

**The Metropolitan Transportation Authority
Acting By
The MTA Capital Construction Company**



MTA CONTRACT #6240

**DESIGN-BUILD SERVICES
FOR
LIRR EXPANSION PROJECT
FROM FLORAL PARK TO HICKSVILLE**

CONFORMED DOCUMENTS

**VOLUME 1 – DESIGN-BUILD AGREEMENT
EXHIBIT C – PART 1A (Book 1 of 9)**

A handwritten signature in blue ink, appearing to be "DME", located to the right of the main text.

VOLUME 1: LEGAL/ADMINISTRATIVE



LIRR CONTRACT #6240
**Design-Build Services for
LIRR Expansion Project
from Floral Park to
Hicksville**

VOLUME 1: Legal/Administrative Forms

Schedule II - Statement of
Ownership

**Schedule II -
Statement of
Ownership**

SCHEDULE II – STATEMENT OF OWNERSHIP

STATEMENT OF OWNERSHIP

The Design-Builder/ Guarantor⁽¹⁾ is (check one):

- Individual Partnership P.A. P.C. L.L.C. L.L.P. Corporation XJoint Venture Other (specify):

I certify that:

No individual person or entity owns a 10% or greater interest in the Design-Builder/ Guarantor.

OR

The names and addresses of all persons and entities who own a 10% or greater interest in the Design-Builder/ Guarantor or any listed entities are as follows:

Table with 2 columns: NAME(2)(3) and ADDRESS. Rows include Dragados USA, Inc., John P. Picone, Inc., CCA Civil, Inc., and Halmar International LLC.

Check here if additional sheets are attached.

Check here to certify that no person or entity, except for those already listed above or on any attached sheets, owns a 10% or greater interest in the Design-Builder/ Guarantor or any listed entities.

3rd Track Constructors

Name of Design-Builder/ Guarantor

Jose Miguel Ibanez

Designated Signatory

Signature

Authorized Representative

Title

(1): Statement of Ownership shall be provided for the proposed Design-Builder and Guarantor(s).

(2): If an entity owns a 10 percent or greater interest in the Design-Builder/ Guarantor, list all owners of 10 percent or greater interest for each such entity. Repeat the process of disclosure as

necessary for each tier or level of ownership until the name and address of each individual person who owns a 10 percent or greater interest in each listed entity has been disclosed.

(3): The Proposer shall set forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock of any class, or all partners in the partnership who own 10 percent or greater interest therein, or all members in the limited liability company who own 10 percent or greater interest therein. If one or more such stockholder, partner, or member is itself a corporation, partnership or limited liability company, the stockholders owning 10 percent or more of that corporation's stock, the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company, shall also be listed. This disclosure shall be continued until names and addresses of every individual stockholder, individual partner, and individual member exceeding the 10 percent ownership criteria of each corporation, partnership, or limited liability company listed has been identified.

SCHEDULE II – STATEMENT OF OWNERSHIP

STATEMENT OF OWNERSHIP

The Design-Builder/ Guarantor⁽¹⁾ is (check one):

Individual Partnership P.A. P.C. L.L.C. L.L.P.

X Corporation Joint Venture Other (specify): _____

I certify that:

No individual person or entity owns a 10% or greater interest in the Design-Builder/ Guarantor.

OR

The names and addresses of all persons and entities who own a 10% or greater interest in the Design-Builder/ Guarantor or any listed entities are as follows:

NAME ⁽²⁾⁽³⁾	ADDRESS
<u>ACS Actividades de Construccion y Servicios, S.A.</u>	<u>Avda.Pio XII, 102, 28036 Madrid, Spain</u>
_____	_____
_____	_____
_____	_____
_____	_____

Check here if additional sheets are attached.

Check here to certify that no person or entity, **except for those already listed above or on any attached sheets**, owns a 10% or greater interest in the Design-Builder/ Guarantor or any listed entities.

Dragados, S.A.

Name of Design-Builder/ Guarantor

Ignacio Segura

Designated Signatory

Signature

Chief Executive Officer

Title

(1): Statement of Ownership shall be provided for the proposed Design-Builder and Guarantor(s).

(2): If an entity owns a 10 percent or greater interest in the Design-Builder/ Guarantor, list all owners of 10 percent or greater interest for each such entity. Repeat the process of disclosure as

necessary for each tier or level of ownership until the name and address of each individual person who owns a 10 percent or greater interest in each listed entity has been disclosed.

(3): The Proposer shall set forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock of any class, or all partners in the partnership who own 10 percent or greater interest therein, or all members in the limited liability company who own 10 percent or greater interest therein. If one or more such stockholder, partner, or member is itself a corporation, partnership or limited liability company, the stockholders owning 10 percent or more of that corporation's stock, the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company, shall also be listed. This disclosure shall be continued until names and addresses of every individual stockholder, individual partner, and individual member exceeding the 10 percent ownership criteria of each corporation, partnership, or limited liability company listed has been identified.

SCHEDULE II – STATEMENT OF OWNERSHIP

STATEMENT OF OWNERSHIP

The Design-Builder/ Guarantor⁽¹⁾ is (check one):

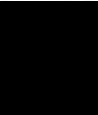

- Individual Partnership P.A. P.C. L.L.C. L.L.P.
- Corporation[✓] Joint Venture Other (specify): _____

I certify that:

No individual person or entity owns a 10% or greater interest in the Design-Builder/ Guarantor.

OR

The names and addresses of all persons and entities who own a 10% or greater interest in the Design-Builder/ Guarantor or any listed entities are as follows:

NAME ⁽²⁾⁽³⁾	ADDRESS
China State Construction Engineering Corp.	 No.15 Sanlihe Rd., Haidian District, Beijing, China 100037
AnBang Asset Management - China Merchants Bank Win Win 3 Fund	 No.6 Jianwai Ave. Chaoyang District, Beijing, China 100022
_____	_____
_____	_____
_____	_____

Check here if additional sheets are attached.

Check here to certify that no person or entity, **except for those already listed above or on any attached sheets**, owns a 10% or greater interest in the Design-Builder/ Guarantor or any listed entities.

China State Construction Engineering Corp. Ltd.

Name of Design-Builder/ Guarantor

Ning Yuan

Designated Signatory

Signature

Representative in US

Title

(1): Statement of Ownership shall be provided for the proposed Design-Builder and Guarantor(s).

(2): If an entity owns a 10 percent or greater interest in the Design-Builder/ Guarantor, list all owners of 10 percent or greater interest for each such entity. Repeat the process of disclosure as

necessary for each tier or level of ownership until the name and address of each individual person who owns a 10 percent or greater interest in each listed entity has been disclosed.

(3): The Proposer shall set forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock of any class, or all partners in the partnership who own 10 percent or greater interest therein, or all members in the limited liability company who own 10 percent or greater interest therein. If one or more such stockholder, partner, or member is itself a corporation, partnership or limited liability company, the stockholders owning 10 percent or more of that corporation's stock, the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company, shall also be listed. This disclosure shall be continued until names and addresses of every individual stockholder, individual partner, and individual member exceeding the 10 percent ownership criteria of each corporation, partnership, or limited liability company listed has been identified.

VOLUME 1: Legal/Administrative Forms

Schedule III -
Affirmative Action

Schedule III - Affirmative Action

SCHEDULE III – AFFIRMATIVE ACTION

The Proposer 3rd Track Constructors, a Joint Venture
(Insert full legal name, including state of formation if applicable)

submits the following items:

1. State whether it has developed and has on file, at each of its establishments, affirmative action programs pursuant to 41 CFR Part 60-2.

[REDACTED] [REDACTED]

2. State whether it has participated in any previous contract or subcontract subject to Executive Order 11246 (including any Executive Order amending or superseding such Order) and the equal opportunity clause and the rules, regulations and orders issued pursuant thereto.

[REDACTED] [REDACTED]

3. State whether it has filed all reports due under the applicable filing requirements of such rules, regulations and orders.

[REDACTED] [REDACTED]

4. State whether it has developed and currently maintains affirmative action programs pursuant to any state, local or federal law.

[REDACTED] [REDACTED]

In the event the successful Bidder/Proposer does not currently have an affirmative action program or programs in effect complying with the requirements of this Contract, it will be required to develop, implement and maintain such program or programs for the period of performance of this Contract.

SCHEDULE III – AFFIRMATIVE ACTION

The Proposer John P. Picone Inc.
(Insert full legal name, including state of formation if applicable)

submits the following items:

1. State whether it has developed and has on file, at each of its establishments, affirmative action programs pursuant to 41 CFR Part 60-2.

[REDACTED]

2. State whether it has participated in any previous contract or subcontract subject to Executive Order 11246 (including any Executive Order amending or superseding such Order) and the equal opportunity clause and the rules, regulations and orders issued pursuant thereto.

[REDACTED]

3. State whether it has filed all reports due under the applicable filing requirements of such rules, regulations and orders.

[REDACTED]

4. State whether it has developed and currently maintains affirmative action programs pursuant to any state, local or federal law.

[REDACTED]

In the event the successful Bidder/Proposer does not currently have an affirmative action program or programs in effect complying with the requirements of this Contract, it will be required to develop, implement and maintain such program or programs for the period of performance of this Contract.

SCHEDULE III – AFFIRMATIVE ACTION

The Proposer Dragados USA, Inc. (a member of 3rd Track Constructors) - Delaware
(Insert full legal name, including state of formation if applicable)

submits the following items:

1. State whether it has developed and has on file, at each of its establishments, affirmative action programs pursuant to 41 CFR Part 60-2.

[REDACTED] [REDACTED]

2. State whether it has participated in any previous contract or subcontract subject to Executive Order 11246 (including any Executive Order amending or superseding such Order) and the equal opportunity clause and the rules, regulations and orders issued pursuant thereto.

[REDACTED] [REDACTED]

3. State whether it has filed all reports due under the applicable filing requirements of such rules, regulations and orders.

[REDACTED] [REDACTED]

4. State whether it has developed and currently maintains affirmative action programs pursuant to any state, local or federal law.

[REDACTED] [REDACTED]

In the event the successful Bidder/Proposer does not currently have an affirmative action program or programs in effect complying with the requirements of this Contract, it will be required to develop, implement and maintain such program or programs for the period of performance of this Contract.

SCHEDULE III – AFFIRMATIVE ACTION

The Proposer Halmar International LLC (a member of 3rd Track Constructors) - New York
(Insert full legal name, including state of formation if applicable)

submits the following items:

1. State whether it has developed and has on file, at each of its establishments, affirmative action programs pursuant to 41 CFR Part 60-2.

[REDACTED] [REDACTED]

2. State whether it has participated in any previous contract or subcontract subject to Executive Order 11246 (including any Executive Order amending or superseding such Order) and the equal opportunity clause and the rules, regulations and orders issued pursuant thereto.

[REDACTED] [REDACTED]

3. State whether it has filed all reports due under the applicable filing requirements of such rules, regulations and orders.

[REDACTED] [REDACTED]

4. State whether it has developed and currently maintains affirmative action programs pursuant to any state, local or federal law.

[REDACTED] [REDACTED]

In the event the successful Bidder/Proposer does not currently have an affirmative action program or programs in effect complying with the requirements of this Contract, it will be required to develop, implement and maintain such program or programs for the period of performance of this Contract.

SCHEDULE III – AFFIRMATIVE ACTION

The Proposer CCA Civil, Inc. (a member of 3rd Track Constructors) - New Jersey
(Insert full legal name, including state of formation if applicable)

submits the following items:

1. State whether it has developed and has on file, at each of its establishments, affirmative action programs pursuant to 41 CFR Part 60-2.

[REDACTED] [REDACTED]

2. State whether it has participated in any previous contract or subcontract subject to Executive Order 11246 (including any Executive Order amending or superseding such Order) and the equal opportunity clause and the rules, regulations and orders issued pursuant thereto.

[REDACTED] [REDACTED]

3. State whether it has filed all reports due under the applicable filing requirements of such rules, regulations and orders.

[REDACTED] [REDACTED]

4. State whether it has developed and currently maintains affirmative action programs pursuant to any state, local or federal law.

[REDACTED] [REDACTED]

In the event the successful Bidder/Proposer does not currently have an affirmative action program or programs in effect complying with the requirements of this Contract, it will be required to develop, implement and maintain such program or programs for the period of performance of this Contract.

VOLUME 1: Legal/Administrative Forms

Schedule V -
Omnibus
Procurement
Act Form

SCHEDULE V – OMNIBUS PROCUREMENT ACT FORM

IMPORTANT NOTICE TO BIDDERS/PROPOSERS, INCLUDING QUESTION AND INCORPORATED CONTRACT PROVISIONS, NEW YORK OMNIBUS PROCUREMENT ACT (CHAPTER 844 of 1992) ENCOURAGING THE USE OF NEW YORK STATE BUSINESS ENTERPRISES IN CONTRACT PERFORMANCE

1. Definition: For purposes of this notice, a “New York State Business Enterprise” means a business enterprise consisting of a person acting as a sole proprietorship, or a legal entity such as but not limited to a corporation, limited liability company, or partnership, which offers for sale or lease or other form of exchange, goods which are sought by a New York State public authority or public benefit corporation, which are substantially manufactured, produced or assembled in New York state, or services which are sought by the public authority or public benefit corporation and which are substantially performed within New York State.

2. It is the policy of New York State to maximize opportunities for the participation of New York State Business Enterprises, including minority and women-owned business enterprises, as bidders/proposers, subcontractors, and suppliers. New York State Business Enterprises that participate as contractors, subcontractors and suppliers in the contracts of the Metropolitan Transportation Authority and its affiliated and subsidiary agencies (collectively, “MTA”) strongly contribute to the economies of the State and the nation. In recognition of this contribution, bidders/proposers for this contract are strongly encouraged and expected to consider New York State Business Enterprises in the fulfillment of the requirements of this contract. Such participation may be as subcontractors, suppliers, or other supporting roles. MTA, to the maximum extent practicable and consistent with legal requirements, desires to achieve participation of qualified and responsible New York State Business Enterprises in purchasing commodities and services including technology. Furthermore, bidders/proposers are reminded that they must continue to utilize small, minority and women-owned businesses, consistent with current State law. Utilizing New York State Business Enterprises in MTA contracts will help create more private sector jobs, rebuild New York’s infrastructure and maximize economic activity to the mutual benefit of contractors, participating New York State Business Enterprises, the public sector and the people of the State of New York. Public procurements can drive and improve the State’s economic engine through promotion of the participation of New York State Business Enterprises by MTA contractors. MTA, therefore, strongly encourages bidders/proposers to use New York State Business Enterprises in MTA contracts. The potential participation by all kinds of New York State Business Enterprises in MTA contracts will deliver great value to the MTA, the State and its taxpayers.

3. A bidder/proposer responding to this solicitation may answer the question below in its bid or proposal to demonstrate its voluntary commitment to the use of New York State Business Enterprises¹:

¹ While support of New York State Business Enterprises is encouraged, how a bidder/proposer responds to this question will have no impact on the award of the subject procurement (except for certain rolling stock procurements where the law expressly permits New York State content to be part of the evaluation criteria for award).

Does bidder/proposer anticipate that one or more New York State Business Enterprises will be used in the performance of this contract?



If the answer is yes, please identify in the bid/proposal the New York State Business Enterprises that the bidder/proposer anticipates will be used, to the extent known, and attach identifying information about each such New York State Business Enterprise.

4. The bidder/proposer that is awarded and enters into the contract (the “Contract”) that is the subject of this solicitation (“Contractor”) agrees by so entering into such contract to the following, which is incorporated into and made a part of the Contract:

A. Contractor agrees to furnish to MTA information regarding its use of New York State Business Enterprises in the performance of this Contract, including by reporting to MTA, in response to MTA’s request, whether New York State Business Enterprises are being, have been or are anticipated to be, used in the performance of the Contract, and, if so, by providing identifying information about each such New York State Business Enterprise.

5. If the Contract is in an amount of \$1 million or more (a “Large Contract”) the following additional provisions are incorporated into and are made a part of the Large Contract:

A. Contractor shall (i) upon entering into the Large Contract provide to MTA documentation of its effort to encourage use of New York State Business Enterprises and (ii) thereafter also report the extent of such use for each such New York State Business Enterprise (a) in response to a request of the MTA project manager and (b) at the time of Contract close-out.

B. Contractor is required to make reasonable efforts to encourage the participation of New York State Business Enterprises and suppliers and subcontractors on such Large Contract. Contractor will be required to document its efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors by showing it has (i) solicited bids/proposals, in a timely and adequate manner from New York State Business Enterprises including certified minority-owned business, (ii) contacted the New York State Dept. of Economic Development to obtain listings of New York State Business Enterprises, (iii) placed notices for subcontractors and suppliers in newspapers, journals or other trade publications distributed in New York State, or (iv) participated in bidder/proposer outreach conferences. Documentation of such efforts of the Contractor must be produced to the MTA upon MTA’s request. If the Contractor determines that New York State Business Enterprises are not available to participate on the contract as subcontractors or suppliers, the Contractor shall provide a statement to the MTA indicating the method by which such determination was made. If the Contractor does not intend to use subcontractors, the Contractor shall provide a statement to MTA verifying such.

C. Contractor must comply with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended.

D. Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this contract through listing any such positions with the Division of Employment and Workforce Solutions of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. Contractor agrees to document these efforts and to provide said documentation to the MTA or the State, upon request.

E. Contractor acknowledges that New York State may seek to obtain offset credits from foreign counties as a result of this contract and agrees to cooperate with the State in these efforts.

6. Information on the availability of New York State subcontractors and suppliers is available:

Online by going to the following address and signing up for a free account with the New York State Contract Reporter: <https://www.nyscr.ny.gov/nysBusinessReg.cfm>.

By telephoning the New York State Department of Economic Development, Division of Small Business at 518-292-5266.

7. A directory of New York State certified minority and women-owned business enterprises is available:

Online at <https://ny.newnycontracts.com/Default.asp>

By contacting the Empire State Development's Division of Minority and Women's Business Development:

Albany, NY 12245
(518) 292-5250
or
633 Third Avenue, 33rd Floor
New York, NY 10017
(212) 803-2414

By contacting the MTA's Department of Diversity and Civil Rights at 646-252-1385 for an appointment to inspect the directory at 2 Broadway, 16th floor, New York, NY 10004. At your request, the Department of Diversity and Civil Rights will assist a firm in reviewing the directory.

8. Contractors that want to be informed by e-mail of future contracting opportunities that may be of interest to them that are advertised in the New York State Contract Reporter, may sign up for a free account by going to <https://www.nyscr.ny.gov/contracts.cfm>

9. Contractors that want to sign up, at no charge, to be included in the New York State Business Registry, which may be used by various New York State public agencies and by prime contractors who may contact the Contractor's business directly about subcontracting opportunities, may go to <https://www.nyscr.ny.gov/nysBusinessReg.cfm>. Requests for listing in this registry may be made by:

- i) a New York State Business Enterprise that is not currently listed in this registry; and
- ii) a business in any other state or country provided the state or country in which the company is located does not engage in discriminatory purchasing practices. These discriminatory jurisdictions are identified within the Business Registry application.



SCHEDULE V – OMNIBUS PROCUREMENT ACT FORM

Please see below a list of the New York State Business Enterprises that 3rd Track Constructors anticipates using, to the extent known:

- E-J Electric Installation Co. 46-41 Vernon Blvd., Long Island City, NY 11101
- J-Track, LLC 1445 117th St #1, College Point, NY 11356
- M&J Engineering, P.C. 2033 Jericho Tpke, New Hyde Park, NY 11040
- De Angelo Rail Services, LLC 1944 N. Port Court, Grapevine, TX 76051
- Tectonic Engineering and Surveying Consultants, P.S., P.C. 118-35 Queens Blvd., Forest Hills, NY 11375
- Rubenstein Associates 825 Eight Ave., New York, NY 10019
- Cameron Engineering & Associates, LLP 177 Cross Ways Park Dr., Woodbury, NY 11797
- CJ2 Communication Strategies 12 Little Neck Road, Centerport, NY 11721
- Titanium Linx Consulting, Inc. 589 Newton Ave., Uniondale, NY 11553
- Epoch 5 Public Relations 755 New York Ave., Suite 400, Huntington, NY 11743

VOLUME 1: Legal/Administrative Forms

Schedule VI -
Authorized
Agent

SCHEDULE VI – AUTHORIZED AGENT

The Proposer hereby designates the following individual at the following address in the State of New York as its agent for the purpose of receiving any written notice required to be served per the Contract Documents, including Notice of Award, and for receiving service of any and all legal processes resulting from this Contract:

Dragados USA, Inc.
Name of Firm

Jose Miguel Ibanez / Exec. VP
Name and Title of Individual

[REDACTED]
Federal I.D. #

810 Seventh Ave. 9th Floor
Street

New York New York 10019
Town State Zip Code

Telephone No.: (212)779-0900

Fax No.: (212)7646032

(Note: Bids transmitted via "Fax" are not acceptable.)

(Check where indicated below if the proposer is a foreign corporation, in which case the proposer agrees to accept process as provided herein.)

The undersigned, a corporation not organized and existing under the laws of the State of New York, agrees that personal service of process in any action, suit or proceeding instituted by the Railroad against the undersigned on or in connection with this Proposal or Contract may be made by certified or registered mail addressed to the undersigned at the address referred to in this Schedule, unless a different address within the State of New York be specified below, in which event service as aforesaid may be made only at the address specified below or at such other mailing address within the State of New York as is substituted therefore by the undersigned by notice in writing to the Authority as provided in the Contract Documents. Failure of the proposer to check the box below will constitute the proposer's statement that it is not a foreign corporation, and may, if untrue, be a ground for disqualification.

Proposer is a foreign corporation:

X

VOLUME 1: Legal/Administrative Forms

Schedule IX - Contractor
Responsibility Data

Schedule IX - Contractor Responsibility Data

THIS DOCUMENT HAS BEEN REDACTED FOR PUBLIC DISTRIBUTION

**VOLUME 1: Legal/Administrative Forms
Schedule IX - Contractor Responsibility Data**

John P. Picone, Inc.

John P. Picone, Inc.

SCHEDULE IX – CONTRACTOR RESPONSIBILITY DATA

Long Form

**METROPOLITAN TRANSPORTATION AUTHORITY
CONTRACTOR RESPONSIBILITY FORM INSTRUCTIONS²**

1. Who should complete and sign the Contractor Responsibility Form? This form must be completed for all contracts of \$250,000 or greater. In addition, contractors and known subcontractors in contracts involving “Special Circumstances” must complete this form. “Special Circumstances” are defined herein as contracts or subcontracts in excess of \$100,000 in the following areas: painting; scrap; hazardous materials; concrete; lead; asbestos; inspection and testing; security-related projects; carting; and textiles and garments; or such area the Authority may designate from time to time. In addition, all known subcontractors having subcontracts in excess of \$1 million must complete this form. The person who completes the Contractor Responsibility Form on behalf of the submitting contractor or subcontractor must provide his/her title, telephone/fax number and e-mail address in Part II of the questionnaire. The person who signs the questionnaire on behalf of the submitting contractor or subcontractor should be either Chief Executive, Executive Director, Chief Administrator, President, Vice President, Treasurer, Secretary, Chair of the Board of Directors, or the principal owner or officer responsible for administering the submitting contractor’s contract.
2. Who should complete and sign an Affidavit of No Change? If the Contractor has previously submitted a Contractor Responsibility Form within one year prior to the present date and there have been no material changes in the information specified on that form, two original signed, notarized Affidavits of No Change must be executed for the submitting Contractor. It is required that one of the principal owners/officers whose title is listed in Paragraph 1 above execute the Affidavit of No Change on behalf of the submitting contractor.
3. For purposes of this questionnaire, the terms “Contractor,” “bidder,” and “bidder/proposer” refer to both a bidder/proposer and to the firm to be awarded the contract, as well as Contractors seeking subcontracts for \$1 million and more, or Contractors seeking contracts or subcontracts in special circumstances of \$100,000 or more. All of the questions refer to the firm awarded the contract, with the exception of the questions in Parts III.C. and IV, which include separate instructions.
4. For all questions, matters on appeal must be disclosed.
5. Unless otherwise noted, all questions relate to the previous ten (10) years.

² PERSONAL PRIVACY PROTECTION LAW NOTIFICATION¹

The information the Contractor is providing on this application, including information about Key People, is requested pursuant to the New York State Public Authorities Law for the purposes of determining the Applicant Firm’s responsibility for a contract award. Failure to provide the specified information and authorization requested may, in the sole discretion of the MTA, prevent your firm’s award of a contract by the MTA and/or its agencies. The information will be kept in a file maintained by MTA and its agencies or other files maintained under the authority of MTA and its agencies. Information which, because of any name, number, symbol, mark or other identifier, can be used to identify a person, shall be received, maintained and used by the MTA and its agencies solely for the above-stated purposes and will be protected from public disclosure to the fullest extent permitted by law.

6. All questions on this questionnaire must be answered; do not leave blanks. Where appropriate, state "None" or "Not Applicable" (N/A).
7. If additional space is required to fully respond to any question, please add sheets to this questionnaire and reference the question/answer appropriately.
8. This form includes:
 - a. Contractor representations and obligations (Part III) which (a) apply to Contractor's bid/proposal; and (b) are deemed incorporated into the contract between the Contractor and Authority if the contract is awarded to Contractor. If any representation is not accurate and complete at the time Contractor signs this form, Contractor must, as part of its bid, identify the provision and explain the reason in detail on a separate sheet, as provided in Part III; and
 - b. Questions which Contractor must answer as part of its bid/proposal (Parts III.C., IV, and V).
9. If during the performance of this Contract, either of the following occurs, Contractor shall promptly give notice in writing of the situation to the Authority's Chief Procurement Officer, and thereafter cooperate with the Authority's review and investigation of such information.
 - a. Contractor has reason to believe that any representation or answer to any question contained in this Contractor Responsibility Form was not accurate or complete at the time Contractor Responsibility Form was signed; or
 - b. Events occur or circumstances change so that an answer to any question on this Form is no longer accurate or complete.
10. In the Authority's sole discretion, the following shall constitute grounds for the Authority to take remedial action up to and including immediate termination of the Contract for convenience without payment for profit and overhead for work not performed if:
 - a. Contractor fails to notify the Chief Procurement Officer as required by "9" above;
 - b. Contractor fails to cooperate with the Authority's request for additional information as required by "9" above;
 - c. Contractor, a Contractor director, officer, principal, managerial employee, or owner of a 10% or more interest in Contractor, is convicted of a crime involving a public contract; or
 - d. Significant concerns about the Contractor's integrity are raised based upon an evaluation of the events underlying any other determination, indictment, conviction, or other allegation that Contractor or a Contractor director, officer, principal, managerial employee, or owner of a 10% or more interest in Contractor, or has been involved in any felony or a misdemeanor related to truthfulness and/or business conduct in the past ten (10) years.
11. The Authority reserves the right to inquire further with respect to Contractor's responses; and Contractor consents to such further inquiry and agrees to furnish all relevant documents and

information as requested by the Authority. Any response to this document prior or subsequent to Contractor's bid or proposal which is or may be construed as unfavorable to Contractor will not necessarily automatically result in a negative finding on the question of Contractor's responsibility or a decision to terminate the Contract if it is awarded to Contractor.

