

NOTICE TO BIDDERS
Empire State Development Corp
Midtown Plaza Demolition & Site Preparation

Bids: Sealed bids will be received and publicly read aloud at the Office of LiRo, Inc., 45 East Avenue, Rochester, New York for the following contract for the Midtown Plaza Demolition & Site Preparation Project on Tuesday March 16, 2010, at 11:00 a.m. Each bid must be identified, on the outside of the envelope, with name and address of the bidder and designated as bid for the project titled above.

Pre-Bid Meeting: A mandatory pre-bid meeting will be held on Thursday March 4, 2010, at 10:00 a.m. at the Midtown Plaza Mall (using the mall entrance on Broad Street). All representatives are required to arrive on-site with a hard hat, safety glasses, construction boots, and operating flashlight. Safety equipment is required to be utilized during the walk through by all bidders. Safety equipment will not be provided by the Owner.

Bidders should note that on-site parking is not available. Bidders should allow adequate time to locate alternate parking on adjacent surface streets or public parking facilities. The Owner will not be responsible for any fees associated with the parking of bidder's vehicles.

Contracts: The project will be constructed using the single contract format. The following contract will be bid at this time:

Contract: Midtown Plaza Demolition & Site Preparation

Project Description: The work shall consist of the Demolition of Midtown Plaza, a limited amount of Hazardous Materials Remediation as detailed in the project documents and consisting of the following structures:

- Pedestrian Sky Bridge from Xerox Building (Broad Street)
- Pedestrian Sky Bridge from Chase Tower (Clinton Avenue)
- Pedestrian Sky Bridge from Sibley Building (Main Street)
- B. Forman Building
- Midtown Mall (Partial Demolition, Alternates #1 & #2)
- Midtown Tower- (Partial Demolition, Alternate #3)
- Seneca Building (Partial Demolition)
- Citizens Bank Building
- Scheer Building
- Wendy's Building
- McCurdy's building
- Euclid Building
- Service Tunnel (Partial Demolition)

The underground parking garage is to remain with the service tunnel to remain in service throughout the project. Demolition is to include removing and disposing of all building contents, subject to the exceptions and limitations otherwise indicated. In general, demolition shall include removal and off-site disposal of all structural elements, wall sections, ramps, fixtures, furnishings, roofs, piping, lighting mechanical systems, electrical systems, drainage systems, stairwells, elevators, escalators, building content, debris, appurtenances and other features. Contractor is responsible for the legal disposal of all material removed from the site. The use of explosives and implosion are strictly prohibited.

The Bank, Scheer and Wendy's Buildings will require asbestos and hazardous materials abatement. Walls below grade contain a waterproofing coating that has been determined to contain asbestos. All work activity, removal, demolition and disposal of these walls is to be in strict accordance with all applicable local, State and Federal rules, regulations, guidelines and the contract documents. Governing requirements include (but are not limited to) New York State Department of Labor (NYSDOL) Industrial Code Rule 56, OSHA's Construction Industry Standards and EPA NESHAP Regulations.

The demolished site is to be restored to a finish condition to include drainage and backfill to defined grades.

Definitions: The Owner shall be defined as the New York State Urban Development Corporation, d/b/a Empire State Development Corporation, 400 Andrews Street, Suite 710, Rochester, NY 14604. The Construction Manager shall be defined as LiRo Engineers, 45 East Avenue, Rochester, New York 14604. The design consultant is Labella Associates, PC. 300 State Street, Rochester, NY 14614.

Opening of Bids: At the date and time noted for receipt of proposals, the proposals will be publicly opened and read aloud. Only those bids in the hands of the Empire State Development Corporation, available to be read at the time and date designated above will be considered.

Bid Guarantee: Each bid shall be accompanied by an acceptable form of bid guarantee in an amount equal to ten percent (10%) of the amount of the base bid payable to the Empire State Development Corporation as a guarantee that if the bid is accepted, the bidder will execute the Contract within ten (10) days after the notice to proceed.

Owner's Rights: The Empire State Development Corporation reserves the right to waive any informality or reject any or all bids, or to make any contract which it deems to be in the best interest of the Empire State Development Corporation or the project sponsors.

Bid Withdrawal: No bidder may withdraw his bid within ninety (90) days after actual opening thereof.

