY CAME Frank L. Giminelli, II
TO ME KNOWN, WHO BEING BY ME DULY SWORN, DID DEPOSE AND SAY THAT HE RESIDES AT
Buffalo, New York, THAT HE IS THE PRESIDENT OF
LPCIMINELLI, INC., THE CORPORATION DESCRIBED IN AND WHICH EXECUTED THE ABOVE INSTRUMENT;
THAT HE KNOWS THE SEAL OF SAID CORPORATION; THAT THE SEAL AFFIXED TO SAID INSTRUMENT IS
SUCH CORPORATION SEAL AND THAT HE SIGNED HIS NAME THERETO BY ORDER OF THE BOARD OF
DIRECTORS OF SAID CORPORATION.

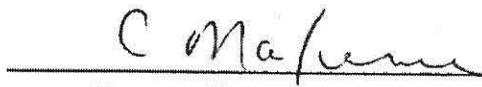


Notary Public PATRICIA A. DIEZ
Notary Public, State of New York
No. 01D16289197
Qualified in Niagara County
Commission Expires 09/23/2017

ACKNOWLEDGEMENT OF SURETY

STATE OF NEW JERSEY
COUNTY OF SOMERSET

ON THE 1ST DAY OF JUNE, 2016 BEFORE ME PERSONALLY CAME JANE L. FEDORCZYK, TO ME KNOWN,
WHO, BEING BY ME DULY SWORN, DID DESPOSE AND SAY THAT SHE IS THE ATTORNEY-IN-FACT OF
LIBERTY MUTUAL INSURANCE COMPANY, THE CORPORATION DESCRIBED IN AND WHICH EXECUTED THE
ABOVE INSTRUMENT; THAT SHE KNOWS THE SEAL OF SAID CORPORATION; THAT THE SEAL AFFIXED TO
THE FOREGOING INSTRUMENT IS SUCH SEAL; THAT IT WAS SO AFFIXED BY ORDER OF THE BOARD OF
DIRECTORS OF SAID CORPORATION; AND THAT SHE SIGNED HER NAME THERETO BY LIKE ORDER.



Notary Public

ANN MARIE KEANE
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES MAY 19, 2020

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees. To confirm the validity of this Power of Attorney call 810-832-8240 between 9:00 am and 4:30 pm EST on any business day.

American Fire and Casualty Company
The Ohio Casualty Insurance Company

Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint Jane L. Fedorczyk of the city of Branchburg, state of NJ its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge the following surety bond:

Principal Name: LPCiminelli, Inc.

Obligee Name: County of Erie

Surety Bond Number: Bid Bond

Bond Amount: See Bond Form

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 18th day of November, 2013.



American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: David M. Carey

David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA
COUNTY OF MONTGOMERY

ss

On this 18th day of November, 2013, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute 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 have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2017

By: Teresa Pastella

Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, whenever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 1st day of June, 2016.



By: Gregory W. Davenport

Gregory W. Davenport, Assistant Secretary



LIBERTY MUTUAL INSURANCE COMPANY
FINANCIAL STATEMENT — DECEMBER 31, 2015

Assets		Liabilities	
Cash and Bank Deposits	\$753,038,641	Unearned Premiums	\$6,580,520,311
*Bonds — U.S Government	1,547,613,446	Reserve for Claims and Claims Expense	16,917,138,677
*Other Bonds	11,088,162,545	Funds Held Under Reinsurance Treaties	210,794,503
*Stocks	9,919,835,033	Reserve for Dividends to Policyholders	358,033
Real Estate	295,926,247	Additional Statutory Reserve	29,659,093
Agents' Balances or Uncollected Premiums	4,487,501,643	Reserve for Commissions, Taxes and	
Accrued Interest and Rents	120,872,424	Other Liabilities	<u>2,789,478,276</u>
Other Admitted Assets	<u>14,130,266,527</u>	Total	<u>\$26,527,948,893</u>
Total Admitted Assets	<u>\$42,343,216,506</u>	Special Surplus Funds	\$67,890,944
		Capital Stock	10,000,000
		Paid in Surplus	8,829,183,823
		Unassigned Surplus	6,908,192,846
		Surplus to Policyholders	<u>15,815,267,613</u>
		Total Liabilities and Surplus	<u>\$42,343,216,506</u>



* Bonds are stated at amortized or investment value; Stocks at Association Market Values.
The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2015, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 15th day of March, 2016.

TAMikolajewski

Assistant Secretary