12. Definitions:

- a. _____ the voting stock and/or an entity in which a group of principal owners or officers that owns more than fifty (50) % of the submitting contractor also owns more than fifty (50) % of the voting stock.
- b. Authority: refers to the MTA and/or MTA subsidiary or affiliate to which the Contractor is submitting its bid or proposal and/or which is awarding the contract sought.
- c. Control: The submitting contractor is controlled by another entity when: (1) the other entity holds ten (10) % or more of the voting stock of the submitting contractor; or (2) the other entity directs or has the right to direct daily operations. The submitting contractor controls another entity when: (1) it holds ten (10) % or more of the voting stock of the other entity; or (2) it directs or has the right to direct daily operations.
- d. Government agency(ies): include city, state, federal public agencies, quasi-public agencies, authorities and corporations, public development corporations, public benefit corporations and local development corporations.
- e. Integrity Monitor: includes an Independent Private Sector Inspector General ("IPSIG"), or any independent private sector firm with legal, audit, investigative and loss prevention skills, employed by an organization or government entity, either voluntarily or by compulsory process, to monitor an entity's business activities to ensure compliance with relevant laws and regulations, as well as to uncover and report unethical or illegal conduct within and against the entity.
- f. Joint Venture: a business undertaking by two or more persons, corporations or other legal entities engaged in a single defined project. The necessary elements are: (1) an express or implied agreement; (2) a common purpose the group intends to carry out; and (3) shared profits and losses.
- g. Managerial employees or managerial capacity: Employees in a supervisory capacity who, either by virtue of their title or their duties, operate with discretion over solicitation, letting, or management of contracts with public agencies.
- h. Metropolitan Transportation Authority ("MTA") subsidiary or affiliate includes: New York City Transit Authority ("NYCT"), Manhattan and Bronx Surface Transit Operating Authority ("MaBSTOA"), Staten Island Rapid Transit Operating Authority ("SIRTOA"), Triborough Bridge and Tunnel Authority ("TBTA"), Metro-North Commuter Railroad Company ("MNCR"), Long Island Rail Road ("LIRR"), Metropolitan Suburban Bus Authority ("MSBA"), MTA Bus Company ("MTA BC"), MTA Capital Construction ("MTACC") and First Mutual Transportation Assurance Company ("FMTAC").

- i. Officer: Any individual who serves as or performs the functions of chief executive officer, chief financial officer, or chief operating officer of the submitting contractor, without regard to such individual's title. president, vice president, secretary, treasurer, board chairperson, trustee (individual or entity who administers a trust) or their equivalents.
- j. Parent: Any entity including, but not limited to any individual, partnership, joint venture or corporation which owns (50) % or more of the voting stock of another entity.
- k. Principal Owner: An individual, partnership, joint venture or corporation that holds a ten (10) % or greater ownership interest in a submitting contractor or subcontractor.
- l. Share: To have space, staff, equipment, expenses, or use such items, in common with one or more other entities.
- m. Significant Adverse Information: includes but is not limited to an unsatisfactory final performance evaluation on a contract with any MTA agency within the immediate prior three (3) years, an uncured interim unsatisfactory rating on a contract with any MTA agency, or an answer of "yes" to any question in Part IV herein.
- n. Subcontract: An agreement between an individual or entity that is a party to a contract and another individual or entity which is for the provision of goods, services or construction pursuant to that contract, and has a value that when aggregated with the values of all other such agreements with the same individual or entity and subcontractor during the immediately preceding twelve (12) month period is valued at one million dollars (\$1,000,000) or more, and in special circumstances involving agreements of \$100,000 or more.
- o. Submitting Contractor: The entity submitting the Contractor Responsibility Form.
- p. Subsidiary: An entity in which the majority of the voting stock is owned by a parent.

PART I. IDENTITY OF CONTRACTOR:

- A. Contractor's full legal name: John P. Picone Inc.
- B. Tax ID Number ("TIN"), Employer Identification Number ("EIN") and Social Security Number ("SSN"), as applicable: [REDACTED]
- C. Contractor's form of legal entity (corporation, joint venture, sole proprietorship, etc.): Corporation

If the Contractor is a Joint Venture, or Partnership, please list all partner firms and/or parties to the Joint Venture below. All partners and/or parties listed are also required to individually complete a separate Contractor Responsibility Form.

(1) Partner/Party name: _____

TIN, EIN, or SSN _____

Percentage of Ownership: _____

(2) Partner/Party Name: _____

TIN, EIN or SSN: _____

Percentage of ownership: _____

D. State or country under whose laws Contractor is organized and year organized:

New York 1950

E. Does the Contractor now use or, in the past ten (10) years has it used, TIN, EIN, doing business as or "DBA", name, trade name or abbreviation other than the Contractor's name or TIN, or EIN number listed in Part I.B. above? No

F. Contractor's mailing address: 31 Garden Lane, Lawrence, NY 11559

G. Contractor's street address (complete only if different than "F"): same

H. Has contractor changed its address in the past five (5) years and, if so, what was the firm's prior address(es)? No

I. Contractor's telephone number: 516-239-1600 Fax number: 516-239-1757

Email address: bids@johnpicone.com

PART II. IDENTITY OF PERSON COMPLETING THIS QUESTIONNAIRE:

A. Name: Maureen Tolfree

B. Employer/Title: John P. Picone Inc. - Contract Administrator

C.	Telephone number: [REDACTED]	Fax number: [REDACTED]
D.	Email address: bids@johnpicone.com	Mobile number: n/a

PART III. CONTRACTOR REPRESENTATIONS: If for any reason a representation on this questionnaire is not accurate and complete as of the time Contractor signs this form, Contractor must identify the provision and explain the reason in detail on a separate sheet. Absent such an explanation, Contractor represents that the following statements are complete and accurate:

Please check this box if a separate sheet is attached:

A. Statement of non-collusion as required by Section 2878 of the Public Authorities Law:

- (1) 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 thereto certifies as to its own organization, under penalty of perjury, that to the best of his 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 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 or not to submit a bid for the purpose of restricting competition.
- (2) A bid shall not be considered for award nor shall any award be made where (1) (a), (b), and (c) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (1) (a), (b), and (c) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the Chief Procurement Officer of the Authority, or designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph 1(a) herein.

B. Statement of no-conflict of interest:

- (1) No appointed or elected official, member or other officer or employee of the City or State of New York, or of the Metropolitan Transportation Authority ("MTA"), or MTA's affiliates and subsidiaries: i) is interested, directly or indirectly, in any manner whatsoever in or in the performance of the Contract or in the supplies, work, or business to which it relates or in any

portion of the profits thereof; or ii) has been or will be offered or given any tangible or intangible consideration in connection with this bid/proposal/Contract.

- (2) Contractor covenants that neither Contractor nor, to the best of Contractor's knowledge after diligent inquiry, any director, officer, owner or employee of Contractor or any person or entity with a 10% or more interest in Contractor has any interest nor shall they acquire any interest, directly or indirectly, which would conflict in any manner or degree with the faithful performance of the Contract hereunder.
- (3) In the event Contractor has no prior knowledge of a conflict of interest as set forth in "1" and "2" above and hereafter acquires information which indicates that there may be an actual or apparent violation of any of the above, Contractor shall promptly bring such information to the attention of the Authority's Chief Procurement Officer. Contractor shall thereafter cooperate with the Authority's review and investigation of such information, and comply with any instructions it receives from the Chief Procurement Officer in regard to remedying the situation.

C. The following questions apply to any bid, proposal, or contract between Contractor and the City or State of New York, any other state, any public authority or other public entity, the United States government, the MTA, and MTA affiliates and subsidiaries. (If the answer to any question is "YES," Contractor must provide all relevant information on a separate sheet annexed hereto). Please check this box if a separate sheet is attached:

The following questions apply to: i) Contractor, Contractor's parent, subsidiaries and affiliates of Contractor (if any); ii) any joint venture (including its individual members) and any other form of partnership (including its individual members) which includes Contractor or Contractor's parent, subsidiaries, or affiliates of

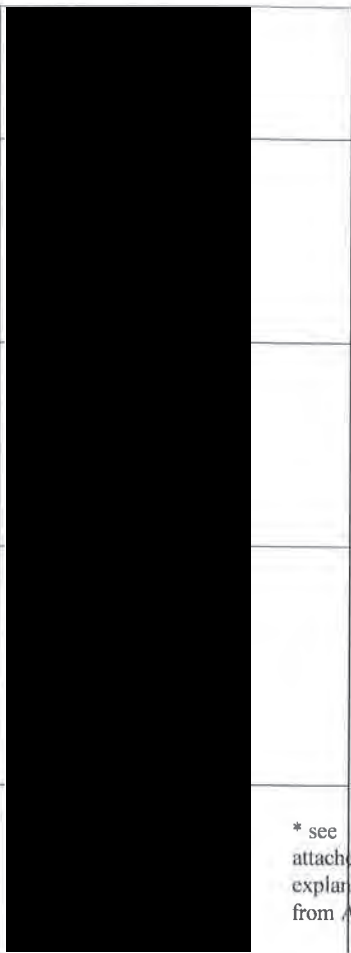
Contractor, iii) Contractor's directors, officers, principals, managerial employees, and any person or entity with a 10% or more interest in Contractor; iv) any legal entity controlled, or 10% or more of which is owned, by Contractor, or by any director, officer, principal, managerial employee of Contractor, or by any person or entity with a 10% or more interest in Contractor.

(1) Within the past five (5) years, has Contractor been declared not responsible?

(2) Has Contractor been debarred, suspended, or otherwise disqualified from bidding, proposing, or contracting?

(3) Is there a proceeding pending relating to Contractor's responsibility, debarment, suspension, or qualification to receive a public contract?



<p>(4) Within the past five (5) years, has Contractor defaulted on a contract or been terminated for cause?</p>	
<p>(5) Has a government agency or other public entity requested or required enforcement of any of its rights under a surety agreement on the basis of the Contractor's default or in lieu of declaring Contractor in default?</p>	
<p>(6) Within the past five (5) years, has the Contractor been required to engage the services of an Integrity Monitor in connection with the award of or in order to complete, any public or private contract?</p>	
<p>(7) Within the past five (5) years, have Contractor's safety practices/procedures been evaluated and ruled as less than satisfactory by the City or State of New York, any other state, any public authority or any public entity, the United States government, the MTA, MTA affiliates or subsidiaries?</p>	
<p>(8) Has Contractor's Workers Compensation Experience Rating been 1.2 or greater at any time in the last five (5) years? If "yes", please explain.</p>	

* see attached explanation from AON

D. Consent to the jurisdiction of New York courts and to service of process:

- (1) If Contractor is not organized under the laws of the State of New York, Contractor consents to the jurisdiction of the Courts of the State of New York and to the jurisdiction of any federal court located within the City of New York, with respect to any matter pertaining to Contractor's bid/proposal and, if the Contract is awarded to Contractor, to the Contract.
- (2) Contractor agrees that service of process in any judicial or administrative action may be made upon it by certified mail, return receipt requested, sent to the mailing address for Contractor specified above.
- (3) Contractor agrees that any judicial or administrative action or proceeding commenced by Contractor against the Authority shall only be commenced in a state or federal court or agency located within the City of New York.

PART IV. QUESTIONS WHICH MUST BE ANSWERED BY "YES" or "NO": (In the event of a "YES," Contractor must provide all relevant information on a separate sheet annexed hereto, and the Authority reserves the right to inquire further with respect thereto.)

To the best of your knowledge after diligent inquiry, in connection with the business of Contractor or any other firm which is related to Contractor by any degree of common ownership, control, or

otherwise, do any of the following statements apply to: i) Contractor, Contractor's parent, subsidiaries and affiliates of Contractor (if any); ii) any joint venture (including its individual members) and any other form of partnership (including its individual members) which includes Contractor or Contractor's parent, subsidiaries, or affiliates of Contractor; iii) Contractor's directors, officers, principals, managerial employees, and any person or entity with a 10% or more interest in Contractor; iv) any legal entity controlled, or 10% or more of which is owned, by Contractor, or by any director, officer, principal, managerial employee of Contractor, or by any person or entity with a 10% or more interest in Contractor.

A. Within the past ten (10) years, has been convicted of or pleaded nolo contendere to (1) any felony or (2) a misdemeanor related to truthfulness in connection with business conduct.

B. Has pending before any state or federal grand jury or court an indictment or information of the commission of a crime which has not been favorably terminated.

C. Is the subject of a pending investigation by any grand jury, commission, committee or other entity or agency or authority of any local, state, or the federal government in connection with the commission or alleged commission of a crime.

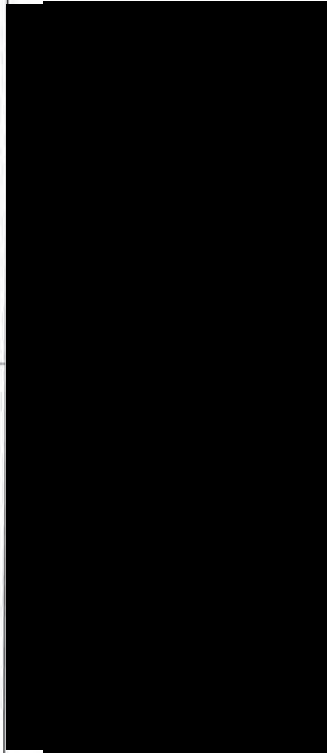
D. Is currently disqualified from selling or submitting bids/proposals to or receiving awards from or entering into any contract with any federal, state or local government agency, any public authority or any other public entity.

E. Within the past five (5) years, has refused to testify or to answer any question concerning a bid or contract with any federal, state, or local government agency, any public authority or any other public entity when called before a grand jury or other committee, agency or forum which is empowered to compel the attendance of witnesses and examine them under oath, upon being advised that neither the person's statement nor any information or evidence derived from such statement will be used against that person in any subsequent criminal proceeding.

F. Is currently disqualified from selling or submitting a bid to, or receiving an award from, or entering into any contract with any public entity or public authority within the State of New York because, within the past five (5) years, such entity or person refused to testify or to answer any relevant question concerning a transaction



or contract with the State of New York, any political subdivision of the State of New York, or a public authority or a public department, agency or official of the State of New York or of a political subdivision of the State of New York, when called before a grand jury or other state or local department, commission or agency which is empowered to compel the attendance of witnesses and examine them under oath, upon being advised that neither that person's statement nor any information or evidence derived from such statement will be used against that person in any subsequent criminal proceeding.



- G. Has within a ten (10) year period preceding this Bid/Proposal been convicted of or had a civil judgment rendered against it for or in relation to: (i) commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; (ii) collusion with another person or entity in connection with the submission of bid/proposals; (iii) violation of federal or state antitrust statutes or False Claims Acts; or (iv) commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statement(s) or receiving stolen property.

PART V. ADDITIONAL QUESTIONS: In the event of a "Yes", Contractor must provide all relevant information on a separate sheet annexed hereto, and the Authority reserves the right to inquire further with respect thereto.

- A. List the name, title, and home and business address of each person or legal entity which has a 10% or more ownership or control interest in Contractor:

Name: Dragados Construction USA Inc.

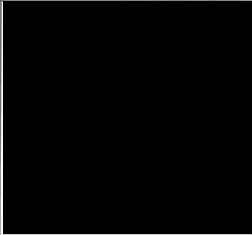
Title: Parent

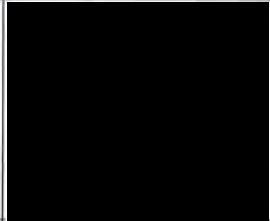
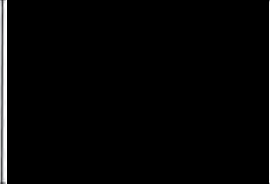
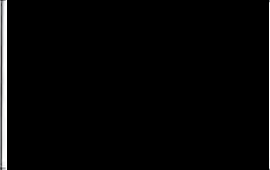
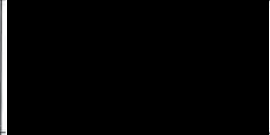
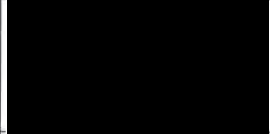
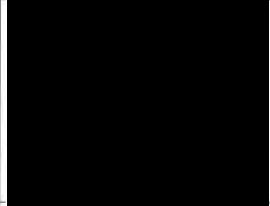

Home address: _____

Business address: 810 Seventh Avenue, New York, NY 10019

- B. In the past ten (10) years, has Contractor entered into a consent decree, deferred prosecution agreement, or a non-prosecution agreement?

- C. In the past three (3) years, has Contractor been a subcontractor on any contract with the Authority?



<p>D. In the past seven (7) years, have any bankruptcy proceedings been initiated by or against the Contractor (whether or not closed) or is any bankruptcy proceeding pending by or against the Contractor regardless of the date of filing?</p>		
<p>E. In the past five (5) years, have there been any judgments, injunctions, or liens of \$100,000 or more, including but not limited to, judgments based on taxes owed, fines and penalties assessed by a government agency against Contractor at any time?</p>		
<p>F. Are there any judgments, injunctions, or liens for \$100,000 or more each against Contractor that remain open, unsatisfied or in effect today?</p>		
<p>G. During the past five (5) years, has the Contractor failed to file any applicable federal, state or local tax return?</p>		
<p>H. Does the Contractor own or rent office space? Please provide details.</p>		
<p>I. Does any principal owner or officer of the Contractor, or any member of his/her immediate family, have an ownership interest in any entity that holds the title or lease to any real property used by the Contractor?</p>		
<p>J. Does Contractor share office space, staff, equipment, or expenses with any other entities? If "YES", please provide details.</p>		
<p>K. Contractor is required to provide a list of contracts as requested in (1), (2) and (3) below. For each of the contracts listed in (1), (2) and (3) below, Contractor shall provide a brief description of the work performed, the contract number, the dollar amount at award and at completion, date completed, and the name and telephone number of the owner's representative:</p> <p>(1) List all contracts completed during the last three (3) years. If more than three (3) contracts have been completed in the past three (3) years, list the last three (3) contracts completed.</p> <p>a. Brief description of work performed: <u>MP-21 Rehab of the Rockaway Point Blvd and Jacob Riis Pedestrian Overpass at the Marine Parkway Gil Hodges Bridge</u></p>		

Contract number: [REDACTED]

Dollar amount of award: [REDACTED]

Date completed: 8/31/16

Name/Telephone number of company and owner's representative: Jay Myszczyński [REDACTED]

Dollar amount at completion: [REDACTED]

b. Brief description of work performed: Installation of Equipment and Appurtenances
for the completion of the Manhattan Leg City Tunnel #3

Contract number: [REDACTED]

Dollar amount of award: [REDACTED]

Date completed: 6/1/16

Name/Telephone number of company and owner's representative: Kharivala Burjor [REDACTED]

Dollar amount at completion: [REDACTED]

c. Brief description of work performed: Croton WTP Off Site Facility
General Contract

Contract number: [REDACTED]

Dollar amount of award: [REDACTED]

Date completed: 10/7/16

Name/Telephone number of company and owner's representative: Bernard Daly [REDACTED]

Dollar amount at completion: [REDACTED]

- (2) List each contract completed by Contractor during the last three (3) years for which liquidated damages or penalty provisions were assessed against Contractor for failure to complete the work on time or for any other reason. Contractor is required to provide an explanation of the circumstances for each contract.

a. Brief description of work performed: _____

Contract number: _____
Dollar amount of award: _____
Date completed: _____
Name/Telephone number of company and owner's representative: _____
Dollar amount at completion: _____

b. Brief description of work performed: _____

Contract number: _____
Dollar amount of award: _____
Date completed: _____
Name/Telephone number of company and owner's representative: _____
Dollar amount at completion: _____

c. Brief description of work performed: _____

Contract number: _____
Dollar amount of award: _____
Date completed: _____
Name/Telephone number of company and owner's representative: _____
Dollar amount at completion: _____

If none of the above situations occurred during the last three (3) years, state "NONE" here:
None _____

(3) List five (5) completed contracts which demonstrate that you have substantial experience

in the construction and/or service of the type and magnitude required by the Contract and under the restrictions and conditions equivalent to those that will be encountered.

In addition, provide relevant information that demonstrates that your firm has the following experience:

- A minimum of five (5) years' experience in the manufacturing of rectifiers and transformers used for heavy duty traction power substations and/or the integration of such components supplied by others.
- The manufacturer of the rectifiers and transformers must have a minimum of five (5) years' experience in the manufacturing of rectifiers and transformers for heavy duty traction power substations.
- The on-site firm responsible for installation, testing, and commissioning of the substation shall have a minimum of five (5) years' experience in the integration of such components supplied by others, If the on-site firm is not the manufacturer, it must have direct oversight and technical resources to support the integration of the system components in the overall design.

L. Furnish the following information for each contract for which, during the last three (3) years, the Contractor was:

- (1) Terminated for default; or
- (2) Sued to compel performance; or
- (3) Sued to recover damages, including, without limitation, upon an alleged breach of contract, misfeasance, error or omission or other alleged failure on Contractor's part to perform as required by the contract; or
- (4) Called upon a surety to perform the work; or
- (5) Required to engage the services of an Integrity Monitor in connection with the award of or in order to complete, any public or private contract; or
- (6) Required to draw on a letter of credit in lieu of a performance bond.

a. Brief description of work performed: _____

Contract number: _____

Dollar amount of award: _____

Date completed: _____

Name/Telephone number of owner's representative: _____

If none of the above situations occurred during the last three (3) years, state "NONE" here:
None _____

M. List all Contractor employees: (Attach additional sheets as needed)

(1) Who are currently employees of MTA or any MTA subsidiary or affiliate:

Name: _____ None _____

Currently employed by: (check as appropriate)

MTA NYCT MaBSTOA SIRTOA MNCR
LIRR MSBA TBTA MTACC MTA BC

Name: _____

Currently employed by:

MTA NYCT MaBSTOA SIRTOA MNCR
LIRR MSBA TBTA MTACC MTA BC

Name: _____

Currently employed by:

MTA NYCT MaBSTOA SIRTOA MNCR
LIRR MSBA TBTA MTACC MTA BC

(2) Who within the past two (2) years have been MTA or any MTA subsidiary or affiliate employees who were involved on behalf of Contractor with the preparation of this bid/proposal or would be involved in the performance of the contract if it is awarded to Contractor.

Name: _____

Currently employed by: _____

MTA NYCT MaBSTOA SIRTOA MNCR
LIRR MSBA TBTA MTACC MTA BC

Name: _____

Currently employed by: _____

MTA NYCT MaBSTOA SIRTOA MNCR

LIRR MSBA TBTA MTACC MTA BC

N. Provide certified financial statements for Contractor's last three (3) fiscal years. If Contractor does not have certified financial statements, provide financial statements sworn to by Contractor's chief financial officer. If Contractor is unable to provide any such statements, provide other information which will enable the Authority to evaluate and determine whether Contractor has sufficient financial resources to enable Contractor to perform the Contract.

Attached

O. Does Contractor have a subsidiary or affiliate?

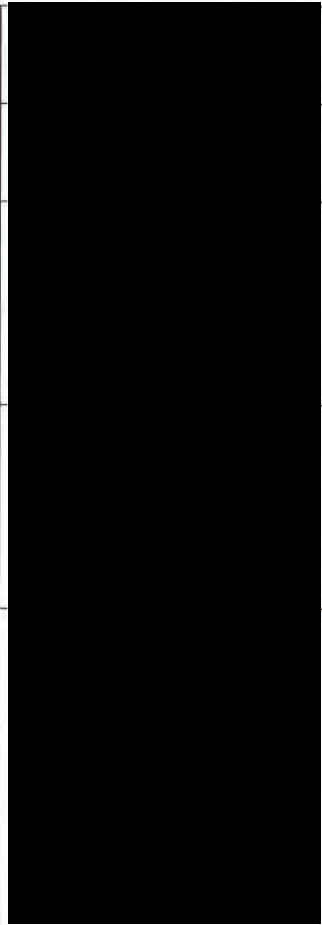
P. Is Contractor a subsidiary of another entity?

Q. Within the past five (5) years or currently, does Contractor, any director, officer, principal, managerial employee of Contractor, or any person or entity with a 10% or more interest in Contractor have an interest of 10% or more in any other firm or legal entity?

R. If the answer to P, Q or R is "YES," would Contractor's answers pertaining to Part V Questions A through M above be the same for each such parent, subsidiary, affiliate, firm or legal entity? If not, please provide a full explanation on a separate sheet of paper.

S. Describe the resources, including but not limited to, staffing, facilities, equipment, and tools that Contractor will commit to the performance of this contract. If this information is provided elsewhere in Contractor's bid/proposal, please enter below the reference to that section in Contractor's submission that responds to this question.

T. See Section: See JV submission



Contractor must sign here: _____

[Handwritten Signature]
Authorized Signature

Date: 7/10/17

**METROPOLITAN TRANSPORTATION AUTHORITY
CONTRACTOR RESPONSIBILITY FORM**

AFFIDAVIT AND ACKNOWLEDGEMENT

(Complete and submit this Affidavit and Acknowledgement Form unless the Affidavit of No Change applies.)

STATE OF New York)
) ss:
COUNTY OF Nassau)

On the 10 day of July, 2017, before me personally came and appeared Mario Serrano Villate by me known to be said person, who swore under oath as follows:

1. I am Mario Serrano Villate of John P. Picone Inc.
(Print name and title) (Print name of firm)
2. I am duly authorized to sign this questionnaire on behalf of said firm and duly signed this document pursuant to said authorization.
3. The answers to the questions set forth in the Metropolitan Transportation Authority Contractor Responsibility Form and, except as set forth in the stated exceptions in Part III, the representations set forth in this questionnaire, are true, accurate and complete. I authorize the MTA to verify any such information and to conduct any background checks it deems appropriate.
4. I acknowledge and understand that the questionnaire includes provisions which are deemed included in the contract if awarded to the firm.



Signature

Sworn to and subscribed to before me this 10 day of July, 2017.

Maureen Tolfree

Notary Public Nassau County

My commission expires: 6/17/21

MAUREEN TOLFREE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01T08284406
Qualified in Nassau County
My Commission Expires June 17, 2021

METROPOLITAN TRANSPORTATION AUTHORITY
CONTRACTOR RESPONSIBILITY FORM

AFFIDAVIT OF NO CHANGE AND ACKNOWLEDGEMENT

STATE OF _____)
) ss:
COUNTY OF _____)

On the ____ day of _____ 201__, before me personally came and appeared _____ by me known to be said person, who swore under oath as follows:

1. I am _____ of _____.
(Print name and title) (Print name of firm)
2. I am duly authorized to sign this Affidavit of No Change on behalf of said firm and duly signed this document pursuant to said authorization.
3. The Contractor previously submitted a Metropolitan Transportation Authority Contractor Responsibility Form within one (1) year prior to the date hereof to the Metropolitan Transportation Authority or an MTA subsidiary or affiliate.
4. Attached is an accurate and true copy of such previously submitted MTA Contractor Responsibility Form.
5. I hereby certify that there has been no material change in the information specified on such attached Contractor Responsibility Form except as follows:

6. I acknowledge and understand that the previously submitted MTA Contractor Responsibility Form includes provisions which are deemed included in the contract if awarded to the firm.

Signature

Sworn to and subscribed to before me
this ____ day of _____, 201__.