Contract Documents: A complete set of all Contract documents may be obtained at the office of the LiRo Engineers, Inc., 45 East Avenue, Rochester, New York 14604, upon payment of \$250.00 per set, by certified check, money order made payable to the Empire State Development Corps. Bid deposit is non-refundable. **All Contractors submitting Bids shall purchase a complete bid package from the Construction Manager, prior to bid.** Contract documents may be examined at the following locations:

Empire State Development Corps, 400 Andrews Street, Suite 710, Rochester, NY 14604. (585) 325-1944.

Labella Associates, PC. 300 State Street, Rochester, NY 14614. (585) 454-6110.

LiRo Engineers, 45 East Avenue, Rochester, New York 14604.

F. W. Dodge, MHC/ReproMax Dataflow Inc., 320 North Goodman Street Suite S-200, Rochester NY 14607. (585) 227-1250

Rochester Builders Exchange, 180 Linden Oaks, Rochester, NY 14625 (585) 586-5460.

Affirmative Action:

ESDC's Non-Discrimination and Affirmative Action policy will apply. The contractor shall be required to use best efforts to achieve Minority/Women-owned Business Enterprise ("M/WBE") participation of not less than 5/5 % (MBE/WBE) of the total dollar value and not less than 10% Minority and Female Workforce. M/WBE contractors are encouraged to respond.

Qualifications:

The low bidder shall demonstrate its responsibility to perform and complete all required work by submitting a statement of its experience and of any subcontractors which the low bidder intends to use to perform the work (see Bidder's Qualifications in the Bid Forms). The Contractor shall include the low bidder's plan or program for providing sufficient labor and equipment to perform the project as detailed by the project documents, within the allotted time frame and sequencing for the Demolition Project. Low bidder is encouraged to employ local labor.

The low bidder must demonstrate a minimum of 5 years experience and the completion of 5 similar demolition projects of similar scope and value. The work history shall also demonstrate the use of high reach demolition equipment, demolition within a dense urban area, dismantling of steel structures over 10 stories in height, partial/selective demolition where structure is to remain undamaged for reuse, and the need for maintaining substructure stability during demolition and backfilling operations. The Prime Contractor or Subcontractors must also demonstrate a minimum of 5 years experience performing the types of reconstruction required as part of this contract. Reconstruction includes but is not necessarily limited to reinforced cast-in-place concrete, structural steel modifications, utility abandonment, and site work including compacted fill, asphalt paving, and storm water control. Additional qualification requirements and certifications as required by the individual technical specifications must be met by either the Prime Contractor or a qualified Subcontractor.

The prime Contractor, or his asbestos subcontractor, shall have a valid NYSDOL Company license and demonstrate a 5 year history of performing asbestos abatement work under that Company license. The prime Contractor shall obtain bid and performance bonds directly from a Surety Company with a minimum rating by A.M. Best of (A-) in the "Best's Key Rating Guide". The surety firm must be licensed to bond construction projects in the state of New York. The Demolition and/or Abatement Contractor's personnel shall also have OSHA 10-hour Construction Safety & Health certifications and 40-hour HAZWOPER certifications as required by the various elements. The Prime Contractor and subcontractor(s) must demonstrate the experience level for the various work elements as listed below:

Work Element	Experience Level
Demolition	5 Years
Asbestos Removal	5 Years*
Universal and Hazardous Waste Removal	5 Years*
Cast-in-Place Concrete	5 Years
Structural Steel	5 Years
Site Construction	5 Years
Utilities	5 Years*

*Must have all required licenses and certifications

The ESDC may require the low bidder to further demonstrate its responsibility to perform and complete the work by submitting additional information regarding the low bidder's experience, obtaining labor/work force and financial resources. The prime Contractor shall demonstrate that they have the

financial resources to perform the work. If requested by ESDC, additional information must be submitted by the low bidder within seven (7) calendar days of the request. All information pertaining to the bidder's financial resources shall be submitted by a Certified Public Accountant.

Other:

Contractor's performing project work must be duly licensed in the City of Rochester and by other entities governing work. Contractor's bid is to include an acknowledgment that the Contractor possesses the necessary license or filed a licensing application with the City of Rochester. Asbestos abatement is to be performed by a licensed abatement contractor. Contractor is responsible to ascertain and obtain any additional licensing needed to perform work, whether such licensing is required by the City of Rochester or other regulating entity.

Insurance and other requirements applicable to the contract(s) are described in detail in the bid documents.