

Resolution 21-19

Finger Lakes Regional Land Bank Corporation Board of Directors

Moved by *Jill Henry, Melissa Nesbit*

RESOLUTION TO ISSUE RFP FOR ASBESTOS AND LEAD ABATEMENT AT 156 FALL STREET

WHEREAS, the Bylaws of the Finger Lakes Regional Land Bank Corporation (hereinafter referred to as “the Corporation”) duly adopted on January 26, 2016 requires the Corporation Directors grant approval for any officer, agent, or agents, employees or employees, in the name of and on behalf of the Corporation to enter into any contract or execute and deliver any instrument and such authority may be general or defined to specific instances; but, unless so authorized by the Board of Directors, or expressly authorized by the bylaws, no officer, agent or employee shall have any power or authority to bind the corporation by any contract or engagement or to pledge its credit or to render it liable monetarily in any amount for any purpose.; and

WHEREAS, the Directors of the Corporation have been presented with the attached Request for Proposal for Asbestos and Lead Abatement; and

WHEREAS, the Land Bank entered into a Co-Development Agreement with Habitat for Humanity for the rehabilitation of 156 Fall Street as per resolution 21-18; and

WHEREAS, the Land Bank within that Co-Development agreement is the responsible party for the asbestos and lead abatement within the work scope; and

WHEREAS, the Land Bank was awarded funds from the NYS Attorney General’s Community Revitalization Initiative for 2019 through 2021 which is administered by Enterprise Community Partners Inc.; and

WHEREAS, the Land Bank within that Co-Development Agreement as well as the adopted budget has committed funds for this purpose; and

NOW, THEREFORE, BE IT RESOLVED by the Corporation that CEO request bids for Asbestos and Lead Abatement at 156 Fall Street Seneca Falls.

I, Jill Henry, Secretary of the Finger Lakes Regional Land Bank Corporation, a corporation organized and existing under the laws of the State of New York (the "Corporation"), do hereby certify that the above is a true and correct copy of a resolution duly adopted at a meeting of the Board of Directors of the Corporation duly held and convened on May 6th, 2021, at which meeting a duly constituted quorum of the Board of Directors was present and acting throughout, and that such resolution has not been modified, rescinded, or revoked, and is at present in full force and effect.

IN WITNESS THEREOF, the undersigned has affixed her signature this 6 day of May, 2021. The Corporation has no corporate seal.

x 
 Jill Henry
 Corporation Secretary

Resolution 21-19

Finger Lakes Regional Land Bank Corporation Board of Directors

Moved by *Jill Henry, Melissa Nesbit*

RESOLUTION TO ISSUE RFP FOR ASBESTOS AND LEAD ABATEMENT AT 156 FALL STREET

	Yes	Nay	Abstain	Absent
Cindy Garlick-Lorenzetti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Hayssen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jill Henry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Don Northrup	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Melissa Nesbit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frank Sinicropi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kyle Barnhart	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Finger Lakes Regional Land Bank Corp.

1 DiPronio Drive
Waterloo, NY 13165
(315) 539-1667

May 6th, 2021

Request for Proposal – Pre-Renovation Asbestos and Lead Abatement 156 Fall Street, Seneca Falls, NY

Finger Lakes Regional Land Bank Corporation, is seeking proposals from qualified firms for a pre-renovation asbestos and lead interior and exterior abatement for the above referenced project. The contractor will perform the work that will result in a Clearance Report allowing renovation work to move forward.

Abatement Contractor Must:

- ✓ Provide their own power
- ✓ Provide their own water
- ✓ Include tipping fees
- ✓ Be EPA RRP Certified
- ✓ Follow NYS Code Rule 56
- ✓ Remove identified asbestos containing material, leave work area where visual assessment can be performed and pass.
- ✓ Remove identified materials containing lead.
- ✓ Contractor responsible for transportation to landfill
- ✓ Apply for and obtain all necessary permits for project

Attached you will find an RBM Report dated August 2019 identifying the asbestos containing materials to be abated throughout the structure.

Attached you will find a Lead Based Paint Risk Assessment dated August 2019 identifying the lead containing materials to be removed. Lead in the rear of the structure in rooms labeled four (4) through nine (9) as well as fifteen (15) through eighteen (18) is to remain as this section of the structure is to be demolished.

It is anticipated that the abatement work will begin on or about the week of May 31st, 2021, and that all work will be completed in a consecutive and timely manner.

Please return your firm's proposal to this office by Wednesday, May 19th, 2021 at 12:00 PM and note that **emailed copies are preferred**. Please email to Joe McGrath at jmcgrath@co.seneca.ny.us.

Should you have any questions regarding the enclosed, or to arrange a site visit, please do not hesitate to contact Joe McGrath at 315-539-1667.



Finger Lakes Regional Land Bank Corp.

1 DiPronio Drive
Waterloo, NY 13165
(315) 539-1667

Terms

Bidders are required to satisfy themselves, by personal examination of the site, as to work involved and of the difficulties likely to be encountered in the performance of work under this Bid. No pleas of ignorance of conditions that exist, or that may hereafter exist, or of any conditions or difficulties that may be encountered in the execution of the work under this bid as a result of failure to make the necessary examination and investigation, will be accepted as an excuse for any failure to or omission on the part of the bidder to fulfill in every respect all the requirements, specifications, etc., nor will same be accepted as a basis for any claim for extra compensation.