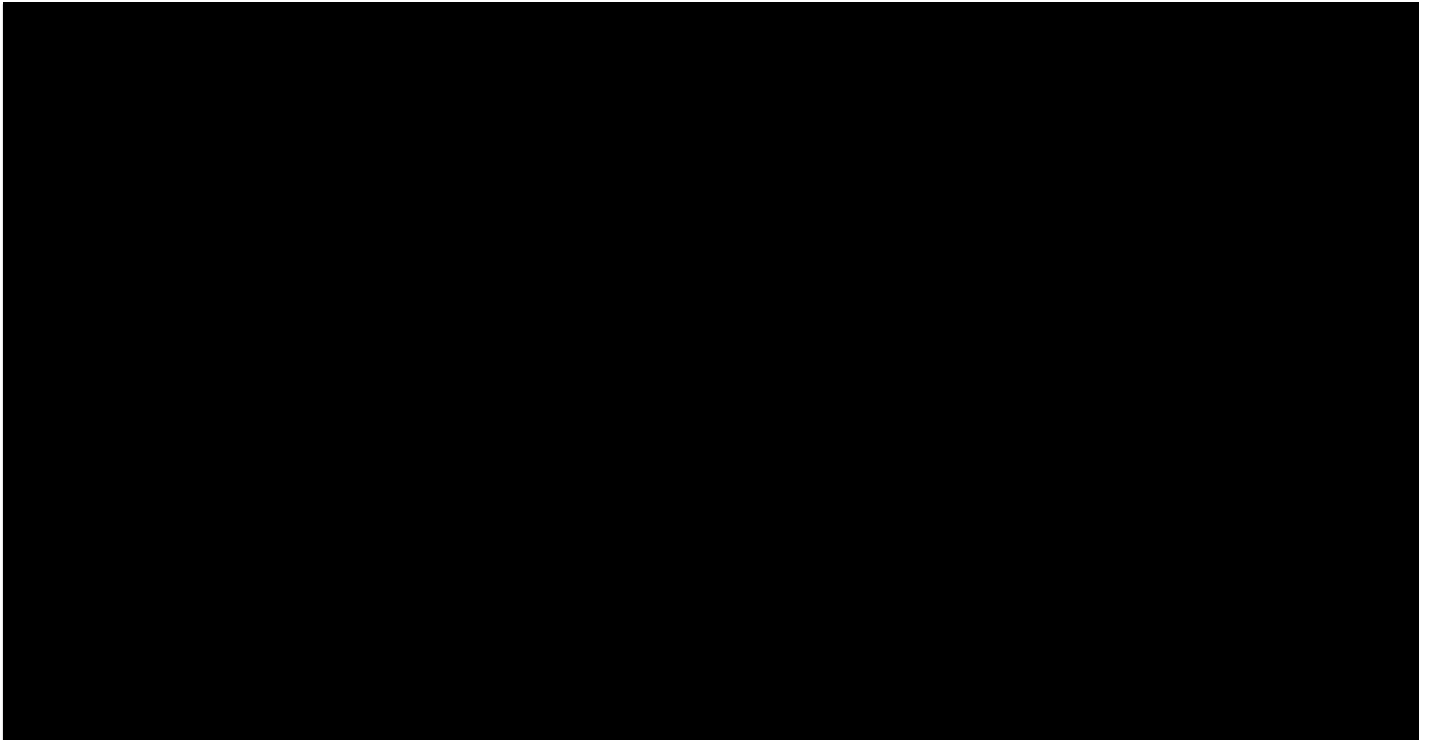
Notary Public _____ County

My commission expires: _____

John P. Picone Inc.
Schedule IX
Part II Identity of Proposer

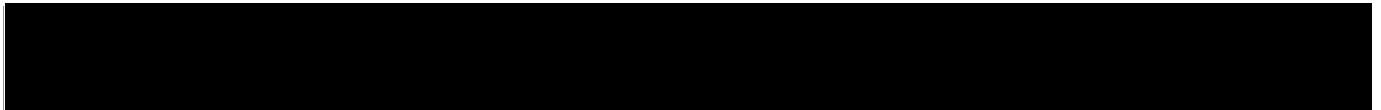
February 2017

Part III



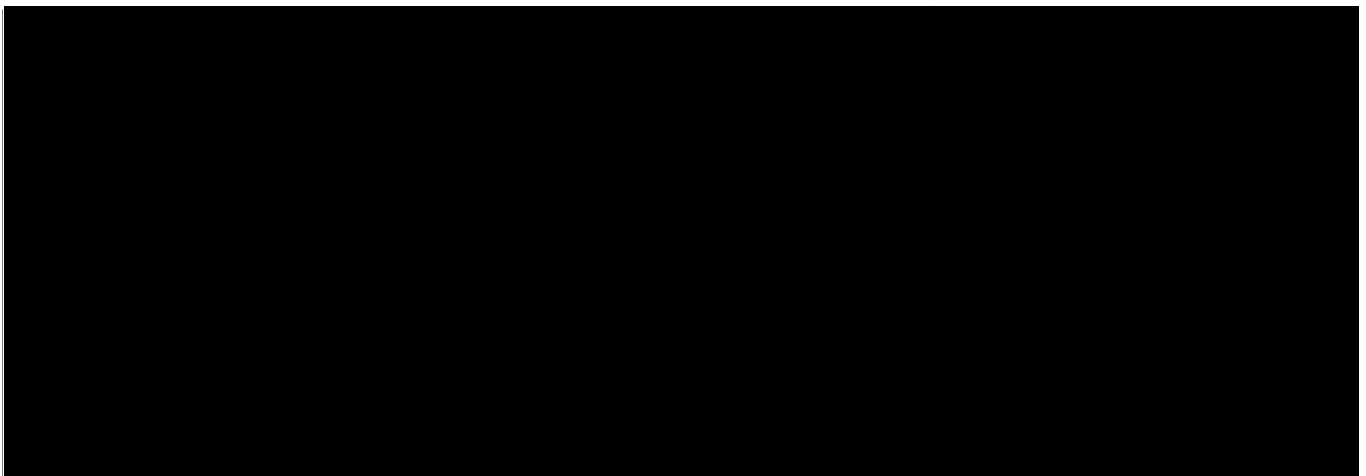
Part IV

A. Within the past ten (10) years, has been convicted of or pleaded nolo contendere to (1) any felony or (2) misdemeanor related to truthfulness in connection with business conduct.



Part V

F. Are there any judgments, injunctions, or liens for \$100,000 or more each against Contractor that remain open, unsatisfied or in effect today?

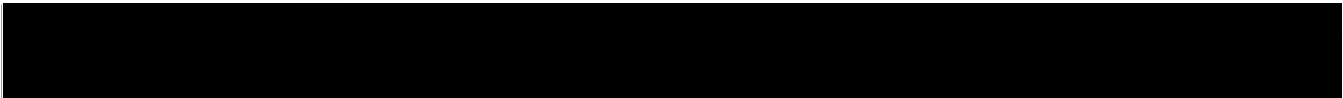


H. Does the Contractor own or rent office space?

Office space rented at:

Beach 79th Street	3-60 Beach 79th Street, Far Rockaway, NY
JPP Burnside Avenue LLC	696 Burnside Avenue, Inwood, NY
Sussex Realty	31 Garden Lane, Lawrence, NY
Outerbridge Group	101 Ellis Street, Staten Island, NY 10307
421 Seventh Avenue	421 Seventh Avenue, NY, NY 10001
Taverna Real Estate	237-243 Avenue U. Brooklyn, NY 11223
A.R.M. Parking LLC	718 61st St. Brooklyn, NY 11223
John P. Picone Inc. Owns	
Sussex Realty	31 Garden Lane, Lawrence, NY
JPP Mechanical	689 Burnside Avenue, Lawrence, NY

I. Does any principal owner or officer of the proposer or any member of his/her immediate family have ownership interest in any entity that holds the title or lease to any real property used by the proposer?



J. Does the bidder share office space, staff equipment or expenses with other entities?

Joint Ventures: Office space and staff is shared with joint ventures for which Picone is the managing partner. Fees are paid by the joint venture pursuant to joint venture agreements. See attached list of joint ventures

Federal ID	Company Name	Address
[REDACTED]	Dragados Construction USA Inc.	810 Seventh Avenue, 9 th Fl, NY, NY 10019
	Hamlet Electric JV	31 Garden Lane, Lawrence, NY 11559
	Picone-WDF JV	31 Garden Lane, Lawrence, NY 11559
	John Picone Inc. Paul J. Scariano Inc JV	31 Garden Lane, Lawrence, NY 11559
	Picone-Schiavone JV	31 Garden Lane, Lawrence, NY 11559
	JPP Plumbing LLC	31 Garden Lane, Lawrence, NY 11559
	Picone/Schiavone/Frontier Kemper Dragados	31 Garden Lane, Lawrence, NY 11559
	Picone-Bove-Tully	31 Garden Lane, Lawrence, NY 11559
	Picone Bove I	31 Garden Lane, Lawrence, NY 11559
	Picone-Bove	31 Garden Lane, Lawrence, NY 11559

	Picone-Schiavone II	31 Garden Lane, Lawrence, NY 11559
	Picone-Schiavone Bowery Bay	31 Garden Lane, Lawrence, NY 11559
	Picone-Schiavone ESI	31 Garden Lane, Lawrence, NY 11559

Shared Staff

Does the proposer share office space, staff, equipment or expenses with other entities.

Office space and staff is shared with joint ventures for which it is the managing partner. Fees are paid by the joint venture pursuant to the joint venture agreements.

Jose Miguel Ibanez Rojo – President is also:

- Dragados USA, Inc. – Executive Vice President and Director
- Dragados Construction USA, Inc. – Director
- Schiavone Construction Co. LLC – President and Manager
- Newark Real Estate Holdings, Inc. – President and Director
- J.F. White Contracting Company - Director

Fernando Gonzalez, - Treasurer is also:

- Dragados USA, Inc. – Chief Financial Officer
- Dragados Construction USA, Inc. – Chief Financial Officer
- Geocisa USA, Inc. - Chief Financial Officer
- Schiavone Construction Co. LLC - Chief Financial Officer
- Pulice Construction, Inc. – Treasurer
- Sussex Realty LLC – Member
- Newark Real Estate Holdings, Inc. - Chief Financial Officer, Treasurer, Secretary and Director
- Vias USA, Inc. - Chief Financial Officer
- Electren USA, Inc. - Chief Financial Officer
- Drace Infrastructures USA LLC - Chief Financial Officer
- Dragados Canada, Inc. - Chief Financial Officer
- VIAS Canada, Inc. - Chief Financial Officer

Antonio Jose Nieves Guadix - Senior Vice President is also:

- Dragados USA, Inc. – Executive Vice President
- Schiavone Construction Co. LLC – Senior Vice President
- Newark Real Estate Holdings, Inc. – Executive Vice President

Joseph Portela – Secretary is also:

- Dragados USA, Inc. – SVP, Secretary and General Counsel
- Dragados Construction USA, Inc. – Secretary
- Geocisa USA, Inc. – Secretary
- Pulice Construction, Inc. – Secretary
- Vias USA Inc, – Secretary
- Electren USA Inc. – Secretary
- Drace Infrastructures USA LLC – Secretary

Prince Contracting LLC – Assistant Secretary

Ignacio Segura Suriñach – Director is also:

Dragados USA, Inc. – CEO and Chairman of the Board

Dragados Construction USA, Inc. – CEO and President and Chairman of the Board

Geocisa USA, Inc. - Director

Schiavone Construction Co. LLC - Chairman of the Board

Pulice Construction, Inc. – Chairman of the Board

McNeil Brothers, Inc. - Chairman of the Board

Newark Real Estate Holdings, Inc. – Chairman of the Board

J. F. White Contracting Company - Chairman of the Board

Dragados S.A. – Chief Executive Officer

VIAS USA, Inc. - Director

Electren USA, Inc. - Director

Dragados Canada, Inc. - Chief Executive Officer and Chairman of the Board

VIAS Canada, Inc. - Director

Part V K-3

3. List Five (5) Completed Contracts which demonstrate that you have substantial experience in the construction and/or service of the type and magnitude required by the Contractor and under the restrictions and conditions equivalent to those that will be required.

6121 Design Build - Reconfiguration of Johnson Avenue Yard, Vicinity of Jamaica Station Phase I

The Long Island Railway – 144-41 94th Avenue, Jamaica, NY 11435

Contract Value [REDACTED] Final Value: [REDACTED]

Start Date: 6/15/14 – Completion date 10/31/16

MP-21 - Design/Build Rehabilitation of the Rockaway Point Boulevard and Jacob Riis Pedestrian Overpasses at the Marine Parkway - Gil Hodges Memorial Bridge

TBTA

2 Broadway, New York, NY 10004

Contract Value [REDACTED]

Start Date 1/16/15 – SC 8/13/16

A-35784 Improvements to Five Stations and Line Structure

Rehabilitation, West End Line (BMT) in the Borough of Brooklyn, NY

NYC Transit Authority 2 Broadway, New York , NY 10004

Contract Value [REDACTED] – Completed Value: [REDACTED]

Start date: 8/21/09 SC 6/30/13

A-36011 Rehabilitation of the St. Lawrence Ave, Elder Ave, Morrison Soundview Ave and Parkchester Stations, Pelham Line, in the Borough of the Bronx,

NYC Transit Authority 2 Broadway, New York , NY 10004

Contract Value: [REDACTED] – Completed Value: [REDACTED]

Start date: 8/6/09 SC – 6/1/12

C-538D Installation of Equipment and Appurtenances for the Completion of the Manhattan Leg City Tunnel #3 - Manhattan, New York

NYC Department of Environmental Protection
59-17 Junction Boulevard, Corona, NY 11368-5107
GC: Picone/Schiavone/Frontier-Kemper/Dragados JV
Contract Value [REDACTED] Completed Value: [REDACTED]
Start Date 7/6/09 FC: 3/16/17
[REDACTED]

Managing Partner: John P. Picone, Inc.

Additional Experience for rectifiers and transformers – Please see JV Submission

N. See attached financial statements

O. Does Contractor have a subsidiary or affiliate?

P. Is Contactor a subsidiary of another entity?

Picone is a subsidiary of Dragados Construction USA Inc. (DCUSA)

Q. Within the past five years or currently, does Contractor or any director, officer, principal managerial employee of the Contractor, or any person or entity with a 10% or more interest in Contractor have an interest of 10% or more of any other firm or legal entity?

The following is a current list of joint ventures for which Picone has 10% or more interest and is either a joint venture member or sponsor

Federal ID	Company Name	Address
[REDACTED]	Hamlet Electric JV	31 Garden Lane, Lawrence, NY 11559
[REDACTED]	SPMP Joint Venture	75-20 Astoria Blvd. Queens, NY 11370
[REDACTED]	Schiavone-Picone JV	150 Meadowlands Pkwy, Secaucus, NJ 07094
[REDACTED]	Picone-WDF JV	31 Garden Lane, Lawrence, NY 11559
[REDACTED]	Rondout Constructors JV	150 Meadowlands Pkwy, Secaucus, NJ 07094
[REDACTED]	John Picone Inc. Paul J. Scariano Inc JV	31 Garden Lane, Lawrence, NY 11559
[REDACTED]	Skanska-Picone JV	75-20 Astoria Blvd. Queens, NY 11370
[REDACTED]	Skanska-Picone II JV	75-20 Astoria Blvd. Queens, NY 11370
[REDACTED]	Skanska-Picone III JV	75-20 Astoria Blvd. Queens, NY 11370
[REDACTED]	Picone-Schiavone JV	31 Garden Lane, Lawrence, NY 11559

Frontier Kemper/Schiavone/Picone JV	1695 Allen Rd. PO Box 6690 Evansville, IN
JPP Plumbing LLC	31 Garden Lane, Lawrence, NY 11559
Picone/Schiavone/Frontier Kemper Dragados	31 Garden Lane, Lawrence, NY 11559
41 G Constructors	150 Meadowlands Pkwy, Secaucus, NJ 07094
SCC-JPP JV	150 Meadowlands Pkwy, Secaucus, NJ 07094
Picone-Bove-Tully	31 Garden Lane Lawrence, NY 11559
86 th Street Constructors	150 Meadowlands Pkwy, Secaucus, NJ 07094
Harold Structures Joint Venture	150 Meadowlands Pkwy, Secaucus, NJ 07094
Picone Bove I	31 Garden Lane, Lawrence, NY 11559
Picone-Bove	31 Garden Lane, Lawrence, NY 11559
Picone-Schiavone II	31 Garden Lane, Lawrence, NY 11559
Dyre Avenue Constructors Joint Venture	150 Meadowlands Pkwy, Secaucus, NJ 07094
GCT Constructors	150 Meadowlands Pkwy, Secaucus, NJ 07094
Picone-Schiavone Bowery Bay	31 Garden Lane, Lawrence, NY 11559
Skanska-Picone 26WJV	75-20 Astoria Blvd. Queens, NY 11370
Picone-Schiavone ESI	31 Garden Lane, Lawrence, NY 11559

Picone is member of the following limited liability company:

Blue Clean Water, LLC
 150 Meadowlands Parkway, 3rd Floor
 Secaucus, NJ 07094

R. If the answer to P, Q, or R is “Yes” would bidder’s answer pertaining to Part V questions A through M above be the same for each parent, subsidiary, affiliate, firm or legal entity? If not, please provide a full explanation below and attach additional sheets as necessary. Indicate if additional sheets are attached.

See attached responses from DCUSA, Pulice Construction Inc., Prince Contracting LLC, and J.F. White Contracting Company

Dragados Construction USA, Inc.

Part V

1. List the name, title and home and business address of each person or legal entity which has a 10% or more ownership or control interest in proposer.

Name: Dragados S.A.

Business Address: Avenida del Camino de Santiago 50, 28050 Madrid Spain

2. List the name, title and home and business address of each director and principle officer of Proposer

	Person 1	Person 2	Person 3
Name and Home address	Ignacio Segura Surinach [REDACTED]	Jose Luis Mendez Sanchez [REDACTED]	Fernando Gonzalez Alcañiz [REDACTED]
Business Address	810 Seventh Avenue, 9 th Floor, New York, NY 10019	701 5th Ave, Suite 7170 Seattle, WA 98104	810 Seventh Avenue, 9 th Floor, New York, NY 10019
Current Title	CEO and President and Chairman of the Board	Director	CFO
	Person 4	Person 5	Person 6
Name and Home address	Joseph G. Portela [REDACTED]	Pere Torres [REDACTED]	Jose Miguel Ibanez Rojo [REDACTED]
Business Address	810 Seventh Avenue, 9 th Floor, New York, NY 10019	810 Seventh Avenue, 9 th Floor, New York, NY 10019	810 Seventh Avenue, 9 th Floor, New York, NY 10019
Current Title	Secretary	Treasurer	Director
Name and Home address	Rafael de la Barreda Mingot [REDACTED]		
Business Address	810 Seventh Avenue, 9 th Floor, New York, NY 10019		
Current Title	Director		

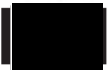
6. In the past five (5) years, have there been any judgments, injunctions, or liens of \$100,000 or more, including but not limited to, judgments based on taxes owed, fines and penalties assessed by a government agency against Proposer at any time:



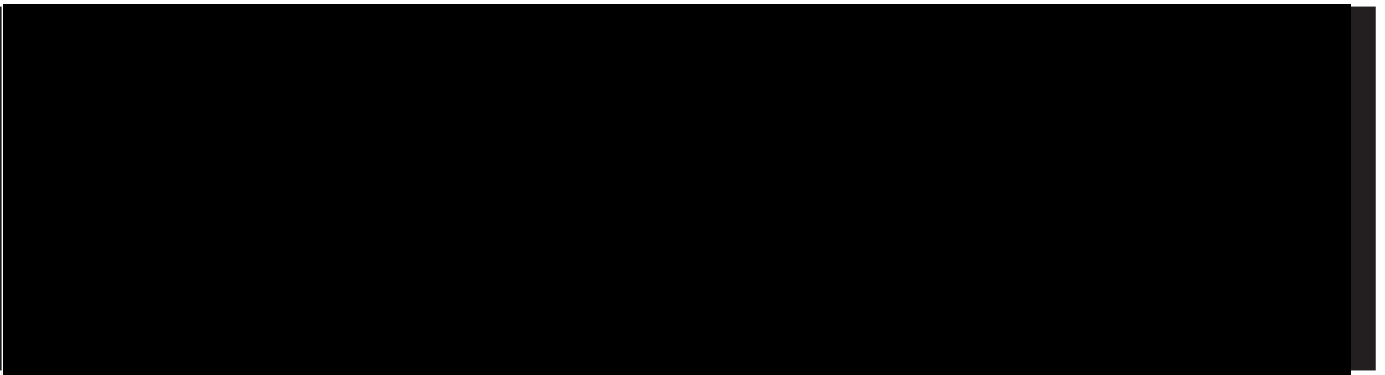
7. Are there any judgments, injunctions, or liens for \$100,000 or more each against Proposer that remain open, unsatisfied or in effect today?



8. During the past five (5) years, has the Proposer failed to file any applicable federal, state or local tax return?



11. Does any principal owner or officer of the Proposer, or any member of his/her immediate family, have an ownership interest in any entity that holds the title or lease to any real property used by the Proposer?



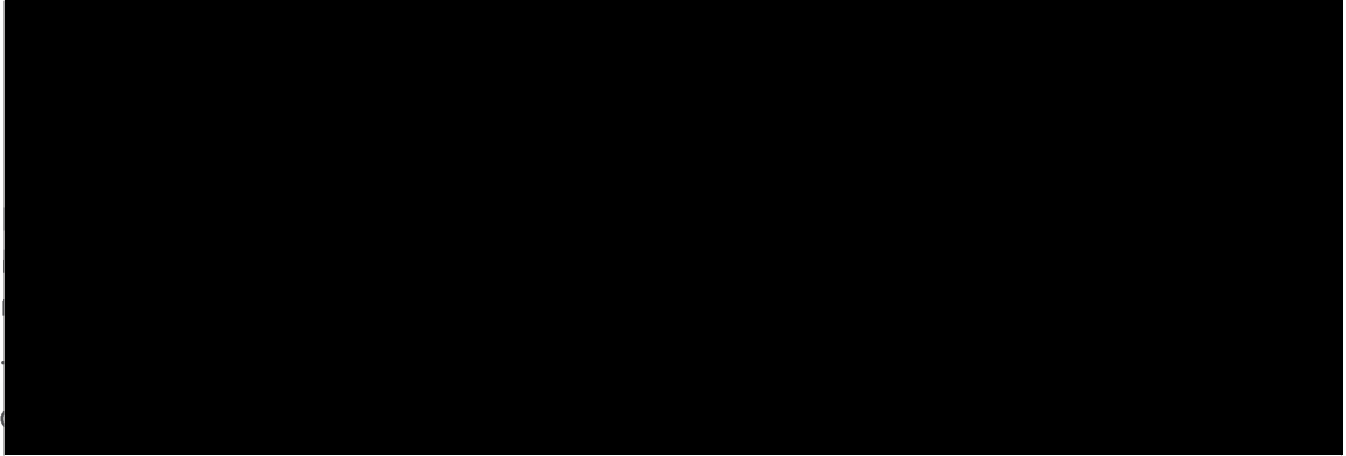
12. Does Proposer share office space, staff, equipment, or expenses with other entities?

Dragados Construction USA, Inc. shares office space, staff and equipment with Dragados USA, Inc., Geocisa USA, Inc., Newark Real Estate Holdings, Inc., VIAS USA, Inc., Electren USA, Inc, and it shares only staff with Schiavone Construction Co. LLC, Pulice Construction Inc., McNeil Brothers, Inc., John P. Picone, Inc., Sussex Realty, LLC, Prince Contracting LLC, J.F. White Contracting Company, Dragados, S.A., Drace Infrastructures USA, LLC, Dragados Canada, Inc., and VIAS Canada, Inc.

Pulice Construction, Inc.

PART III:

C1. Within the last 5 years, has Contractor been declared not responsible? The answer would be yes, and this is the explanation. It was because for administrative reasons:



Part V

1. List the name, title and home and business address of each person or legal entity which has a 10% or more ownership or control interest in proposer.

Name: Dragados Construction USA, Inc.

Business Address: 810 Seventh Avenue, 9th Floor, New York, NY 10019

2. List the name, title and home and business address of each director and principal officer of proposer:

Home addresses only available for five individuals.

	Person 1	Person 2	Person 3
Name	Christopher Rogers	Victor Jimenez	Steve Campbell
Business Address	2033 West Mountain View Road, Phoenix, AZ 85021	2033 West Mountain View Road, Phoenix, AZ 85021	2033 West Mountain View Road, Phoenix, AZ 85021
Current Title	President	Chief Operating Officer	Senior Vice President / Midwest
	Person 4	Person 5	Person 6
Name and home address	Max Frasier	David W. Hreha	Fernando Gonzalez Alcañiz [REDACTED]
Business Address	2033 West Mountain View Road, Phoenix, AZ 85021	2033 West Mountain View Road, Phoenix, AZ 85021	810 7th Ave, 9th floor New York, New York, 10019
Current Title	Vice President	Chief Financial Officer	Treasurer
	Person 7	Person 8	Person 9
Name	Joseph Portela [REDACTED]	Ignacio Segura Suriñach	Jose Luis Mendez Sanchez
Business Address	810 7th Ave, 9th floor New York, NY, 10019	810 7th Ave, 9th floor New York, NY, 10019	3200 Park Center Dr. #600 Costa Mesa, CA 92626
Current Title	Secretary	Director	Director

9. Does proposer own or rent office space?

Pulice Construction Inc. rents office space and yard from 2033-35W Mountain View LLC

Prince Contracting LLC

PART V

A. List the name, title and home and business address of each person or legal entity which has a 10% or more ownership or control interest in proposer.

Name: Dragados Construction USA, Inc.

Business Address: 810 Seventh Avenue, 9th Floor, New York, NY 10019

B. List the name, title and home and business address of each director and principal officer of proposer:

Home addresses only available for three officers.

	Person 1	Person 2	Person 3
Name	Rafael De La Barreda Mingot [REDACTED]	Jack B. Calandros	Daniel Ruiz
Business Address	810 Seventh Avenue, 9 th Floor, New York, NY 10019	10210 Highland Manor Drive, Suite 110, Tampa, FL 33610	10210 Highland Manor Drive, Suite 110, Tampa, FL 33610
Current Title	President	Executive Director	Chief Operating Officer
	Person 4	Person 5	Person 6
Name	Robert Burr	Jeffrey S. Repenning	Luis M. Faustino
Business Address	10210 Highland Manor Drive, Suite 110, Tampa, FL 33610	10210 Highland Manor Drive, Suite 110, Tampa, FL 33610	10210 Highland Manor Drive, Suite 110, Tampa, FL 33610
Current Title	Vice President	Vice President	Chief Financial Officer and Secretary
	Person 7	Person 8	
Name and Home address	Joseph Portela [REDACTED]		
Business Address	810 7th Ave, 9th floor New York, New York, 10019		
Current Title	Assistant Secretary		

Part V

K. Does proposer own or rent office space?

Schedule: Rented/leased properties:

BRE/COH FL LLC/Duke Realty LP	10210 Highland Manor Dr. Tampa, FI
Manson Land Julie A Ryais	11110 E US Hwy 92 Seffner, FI
Medallion Sites, LLC	2630 Cypress Ridge Blvd Ste 101 Wesley Chapel, FI 33544
Medallion Sites, LLC	2648 Cypress Ridge Blvd Ste 101 Wesley Chapel, FI 33544
SIGA Development & Invest Inc.	3121 Venture Place Suite 3 Jacksonville, FI 32257
Bel-Cal Properties Inc.	7081 Grand National Drive Suite 108 Orlando, FI
Breckenridge II LLC	5804 D Breckenridge Parkway Tampa, FI 33610
Grove East in Plantation	Broward Blvd #106 Plantation, FI 33312
APAC Southeast Inc.	14299 Alico Road, Ft. Myers, FI 33913
Sterling Properties LLC	Bunker Hill Center 15232 E. Colonia Dr. Orlando, FI 32826
Agri-Pak LLC	1025 S.R. 17 N. Lake Hamilton, FI 33851
Smith & Sodon Enterprises LLC	2311 Cypress Cove, Suite 101 Wesley Chapel, FI 33543
RREF Interchange- FI Rouse, LLC	3361 Rouse Rd., Suite 230 Orlando, FI 32817

J.F. White Contracting, Inc.

Part V

A. List the name, title and home and business address of each person or legal entity which has a 10% or more ownership or control interest in proposer.

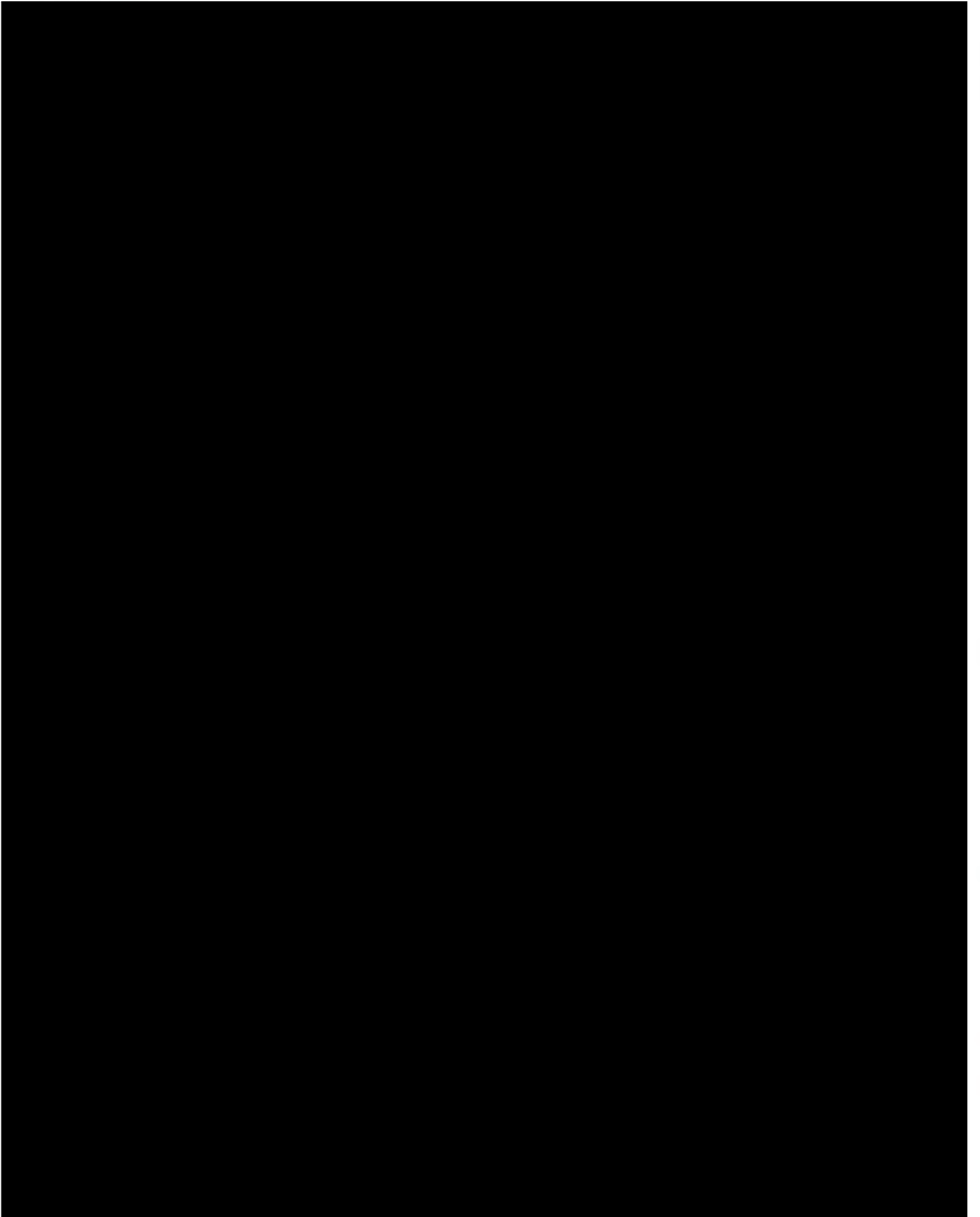
Name: Dragados Construction USA, Inc.

Business Address: 810 Seventh Avenue, 9th Floor, New York, NY 10019

B. List the name, title and home and business address of each director and principal officer of proposer:

Home addresses only available for three officers.

	Person 1	Person 2	Person 3
Name	Peter T. White	Albert Perez	Stephen F. White
Business Address	10 Burr Street, Framingham, MA 01701	10 Burr Street, Framingham, MA 01701	10 Burr Street, Framingham, MA 01701
Current Title	President, Treasurer and Director	Executive Vice President	Vice President and Director
	Person 4	Person 5	Person 6
Name	Ignacio Segura Surinach [REDACTED]	Jose Miguel Ibanez Rojo [REDACTED]	Rafael de la Barreda Mingot [REDACTED]
Business Address	810 Seventh Avenue, 9 th Floor, New York, NY 10019	810 Seventh Avenue, 9 th Floor, New York, NY 10019	810 Seventh Avenue, 9 th Floor, New York, NY 10019
Current Title	Chairman of the Board	Director	Director



**VOLUME 1: Legal/Administrative Forms
Schedule IX - Contractor Responsibility Data**

Dragados USA, Inc.

SCHEDULE IX – CONTRACTOR RESPONSIBILITY DATA

Long Form

**METROPOLITAN TRANSPORTATION AUTHORITY
CONTRACTOR RESPONSIBILITY FORM INSTRUCTIONS¹**

1. Who should complete and sign the Contractor Responsibility Form? This form must be completed for all contracts of \$250,000 or greater. In addition, contractors and known subcontractors in contracts involving “Special Circumstances” must complete this form. “Special Circumstances” are defined herein as contracts or subcontracts in excess of \$100,000 in the following areas: painting; scrap; hazardous materials; concrete; lead; asbestos; inspection and testing; security-related projects; carting; and textiles and garments; or such area the Authority may designate from time to time. In addition, all known subcontractors having subcontracts in excess of \$1 million must complete this form. The person who completes the Contractor Responsibility Form on behalf of the submitting contractor or subcontractor must provide his/her title, telephone/fax number and e-mail address in Part II of the questionnaire. The person who signs the questionnaire on behalf of the submitting contractor or subcontractor should be either Chief Executive, Executive Director, Chief Administrator, President, Vice President, Treasurer, Secretary, Chair of the Board of Directors, or the principal owner or officer responsible for administering the submitting contractor’s contract.
2. Who should complete and sign an Affidavit of No Change? If the Contractor has previously submitted a Contractor Responsibility Form within one year prior to the present date and there have been no material changes in the information specified on that form, two original signed, notarized Affidavits of No Change must be executed for the submitting Contractor. It is required that one of the principal owners/officers whose title is listed in Paragraph 1 above execute the Affidavit of No Change on behalf of the submitting contractor.
3. For purposes of this questionnaire, the terms “Contractor,” “bidder,” and “bidder/proposer” refer to both a bidder/proposer and to the firm to be awarded the contract, as well as Contractors seeking subcontracts for \$1 million and more, or Contractors seeking contracts or subcontracts in special circumstances of \$100,000 or more. All of the questions refer to the firm awarded the contract, with the exception of the questions in Parts III.C. and IV, which include separate instructions.
4. For all questions, matters on appeal must be disclosed.
5. Unless otherwise noted, all questions relate to the previous ten (10) years.

¹ PERSONAL PRIVACY PROTECTION LAW NOTIFICATION

The information the Contractor is providing on this application, including information about Key People, is requested pursuant to the New York State Public Authorities Law for the purposes of determining the Applicant Firm’s responsibility for a contract award. Failure to provide the specified information and authorization requested may, in the sole discretion of the MTA, prevent your firm’s award of a contract by the MTA and/or its agencies. The information will be kept in a file maintained by MTA and its agencies or other files maintained under the authority of MTA and its agencies. Information which, because of any name, number, symbol, mark or other identifier, can be used to identify a person, shall be received, maintained and used by the MTA and its agencies solely for the above-stated purposes and will be protected from public disclosure to the fullest extent permitted by law.

6. All questions on this questionnaire must be answered; do not leave blanks. Where appropriate, state "None" or "Not Applicable" (N/A).
7. If additional space is required to fully respond to any question, please add sheets to this questionnaire and reference the question/answer appropriately.
8. This form includes:
 - a. Contractor representations and obligations (Part III) which (a) apply to Contractor's bid/proposal; and (b) are deemed incorporated into the contract between the Contractor and Authority if the contract is awarded to Contractor. If any representation is not accurate and complete at the time Contractor signs this form, Contractor must, as part of its bid, identify the provision and explain the reason in detail on a separate sheet, as provided in Part III; and
 - b. Questions which Contractor must answer as part of its bid/proposal (Parts III.C., IV, and V).
9. If during the performance of this Contract, either of the following occurs, Contractor shall promptly give notice in writing of the situation to the Authority's Chief Procurement Officer, and thereafter cooperate with the Authority's review and investigation of such information.
 - a. Contractor has reason to believe that any representation or answer to any question contained in this Contractor Responsibility Form was not accurate or complete at the time Contractor Responsibility Form was signed; or
 - b. Events occur or circumstances change so that an answer to any question on this Form is no longer accurate or complete.
10. In the Authority's sole discretion, the following shall constitute grounds for the Authority to take remedial action up to and including immediate termination of the Contract for convenience without payment for profit and overhead for work not performed if:
 - a. Contractor fails to notify the Chief Procurement Officer as required by "9" above;
 - b. Contractor fails to cooperate with the Authority's request for additional information as required by "9" above;
 - c. Contractor, a Contractor director, officer, principal, managerial employee, or owner of a 10% or more interest in Contractor, is convicted of a crime involving a public contract; or
 - d. Significant concerns about the Contractor's integrity are raised based upon an evaluation of the events underlying any other determination, indictment, conviction, or other allegation that Contractor or a Contractor director, officer, principal, managerial employee, or owner of a 10% or more interest in Contractor, or has been involved in any felony or a misdemeanor related to truthfulness and/or business conduct in the past ten (10) years.

11. The Authority reserves the right to inquire further with respect to Contractor's responses; and Contractor consents to such further inquiry and agrees to furnish all relevant documents and information as requested by the Authority. Any response to this document prior or subsequent to Contractor's bid or proposal which is or may be construed as unfavorable to Contractor will not necessarily automatically result in a negative finding on the question of Contractor's responsibility or a decision to terminate the Contract if it is awarded to Contractor.
12. Definitions:
- a. _____ the voting stock and/or an entity in which a group of principal owners or officers that owns more than fifty (50) % of the submitting contractor also owns more than fifty (50) % of the voting stock.
 - b. Authority: refers to the MTA and/or MTA subsidiary or affiliate to which the Contractor is submitting its bid or proposal and/or which is awarding the contract sought.
 - c. Control: The submitting contractor is controlled by another entity when: (1) the other entity holds ten (10) % or more of the voting stock of the submitting contractor; or (2) the other entity directs or has the right to direct daily operations. The submitting contractor controls another entity when: (1) it holds ten (10) % or more of the voting stock of the other entity; or (2) it directs or has the right to direct daily operations.
 - d. Government agency(ies): include city, state, federal public agencies, quasi-public agencies, authorities and corporations, public development corporations, public benefit corporations and local development corporations.
 - e. Integrity Monitor: includes an Independent Private Sector Inspector General ("IPSIG"), or any independent private sector firm with legal, audit, investigative and loss prevention skills, employed by an organization or government entity, either voluntarily or by compulsory process, to monitor an entity's business activities to ensure compliance with relevant laws and regulations, as well as to uncover and report unethical or illegal conduct within and against the entity.
 - f. Joint Venture: a business undertaking by two or more persons, corporations or other legal entities engaged in a single defined project. The necessary elements are: (1) an express or implied agreement; (2) a common purpose the group intends to carry out; and (3) shared profits and losses.
 - g. Managerial employees or managerial capacity: Employees in a supervisory capacity who, either by virtue of their title or their duties, operate with discretion over solicitation, letting, or management of contracts with public agencies.
 - h. Metropolitan Transportation Authority ("MTA") subsidiary or affiliate includes: New York City Transit Authority ("NYCT"), Manhattan and Bronx Surface Transit Operating Authority ("MaBSTOA"), Staten Island Rapid Transit Operating Authority ("SIRTOA"), Triborough Bridge and Tunnel Authority ("TBTA"), Metro-North Commuter Railroad Company

(“MNCR”), Long Island Rail Road (“LIRR”), Metropolitan Suburban Bus Authority (“MSBA”), MTA Bus Company (“MTA BC”), MTA Capital Construction (“MTACC”) and First Mutual Transportation Assurance Company (“FMTAC”).

- i. Officer: Any individual who serves as or performs the functions of chief executive officer, chief financial officer, or chief operating officer of the submitting contractor, without regard to such individual’s title. president, vice president, secretary, treasurer, board chairperson, trustee (individual or entity who administers a trust) or their equivalents.
- j. Parent: Any entity including, but not limited to any individual, partnership, joint venture or corporation which owns (50) % or more of the voting stock of another entity.
- k. Principal Owner: An individual, partnership, joint venture or corporation that holds a ten (10) % or greater ownership interest in a submitting contractor or subcontractor.
- l. Share: To have space, staff, equipment, expenses, or use such items, in common with one or more other entities.
- m. Significant Adverse Information: includes but is not limited to an unsatisfactory final performance evaluation on a contract with any MTA agency within the immediate prior three (3) years, an uncured interim unsatisfactory rating on a contract with any MTA agency, or an answer of “yes” to any question in Part IV herein.
- n. Subcontract: An agreement between an individual or entity that is a party to a contract and another individual or entity which is for the provision of goods, services or construction pursuant to that contract, and has a value that when aggregated with the values of all other such agreements with the same individual or entity and subcontractor during the immediately preceding twelve (12) month period is valued at one million dollars (\$1,000,000) or more, and in special circumstances involving agreements of \$100,000 or more.
- o. Submitting Contractor: The entity submitting the Contractor Responsibility Form.
- p. Subsidiary: An entity in which the majority of the voting stock is owned by a parent.

PART I. IDENTITY OF CONTRACTOR:

- A. Contractor’s full legal name: Dragados USA, Inc.
- B. Tax ID Number (“TIN”), Employer Identification Number (“EIN”) and Social Security Number (“SSN”), as applicable: ██████████
- C. Contractor’s form of legal entity (corporation, joint venture, sole proprietorship, etc.): Corporation

If the Contractor is a Joint Venture, or Partnership, please list all partner firms and/or parties to

the Joint Venture below. All partners and/or parties listed are also required to individually complete a separate Contractor Responsibility Form.

(1) Partner/Party name: _____

TIN, EIN, or SSN _____:

Percentage of Ownership: _____

(2) Partner/Party Name: _____

TIN, EIN or SSN: _____

Percentage of ownership: _____

D. State or country under whose laws Contractor is organized and year organized:

Delaware - 2005

E. Does the Contractor now use or, in the past ten (10) years has it used, TIN, EIN, doing business as or "DBA", name, trade name or abbreviation other than the Contractor's name or TIN, or EIN number listed in Part I.B. above? No

F. Contractor's mailing address: 810 Seventh Ave. 9th Floor

New York, NY 10019

G. Contractor's street address (complete only if different than "F"): _____

H. Has contractor changed its address in the past five (5) years and, if so, what was the firm's prior address(es)? No

I. Contractor's telephone number: 212-779-0900 Fax number: 212-764-6032

Email address: [REDACTED]@dragados-usa.com

PART II. IDENTITY OF PERSON COMPLETING THIS QUESTIONNAIRE:

A. Name: Gabriel Heredero

B. Employer/Title: Contracts Administration

C. Telephone number: [REDACTED] Fax number: [REDACTED]

D. Email address: [REDACTED]@dragados-usa.com Mobile number: N/A
--

PART III. CONTRACTOR REPRESENTATIONS: If for any reason a representation on this questionnaire is not accurate and complete as of the time Contractor signs this form, Contractor must identify the provision and explain the reason in detail on a separate sheet. Absent such an explanation, Contractor represents that the following statements are complete and accurate:

Please check this box if a separate sheet is attached:

A. Statement of non-collusion as required by Section 2878 of the Public Authorities Law:

- (1) 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 thereto certifies as to its own organization, under penalty of perjury, that to the best of his 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 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 or not to submit a bid for the purpose of restricting competition.

- (2) A bid shall not be considered for award nor shall any award be made where (1) (a), (b), and (c) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (1) (a), (b), and (c) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the Chief Procurement Officer of the Authority, or designee, determines that such disclosure was not made for the purpose of restricting competition.

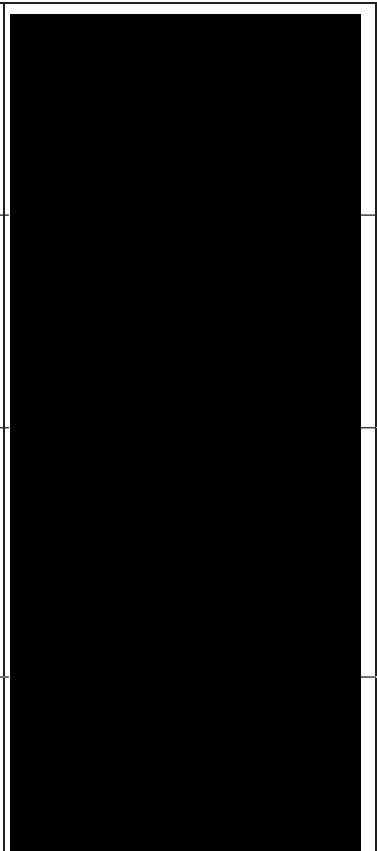
The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph 1(a) herein.

B. Statement of no-conflict of interest:

- (1) No appointed or elected official, member or other officer or employee of the City or State of New York, or of the Metropolitan Transportation Authority ("MTA"), or MTA's affiliates and subsidiaries: i) is interested, directly or indirectly, in any manner whatsoever in or in the performance of the Contract or in the supplies, work, or business to which it relates or in any portion of the profits thereof; or ii) has been or will be offered or given any tangible or intangible consideration in connection with this bid/proposal/Contract.

- (2) Contractor covenants that neither Contractor nor, to the best of Contractor's knowledge after diligent inquiry, any director, officer, owner or employee of Contractor or any person or entity with a 10% or more interest in Contractor has any interest nor shall they acquire any interest, directly or indirectly, which would conflict in any manner or degree with the faithful performance of the Contract hereunder.
- (3) In the event Contractor has no prior knowledge of a conflict of interest as set forth in "1" and "2" above and hereafter acquires information which indicates that there may be an actual or apparent violation of any of the above, Contractor shall promptly bring such information to the attention of the Authority's Chief Procurement Officer. Contractor shall thereafter cooperate with the Authority's review and investigation of such information, and comply with any instructions it receives from the Chief Procurement Officer in regard to remedying the situation.

<p>C. The following questions apply to any bid, proposal, or contract between Contractor and the City or State of New York, any other state, any public authority or other public entity, the United States government, the MTA, and MTA affiliates and subsidiaries. (If the answer to any question is "YES," Contractor must provide all relevant information on a separate sheet annexed hereto). Please check this box if a separate sheet is attached: <input type="checkbox"/></p> <p>The following questions apply to: i) Contractor, Contractor's parent, subsidiaries and affiliates of Contractor (if any); ii) any joint venture (including its individual members) and any other form of partnership (including its individual members) which includes Contractor or Contractor's parent, subsidiaries, or affiliates of Contractor, iii) Contractor's directors, officers, principals, managerial employees, and any person or entity with a 10% or more interest in Contractor; iv) any legal entity controlled, or 10% or more of which is owned, by Contractor, or by any director, officer, principal, managerial employee of Contractor, or by any person or entity with a 10% or more interest in Contractor.</p>	
<p>(1) Within the past five (5) years, has Contractor been declared not responsible?</p>	
<p>(2) Has Contractor been debarred, suspended, or otherwise disqualified from bidding, proposing, or contracting?</p>	
<p>(3) Is there a proceeding pending relating to Contractor's responsibility, debarment, suspension, or qualification to receive a public contract?</p>	
<p>(4) Within the past five (5) years, has Contractor defaulted on a contract or been terminated for cause?</p>	

<p>(5) Has a government agency or other public entity requested or required enforcement of any of its rights under a surety agreement on the basis of the Contractor's default or in lieu of declaring Contractor in default?</p>	
<p>(6) Within the past five (5) years, has the Contractor been required to engage the services of an Integrity Monitor in connection with the award of or in order to complete, any public or private contract?</p>	
<p>(7) Within the past five (5) years, have Contractor's safety practices/procedures been evaluated and ruled as less than satisfactory by the City or State of New York, any other state, any public authority or any public entity, the United States government, the MTA, MTA affiliates or subsidiaries?</p>	
<p>(8) Has Contractor's Workers Compensation Experience Rating been 1.2 or greater at any time in the last five (5) years? If "yes", please explain.</p>	

D. Consent to the jurisdiction of New York courts and to service of process:

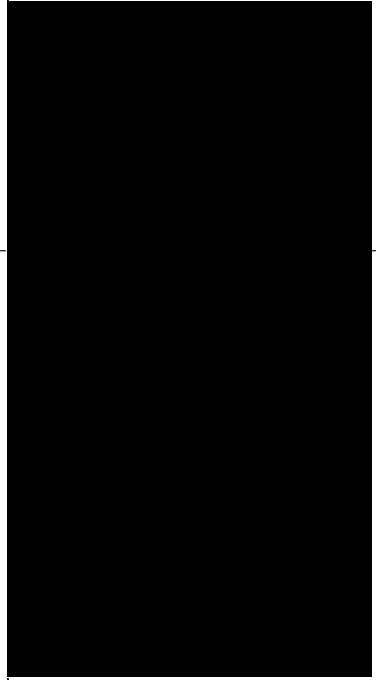
- (1) If Contractor is not organized under the laws of the State of New York, Contractor consents to the jurisdiction of the Courts of the State of New York and to the jurisdiction of any federal court located within the City of New York, with respect to any matter pertaining to Contractor's bid/proposal and, if the Contract is awarded to Contractor, to the Contract.
- (2) Contractor agrees that service of process in any judicial or administrative action may be made upon it by certified mail, return receipt requested, sent to the mailing address for Contractor specified above.
- (3) Contractor agrees that any judicial or administrative action or proceeding commenced by Contractor against the Authority shall only be commenced in a state or federal court or agency located within the City of New York.

PART IV. QUESTIONS WHICH MUST BE ANSWERED BY "YES" or "NO": (In the event of a "YES," Contractor must provide all relevant information on a separate sheet annexed hereto, and the Authority reserves the right to inquire further with respect thereto.)

To the best of your knowledge after diligent inquiry, in connection with the business of Contractor or any other firm which is related to Contractor by any degree of common ownership, control, or otherwise, do any of the following statements apply to: i) Contractor, Contractor's parent, subsidiaries and affiliates of Contractor (if any); ii) any joint venture (including its individual members) and any other form of partnership (including its individual members) which includes Contractor or Contractor's

<p>parent, subsidiaries, or affiliates of Contractor; iii) Contractor's directors, officers, principals, managerial employees, and any person or entity with a 10% or more interest in Contractor; iv) any legal entity controlled, or 10% or more of which is owned, by Contractor, or by any director, officer, principal, managerial employee of Contractor, or by any person or entity with a 10% or more interest in Contractor.</p>	
<p>A. Within the past ten (10) years, has been convicted of or pleaded nolo contendere to (1) any felony or (2) a misdemeanor related to truthfulness in connection with business conduct.</p>	
<p>B. Has pending before any state or federal grand jury or court an indictment or information of the commission of a crime which has not been favorably terminated.</p>	
<p>C. Is the subject of a pending investigation by any grand jury, commission, committee or other entity or agency or authority of any local, state, or the federal government in connection with the commission or alleged commission of a crime.</p>	
<p>D. Is currently disqualified from selling or submitting bids/proposals to or receiving awards from or entering into any contract with any federal, state or local government agency, any public authority or any other public entity.</p>	
<p>E. Within the past five (5) years, has refused to testify or to answer any question concerning a bid or contract with any federal, state, or local government agency, any public authority or any other public entity when called before a grand jury or other committee, agency or forum which is empowered to compel the attendance of witnesses and examine them under oath, upon being advised that neither the person's statement nor any information or evidence derived from such statement will be used against that person in any subsequent criminal proceeding.</p>	
<p>F. Is currently disqualified from selling or submitting a bid to, or receiving an award from, or entering into any contract with any public entity or public authority within the State of New York because, within the past five (5) years, such entity or person refused to testify or to answer any relevant question concerning a transaction or contract with the State of New York, any political subdivision of the State of New York, or a public authority or a public department, agency or official of the State of New York or of a political</p>	

subdivision of the State of New York, when called before a grand jury or other state or local department, commission or agency which is empowered to compel the attendance of witnesses and examine them under oath, upon being advised that neither that person's statement nor any information or evidence derived from such statement will be used against that person in any subsequent criminal proceeding.



G. Has within a ten (10) year period preceding this Bid/Proposal been convicted of or had a civil judgment rendered against it for or in relation to: (i) commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; (ii) collusion with another person or entity in connection with the submission of bid/proposals; (iii) violation of federal or state antitrust statutes or False Claims Acts; or (iv) commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statement(s) or receiving stolen property.

PART V. ADDITIONAL QUESTIONS: In the event of a “Yes”, Contractor must provide all relevant information on a separate sheet annexed hereto, and the Authority reserves the right to inquire further with respect thereto.

A. List the name, title, and home and business address of each person or legal entity which has a 10% or more ownership or control interest in Contractor:

Name: Dragados, S.A.

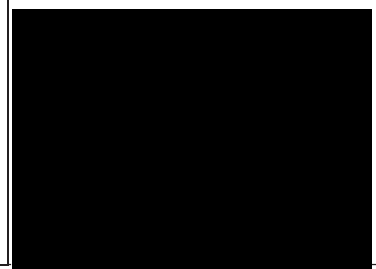
Title: Parent Company

Home address: _____

Business address: Avda. Camino de Santiago, 50 28050 Madrid Spain

B. In the past ten (10) years, has Contractor entered into a consent decree, deferred prosecution agreement, or a non-prosecution agreement?

C. In the past three (3) years, has Contractor been a subcontractor on any contract with the Authority?



<p>D. In the past seven (7) years, have any bankruptcy proceedings been initiated by or against the Contractor (whether or not closed) or is any bankruptcy proceeding pending by or against the Contractor regardless of the date of filing?</p>	
<p>E. In the past five (5) years, have there been any judgments, injunctions, or liens of \$100,000 or more, including but not limited to, judgments based on taxes owed, fines and penalties assessed by a government agency against Contractor at any time?</p>	
<p>F. Are there any judgments, injunctions, or liens for \$100,000 or more each against Contractor that remain open, unsatisfied or in effect today?</p>	
<p>G. During the past five (5) years, has the Contractor failed to file any applicable federal, state or local tax return?</p>	
<p>H. Does the Contractor own or rent office space? Please provide details.</p>	
<p>I. Does any principal owner or officer of the Contractor, or any member of his/her immediate family, have an ownership interest in any entity that holds the title or lease to any real property used by the Contractor?</p>	
<p>J. Does Contractor share office space, staff, equipment, or expenses with any other entities? If "YES", please provide details.</p>	
<p>K. Contractor is required to provide a list of contracts as requested in (1), (2) and (3) below. For each of the contracts listed in (1), (2) and (3) below, Contractor shall provide a brief description of the work performed, the contract number, the dollar amount at award and at completion, date completed, and the name and telephone number of the owner's representative:</p> <p>(1) List all contracts completed during the last three (3) years. If more than three (3) contracts have been completed in the past three (3) years, list the last three (3) contracts completed.</p> <p>a. Brief description of work performed: <u>I-75 Express Lanes Segment E from North of Griffin Road to I-595</u></p> <p>Contract number: <u>██████████</u></p> <p>Dollar amount of award: <u>██████████</u></p>	

Date completed: 07/09/2017

Name/Telephone number of company and owner's representative: Paul Lampley

Dollar amount at completion: [REDACTED]

b. Brief description of work performed: SR 838 Replacement of Bridge No. 860061 over Middle River

Contract number: [REDACTED]

Dollar amount of award: [REDACTED]

Date completed: 09/07/2016

Name/Telephone number of company and owner's representative: Angela Lietz

Dollar amount at completion: [REDACTED]

c. Brief description of work performed: I-295 at SR208 Wilson Boulevard Interchange Improvement

Contract number: [REDACTED]

Dollar amount of award: [REDACTED]

Date completed: 07/20/2015

Name/Telephone number of company and owner's representative: Daniel B. Lahey

Dollar amount at completion: [REDACTED]

(2) List each contract completed by Contractor during the last three (3) years for which liquidated damages or penalty provisions were assessed against Contractor for failure to complete the work on time or for any other reason. Contractor is required to provide an explanation of the circumstances for each contract.

a. Brief description of work performed: I-295 at SR 208 Wilson Boulevard Interchange Improvement

Contract number: [REDACTED]

Dollar amount of award: [REDACTED]

Date completed: 07/20/2015

Name/Telephone number of company and owner's representative: Daniel B. Lahey

Dollar amount at completion: [REDACTED]

b. Brief description of work performed: _____

Contract number: _____
Dollar amount of award: _____
Date completed: _____
Name/Telephone number of company and owner's representative: _____
Dollar amount at completion: _____

c. Brief description of work performed: _____

Contract number: _____
Dollar amount of award: _____
Date completed: _____
Name/Telephone number of company and owner's representative: _____
Dollar amount at completion: _____

If none of the above situations occurred during the last three (3) years, state "NONE" here:

(3) List five (5) completed contracts which demonstrate that you have substantial experience in the construction and/or service of the type and magnitude required by the Contract and under the restrictions and conditions equivalent to those that will be encountered.