- A. Bids may be submitted for this abatement up to May 19th, 2021 12:00 PM all bids must be submitted by email to Joe McGrath at jmcgrath@co.seneca.ny.us . Bids not received on or before this date will be rejected.
- B. Finger Lakes Regional Land Bank expressly reserves the right at any time herein, to change the requirements or specifications of this bid and the abatement, requested thereunder. Finger Lakes Regional Land Bank further reserves the right to reject all bids hereunder and re-bid the job or, at its sole discretion, to not award the job to any bidder following the receipt of any and all bids hereunder. Finger Lakes Regional Land Bank shall not be bound to award the abatement herein, regardless of the bids received.
- C. We anticipate that the abatement job will be awarded in May 2021. Upon acceptance of this bid and issuance of an executed contract, work to abate the property shall begin within fourteen (14) days, weather permitting. Land Bank staff will coordinate with the winning bidder's availability. The abatement shall be performed in a workmanlike manner and it shall be in conformance with generally accepted abatement standards and practices. (specifications for abatement). **If, for any reason, Contractor cannot complete the work after submitting the accepted bid, said contractor may, at Finger Lakes Regional Land Bank discretion, be removed, either temporarily or permanently, from participation with Finger Lakes Regional Land Bank projects.**
- D. Payment
The Contractor will be paid within 30 days after all final reports, before and after photos and applicable paperwork is received by the Finger Lakes Regional Land Bank.
- E. Requirements for Bidding
The successful bidder will be required to keep the entire work of the Contract at all times under his control. This bid and proposal are not assignable or conveyable in any fashion and may not be pledged or encumbered without the express written permission of Finger Lakes Regional Land bank other requirements for bidding are included elsewhere in these specifications.
- F. Insurance
 1. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the contractor hereby agrees to effectuate the naming of Finger Lakes Regional Land Bank ("Land Bank"), Seneca County ("County"), and Enterprise Community Partners Inc. ("Enterprise") as an



Finger Lakes Regional Land Bank Corp.

1 DiPronio Drive
Waterloo, NY 13165
(315) 539-1667

-
- additional insured on the contractor's insurance policies, with the exception of workers' compensation and N.Y. State Disability insurance.
2. The policy naming the Land Bank, the County, and Enterprise as an additional insured shall:
 - a. Be an insurance policy from an A.M. Best rated "Secure" or better insurer, authorized to conduct business in New York State. A New York licensed insurer is preferred. The decision to accept specific insurers lies exclusively with the Land Bank and the County.
 - b. State that the organization's coverage shall be primary and non-contributory coverage for the Land Bank, the County and its Board, employees and volunteers.
 - c. Additional insured status shall be provided by standard or other endorsements that extend coverage to the Land Bank, the County and Enterprise for both on-going and completed operations. The decision to accept an endorsement rests solely with the Land Bank and the County. A completed copy of the endorsements must be attached to the certificate of insurance.
 3.
 - a. The certificate of insurance must describe the specific services provided by the contractor (e.g., remediation or abatement services) that are covered by the commercial general liability, environmental and the excess policies.
 - b. At the Land Bank's or the County's request, the contractor shall provide a copy of the declaration page of the liability and umbrella policies with a list of endorsements and forms. If so requested, the contractor will provide a copy of the policy endorsements and forms.
 - c. A fully completed New York Construction Certificate of Liability Insurance Addendum (ACORD 855 2014/05) must be included with the certificates of insurance.
 4. The contractor agrees to indemnify the Land Bank, the County and Enterprise for any applicable deductibles and self-insured retentions.
 5. Required Insurance:
 - a. **Commercial General Liability Insurance**
\$1,000,000 per occurrence/ \$2,000,000 general and products/completed operations aggregates. The general aggregate shall apply on a per-project basis. Waiver of Subrogation in favor of the Land Bank, the County and Enterprise should be included. 30 Days' Notice of Cancellation to the Land Bank, the County and Enterprise should be included.
 - b. **Automobile Liability**
\$1,000,000 combined single limit for owned, hired and borrowed and non-owned motor vehicles. Waiver of Subrogation in favor of the Land Bank, the County and Enterprise should be included. 30 Days' Notice of Cancellation to the Land Bank, the County and Enterprise should be included.
 - c. **Workers' Compensation, Employers Liability and NYS Disability Insurance**
Statutory Workers' Compensation, Employers' Liability Insurance and NYS Disability Insurance for all employees. Proof of coverage must be on the approved specific form, as required by the New York State Workers' Compensation Board. ACORD certificates are not acceptable.
 - d. **Environmental Contractors Liability Insurance**



Finger Lakes Regional Land Bank Corp.

1 DiPronio Drive
Waterloo, NY 13165
(315) 539-1667

With coverage for the services rendered for the Land Bank, the County, and Enterprise, including, but not limited to removal, replacement enclosure, encapsulation and/or disposal of hazardous materials, along with any related pollution events, including coverage for third-party liability claims for bodily injury, property damage and clean-up costs. \$2,000,000 per occurrence/\$2,000,000, including products and completed operations. If a retroactive date is used, it must pre-date the inception of the contract. If the contractor is using motor vehicles to be used for transporting hazardous materials, the Contractor shall provide pollution liability broadened coverage (ISO endorsement CA 9948 or equivalent) as well as proof of MCS 90.

- e. **Excess Insurance**
\$1,000,000 each Occurrence and Aggregate. Excess coverage shall be on a follow-form basis.
6. Contractor acknowledges that failure to obtain such insurance on behalf of the Land Bank, the County, and Enterprise constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the Land Bank, the County, and Enterprise. The contractor is to provide the Land Bank, the County, and Enterprise with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities.

G. Non-Collusive Bidding Certification

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

- A. The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.
- B. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed prior to the opening, directly or indirectly, to any other bidder or to any competitor.
- C. No attempt has been or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.