Please see Volume 2, Package 1, Management Approach

In addition, provide relevant information that demonstrates that your firm has the following experience:

- A minimum of five (5) years' experience in the manufacturing of rectifiers and transformers used for heavy duty traction power substations and/or the integration of such components supplied by others.
- The manufacturer of the rectifiers and transformers must have a minimum of five (5) years' experience in the manufacturing of rectifiers and transformers for heavy duty traction power substations.
- The on-site firm responsible for installation, testing, and commissioning of the substation shall have a minimum of five (5) years' experience in the integration of such components supplied by others, If the on-site firm is not the manufacturer, it must have direct oversight and technical resources to support the integration of the system components in the overall design.

L. Furnish the following information for each contract for which, during the last three (3) years, the Contractor was:

- (1) Terminated for default; or
- (2) Sued to compel performance; or
- (3) Sued to recover damages, including, without limitation, upon an alleged breach of contract, misfeasance, error or omission or other alleged failure on Contractor's part to perform as required by the contract; or
- (4) Called upon a surety to perform the work; or
- (5) Required to engage the services of an Integrity Monitor in connection with the award of or in order to complete, any public or private contract; or
- (6) Required to draw on a letter of credit in lieu of a performance bond.

a. Brief description of work performed: _____

Contract number: _____

Dollar amount of award: _____

Date completed: _____

Name/Telephone number of owner's representative: _____

If none of the above situations occurred during the last three (3) years, state "NONE" here:
NONE

M. List all Contractor employees: (Attach additional sheets as needed)

(1) Who are currently employees of MTA or any MTA subsidiary or affiliate:

Name: N/A

Currently employed by: (check as appropriate)

MTA NYCT MaBSTOA SIRTOA MNCR

LIRR MSBA TBTA MTACC MTA BC

Name: _____

Currently employed by:

MTA NYCT MaBSTOA SIRTOA MNCR

LIRR MSBA TBTA MTACC MTA BC

Name: _____

Currently employed by:

- MTA NYCT MaBSTOA SIRTOA MNCR
- LIRR MSBA TBTA MTACC MTA BC

(2) Who within the past two (2) years have been MTA or any MTA subsidiary or affiliate employees who were involved on behalf of Contractor with the preparation of this bid/proposal or would be involved in the performance of the contract if it is awarded to Contractor.

Name: N/A

Currently employed by: _____

- MTA NYCT MaBSTOA SIRTOA MNCR
- LIRR MSBA TBTA MTACC MTA BC

Name: _____

Currently employed by: _____

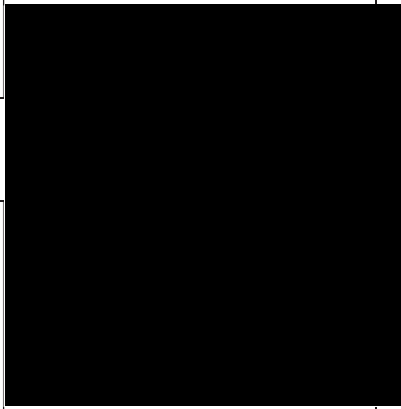
- MTA NYCT MaBSTOA SIRTOA MNCR
- LIRR MSBA TBTA MTACC MTA BC

N. Provide certified financial statements for Contractor’s last three (3) fiscal years. If Contractor does not have certified financial statements, provide financial statements sworn to by Contractor’s chief financial officer. If Contractor is unable to provide any such statements, provide other information which will enable the Authority to evaluate and determine whether Contractor has sufficient financial resources to enable Contractor to perform the Contract.
 See Volume 2, Package 4, Financial Strength

O. Does Contractor have a subsidiary or affiliate?

P. Is Contractor a subsidiary of another entity?

Q. Within the past five (5) years or currently, does Contractor, any director, officer, principal, managerial employee of Contractor, or any person or entity with a 10% or more interest in Contractor have an interest of 10% or more in any other firm or legal entity?



R. If the answer to P, Q or R is "YES," would Contractor's answers pertaining to Part V Questions A through M above be the same for each such parent, subsidiary, affiliate, firm or legal entity? If not, please provide a full explanation on a separate sheet of paper.

S. Describe the resources, including but not limited to, staffing, facilities, equipment, and tools that Contractor will commit to the performance of this contract. If this information is provided elsewhere in Contractor's bid/proposal, please enter below the reference to that section in Contractor's submission that responds to this question.

T. See Section: See Volume 2-Technical, Part 1

Contractor must sign here: _____


Authorized Signature

Date: July 13, 2017

**METROPOLITAN TRANSPORTATION AUTHORITY
CONTRACTOR RESPONSIBILITY FORM**

AFFIDAVIT AND ACKNOWLEDGEMENT

(Complete and submit this Affidavit and Acknowledgement Form unless
the Affidavit of No Change applies.)

STATE OF New York)
) ss:
COUNTY OF New York)

On the 17th day of July 2017, before me personally came and appeared
Rafael de la Parreda by me known to be said person, who swore under oath as follows:

1. I am Rafael de la Barreda/Exec. VP of Dragados USA, Inc..
(Print name and title) (Print name of firm)
2. I am duly authorized to sign this questionnaire on behalf of said firm and duly signed this document pursuant to said authorization.
3. The answers to the questions set forth in the Metropolitan Transportation Authority Contractor Responsibility Form and, except as set forth in the stated exceptions in Part III, the representations set forth in this questionnaire, are true, accurate and complete. I authorize the MTA to verify any such information and to conduct any background checks it deems appropriate.
4. I acknowledge and understand that the questionnaire includes provisions which are deemed included in the contract if awarded to the firm.



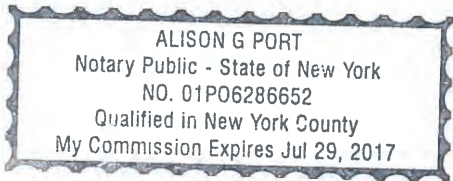
Signature

Sworn to and subscribed to before me
this 17th day of July, 2017.

Alison Port

Notary Public New York County

My commission expires: July 29, 2017



Part V

F. Liens for \$100,000 or more that remain open, unsatisfied or in effect today

[REDACTED]

[REDACTED]

H. List of offices rented by Dragados USA

1. DRAGADOS USA CORPORATE OFFICE- HEAD QUARTER
810 7TH AVENUE, 6TH AND 9TH
NEWYORK, NY 10019
2. DRAGADOS USA- WEST COAST OFFICE
701 5TH AVENUE, SUITE 6550
SEATTLE, WA 98104
3. DRAGADOS USA- CALIFORNIA BRANCH OFFICE
4900 HOPYARD ROAD, SUITE 110
PLEASANTON, CA 94588
4. DRAGADOS USA- CALIFORNIA OFFICE
3200 PARK CENTER DR., SUITE 600
COSTA MESA, CA
5. DRAGADOS USA- FLORIDA (ACS INFRA)
1 ALHAMBRA PLAZA
SUITE 1200
CORAL GABLES, FL 33134
6. DRAGADOS USA- DURHAM, NORTH CAROLINA
303 US 70 SERVICE ROAD,
DURHAM, NC 27703
7. DRAGAGOS USA- VIRGINIA (CHEASPEAKE PROJECT)
5700 THURSTON AVENUE
SUITE 102
VIRGINIA BEACH, VA 23455
8. DRAGADOS USA- FLORDIA (JACKSON VILLE PROJECT)
8465 MERCHANT WAY, UNIT 3
JACKSONVILLE, FL

9. DRAGADOS USA- SEATTLE (STP)
MILE POST 31
211 1TH AVE
SEATTLE, WA
10. DRAGADOS USA- TX OFFICE (IRVING)
8505 FREEPORT
SUITE 250
IRVING, TX
11. DRAGADOS USA- PORTSMOUTH, OHIO
4301- C LUCASVILLE- MINFORD RD
MINFORD, OH 45653
12. DRAGADOS USA- CA (ECHO WATER)
8541 LAGUNA STATION ROAD
ELK GROVE, CA 95758
MAILING ADDRESS
5050 LAGUNA BLVD, STE 112- #42
ELK GROVE, CA 95758
13. DRAGADOS USA – CA (CALAVERSA DAM)
12750 CALAVERSA RD
FREMONT, CA 94539
14. DRAGADOS USA- CA (HIGH SPEED RAIL)
1775 PARK STREET
BUILDING 75 AND 75-A
SELMA, CA 93662
15. DRAGADOS USA- TX (HARBOR BRIDGE)
500 SHORELINE BUILDING
CORPUS CRISTIY, TX
16. DRAGADOS USA- TX (SH288)
2636 SOUTH LOOP WEST
HOUSTON, TX 77054

J. Shared Staff with Affiliates

DRAGADOS CONSTRUCTION USA, INC.

Address: 810 Seventh Ave., 9th Floor, New York, NY 10019

[REDACTED]

Fernando Gonzalez-Alcaniz, Chief Financial Officer

Rafael de la Barreda Mingot, Director

DRAGADOS CANADA, INC.

Address: 150 King Street West, Suite 2103, Toronto, Ontario M5H1J9, Canada

[REDACTED]

Fernando Gonzalez-Alcaniz, Chief Financial Officer

NEWARK REAL ESTATE HOLDINGS, INC.

Address: 810 Seventh Ave., 9th Floor, New York, NY 10019

[REDACTED]

Fernando Gonzalez-Alcaniz, Director, Chief Financial Officer, Treasurer and Secretary

SCHIAVONE CONSTRUCTION CO. LLC

Address: 150 Meadowlands Parkway, 3rd Floor, Secaucus, NJ 07094

[REDACTED]

Fernando Gonzalez-Alcaniz, Chief Financial Officer

JOHN P. PICONE, INC.

Address: 31 Garden Lane, Lawrence, NY 11559

[REDACTED]

Fernando Gonzalez-Alcaniz, Treasurer

PULICE CONSTRUCTION, INC.

Address: 2033 West Mountain View Road, Phoenix, AZ 85021

[REDACTED]

Fernando Gonzalez-Alcaniz, Treasurer

PRINCE CONTRACTING, INC.

Address: 10210 Highland Manor Drive, Suite 110, Tampa, FL 33610

[REDACTED]

Rafael de la Barreda Mingot, President

J.F. WHITE CONTRACTING COMPANY

Address: 10 Burr Street, Framingham, MA 01701

[REDACTED]

Rafael de la Barreda Mingot, Director

GEOCISA USA, INC.

Address: 810 Seventh Ave., 9th Floor, New York, NY 10019

[REDACTED]

Fernando Gonzalez-Alcaniz, Chief Financial Officer

VIAS USA, INC.

Address: 810 Seventh Ave., 9th Floor, New York, NY 10019

[REDACTED]

Fernando Gonzalez-Alcaniz, Chief Financial Officer

VIAS CANADA, INC.

Address: 20 Bay Street, Suite 1100, Toronto, Ontario M5J2N8, Canada

[REDACTED]

Fernando Gonzalez-Alcaniz, Chief Financial Officer

ELECTREN USA, INC.

Address: 810 Seventh Ave., 9th Floor, New York, NY 10019

[REDACTED]
Fernando Gonzalez-Alcaniz, Chief Financial Officer

DRACE INFRASTRUCTURES USA LLC

Address: 701 Fifth Avenue, Suite 6550, Seattle, WA 98104

[REDACTED]
Fernando Gonzalez-Alcaniz, Chief Financial Officer

O. Does Contractor have a subsidiary or affiliate

Dragados USA, Inc. does not have any subsidiaries and has the following affiliates:

- Electren, S.A.
- VIAS USA, Inc.
- Electren USA, Inc.
- Geocisa USA, Inc.
- Dragados Construction USA, Inc.
- Pulice Construction, Inc.
- McNeil Brothers, Inc.
- Roadway Electric L.L.C.
- John P. Picone, Inc.
- JPP Plumbing L.L.C.
- Sussex Realty L.L.C.
- Blue Clean Water L.L.C.
- Schiavone Construction Co. L.L.C.
- Newark Real Estate Holdings, Inc.
- Drace Infrastructures USA L.L.C. (11/13/12 f/k/a FPS USA LLC)
- Lining Precast LLC (7/31/13 f/k/a FPS EnCon Precast LLC)
- Prince Contracting LLC
- J.F. White Contracting Company
- JFWCC Corp.
- White Equipment Leasing Corp.
- JFW Solar LLC
- Millbrook Riverside LLC
- Hanover Offsite Solar Power LLC

P. Is Contractor a subsidiary of another entity?

[REDACTED]

R. If the answer to p, Q, or R is “Yes” would bidder’s answer pertaining to Part V questions A through M above be the same for each parent, subsidiary,

affiliate firm or legal entity? If not, please provide a full explanation on a separate sheet of paper.

See attached responses for Dragados Construction USA, Inc., Pulice Construction Inc., Prince Contracting LLC, and J.F. White Contracting Company

Dragados Construction USA, Inc.

Part V

1. List the name, title and home and business address of each person or legal entity which has a 10% or more ownership or control interest in proposer.

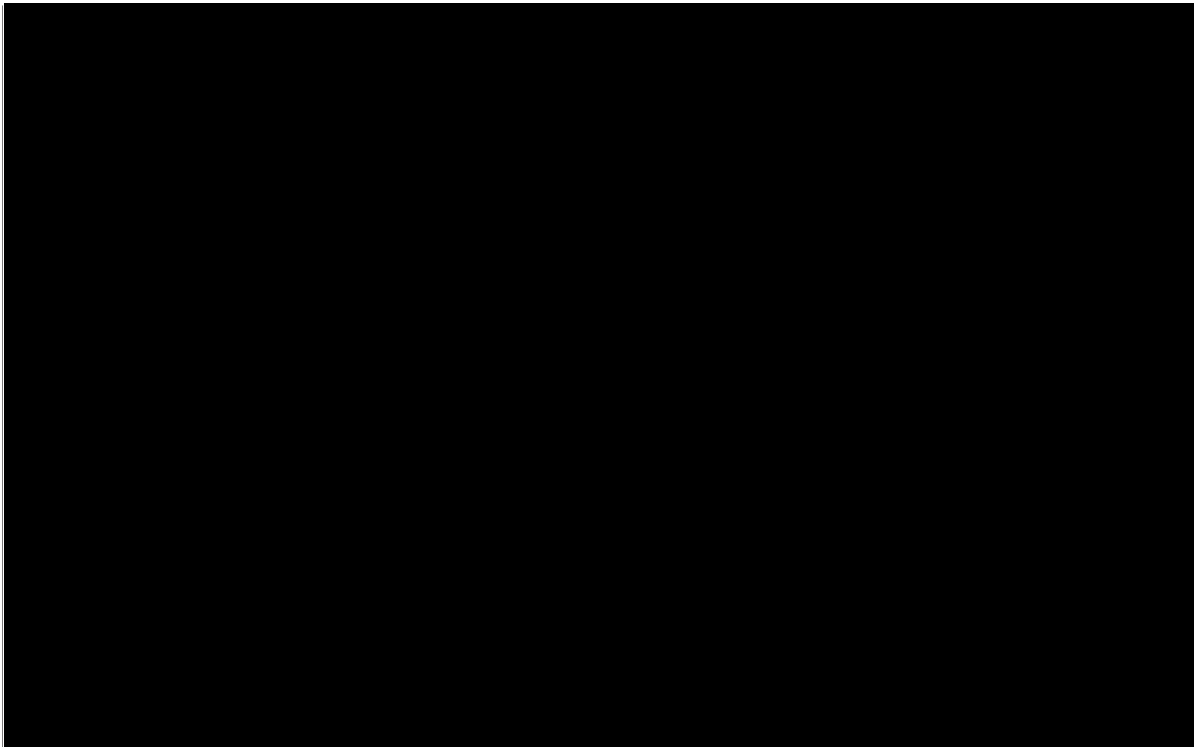
Name: Dragados S.A.

Business Address: Avenida del Camino de Santiago 50, 28050 Madrid Spain

2. List the name, title and home and business address of each director and principle officer of Proposer

	Person 1	Person 2	Person 3
Name and Home address	Ignacio Segura Surinach [REDACTED]	Jose Luis Mendez Sanchez [REDACTED]	Fernando Gonzalez Alcañiz [REDACTED]
Business Address	810 Seventh Avenue, 9 th Floor, New York, NY 10019	701 5th Ave, Suite 7170 Seattle, WA 98104	810 Seventh Avenue, 9 th Floor, New York, NY 10019
Current Title	CEO and President and Chairman of the Board	Director	CFO
	Person 4	Person 5	Person 6
Name and Home address	Joseph G. Portela [REDACTED]	Pere Torres	Jose Miguel Ibanez Rojo
Business Address	810 Seventh Avenue, 9 th Floor, New York, NY 10019	810 Seventh Avenue, 9 th Floor, New York, NY 10019	810 Seventh Avenue, 9 th Floor, New York, NY 10019
Current Title	Secretary	Treasurer	Director
Name and Home address	Rafael de la Barreda Mingot [REDACTED]		
Business Address	810 Seventh Avenue, 9 th Floor, New York, NY 10019		
Current Title	Director		

6. In the past five (5) years, have there been any judgments, injunctions, or liens of \$100,000 or more, including but not limited to, judgments based on taxes owed, fines and penalties assessed by a government agency against Proposer at any time:



7. Are there any judgments, injunctions, or liens for \$100,000 or more each against Proposer that remain open, unsatisfied or in effect today?



8. During the past five (5) years, has the Proposer failed to file any applicable federal, state or local tax return?



11. Does any principal owner or officer of the Proposer, or any member of his/her immediate family, have an ownership interest in any entity that holds the title or lease to any real property used by the Proposer?



12. Does Proposer share office space, staff, equipment, or expenses with other entities?

Dragados Construction USA, Inc. shares office space, staff and equipment with Dragados USA, Inc., Geocisa USA, Inc., Newark Real Estate Holdings, Inc., VIAS USA, Inc., Electren USA, Inc, and it shares only staff with Schiavone Construction Co. LLC, Pulice Construction Inc., McNeil Brothers, Inc., John P. Picone, Inc., Sussex Realty, LLC, Prince Contracting LLC, J.F. White Contracting Company, Dragados, S.A., Drace Infrastructures USA, LLC, Dragados Canada, Inc., and VIAS Canada, Inc.

Pulice Construction, Inc.

PART III:

C1. Within the last 5 years, has Contractor been declared not responsible? The answer would be yes, and this is the explanation. It was because for administrative reasons:



Part V

1. List the name, title and home and business address of each person or legal entity which has a 10% or more ownership or control interest in proposer.

Name: Dragados Construction USA, Inc.

Business Address: 810 Seventh Avenue, 9th Floor, New York, NY 10019

2. List the name, title and home and business address of each director and principal officer of proposer:

Home addresses only available for five individuals.

	Person 1	Person 2	Person 3
Name	Christopher Rogers	Victor Jimenez	Steve Campbell
Business Address	2033 West Mountain View Road, Phoenix, AZ 85021	2033 West Mountain View Road, Phoenix, AZ 85021	2033 West Mountain View Road, Phoenix, AZ 85021
Current Title	President	Chief Operating Officer	Senior Vice President / Midwest
	Person 4	Person 5	Person 6
Name and home address	Max Frasier	David W. Hreha	Fernando Gonzalez Alcañiz [REDACTED]
Business Address	2033 West Mountain View Road, Phoenix, AZ 85021	2033 West Mountain View Road, Phoenix, AZ 85021	810 7th Ave, 9th floor New York, New York, 10019
Current Title	Vice President	Chief Financial Officer	Treasurer
	Person 7	Person 8	Person 9
Name	Joseph Portela [REDACTED]	Ignacio Segura Suriñach	Jose Luis Mendez Sanchez
Business Address	810 7th Ave, 9th floor New York, NY, 10019	810 7th Ave, 9th floor New York, NY, 10019	3200 Park Center Dr. #600 Costa Mesa, CA 92626
Current Title	Secretary	Director	Director

9. Does proposer own or rent office space?

Pulice Construction Inc. rents office space and yard from 2033-35W Mountain View LLC

Prince Contracting LLC

PART V

A. List the name, title and home and business address of each person or legal entity which has a 10% or more ownership or control interest in proposer.

Name: Dragados Construction USA, Inc.
 Business Address: 810 Seventh Avenue, 9th Floor, New York, NY 10019

B. List the name, title and home and business address of each director and principal officer of proposer:

Home addresses only available for three officers.

	Person 1	Person 2	Person 3
Name	Rafael De La Barreda Mingot	Jack B. Calandros	Daniel Ruiz
Business Address	810 Seventh Avenue, 9 th Floor, New York, NY 10019	10210 Highland Manor Drive, Suite 110, Tampa, FL 33610	10210 Highland Manor Drive, Suite 110, Tampa, FL 33610
Current Title	President	Executive Director	Chief Operating Officer
	Person 4	Person 5	Person 6
Name	Robert Burr	Jeffrey S. Repenning	Luis M. Faustino
Business Address	10210 Highland Manor Drive, Suite 110, Tampa, FL 33610	10210 Highland Manor Drive, Suite 110, Tampa, FL 33610	10210 Highland Manor Drive, Suite 110, Tampa, FL 33610
Current Title	Vice President	Vice President	Chief Financial Officer and Secretary
	Person 7	Person 8	
Name and Home address	Joseph Portela		
Business Address	810 7th Ave, 9th floor New York, New York, 10019		
Current Title	Assistant Secretary		

Part V

K. Does proposer own or rent office space?

Schedule: Rented/leased properties:

BRE/COH FL LLC/Duke Realty LP	10210 Highland Manor Dr. Tampa, FI
Manson Land Julie A Ryais	11110 E US Hwy 92 Seffner, FI
Medallion Sites, LLC	2630 Cypress Ridge Blvd Ste 101 Wesley Chapel, FI 33544
Medallion Sites, LLC	2648 Cypress Ridge Blvd Ste 101 Wesley Chapel, FI 33544
SIGA Development & Invest Inc.	3121 Venture Place Suite 3 Jacksonville, FI 32257
Bel-Cal Properties Inc.	7081 Grand National Drive Suite 108 Orlando, FI
Breckenridge II LLC	5804 D Breckenridge Parkway Tampa, FI 33610
Grove East in Plantation	Broward Blvd #106 Plantation, FI 33312
APAC Southeast Inc.	14299 Alico Road, Ft. Myers, FI 33913
Sterling Properties LLC	Bunker Hill Center 15232 E. Colonia Dr. Orlando, FI 32826
Agri-Pak LLC	1025 S.R. 17 N. Lake Hamilton, FI 33851
Smith & Sodon Enterprises LLC	2311 Cypress Cove, Suite 101 Wesley Chapel, FI 33543
RREF Interchange- FI Rouse, LLC	3361 Rouse Rd., Suite 230 Orlando, FI 32817

J.F. White Contracting, Inc.

Part V

A. List the name, title and home and business address of each person or legal entity which has a 10% or more ownership or control interest in proposer.

Name: Dragados Construction USA, Inc.

Business Address: 810 Seventh Avenue, 9th Floor, New York, NY 10019

B. List the name, title and home and business address of each director and principal officer of proposer:

Home addresses only available for three officers.

	Person 1	Person 2	Person 3
Name	Peter T. White	Albert Perez	Stephen F. White
Business Address	10 Burr Street, Framingham, MA 01701	10 Burr Street, Framingham, MA 01701	10 Burr Street, Framingham, MA 01701
Current Title	President, Treasurer and Director	Executive Vice President	Vice President and Director
	Person 4	Person 5	Person 6
Name	Ignacio Segura Surinach	Jose Miguel Ibanez Rojo	Rafael de la Barreda Mingot
Business Address	810 Seventh Avenue, 9 th Floor, New York, NY 10019	810 Seventh Avenue, 9 th Floor, New York, NY 10019	810 Seventh Avenue, 9 th Floor, New York, NY 10019
Current Title	Chairman of the Board	Director	Director

THIS DOCUMENT HAS BEEN REDACTED FOR PUBLIC DISTRIBUTION

**VOLUME 1: Legal/Administrative Forms
Schedule IX - Contractor Responsibility Data**

**Halmar
International LLC**

SCHEDULE IX – CONTRACTOR RESPONSIBILITY DATA

Long Form

**METROPOLITAN TRANSPORTATION AUTHORITY
CONTRACTOR RESPONSIBILITY FORM INSTRUCTIONS¹**

1. Who should complete and sign the Contractor Responsibility Form? This form must be completed for all contracts of \$250,000 or greater. In addition, contractors and known subcontractors in contracts involving “Special Circumstances” must complete this form. “Special Circumstances” are defined herein as contracts or subcontracts in excess of \$100,000 in the following areas: painting; scrap; hazardous materials; concrete; lead; asbestos; inspection and testing; security-related projects; carting; and textiles and garments; or such area the Authority may designate from time to time. In addition, all known subcontractors having subcontracts in excess of \$1 million must complete this form. The person who completes the Contractor Responsibility Form on behalf of the submitting contractor or subcontractor must provide his/her title, telephone/fax number and e-mail address in Part II of the questionnaire. The person who signs the questionnaire on behalf of the submitting contractor or subcontractor should be either Chief Executive, Executive Director, Chief Administrator, President, Vice President, Treasurer, Secretary, Chair of the Board of Directors, or the principal owner or officer responsible for administering the submitting contractor’s contract.
2. Who should complete and sign an Affidavit of No Change? If the Contractor has previously submitted a Contractor Responsibility Form within one year prior to the present date and there have been no material changes in the information specified on that form, two original signed, notarized Affidavits of No Change must be executed for the submitting Contractor. It is required that one of the principal owners/officers whose title is listed in Paragraph 1 above execute the Affidavit of No Change on behalf of the submitting contractor.
3. For purposes of this questionnaire, the terms “Contractor,” “bidder,” and “bidder/proposer” refer to both a bidder/proposer and to the firm to be awarded the contract, as well as Contractors seeking subcontracts for \$1 million and more, or Contractors seeking contracts or subcontracts in special circumstances of \$100,000 or more. All of the questions refer to the firm awarded the contract, with the exception of the questions in Parts III.C. and IV, which include separate instructions.
4. For all questions, matters on appeal must be disclosed.
5. Unless otherwise noted, all questions relate to the previous ten (10) years.

¹ PERSONAL PRIVACY PROTECTION LAW NOTIFICATION

The information the Contractor is providing on this application, including information about Key People, is requested pursuant to the New York State Public Authorities Law for the purposes of determining the Applicant Firm’s responsibility for a contract award. Failure to provide the specified information and authorization requested may, in the sole discretion of the MTA, prevent your firm’s award of a contract by the MTA and/or its agencies. The information will be kept in a file maintained by MTA and its agencies or other files maintained under the authority of MTA and its agencies. Information which, because of any name, number, symbol, mark or other identifier, can be used to identify a person, shall be received, maintained and used by the MTA and its agencies solely for the above-stated purposes and will be protected from public disclosure to the fullest extent permitted by law.

6. All questions on this questionnaire must be answered; do not leave blanks. Where appropriate, state "None" or "Not Applicable" (N/A).
7. If additional space is required to fully respond to any question, please add sheets to this questionnaire and reference the question/answer appropriately.
8. This form includes:
 - a. Contractor representations and obligations (Part III) which (a) apply to Contractor's bid/proposal; and (b) are deemed incorporated into the contract between the Contractor and Authority if the contract is awarded to Contractor. If any representation is not accurate and complete at the time Contractor signs this form, Contractor must, as part of its bid, identify the provision and explain the reason in detail on a separate sheet, as provided in Part III; and
 - b. Questions which Contractor must answer as part of its bid/proposal (Parts III.C., IV, and V).
9. If during the performance of this Contract, either of the following occurs, Contractor shall promptly give notice in writing of the situation to the Authority's Chief Procurement Officer, and thereafter cooperate with the Authority's review and investigation of such information.
 - a. Contractor has reason to believe that any representation or answer to any question contained in this Contractor Responsibility Form was not accurate or complete at the time Contractor Responsibility Form was signed; or
 - b. Events occur or circumstances change so that an answer to any question on this Form is no longer accurate or complete.
10. In the Authority's sole discretion, the following shall constitute grounds for the Authority to take remedial action up to and including immediate termination of the Contract for convenience without payment for profit and overhead for work not performed if:
 - a. Contractor fails to notify the Chief Procurement Officer as required by "9" above;
 - b. Contractor fails to cooperate with the Authority's request for additional information as required by "9" above;
 - c. Contractor, a Contractor director, officer, principal, managerial employee, or owner of a 10% or more interest in Contractor, is convicted of a crime involving a public contract; or
 - d. Significant concerns about the Contractor's integrity are raised based upon an evaluation of the events underlying any other determination, indictment, conviction, or other allegation that Contractor or a Contractor director, officer, principal, managerial employee, or owner of a 10% or more interest in Contractor, or has been involved in any felony or a misdemeanor related to truthfulness and/or business conduct in the past ten (10) years.

11. The Authority reserves the right to inquire further with respect to Contractor's responses; and Contractor consents to such further inquiry and agrees to furnish all relevant documents and information as requested by the Authority. Any response to this document prior or subsequent to Contractor's bid or proposal which is or may be construed as unfavorable to Contractor will not necessarily automatically result in a negative finding on the question of Contractor's responsibility or a decision to terminate the Contract if it is awarded to Contractor.
12. Definitions:
 - a. _____ the voting stock and/or an entity in which a group of principal owners or officers that owns more than fifty (50) % of the submitting contractor also owns more than fifty (50) % of the voting stock.
 - b. Authority: refers to the MTA and/or MTA subsidiary or affiliate to which the Contractor is submitting its bid or proposal and/or which is awarding the contract sought.
 - c. Control: The submitting contractor is controlled by another entity when: (1) the other entity holds ten (10) % or more of the voting stock of the submitting contractor; or (2) the other entity directs or has the right to direct daily operations. The submitting contractor controls another entity when: (1) it holds ten (10) % or more of the voting stock of the other entity; or (2) it directs or has the right to direct daily operations.
 - d. Government agency(ies): include city, state, federal public agencies, quasi-public agencies, authorities and corporations, public development corporations, public benefit corporations and local development corporations.
 - e. Integrity Monitor: includes an Independent Private Sector Inspector General ("IPSIG"), or any independent private sector firm with legal, audit, investigative and loss prevention skills, employed by an organization or government entity, either voluntarily or by compulsory process, to monitor an entity's business activities to ensure compliance with relevant laws and regulations, as well as to uncover and report unethical or illegal conduct within and against the entity.
 - f. Joint Venture: a business undertaking by two or more persons, corporations or other legal entities engaged in a single defined project. The necessary elements are: (1) an express or implied agreement; (2) a common purpose the group intends to carry out; and (3) shared profits and losses.
 - g. Managerial employees or managerial capacity: Employees in a supervisory capacity who, either by virtue of their title or their duties, operate with discretion over solicitation, letting, or management of contracts with public agencies.
 - h. Metropolitan Transportation Authority ("MTA") subsidiary or affiliate includes: New York City Transit Authority ("NYCT"), Manhattan and Bronx Surface Transit Operating Authority ("MaBSTOA"), Staten Island Rapid Transit Operating Authority ("SIRTOA"), Triborough Bridge and Tunnel Authority ("TBTA"), Metro-North Commuter Railroad Company

("MNCR"), Long Island Rail Road ("LIRR"), Metropolitan Suburban Bus Authority ("MSBA"), MTA Bus Company ("MTA BC"), MTA Capital Construction ("MTACC") and First Mutual Transportation Assurance Company ("FMTAC").

- i. Officer: Any individual who serves as or performs the functions of chief executive officer, chief financial officer, or chief operating officer of the submitting contractor, without regard to such individual's title. president, vice president, secretary, treasurer, board chairperson, trustee (individual or entity who administers a trust) or their equivalents.
- j. Parent: Any entity including, but not limited to any individual, partnership, joint venture or corporation which owns (50) % or more of the voting stock of another entity.
- k. Principal Owner: An individual, partnership, joint venture or corporation that holds a ten (10) % or greater ownership interest in a submitting contractor or subcontractor.
- l. Share: To have space, staff, equipment, expenses, or use such items, in common with one or more other entities.
- m. Significant Adverse Information: includes but is not limited to an unsatisfactory final performance evaluation on a contract with any MTA agency within the immediate prior three (3) years, an uncured interim unsatisfactory rating on a contract with any MTA agency, or an answer of "yes" to any question in Part IV herein.
- n. Subcontract: An agreement between an individual or entity that is a party to a contract and another individual or entity which is for the provision of goods, services or construction pursuant to that contract, and has a value that when aggregated with the values of all other such agreements with the same individual or entity and subcontractor during the immediately preceding twelve (12) month period is valued at one million dollars (\$1,000,000) or more, and in special circumstances involving agreements of \$100,000 or more.
- o. Submitting Contractor: The entity submitting the Contractor Responsibility Form.
- p. Subsidiary: An entity in which the majority of the voting stock is owned by a parent.

PART I. IDENTITY OF CONTRACTOR:

- A. Contractor's full legal name: Halmar International LLC
- B. Tax ID Number ("TIN"), Employer Identification Number ("EIN") and Social Security Number ("SSN"), as applicable: [REDACTED]
- C. Contractor's form of legal entity (corporation, joint venture, sole proprietorship, etc.): Limited Liability Company

If the Contractor is a Joint Venture, or Partnership, please list all partner firms and/or parties to

the Joint Venture below. All partners and/or parties listed are also required to individually complete a separate Contractor Responsibility Form.

(1) Partner/Party name: _____
TIN, EIN, or SSN _____ : _____
Percentage of Ownership: _____

(2) Partner/Party Name: _____
TIN, EIN or SSN: _____
Percentage of ownership: _____

D. State or country under whose laws Contractor is organized and year organized:

New York, 2005

E. Does the Contractor now use or, in the past ten (10) years has it used, TIN, EIN, doing business as or "DBA", name, trade name or abbreviation other than the Contractor's name or TIN, or EIN number listed in Part I.B. above? N/A

F. Contractor's mailing address: 421 East Route 59, Nanuet, NY 10954

G. Contractor's street address (complete only if different than "F"): _____

H. Has contractor changed its address in the past five (5) years and, if so, what was the firm's prior address(es)? 1 Blue Hill Plaza, PO Box 1564, Pearl River, NY 10965

I. Contractor's telephone number: (845)735.3511 Fax number: (845)735.3388

Email address: estimating@halmarinternational.com

PART II. IDENTITY OF PERSON COMPLETING THIS QUESTIONNAIRE:

A. Name: Chris Larsen

B. Employer/Title: Principal

C. Telephone number: [REDACTED]

D. Email address: [REDACTED]@halmarinternational.com Mobile number: [REDACTED]

PART III. CONTRACTOR REPRESENTATIONS: If for any reason a representation on this questionnaire is not accurate and complete as of the time Contractor signs this form, Contractor must identify the provision and explain the reason in detail on a separate sheet. Absent such an explanation, Contractor represents that the following statements are complete and accurate:

Please check this box if a separate sheet is attached:

A. Statement of non-collusion as required by Section 2878 of the Public Authorities Law:

- (1) 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 thereto certifies as to its own organization, under penalty of perjury, that to the best of his 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 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 or not to submit a bid for the purpose of restricting competition.
- (2) A bid shall not be considered for award nor shall any award be made where (1) (a), (b), and (c) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (1) (a), (b), and (c) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the Chief Procurement Officer of the Authority, or designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph 1(a) herein.

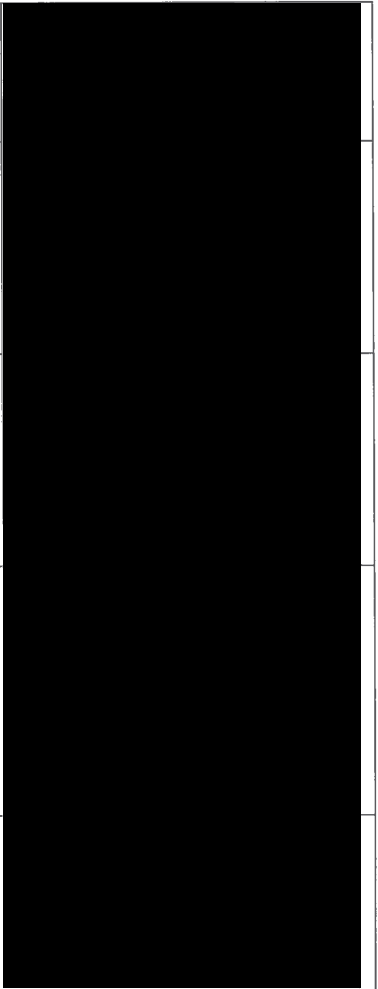
B. Statement of no-conflict of interest:

- (1) No appointed or elected official, member or other officer or employee of the City or State of New York, or of the Metropolitan Transportation Authority ("MTA"), or MTA's affiliates and subsidiaries: i) is interested, directly or indirectly, in any manner whatsoever in or in the performance of the Contract or in the supplies, work, or business to which it relates or in any

portion of the profits thereof; or ii) has been or will be offered or given any tangible or intangible consideration in connection with this bid/proposal/Contract.

- (2) Contractor covenants that neither Contractor nor, to the best of Contractor's knowledge after diligent inquiry, any director, officer, owner or employee of Contractor or any person or entity with a 10% or more interest in Contractor has any interest nor shall they acquire any interest, directly or indirectly, which would conflict in any manner or degree with the faithful performance of the Contract hereunder.
- (3) In the event Contractor has no prior knowledge of a conflict of interest as set forth in "1" and "2" above and hereafter acquires information which indicates that there may be an actual or apparent violation of any of the above, Contractor shall promptly bring such information to the attention of the Authority's Chief Procurement Officer. Contractor shall thereafter cooperate with the Authority's review and investigation of such information, and comply with any instructions it receives from the Chief Procurement Officer in regard to remedying the situation.

<p>C. The following questions apply to any bid, proposal, or contract between Contractor and the City or State of New York, any other state, any public authority or other public entity, the United States government, the MTA, and MTA affiliates and subsidiaries. (If the answer to any question is "YES," Contractor must provide all relevant information on a separate sheet annexed hereto). Please check this box if a separate sheet is attached: <input checked="" type="checkbox"/></p> <p>The following questions apply to: i) Contractor, Contractor's parent, subsidiaries and affiliates of Contractor (if any); ii) any joint venture (including its individual members) and any other form of partnership (including its individual members) which includes Contractor or Contractor's parent, subsidiaries, or affiliates of Contractor, iii) Contractor's directors, officers, principals, managerial employees, and any person or entity with a 10% or more interest in Contractor; iv) any legal entity controlled, or 10% or more of which is owned, by Contractor, or by any director, officer, principal, managerial employee of Contractor, or by any person or entity with a 10% or more interest in Contractor.</p>	
<p>(1) Within the past five (5) years, has Contractor been declared not responsible?</p>	
<p>(2) Has Contractor been debarred, suspended, or otherwise disqualified from bidding, proposing, or contracting?</p>	
<p>(3) Is there a proceeding pending relating to Contractor's responsibility, debarment, suspension, or qualification to receive a public contract?</p>	

<p>(4) Within the past five (5) years, has Contractor defaulted on a contract or been terminated for cause?</p>	
<p>(5) Has a government agency or other public entity requested or required enforcement of any of its rights under a surety agreement on the basis of the Contractor's default or in lieu of declaring Contractor in default?</p>	
<p>(6) Within the past five (5) years, has the Contractor been required to engage the services of an Integrity Monitor in connection with the award of or in order to complete, any public or private contract?</p>	
<p>(7) Within the past five (5) years, have Contractor's safety practices/procedures been evaluated and ruled as less than satisfactory by the City or State of New York, any other state, any public authority or any public entity, the United States government, the MTA, MTA affiliates or subsidiaries?</p>	
<p>(8) Has Contractor's Workers Compensation Experience Rating been 1.2 or greater at any time in the last five (5) years? If "yes", please explain.</p>	

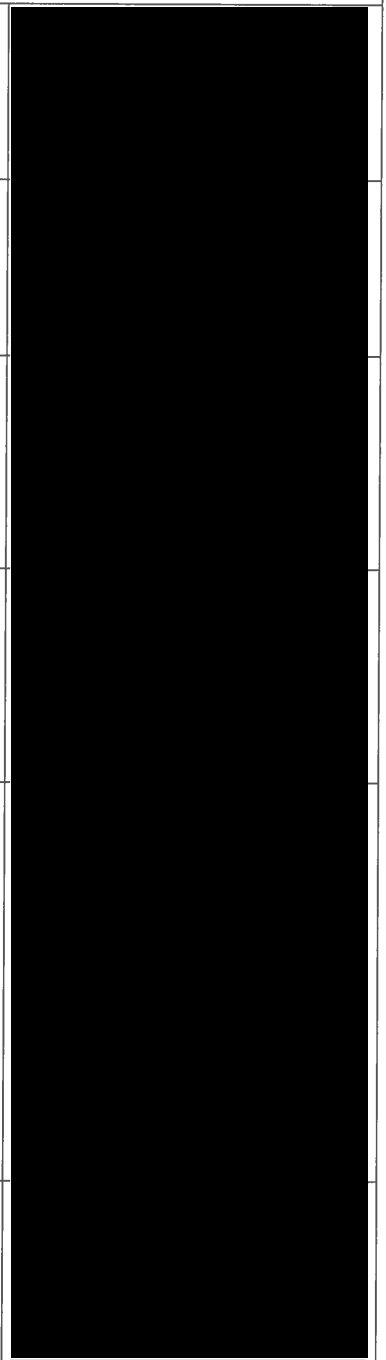
D. Consent to the jurisdiction of New York courts and to service of process:

- (1) If Contractor is not organized under the laws of the State of New York, Contractor consents to the jurisdiction of the Courts of the State of New York and to the jurisdiction of any federal court located within the City of New York, with respect to any matter pertaining to Contractor's bid/proposal and, if the Contract is awarded to Contractor, to the Contract.
- (2) Contractor agrees that service of process in any judicial or administrative action may be made upon it by certified mail, return receipt requested, sent to the mailing address for Contractor specified above.
- (3) Contractor agrees that any judicial or administrative action or proceeding commenced by Contractor against the Authority shall only be commenced in a state or federal court or agency located within the City of New York.

PART IV. QUESTIONS WHICH MUST BE ANSWERED BY "YES" or "NO": (In the event of a "YES," Contractor must provide all relevant information on a separate sheet annexed hereto, and the Authority reserves the right to inquire further with respect thereto.)

To the best of your knowledge after diligent inquiry, in connection with the business of Contractor or

any other firm which is related to Contractor by any degree of common ownership, control, or otherwise, do any of the following statements apply to: i) Contractor, Contractor's parent, subsidiaries and affiliates of Contractor (if any); ii) any joint venture (including its individual members) and any other form of partnership (including its individual members) which includes Contractor or Contractor's parent, subsidiaries, or affiliates of Contractor; iii) Contractor's directors, officers, principals, managerial employees, and any person or entity with a 10% or more interest in Contractor; iv) any legal entity controlled, or 10% or more of which is owned, by Contractor, or by any director, officer, principal, managerial employee of Contractor, or by any person or entity with a 10% or more interest in Contractor.

<p>A. Within the past ten (10) years, has been convicted of or pleaded nolo contendere to (1) any felony or (2) a misdemeanor related to truthfulness in connection with business conduct.</p>	
<p>B. Has pending before any state or federal grand jury or court an indictment or information of the commission of a crime which has not been favorably terminated.</p>	
<p>C. Is the subject of a pending investigation by any grand jury, commission, committee or other entity or agency or authority of any local, state, or the federal government in connection with the commission or alleged commission of a crime.</p>	
<p>D. Is currently disqualified from selling or submitting bids/proposals to or receiving awards from or entering into any contract with any federal, state or local government agency, any public authority or any other public entity.</p>	
<p>E. Within the past five (5) years, has refused to testify or to answer any question concerning a bid or contract with any federal, state, or local government agency, any public authority or any other public entity when called before a grand jury or other committee, agency or forum which is empowered to compel the attendance of witnesses and examine them under oath, upon being advised that neither the person's statement nor any information or evidence derived from such statement will be used against that person in any subsequent criminal proceeding.</p>	
<p>F. Is currently disqualified from selling or submitting a bid to, or receiving an award from, or entering into any contract with any public entity or public authority within the State of New York because, within the past five (5) years, such entity or person refused to testify</p>	

or to answer any relevant question concerning a transaction or contract with the State of New York, any political subdivision of the State of New York, or a public authority or a public department, agency or official of the State of New York or of a political subdivision of the State of New York, when called before a grand jury or other state or local department, commission or agency which is empowered to compel the attendance of witnesses and examine them under oath, upon being advised that neither that person's statement nor any information or evidence derived from such statement will be used against that person in any subsequent criminal proceeding.

G. Has within a ten (10) year period preceding this Bid/Proposal been convicted of or had a civil judgment rendered against it for or in relation to: (i) commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; (ii) collusion with another person or entity in connection with the submission of bid/proposals; (iii) violation of federal or state antitrust statutes or False Claims Acts; or (iv) commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statement(s) or receiving stolen property.

PART V. ADDITIONAL QUESTIONS: In the event of a “Yes”, Contractor must provide all relevant information on a separate sheet annexed hereto, and the Authority reserves the right to inquire further with respect thereto.

A. List the name, title, and home and business address of each person or legal entity which has a 10% or more ownership or control interest in Contractor:

Name: Please see attachment

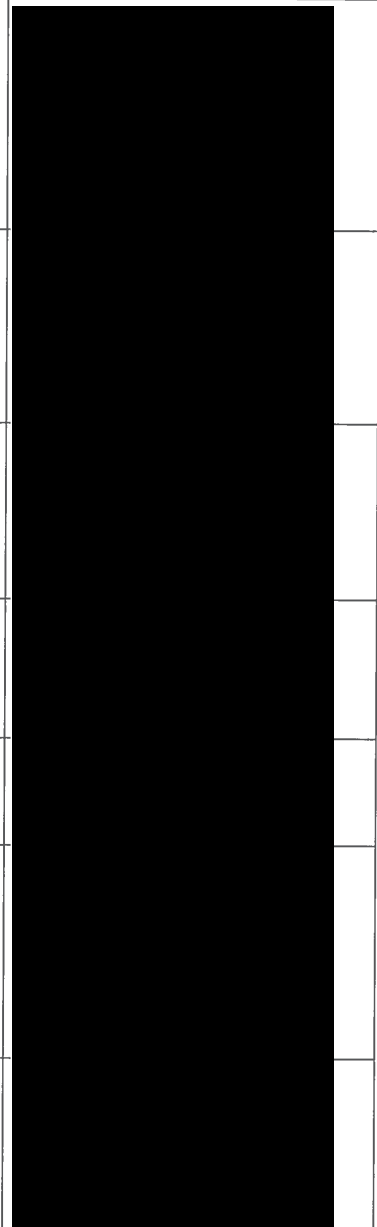
Title: _____

Home address: _____

Business address: _____

B. In the past ten (10) years, has Contractor entered into a consent decree, deferred prosecution agreement, or a non-prosecution agreement?

C. In the past three (3) years, has Contractor been a subcontractor on any contract with the Authority?

<p>D. In the past seven (7) years, have any bankruptcy proceedings been initiated by or against the Contractor (whether or not closed) or is any bankruptcy proceeding pending by or against the Contractor regardless of the date of filing?</p>	
<p>E. In the past five (5) years, have there been any judgments, injunctions, or liens of \$100,000 or more, including but not limited to, judgments based on taxes owed, fines and penalties assessed by a government agency against Contractor at any time?</p>	
<p>F. Are there any judgments, injunctions, or liens for \$100,000 or more each against Contractor that remain open, unsatisfied or in effect today?</p>	
<p>G. During the past five (5) years, has the Contractor failed to file any applicable federal, state or local tax return?</p>	
<p>H. Does the Contractor own or rent office space? Please provide details.</p>	
<p>I. Does any principal owner or officer of the Contractor, or any member of his/her immediate family, have an ownership interest in any entity that holds the title or lease to any real property used by the Contractor?</p>	
<p>J. Does Contractor share office space, staff, equipment, or expenses with any other entities? If "YES", please provide details.</p>	
<p>K. Contractor is required to provide a list of contracts as requested in (1), (2) and (3) below. For each of the contracts listed in (1), (2) and (3) below, Contractor shall provide a brief description of the work performed, the contract number, the dollar amount at award and at completion, date completed, and the name and telephone number of the owner's representative:</p> <p>(1) List all contracts completed during the last three (3) years. If more than three (3) contracts have been completed in the past three (3) years, list the last three (3) contracts completed.</p> <p>a. Brief description of work performed: <u>Shop Repairs at Pitkin Shop and DC Power Upgrade at Concourse</u></p> <p>Contract number: <u>██████████</u></p>	

Dollar amount of award: [REDACTED]

Date completed: January 2017

Name/Telephone number of company and owner's representative: NYCT, Demetrios Milonas, [REDACTED]

Dollar amount at completion: [REDACTED]

b. Brief description of work performed: Interchange 9 Improvements

Contract number: [REDACTED]

Dollar amount of award: [REDACTED]

Date completed: March 2017

Name/Telephone number of company and owner's representative: NJTA, Frank Masella, [REDACTED]

Dollar amount at completion: [REDACTED]

c. Brief description of work performed: Matawan Road (CR 516) over Route 18, Bridge Deck Replacement

Contract number: [REDACTED]

Dollar amount of award: [REDACTED]

Date completed: February 2017

Name/Telephone number of company and owner's representative: NJDOT, Joanna Carroll, [REDACTED]

Dollar amount at completion: [REDACTED]

(2) List each contract completed by Contractor during the last three (3) years for which liquidated damages or penalty provisions were assessed against Contractor for failure to complete the work on time or for any other reason. Contractor is required to provide an explanation of the circumstances for each contract.

a. Brief description of work performed: Patroon Island Bridge Rehabilitation Program

Contract number: [REDACTED]

Dollar amount of award: [REDACTED]

Date completed: May 2016

Name/Telephone number of company and owner's representative: NYSDOT, John Nolan, [REDACTED]

Dollar amount at completion: [REDACTED] _____

b. Brief description of work performed: _____

Contract number: _____

Dollar amount of award: _____

Date completed: _____

Name/Telephone number of company and owner's representative: _____

Dollar amount at completion: _____

c. Brief description of work performed: _____

Contract number: _____

Dollar amount of award: _____

Date completed: _____

Name/Telephone number of company and owner's representative: _____

Dollar amount at completion: _____

If none of the above situations occurred during the last three (3) years, state "NONE" here:

(3) List five (5) completed contracts which demonstrate that you have substantial experience in the construction and/or service of the type and magnitude required by the Contract and under the restrictions and conditions equivalent to those that will be encountered.

In addition, provide relevant information that demonstrates that your firm has the following experience:

- A minimum of five (5) years' experience in the manufacturing of rectifiers and transformers used for heavy duty traction power substations and/or the integration of such components supplied by others.
- The manufacturer of the rectifiers and transformers must have a minimum of five (5) years' experience in the manufacturing of rectifiers and transformers for heavy duty traction power substations.
- The on-site firm responsible for installation, testing, and commissioning of the substation shall have a minimum of five (5) years' experience in the integration of such components supplied by others, If the on-site firm is not the manufacturer, it must have

direct oversight and technical resources to support the integration of the system components in the overall design.

Please see Halmar's Form E-1's

L. Furnish the following information for each contract for which, during the last three (3) years, the Contractor was:

- (1) Terminated for default; or
- (2) Sued to compel performance; or
- (3) Sued to recover damages, including, without limitation, upon an alleged breach of contract, misfeasance, error or omission or other alleged failure on Contractor's part to perform as required by the contract; or
- (4) Called upon a surety to perform the work; or
- (5) Required to engage the services of an Integrity Monitor in connection with the award of or in order to complete, any public or private contract; or
- (6) Required to draw on a letter of credit in lieu of a performance bond.

a. Brief description of work performed: _____

Contract number: _____

Dollar amount of award: _____

Date completed: _____

Name/Telephone number of owner's representative: _____

If none of the above situations occurred during the last three (3) years, state "NONE" here:

NONE

M. List all Contractor employees: (Attach additional sheets as needed)

(1) Who are currently employees of MTA or any MTA subsidiary or affiliate:

Name: N/A

Currently employed by: (check as appropriate)

MTA NYCT MaBSTOA SIRTOA MNCR

LIRR MSBA TBTA MTACC MTA BC

Name: N/A

Currently employed by:

MTA NYCT MaBSTOA SIRTOA MNCR

LIRR MSBA TBTA MTACC MTA BC

Name: N/A

Currently employed by:

MTA NYCT MaBSTOA SIRTOA MNCR

LIRR MSBA TBTA MTACC MTA BC

(2) Who within the past two (2) years have been MTA or any MTA subsidiary or affiliate employees who were involved on behalf of Contractor with the preparation of this bid/proposal or would be involved in the performance of the contract if it is awarded to Contractor.

Name: N/A

Currently employed by: _____

MTA NYCT MaBSTOA SIRTOA MNCR

LIRR MSBA TBTA MTACC MTA BC

Name: N/A

Currently employed by: _____

MTA NYCT MaBSTOA SIRTOA MNCR

LIRR MSBA TBTA MTACC MTA BC

N. Provide certified financial statements for Contractor's last three (3) fiscal years. If Contractor does not have certified financial statements, provide financial statements sworn to by Contractor's chief financial officer. If Contractor is unable to provide any such statements, provide other information which will enable the Authority to evaluate and determine whether Contractor has sufficient financial resources to enable Contractor to perform the Contract.

O. Does Contractor have a subsidiary or affiliate?

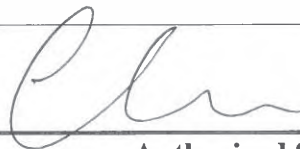
P. Is Contractor a subsidiary of another entity?

Q. Within the past five (5) years or currently, does Contractor, any director, officer, principal, managerial employee of Contractor, or any person or entity with a 10% or more interest in Contractor have an



interest of 10% or more in any other firm or legal entity?	
R. If the answer to P, Q or R is "YES," would Contractor's answers pertaining to Part V Questions A through M above be the same for each such parent, subsidiary, affiliate, firm or legal entity? If not, please provide a full explanation on a separate sheet of paper.	
S. Describe the resources, including but not limited to, staffing, facilities, equipment, and tools that Contractor will commit to the performance of this contract. If this information is provided elsewhere in Contractor's bid/proposal, please enter below the reference to that section in Contractor's submission that responds to this question.	
T. See Section: <u>Please see the Joint Venturer's Schedule IX, Contract Responsibility Form</u>	

Contractor must sign here:



Authorized Signature

Date: July 13, 2017

**METROPOLITAN TRANSPORTATION AUTHORITY
CONTRACTOR RESPONSIBILITY FORM**

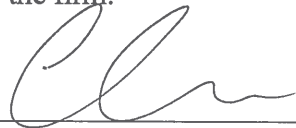
AFFIDAVIT AND ACKNOWLEDGEMENT

(Complete and submit this Affidavit and Acknowledgement Form unless the Affidavit of No Change applies.)

STATE OF New York)
) ss:
COUNTY OF Rockland

On the 13th day of July, 2017, before me personally came and appeared Chris Larsen by me known to be said person, who swore under oath as follows:

1. I am Chris Larsen, Principal of Halmar International LLC.
(Print name and title) (Print name of firm)
2. I am duly authorized to sign this questionnaire on behalf of said firm and duly signed this document pursuant to said authorization.
3. The answers to the questions set forth in the Metropolitan Transportation Authority Contractor Responsibility Form and, except as set forth in the stated exceptions in Part III, the representations set forth in this questionnaire, are true, accurate and complete. I authorize the MTA to verify any such information and to conduct any background checks it deems appropriate.
4. I acknowledge and understand that the questionnaire includes provisions which are deemed included in the contract if awarded to the firm.



Signature

Sworn to and subscribed to before me this 13th day of July, 2017.

Sharon L Sabo

Notary Public Dutchess County

My commission expires: May 23, 2020



**METROPOLITAN TRANSPORTATION AUTHORITY
CONTRACTOR RESPONSIBILITY FORM**

AFFIDAVIT OF NO CHANGE AND ACKNOWLEDGEMENT

STATE OF _____)
) ss:
COUNTY OF _____)

On the ____ day of _____, 201__, before me personally came and appeared _____ by me known to be said person, who swore under oath as follows:

1. I am _____ of _____.
(Print name and title) (Print name of firm)
2. I am duly authorized to sign this Affidavit of No Change on behalf of said firm and duly signed this document pursuant to said authorization.
3. The Contractor previously submitted a Metropolitan Transportation Authority Contractor Responsibility Form within one (1) year prior to the date hereof to the Metropolitan Transportation Authority or an MTA subsidiary or affiliate.
4. Attached is an accurate and true copy of such previously submitted MTA Contractor Responsibility Form.
5. I hereby certify that there has been no material change in the information specified on such attached Contractor Responsibility Form except as follows:

6. I acknowledge and understand that the previously submitted MTA Contractor Responsibility Form includes provisions which are deemed included in the contract if awarded to the firm.

Signature

Sworn to and subscribed to before me
this ____ day of _____, 201__

Notary Public _____ County

My commission expires: _____



421 East Route 59 • Nanuet, NY 10954
Ph: (845)735.3511 • Fax: (845)735.3388

SCHEDULE IX CONTRACTOR RESPONSIBILITY FORM

PART V. ADDITIONAL QUESTIONS

- A. List the name, title, home and business address of each person or legal entity which has a 10% or more ownership or control interest in Contractor:

Name: Chris Larsen

Title: Principal

Home Address: [REDACTED]

Business Address: 421 East Route 59, Nanuet, NY 10954

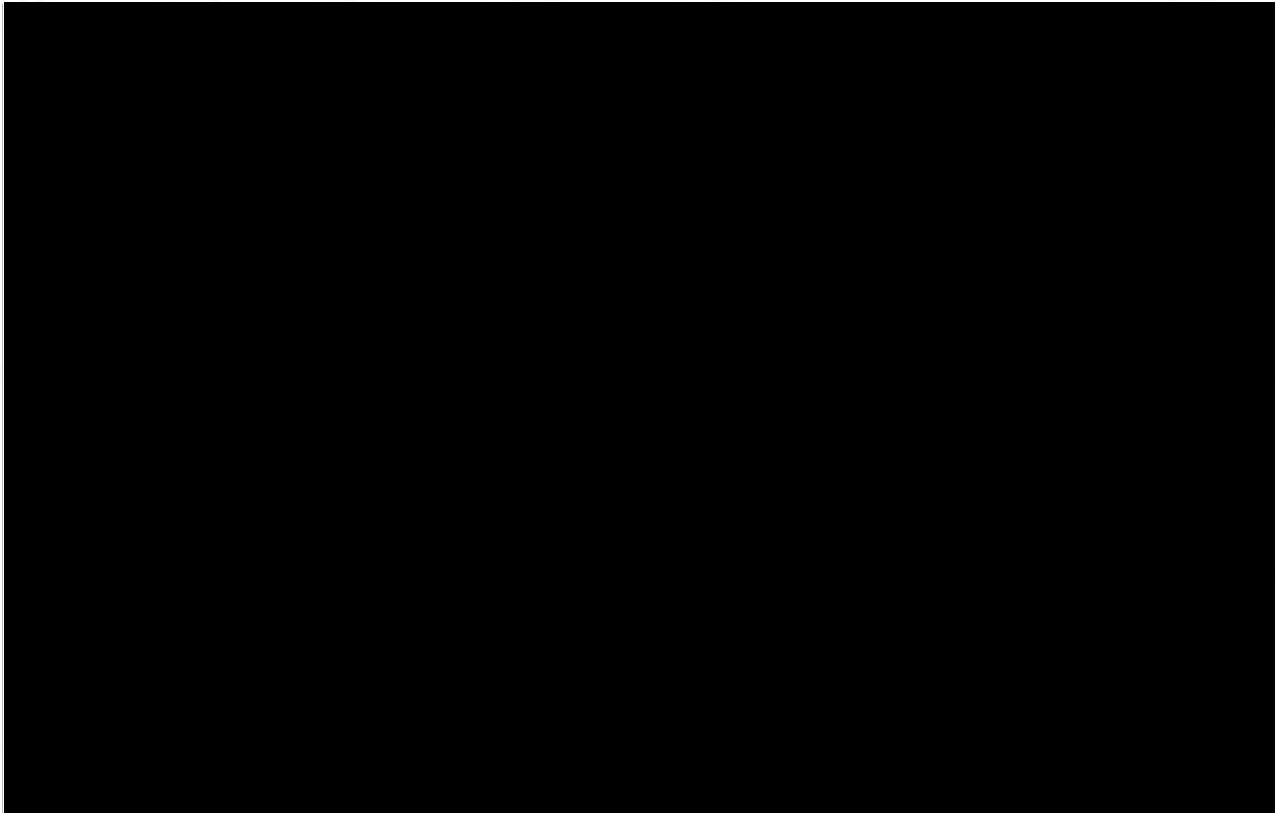
Name: Paul V. Atkins

Title: Principal

Home Address: [REDACTED]

Business Address: 421 East Route 59, Nanuet, NY 10954

- F. In the past five (5) years, have there been any judgements, injunctions, or liens of \$100,000 or more, including but not limited to, judgments based on taxes owed, fines, and penalties assessed by a government agency against Contractor at any time?
- H. During the past five (5) years, has the Contractor failed to file any applicable federal, state or local tax return?



VOLUME 1: Legal/Administrative Forms
Schedule IX - Contractor Responsibility Data

CCA Civil, Inc.

SCHEDULE IX – CONTRACTOR RESPONSIBILITY DATA

Long Form

**METROPOLITAN TRANSPORTATION AUTHORITY
CONTRACTOR RESPONSIBILITY FORM INSTRUCTIONS¹**

1. Who should complete and sign the Contractor Responsibility Form? This form must be completed for all contracts of \$250,000 or greater. In addition, contractors and known subcontractors in contracts involving “Special Circumstances” must complete this form. “Special Circumstances” are defined herein as contracts or subcontracts in excess of \$100,000 in the following areas: painting; scrap; hazardous materials; concrete; lead; asbestos; inspection and testing; security-related projects; carting; and textiles and garments; or such area the Authority may designate from time to time. In addition, all known subcontractors having subcontracts in excess of \$1 million must complete this form. The person who completes the Contractor Responsibility Form on behalf of the submitting contractor or subcontractor must provide his/her title, telephone/fax number and e-mail address in Part II of the questionnaire. The person who signs the questionnaire on behalf of the submitting contractor or subcontractor should be either Chief Executive, Executive Director, Chief Administrator, President, Vice President, Treasurer, Secretary, Chair of the Board of Directors, or the principal owner or officer responsible for administering the submitting contractor’s contract.
2. Who should complete and sign an Affidavit of No Change? If the Contractor has previously submitted a Contractor Responsibility Form within one year prior to the present date and there have been no material changes in the information specified on that form, two original signed, notarized Affidavits of No Change must be executed for the submitting Contractor. It is required that one of the principal owners/officers whose title is listed in Paragraph 1 above execute the Affidavit of No Change on behalf of the submitting contractor.
3. For purposes of this questionnaire, the terms “Contractor,” “bidder,” and “bidder/proposer” refer to both a bidder/proposer and to the firm to be awarded the contract, as well as Contractors seeking subcontracts for \$1 million and more, or Contractors seeking contracts or subcontracts in special circumstances of \$100,000 or more. All of the questions refer to the firm awarded the contract, with the exception of the questions in Parts III.C. and IV, which include separate instructions.
4. For all questions, matters on appeal must be disclosed.
5. Unless otherwise noted, all questions relate to the previous ten (10) years.

¹ PERSONAL PRIVACY PROTECTION LAW NOTIFICATION

The information the Contractor is providing on this application, including information about Key People, is requested pursuant to the New York State Public Authorities Law for the purposes of determining the Applicant Firm’s responsibility for a contract award. Failure to provide the specified information and authorization requested may, in the sole discretion of the MTA, prevent your firm’s award of a contract by the MTA and/or its agencies. The information will be kept in a file maintained by MTA and its agencies or other files maintained under the authority of MTA and its agencies. Information which, because of any name, number, symbol, mark or other identifier, can be used to identify a person, shall be received, maintained and used by the MTA and its agencies solely for the above-stated purposes and will be protected from public disclosure to the fullest extent permitted by law.

6. All questions on this questionnaire must be answered; do not leave blanks. Where appropriate, state "None" or "Not Applicable" (N/A).
7. If additional space is required to fully respond to any question, please add sheets to this questionnaire and reference the question/answer appropriately.
8. This form includes:
 - a. Contractor representations and obligations (Part III) which (a) apply to Contractor's bid/proposal; and (b) are deemed incorporated into the contract between the Contractor and Authority if the contract is awarded to Contractor. If any representation is not accurate and complete at the time Contractor signs this form, Contractor must, as part of its bid, identify the provision and explain the reason in detail on a separate sheet, as provided in Part III; and
 - b. Questions which Contractor must answer as part of its bid/proposal (Parts III.C., IV, and V).
9. If during the performance of this Contract, either of the following occurs, Contractor shall promptly give notice in writing of the situation to the Authority's Chief Procurement Officer, and thereafter cooperate with the Authority's review and investigation of such information.
 - a. Contractor has reason to believe that any representation or answer to any question contained in this Contractor Responsibility Form was not accurate or complete at the time Contractor Responsibility Form was signed; or
 - b. Events occur or circumstances change so that an answer to any question on this Form is no longer accurate or complete.
10. In the Authority's sole discretion, the following shall constitute grounds for the Authority to take remedial action up to and including immediate termination of the Contract for convenience without payment for profit and overhead for work not performed if:
 - a. Contractor fails to notify the Chief Procurement Officer as required by "9" above;
 - b. Contractor fails to cooperate with the Authority's request for additional information as required by "9" above;
 - c. Contractor, a Contractor director, officer, principal, managerial employee, or owner of a 10% or more interest in Contractor, is convicted of a crime involving a public contract; or
 - d. Significant concerns about the Contractor's integrity are raised based upon an evaluation of the events underlying any other determination, indictment, conviction, or other allegation that Contractor or a Contractor director, officer, principal, managerial employee, or owner of a 10% or more interest in Contractor, or has been involved in any felony or a misdemeanor related to truthfulness and/or business conduct in the past ten (10) years.

11. The Authority reserves the right to inquire further with respect to Contractor's responses; and Contractor consents to such further inquiry and agrees to furnish all relevant documents and information as requested by the Authority. Any response to this document prior or subsequent to Contractor's bid or proposal which is or may be construed as unfavorable to Contractor will not necessarily automatically result in a negative finding on the question of Contractor's responsibility or a decision to terminate the Contract if it is awarded to Contractor.
12. Definitions:
 - a. _____ the voting stock and/or an entity in which a group of principal owners or officers that owns more than fifty (50) % of the submitting contractor also owns more than fifty (50) % of the voting stock.
 - b. Authority: refers to the MTA and/or MTA subsidiary or affiliate to which the Contractor is submitting its bid or proposal and/or which is awarding the contract sought.
 - c. Control: The submitting contractor is controlled by another entity when: (1) the other entity holds ten (10) % or more of the voting stock of the submitting contractor; or (2) the other entity directs or has the right to direct daily operations. The submitting contractor controls another entity when: (1) it holds ten (10) % or more of the voting stock of the other entity; or (2) it directs or has the right to direct daily operations.
 - d. Government agency(ies): include city, state, federal public agencies, quasi-public agencies, authorities and corporations, public development corporations, public benefit corporations and local development corporations.
 - e. Integrity Monitor: includes an Independent Private Sector Inspector General ("IPSIG"), or any independent private sector firm with legal, audit, investigative and loss prevention skills, employed by an organization or government entity, either voluntarily or by compulsory process, to monitor an entity's business activities to ensure compliance with relevant laws and regulations, as well as to uncover and report unethical or illegal conduct within and against the entity.
 - f. Joint Venture: a business undertaking by two or more persons, corporations or other legal entities engaged in a single defined project. The necessary elements are: (1) an express or implied agreement; (2) a common purpose the group intends to carry out; and (3) shared profits and losses.
 - g. Managerial employees or managerial capacity: Employees in a supervisory capacity who, either by virtue of their title or their duties, operate with discretion over solicitation, letting, or management of contracts with public agencies.
 - h. Metropolitan Transportation Authority ("MTA") subsidiary or affiliate includes: New York City Transit Authority ("NYCT"), Manhattan and Bronx Surface Transit Operating Authority ("MaBSTOA"), Staten Island Rapid Transit Operating Authority ("SIRTOA"), Triborough Bridge and Tunnel Authority ("TBTA"), Metro-North Commuter Railroad Company

("MNCR"), Long Island Rail Road ("LIRR"), Metropolitan Suburban Bus Authority ("MSBA"), MTA Bus Company ("MTA BC"), MTA Capital Construction ("MTACC") and First Mutual Transportation Assurance Company ("FMTAC").

- i. Officer: Any individual who serves as or performs the functions of chief executive officer, chief financial officer, or chief operating officer of the submitting contractor, without regard to such individual's title. president, vice president, secretary, treasurer, board chairperson, trustee (individual or entity who administers a trust) or their equivalents.
- j. Parent: Any entity including, but not limited to any individual, partnership, joint venture or corporation which owns (50) % or more of the voting stock of another entity.
- k. Principal Owner: An individual, partnership, joint venture or corporation that holds a ten (10) % or greater ownership interest in a submitting contractor or subcontractor.
- l. Share: To have space, staff, equipment, expenses, or use such items, in common with one or more other entities.
- m. Significant Adverse Information: includes but is not limited to an unsatisfactory final performance evaluation on a contract with any MTA agency within the immediate prior three (3) years, an uncured interim unsatisfactory rating on a contract with any MTA agency, or an answer of "yes" to any question in Part IV herein.
- n. Subcontract: An agreement between an individual or entity that is a party to a contract and another individual or entity which is for the provision of goods, services or construction pursuant to that contract, and has a value that when aggregated with the values of all other such agreements with the same individual or entity and subcontractor during the immediately preceding twelve (12) month period is valued at one million dollars (\$1,000,000) or more, and in special circumstances involving agreements of \$100,000 or more.
- o. Submitting Contractor: The entity submitting the Contractor Responsibility Form.
- p. Subsidiary: An entity in which the majority of the voting stock is owned by a parent.

PART I. IDENTITY OF CONTRACTOR:

- A. Contractor's full legal name: CCA Civil, Inc.
- B. Tax ID Number ("TIN"), Employer Identification Number ("EIN") and Social Security Number ("SSN"), as applicable: ██████████
- C. Contractor's form of legal entity (corporation, joint venture, sole proprietorship, etc.): Corporation

If the Contractor is a Joint Venture, or Partnership, please list all partner firms and/or parties to

the Joint Venture below. All partners and/or parties listed are also required to individually complete a separate Contractor Responsibility Form.

(1) Partner/Party name: _____
TIN, EIN, or SSN _____ : _____
Percentage of Ownership: _____

(2) Partner/Party Name: _____
TIN, EIN or SSN: _____
Percentage of ownership: _____

D. State or country under whose laws Contractor is organized and year organized:
Delaware, USA, 2005 _____

E. Does the Contractor now use or, in the past ten (10) years has it used, TIN, EIN, doing business as or "DBA", name, trade name or abbreviation other than the Contractor's name or TIN, or EIN number listed in Part I.B. above? None

F. Contractor's mailing address: 445 South Street, Ste. 310, Morristown, NJ

G. Contractor's street address (complete only if different than "F"): N/A

H. Has contractor changed its address in the past five (5) years and, if so, what was the firm's prior address(es)? 525 Washington Blvd. Jersey City, NJ 07310

I. Contractor's telephone number: 862-701-7200 Fax number: 862-701-7250
Email address: cca_civil@ccacivil.us

PART II. IDENTITY OF PERSON COMPLETING THIS QUESTIONNAIRE:

A. Name: Charles J. Montalbano
B. Employer/Title: President
C. Telephone number: [REDACTED] Fax number: [REDACTED]

D. Email address: [REDACTED]@ccacivil.us	Mobile number: [REDACTED]
--	---------------------------

PART III. CONTRACTOR REPRESENTATIONS: If for any reason a representation on this questionnaire is not accurate and complete as of the time Contractor signs this form, Contractor must identify the provision and explain the reason in detail on a separate sheet. Absent such an explanation, Contractor represents that the following statements are complete and accurate:

Please check this box if a separate sheet is attached:

A. Statement of non-collusion as required by Section 2878 of the Public Authorities Law:

- (1) 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 thereto certifies as to its own organization, under penalty of perjury, that to the best of his 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 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 or not to submit a bid for the purpose of restricting competition.
- (2) A bid shall not be considered for award nor shall any award be made where (1) (a), (b), and (c) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (1) (a), (b), and (c) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the Chief Procurement Officer of the Authority, or designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph 1(a) herein.

B. Statement of no-conflict of interest:

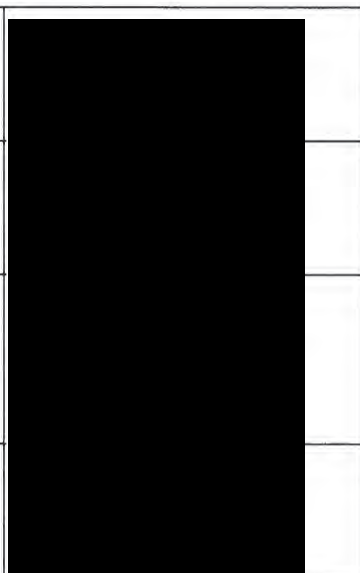
- (1) No appointed or elected official, member or other officer or employee of the City or State of New York, or of the Metropolitan Transportation Authority ("MTA"), or MTA's affiliates and subsidiaries: i) is interested, directly or indirectly, in any manner whatsoever in or in the performance of the Contract or in the supplies, work, or business to which it relates or in any portion of the profits thereof; or ii) has been or will be offered or given any tangible or intangible consideration in connection with this bid/proposal/Contract.

- (2) Contractor covenants that neither Contractor nor, to the best of Contractor's knowledge after diligent inquiry, any director, officer, owner or employee of Contractor or any person or entity with a 10% or more interest in Contractor has any interest nor shall they acquire any interest, directly or indirectly, which would conflict in any manner or degree with the faithful performance of the Contract hereunder.
- (3) In the event Contractor has no prior knowledge of a conflict of interest as set forth in "1" and "2" above and hereafter acquires information which indicates that there may be an actual or apparent violation of any of the above, Contractor shall promptly bring such information to the attention of the Authority's Chief Procurement Officer. Contractor shall thereafter cooperate with the Authority's review and investigation of such information, and comply with any instructions it receives from the Chief Procurement Officer in regard to remedying the situation.

C. The following questions apply to any bid, proposal, or contract between Contractor and the City or State of New York, any other state, any public authority or other public entity, the United States government, the MTA, and MTA affiliates and subsidiaries. (If the answer to any question is "YES," Contractor must provide all relevant information on a separate sheet annexed hereto). Please check this box if a separate sheet is attached:

The following questions apply to: i) Contractor, Contractor's parent, subsidiaries and affiliates of Contractor (if any); ii) any joint venture (including its individual members) and any other form of partnership (including its individual members) which includes Contractor or Contractor's parent, subsidiaries, or affiliates of

Contractor, iii) Contractor's directors, officers, principals, managerial employees, and any person or entity with a 10% or more interest in Contractor; iv) any legal entity controlled, or 10% or more of which is owned, by Contractor, or by any director, officer, principal, managerial employee of Contractor, or by any person or entity with a 10% or more interest in Contractor.

<p>(1) Within the past five (5) years, has Contractor been declared not responsible?</p>	
<p>(2) Has Contractor been debarred, suspended, or otherwise disqualified from bidding, proposing, or contracting?</p>	
<p>(3) Is there a proceeding pending relating to Contractor's responsibility, debarment, suspension, or qualification to receive a public contract?</p>	
<p>(4) Within the past five (5) years, has Contractor defaulted on a contract or been terminated for cause?</p>	

<p>(5) Has a government agency or other public entity requested or required enforcement of any of its rights under a surety agreement on the basis of the Contractor's default or in lieu of declaring Contractor in default?</p>	
<p>(6) Within the past five (5) years, has the Contractor been required to engage the services of an Integrity Monitor in connection with the award of or in order to complete, any public or private contract?</p>	
<p>(7) Within the past five (5) years, have Contractor's safety practices/procedures been evaluated and ruled as less than satisfactory by the City or State of New York, any other state, any public authority or any public entity, the United States government, the MTA, MTA affiliates or subsidiaries?</p>	
<p>(8) Has Contractor's Workers Compensation Experience Rating been 1.2 or greater at any time in the last five (5) years? If "yes", please explain.</p>	


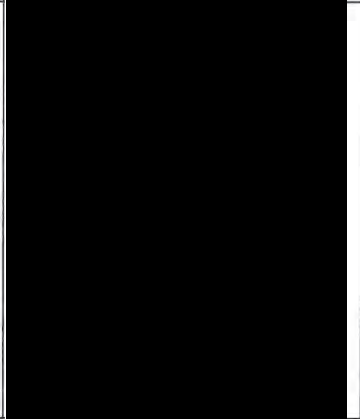

D. Consent to the jurisdiction of New York courts and to service of process:

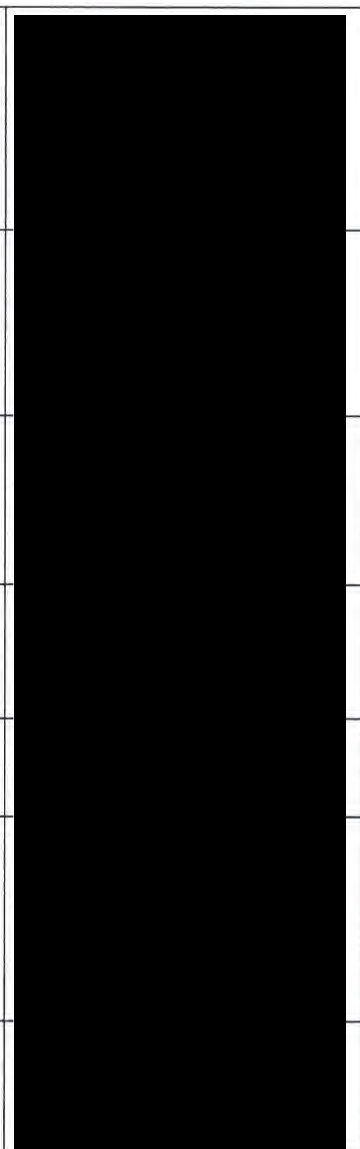


- (1) If Contractor is not organized under the laws of the State of New York, Contractor consents to the jurisdiction of the Courts of the State of New York and to the jurisdiction of any federal court located within the City of New York, with respect to any matter pertaining to Contractor's bid/proposal and, if the Contract is awarded to Contractor, to the Contract.
- (2) Contractor agrees that service of process in any judicial or administrative action may be made upon it by certified mail, return receipt requested, sent to the mailing address for Contractor specified above.
- (3) Contractor agrees that any judicial or administrative action or proceeding commenced by Contractor against the Authority shall only be commenced in a state or federal court or agency located within the City of New York.

PART IV. QUESTIONS WHICH MUST BE ANSWERED BY "YES" or "NO": (In the event of a "YES," Contractor must provide all relevant information on a separate sheet annexed hereto, and the Authority reserves the right to inquire further with respect thereto.)

To the best of your knowledge after diligent inquiry, in connection with the business of Contractor or any other firm which is related to Contractor by any degree of common ownership, control, or otherwise, do any of the following statements apply to: i) Contractor, Contractor's parent, subsidiaries and affiliates of Contractor (if any); ii) any joint venture (including its individual members) and any other form of partnership (including its individual members) which includes Contractor or Contractor's

<p>parent, subsidiaries, or affiliates of Contractor; iii) Contractor's directors, officers, principals, managerial employees, and any person or entity with a 10% or more interest in Contractor; iv) any legal entity controlled, or 10% or more of which is owned, by Contractor, or by any director, officer, principal, managerial employee of Contractor, or by any person or entity with a 10% or more interest in Contractor.</p>	
<p>A. Within the past ten (10) years, has been convicted of or pleaded nolo contendere to (1) any felony or (2) a misdemeanor related to truthfulness in connection with business conduct.</p>	
<p>B. Has pending before any state or federal grand jury or court an indictment or information of the commission of a crime which has not been favorably terminated.</p>	
<p>C. Is the subject of a pending investigation by any grand jury, commission, committee or other entity or agency or authority of any local, state, or the federal government in connection with the commission or alleged commission of a crime.</p>	
<p>D. Is currently disqualified from selling or submitting bids/proposals to or receiving awards from or entering into any contract with any federal, state or local government agency, any public authority or any other public entity.</p>	
<p>E. Within the past five (5) years, has refused to testify or to answer any question concerning a bid or contract with any federal, state, or local government agency, any public authority or any other public entity when called before a grand jury or other committee, agency or forum which is empowered to compel the attendance of witnesses and examine them under oath, upon being advised that neither the person's statement nor any information or evidence derived from such statement will be used against that person in any subsequent criminal proceeding.</p>	
<p>F. Is currently disqualified from selling or submitting a bid to, or receiving an award from, or entering into any contract with any public entity or public authority within the State of New York because, within the past five (5) years, such entity or person refused to testify or to answer any relevant question concerning a transaction or contract with the State of New York, any political subdivision of the State of New York, or a public authority or a public department, agency or official of the State of New York or of a political</p>	

<p>subdivision of the State of New York, when called before a grand jury or other state or local department, commission or agency which is empowered to compel the attendance of witnesses and examine them under oath, upon being advised that neither that person's statement nor any information or evidence derived from such statement will be used against that person in any subsequent criminal proceeding.</p>	
<p>G. Has within a ten (10) year period preceding this Bid/Proposal been convicted of or had a civil judgment rendered against it for or in relation to: (i) commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; (ii) collusion with another person or entity in connection with the submission of bid/proposals; (iii) violation of federal or state antitrust statutes or False Claims Acts; or (iv) commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statement(s) or receiving stolen property.</p>	
<p>PART V. ADDITIONAL QUESTIONS: In the event of a “Yes”, Contractor must provide all relevant information on a separate sheet annexed hereto, and the Authority reserves the right to inquire further with respect thereto.</p> <p>A. List the name, title, and home and business address of each person or legal entity which has a 10% or more ownership or control interest in Contractor:</p> <p>Name: <u>China Construction America, Inc.</u></p> <p>Title: <u>N/A</u></p> <p>Home address: <u>525 Washington Blvd. Jersey City, NJ 07310</u></p> <p>Business address: <u>525 Washington Blvd. Jersey City, NJ 07310</u></p>	
<p>B. In the past ten (10) years, has Contractor entered into a consent decree, deferred prosecution agreement, or a non-prosecution agreement?</p> <p>C. In the past three (3) years, has Contractor been a subcontractor on any contract with the Authority?</p>	

<p>D. In the past seven (7) years, have any bankruptcy proceedings been initiated by or against the Contractor (whether or not closed) or is any bankruptcy proceeding pending by or against the Contractor regardless of the date of filing?</p>	
<p>E. In the past five (5) years, have there been any judgments, injunctions, or liens of \$100,000 or more, including but not limited to, judgments based on taxes owed, fines and penalties assessed by a government agency against Contractor at any time?</p>	
<p>F. Are there any judgments, injunctions, or liens for \$100,000 or more each against Contractor that remain open, unsatisfied or in effect today?</p>	
<p>G. During the past five (5) years, has the Contractor failed to file any applicable federal, state or local tax return?</p>	
<p>H. Does the Contractor own or rent office space? Please provide details.</p>	
<p>I. Does any principal owner or officer of the Contractor, or any member of his/her immediate family, have an ownership interest in any entity that holds the title or lease to any real property used by the Contractor?</p>	
<p>J. Does Contractor share office space, staff, equipment, or expenses with any other entities? If "YES", please provide details.</p>	
<p>K. Contractor is required to provide a list of contracts as requested in (1), (2) and (3) below. For each of the contracts listed in (1), (2) and (3) below, Contractor shall provide a brief description of the work performed, the contract number, the dollar amount at award and at completion, date completed, and the name and telephone number of the owner's representative:</p> <p>(1) List all contracts completed during the last three (3) years. If more than three (3) contracts have been completed in the past three (3) years, list the last three (3) contracts completed.</p> <p>a. Brief description of work performed: The project entails widening a 3.2 miles stretch of the highway by adding an additional HOV lane in the median and increasing the shoulder width</p> <p>Contract number: </p> <p>Dollar amount of award: </p>	

Date completed: Jun 30, 2016

Name/Telephone number of company and owner's representative: George Hanna

Dollar amount at completion: [REDACTED]

b. Brief description of work performed: This project entails demolishing and replacing the entire deck of the northbound lanes and installing new stringers, lighting, drainage, etc.

Contract number: [REDACTED]

Dollar amount of award: [REDACTED]

Date completed: June 13, 2016

Name/Telephone number of company and owner's representative: Prakash Gandhi

Dollar amount at completion: [REDACTED]

c. Brief description of work performed: Demolition of 5 existing buildings excavation for the new facility, installation of initial and permanent rock support, mining the vent shaft.

Contract number: [REDACTED]

Dollar amount of award: [REDACTED]

Date completed: March 2014

Name/Telephone number of company and owner's representative: Rudy Bautista

Dollar amount at completion: [REDACTED]

(2) List each contract completed by Contractor during the last three (3) years for which liquidated damages or penalty provisions were assessed against Contractor for failure to complete the work on time or for any other reason. Contractor is required to provide an explanation of the circumstances for each contract.

a. Brief description of work performed: _____

Contract number: _____

Dollar amount of award: _____

Date completed: _____

Name/Telephone number of company and owner's representative: _____

Dollar amount at completion: _____

b. Brief description of work performed: _____

Contract number: _____
Dollar amount of award: _____
Date completed: _____
Name/Telephone number of company and owner's representative: _____
Dollar amount at completion: _____

c. Brief description of work performed: _____

Contract number: _____
Dollar amount of award: _____
Date completed: _____
Name/Telephone number of company and owner's representative: _____
Dollar amount at completion: _____

If none of the above situations occurred during the last three (3) years, state "NONE" here:
NONE

(3) List five (5) completed contracts which demonstrate that you have substantial experience in the construction and/or service of the type and magnitude required by the Contract and under the restrictions and conditions equivalent to those that will be encountered.

In addition, provide relevant information that demonstrates that your firm has the following experience:

- A minimum of five (5) years' experience in the manufacturing of rectifiers and transformers used for heavy duty traction power substations and/or the integration of such components supplied by others.
- The manufacturer of the rectifiers and transformers must have a minimum of five (5) years' experience in the manufacturing of rectifiers and transformers for heavy duty traction power substations.
- The on-site firm responsible for installation, testing, and commissioning of the substation shall have a minimum of five (5) years' experience in the integration of such components supplied by others, If the on-site firm is not the manufacturer, it must have direct oversight and technical resources to support the integration of the system components in the overall design.

L. Furnish the following information for each contract for which, during the last three (3) years, the Contractor was:

- (1) Terminated for default; or
- (2) Sued to compel performance; or
- (3) Sued to recover damages, including, without limitation, upon an alleged breach of contract, misfeasance, error or omission or other alleged failure on Contractor's part to perform as required by the contract; or
- (4) Called upon a surety to perform the work; or
- (5) Required to engage the services of an Integrity Monitor in connection with the award of or in order to complete, any public or private contract; or
- (6) Required to draw on a letter of credit in lieu of a performance bond.

a. Brief description of work performed: _____

Contract number: _____

Dollar amount of award: _____

Date completed: _____

Name/Telephone number of owner's representative: _____

If none of the above situations occurred during the last three (3) years, state "NONE" here:
None

M. List all Contractor employees: (Attach additional sheets as needed)

(1) Who are currently employees of MTA or any MTA subsidiary or affiliate:

Name: [REDACTED] _____

Currently employed by: (check as appropriate)

MTA NYCT MaBSTOA SIRTOA MNCR

LIRR MSBA TBTA MTACC MTA BC

Name: _____

Currently employed by:

MTA NYCT MaBSTOA SIRTOA MNCR

LIRR MSBA TBTA MTACC MTA BC

Name: _____

Currently employed by: _____

- MTA NYCT MaBSTOA SIRTOA MNCR
- LIRR MSBA TBTA MTACC MTA BC

(2) Who within the past two (2) years have been MTA or any MTA subsidiary or affiliate employees who were involved on behalf of Contractor with the preparation of this bid/proposal or would be involved in the performance of the contract if it is awarded to Contractor.

Name: _____

Currently employed by: _____

- MTA NYCT MaBSTOA SIRTOA MNCR
- LIRR MSBA TBTA MTACC MTA BC

Name: _____

Currently employed by: _____

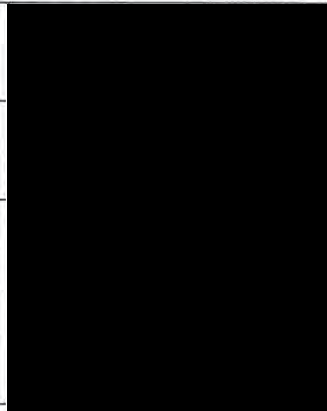
- MTA NYCT MaBSTOA SIRTOA MNCR
- LIRR MSBA TBTA MTACC MTA BC

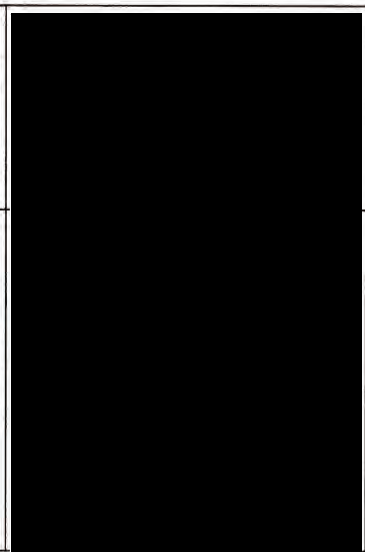
N. Provide certified financial statements for Contractor’s last three (3) fiscal years. If Contractor does not have certified financial statements, provide financial statements sworn to by Contractor’s chief financial officer. If Contractor is unable to provide any such statements, provide other information which will enable the Authority to evaluate and determine whether Contractor has sufficient financial resources to enable Contractor to perform the Contract.

O. Does Contractor have a subsidiary or affiliate?

P. Is Contractor a subsidiary of another entity?

Q. Within the past five (5) years or currently, does Contractor, any director, officer, principal, managerial employee of Contractor, or any person or entity with a 10% or more interest in Contractor have an interest of 10% or more in any other firm or legal entity?



<p>R. If the answer to P, Q or R is "YES," would Contractor's answers pertaining to Part V Questions A through M above be the same for each such parent, subsidiary, affiliate, firm or legal entity? If not, please provide a full explanation on a separate sheet of paper.</p>	
<p>S. Describe the resources, including but not limited to, staffing, facilities, equipment, and tools that Contractor will commit to the performance of this contract. If this information is provided elsewhere in Contractor's bid/proposal, please enter below the reference to that section in Contractor's submission that responds to this question.</p>	
<p>T. See Section: _____</p>	

Contractor must sign here: _____
Authorized Signature

Date: _____

**METROPOLITAN TRANSPORTATION AUTHORITY
CONTRACTOR RESPONSIBILITY FORM**

AFFIDAVIT OF NO CHANGE AND ACKNOWLEDGEMENT

STATE OF _____)
) ss:
COUNTY OF _____)

On the ____ day of _____, 201__, before me personally came and appeared _____ by me known to be said person, who swore under oath as follows:

1. I am Charles J. Montalbano- President of CCA Civil, Inc..
(Print name and title) (Print name of firm)
2. I am duly authorized to sign this Affidavit of No Change on behalf of said firm and duly signed this document pursuant to said authorization.
3. The Contractor previously submitted a Metropolitan Transportation Authority Contractor Responsibility Form within one (1) year prior to the date hereof to the Metropolitan Transportation Authority or an MTA subsidiary or affiliate.
4. Attached is an accurate and true copy of such previously submitted MTA Contractor Responsibility Form.
5. I hereby certify that there has been no material change in the information specified on such attached Contractor Responsibility Form except as follows:

6. I acknowledge and understand that the previously submitted MTA Contractor Responsibility Form includes provisions which are deemed included in the contract if awarded to the firm.

Signature

Sworn to and subscribed to before me
this ____ day of _____, 201__.

Notary Public _____ County

My commission expires: _____



CCA Civil

445 South St., Suite 310, Morristown, NJ 07960 Tel: (862) 701-7200 · Fax: (862) 701-7250

Re: Schedule IX – Part V – Question H

H: Does the Contractor own or rent office space? Please provide details

Answer: [REDACTED]

CCA Civil rent several office spaces, please find the details as following:

1. CCA Civil HQ Office: 445 South Street, Suite 310, Morristown, NJ 07960
2. Pulaski Jobsite Office: 23 2nd Street, South Kearny, NJ 07032
3. Gerritsen Jobsite Office: 3000 Flatbush Ave. Brooklyn, NY 11234
4. Wittpenn Jobsite Office: 3 Fish House Rd., Kearny, NJ 07032
5. Macombs Dam Jobsite Office: 2916 Eighth Ave. Suite 3-C, New York, NY 10039

Re: Schedule IX – Part V – Question J

J: Does Contractor share office space, staff, equipment, or expenses with any other entities? If “YES” please provide details.

Answer: Yes.

CCA Civil share the office space located at 445 South Street, Suite 310, Morristown, NJ 07960 with its parent company China Construction America, Inc.

**VOLUME 1: Legal/Administrative Forms
Schedule IX - Contractor Responsibility Data**

**Stantec Consulting
Services Inc.**

SCHEDULE IX – CONTRACTOR RESPONSIBILITY DATA

Long Form

METROPOLITAN TRANSPORTATION AUTHORITY CONTRACTOR RESPONSIBILITY FORM INSTRUCTIONS²

1. Who should complete and sign the Contractor Responsibility Form? This form must be completed for all contracts of \$250,000 or greater. In addition, contractors and known subcontractors in contracts involving “Special Circumstances” must complete this form. “Special Circumstances” are defined herein as contracts or subcontracts in excess of \$100,000 in the following areas: painting; scrap; hazardous materials; concrete; lead; asbestos; inspection and testing; security-related projects; carting; and textiles and garments; or such area the Authority may designate from time to time. In addition, all known subcontractors having subcontracts in excess of \$1 million must complete this form. The person who completes the Contractor Responsibility Form on behalf of the submitting contractor or subcontractor must provide his/her title, telephone/fax number and e-mail address in Part II of the questionnaire. The person who signs the questionnaire on behalf of the submitting contractor or subcontractor should be either Chief Executive, Executive Director, Chief Administrator, President, Vice President, Treasurer, Secretary, Chair of the Board of Directors, or the principal owner or officer responsible for administering the submitting contractor’s contract.
2. Who should complete and sign an Affidavit of No Change? If the Contractor has previously submitted a Contractor Responsibility Form within one year prior to the present date and there have been no material changes in the information specified on that form, two original signed, notarized Affidavits of No Change must be executed for the submitting Contractor. It is required that one of the principal owners/officers whose title is listed in Paragraph 1 above execute the Affidavit of No Change on behalf of the submitting contractor.
3. For purposes of this questionnaire, the terms “Contractor,” “bidder,” and “bidder/proposer” refer to both a bidder/proposer and to the firm to be awarded the contract, as well as Contractors seeking subcontracts for \$1 million and more, or Contractors seeking contracts or subcontracts in special circumstances of \$100,000 or more. All of the questions refer to the firm awarded the contract, with the exception of the questions in Parts III.C. and IV, which include separate instructions.
4. For all questions, matters on appeal must be disclosed.
5. Unless otherwise noted, all questions relate to the previous ten (10) years.

² PERSONAL PRIVACY PROTECTION LAW NOTIFICATION

The information the Contractor is providing on this application, including information about Key People, is requested pursuant to the New York State Public Authorities Law for the purposes of determining the Applicant Firm’s responsibility for a contract award. Failure to provide the specified information and authorization requested may, in the sole discretion of the MTA, prevent your firm’s award of a contract by the MTA and/or its agencies. The information will be kept in a file maintained by MTA and its agencies or other files maintained under the authority of MTA and its agencies. Information which, because of any name, number, symbol, mark or other identifier, can be used to identify a person, shall be received, maintained and used by the MTA and its agencies solely for the above-stated purposes and will be protected from public disclosure to the fullest extent permitted by law.

6. All questions on this questionnaire must be answered; do not leave blanks. Where appropriate, state "None" or "Not Applicable" (N/A).
7. If additional space is required to fully respond to any question, please add sheets to this questionnaire and reference the question/answer appropriately.
8. This form includes:
 - a. Contractor representations and obligations (Part III) which (a) apply to Contractor's bid/proposal; and (b) are deemed incorporated into the contract between the Contractor and Authority if the contract is awarded to Contractor. If any representation is not accurate and complete at the time Contractor signs this form, Contractor must, as part of its bid, identify the provision and explain the reason in detail on a separate sheet, as provided in Part III; and
 - b. Questions which Contractor must answer as part of its bid/proposal (Parts III.C., IV, and V).
9. If during the performance of this Contract, either of the following occurs, Contractor shall promptly give notice in writing of the situation to the Authority's Chief Procurement Officer, and thereafter cooperate with the Authority's review and investigation of such information.
 - a. Contractor has reason to believe that any representation or answer to any question contained in this Contractor Responsibility Form was not accurate or complete at the time Contractor Responsibility Form was signed; or
 - b. Events occur or circumstances change so that an answer to any question on this Form is no longer accurate or complete.
10. In the Authority's sole discretion, the following shall constitute grounds for the Authority to take remedial action up to and including immediate termination of the Contract for convenience without payment for profit and overhead for work not performed if:
 - a. Contractor fails to notify the Chief Procurement Officer as required by "9" above;
 - b. Contractor fails to cooperate with the Authority's request for additional information as required by "9" above;
 - c. Contractor, a Contractor director, officer, principal, managerial employee, or owner of a 10% or more interest in Contractor, is convicted of a crime involving a public contract; or
 - d. Significant concerns about the Contractor's integrity are raised based upon an evaluation of the events underlying any other determination, indictment, conviction, or other allegation that Contractor or a Contractor director, officer, principal, managerial employee, or owner of a 10% or more interest in Contractor, or has been involved in any felony or a misdemeanor related to truthfulness and/or business conduct in the past ten (10) years.

11. The Authority reserves the right to inquire further with respect to Contractor's responses; and Contractor consents to such further inquiry and agrees to furnish all relevant documents and information as requested by the Authority. Any response to this document prior or subsequent to Contractor's bid or proposal which is or may be construed as unfavorable to Contractor will not necessarily automatically result in a negative finding on the question of Contractor's responsibility or a decision to terminate the Contract if it is awarded to Contractor.
12. Definitions:
 - a. _____ the voting stock and/or an entity in which a group of principal owners or officers that owns more than fifty (50) % of the submitting contractor also owns more than fifty (50) % of the voting stock.
 - b. Authority: refers to the MTA and/or MTA subsidiary or affiliate to which the Contractor is submitting its bid or proposal and/or which is awarding the contract sought.
 - c. Control: The submitting contractor is controlled by another entity when: (1) the other entity holds ten (10) % or more of the voting stock of the submitting contractor; or (2) the other entity directs or has the right to direct daily operations. The submitting contractor controls another entity when: (1) it holds ten (10) % or more of the voting stock of the other entity; or (2) it directs or has the right to direct daily operations.
 - d. Government agency(ies): include city, state, federal public agencies, quasi-public agencies, authorities and corporations, public development corporations, public benefit corporations and local development corporations.
 - e. Integrity Monitor: includes an Independent Private Sector Inspector General ("IPSIG"), or any independent private sector firm with legal, audit, investigative and loss prevention skills, employed by an organization or government entity, either voluntarily or by compulsory process, to monitor an entity's business activities to ensure compliance with relevant laws and regulations, as well as to uncover and report unethical or illegal conduct within and against the entity.
 - f. Joint Venture: a business undertaking by two or more persons, corporations or other legal entities engaged in a single defined project. The necessary elements are: (1) an express or implied agreement; (2) a common purpose the group intends to carry out; and (3) shared profits and losses.
 - g. Managerial employees or managerial capacity: Employees in a supervisory capacity who, either by virtue of their title or their duties, operate with discretion over solicitation, letting, or management of contracts with public agencies.
 - h. Metropolitan Transportation Authority ("MTA") subsidiary or affiliate includes: New York City Transit Authority ("NYCT"), Manhattan and Bronx Surface Transit Operating Authority ("MaBSTOA"), Staten Island Rapid Transit Operating Authority ("SIRTOA"), Triborough Bridge and Tunnel Authority ("TBTA"), Metro-North Commuter Railroad Company

(“MNCR”), Long Island Rail Road (“LIRR”), Metropolitan Suburban Bus Authority (“MSBA”), MTA Bus Company (“MTA BC”), MTA Capital Construction (“MTACC”) and First Mutual Transportation Assurance Company (“FMTAC”).

- i. Officer: Any individual who serves as or performs the functions of chief executive officer, chief financial officer, or chief operating officer of the submitting contractor, without regard to such individual’s title. president, vice president, secretary, treasurer, board chairperson, trustee (individual or entity who administers a trust) or their equivalents.
- j. Parent: Any entity including, but not limited to any individual, partnership, joint venture or corporation which owns (50) % or more of the voting stock of another entity.
- k. Principal Owner: An individual, partnership, joint venture or corporation that holds a ten (10) % or greater ownership interest in a submitting contractor or subcontractor.
- l. Share: To have space, staff, equipment, expenses, or use such items, in common with one or more other entities.
- m. Significant Adverse Information: includes but is not limited to an unsatisfactory final performance evaluation on a contract with any MTA agency within the immediate prior three (3) years, an uncured interim unsatisfactory rating on a contract with any MTA agency, or an answer of “yes” to any question in Part IV herein.
- n. Subcontract: An agreement between an individual or entity that is a party to a contract and another individual or entity which is for the provision of goods, services or construction pursuant to that contract, and has a value that when aggregated with the values of all other such agreements with the same individual or entity and subcontractor during the immediately preceding twelve (12) month period is valued at one million dollars (\$1,000,000) or more, and in special circumstances involving agreements of \$100,000 or more.
- o. Submitting Contractor: The entity submitting the Contractor Responsibility Form.
- p. Subsidiary: An entity in which the majority of the voting stock is owned by a parent.

<p><u>PART I. IDENTITY OF CONTRACTOR:</u></p> <p>A. Contractor’s full legal name: <u>Stantec Consulting Services Inc.</u></p> <p>B. Tax ID Number (“TIN”), Employer Identification Number (“EIN”) and Social Security Number (“SSN”), as applicable: <u>██████████</u></p> <p>C. Contractor’s form of legal entity (corporation, joint venture, sole proprietorship, etc.): <u>Corporation</u></p> <p>If the Contractor is a Joint Venture, or Partnership, please list all partner firms and/or parties to</p>
--

the Joint Venture below. All partners and/or parties listed are also required to individually complete a separate Contractor Responsibility Form.

(1) Partner/Party name: _____

TIN, EIN, or SSN _____ :

Percentage of Ownership: _____

(2) Partner/Party Name: _____

TIN, EIN or SSN: _____

Percentage of ownership: _____

D. State or country under whose laws Contractor is organized and year organized:

New York, August 1929

E. Does the Contractor now use or, in the past ten (10) years has it used, TIN, EIN, doing business as or “DBA”, name, trade name or abbreviation other than the Contractor’s name or TIN, or EIN number listed in Part I.B. above? No

F. Contractor’s mailing address: 475 Fifth Avenue, 12th Floor, New York, NY 10017

G. Contractor’s street address (complete only if different than “F”): _____

H. Has contractor changed its address in the past five (5) years and, if so, what was the firm’s prior address(es)? 50 West 23rd Street, New York, New York, 10010

I. Contractor’s telephone number: (212) 366-5600 Fax number: (212) 366-5629

Email address: stuart.lerner@stantec.com

PART II. IDENTITY OF PERSON COMPLETING THIS QUESTIONNAIRE:

A. Name: Matthew Hawk

B. Employer/Title: Stantec Consulting Services Inc./Proposal Manager, Northeast

C. Telephone number: (██████████) Fax number: ██████████

D. Email address: [REDACTED]@stantec.com Mobile number: [REDACTED]
--

PART III. CONTRACTOR REPRESENTATIONS: If for any reason a representation on this questionnaire is not accurate and complete as of the time Contractor signs this form, Contractor must identify the provision and explain the reason in detail on a separate sheet. Absent such an explanation, Contractor represents that the following statements are complete and accurate:

Please check this box if a separate sheet is attached:

A. Statement of non-collusion as required by Section 2878 of the Public Authorities Law:

- (1) 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 thereto certifies as to its own organization, under penalty of perjury, that to the best of his 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 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 or not to submit a bid for the purpose of restricting competition.
- (2) A bid shall not be considered for award nor shall any award be made where (1) (a), (b), and (c) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (1) (a), (b), and (c) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the Chief Procurement Officer of the Authority, or designee, determines that such disclosure was not made for the purpose of restricting competition.


The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph 1(a) herein.

B. Statement of no-conflict of interest:

- (1) No appointed or elected official, member or other officer or employee of the City or State of New York, or of the Metropolitan Transportation Authority ("MTA"), or MTA's affiliates and subsidiaries: i) is interested, directly or indirectly, in any manner whatsoever in or in the performance of the Contract or in the supplies, work, or business to which it relates or in any portion of the profits thereof; or ii) has been or will be offered or given any tangible or intangible consideration in connection with this bid/proposal/Contract.

- (2) Contractor covenants that neither Contractor nor, to the best of Contractor's knowledge after diligent inquiry, any director, officer, owner or employee of Contractor or any person or entity with a 10% or more interest in Contractor has any interest nor shall they acquire any interest, directly or indirectly, which would conflict in any manner or degree with the faithful performance of the Contract hereunder.
- (3) In the event Contractor has no prior knowledge of a conflict of interest as set forth in "1" and "2" above and hereafter acquires information which indicates that there may be an actual or apparent violation of any of the above, Contractor shall promptly bring such information to the attention of the Authority's Chief Procurement Officer. Contractor shall thereafter cooperate with the Authority's review and investigation of such information, and comply with any instructions it receives from the Chief Procurement Officer in regard to remedying the situation.

<p>C. The following questions apply to any bid, proposal, or contract between Contractor and the City or State of New York, any other state, any public authority or other public entity, the United States government, the MTA, and MTA affiliates and subsidiaries. (If the answer to any question is "YES," Contractor must provide all relevant information on a separate sheet annexed hereto). Please check this box if a separate sheet is attached: <input type="checkbox"/></p> <p>The following questions apply to: i) Contractor, Contractor's parent, subsidiaries and affiliates of Contractor (if any); ii) any joint venture (including its individual members) and any other form of partnership (including its individual members) which includes Contractor or Contractor's parent, subsidiaries, or affiliates of Contractor, iii) Contractor's directors, officers, principals, managerial employees, and any person or entity with a 10% or more interest in Contractor; iv) any legal entity controlled, or 10% or more of which is owned, by Contractor, or by any director, officer, principal, managerial employee of Contractor, or by any person or entity with a 10% or more interest in Contractor.</p>	
<p>(1) Within the past five (5) years, has Contractor been declared not responsible?</p>	
<p>(2) Has Contractor been debarred, suspended, or otherwise disqualified from bidding, proposing, or contracting?</p>	
<p>(3) Is there a proceeding pending relating to Contractor's responsibility, debarment, suspension, or qualification to receive a public contract?</p>	
<p>(4) Within the past five (5) years, has Contractor defaulted on a contract or been terminated for cause?</p> <p style="text-align: right;">See Attachment A</p>	

<p>(5) Has a government agency or other public entity requested or required enforcement of any of its rights under a surety agreement on the basis of the Contractor's default or in lieu of declaring Contractor in default?</p>	
<p>(6) Within the past five (5) years, has the Contractor been required to engage the services of an Integrity Monitor in connection with the award of or in order to complete, any public or private contract?</p>	
<p>(7) Within the past five (5) years, have Contractor's safety practices/procedures been evaluated and ruled as less than satisfactory by the City or State of New York, any other state, any public authority or any public entity, the United States government, the MTA, MTA affiliates or subsidiaries?</p>	
<p>(8) Has Contractor's Workers Compensation Experience Rating been 1.2 or greater at any time in the last five (5) years? If "yes", please explain.</p>	

D. Consent to the jurisdiction of New York courts and to service of process:

- (1) If Contractor is not organized under the laws of the State of New York, Contractor consents to the jurisdiction of the Courts of the State of New York and to the jurisdiction of any federal court located within the City of New York, with respect to any matter pertaining to Contractor's bid/proposal and, if the Contract is awarded to Contractor, to the Contract.
- (2) Contractor agrees that service of process in any judicial or administrative action may be made upon it by certified mail, return receipt requested, sent to the mailing address for Contractor specified above.
- (3) Contractor agrees that any judicial or administrative action or proceeding commenced by Contractor against the Authority shall only be commenced in a state or federal court or agency located within the City of New York.

PART IV. QUESTIONS WHICH MUST BE ANSWERED BY "YES" or "NO": (In the event of a "YES," Contractor must provide all relevant information on a separate sheet annexed hereto, and the Authority reserves the right to inquire further with respect thereto.)

To the best of your knowledge after diligent inquiry, in connection with the business of Contractor or any other firm which is related to Contractor by any degree of common ownership, control, or otherwise, do any of the following statements apply to: i) Contractor, Contractor's parent, subsidiaries and affiliates of Contractor (if any); ii) any joint venture (including its individual members) and any other form of partnership (including its individual members) which includes Contractor or Contractor's

<p>parent, subsidiaries, or affiliates of Contractor; iii) Contractor's directors, officers, principals, managerial employees, and any person or entity with a 10% or more interest in Contractor; iv) any legal entity controlled, or 10% or more of which is owned, by Contractor, or by any director, officer, principal, managerial employee of Contractor, or by any person or entity with a 10% or more interest in Contractor.</p>	
<p>A. Within the past ten (10) years, has been convicted of or pleaded nolo contendere to (1) any felony or (2) a misdemeanor related to truthfulness in connection with business conduct.</p>	
<p>B. Has pending before any state or federal grand jury or court an indictment or information of the commission of a crime which has not been favorably terminated.</p>	
<p>C. Is the subject of a pending investigation by any grand jury, commission, committee or other entity or agency or authority of any local, state, or the federal government in connection with the commission or alleged commission of a crime.</p>	
<p>D. Is currently disqualified from selling or submitting bids/proposals to or receiving awards from or entering into any contract with any federal, state or local government agency, any public authority or any other public entity.</p>	
<p>E. Within the past five (5) years, has refused to testify or to answer any question concerning a bid or contract with any federal, state, or local government agency, any public authority or any other public entity when called before a grand jury or other committee, agency or forum which is empowered to compel the attendance of witnesses and examine them under oath, upon being advised that neither the person's statement nor any information or evidence derived from such statement will be used against that person in any subsequent criminal proceeding.</p>	
<p>F. Is currently disqualified from selling or submitting a bid to, or receiving an award from, or entering into any contract with any public entity or public authority within the State of New York because, within the past five (5) years, such entity or person refused to testify or to answer any relevant question concerning a transaction or contract with the State of New York, any political subdivision of the State of New York, or a public authority or a public department, agency or official of the State of New York or of a political</p>	

subdivision of the State of New York, when called before a grand jury or other state or local department, commission or agency which is empowered to compel the attendance of witnesses and examine them under oath, upon being advised that neither that person's statement nor any information or evidence derived from such statement will be used against that person in any subsequent criminal proceeding.

- G. Has within a ten (10) year period preceding this Bid/Proposal been convicted of or had a civil judgment rendered against it for or in relation to: (i) commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; (ii) collusion with another person or entity in connection with the submission of bid/proposals; (iii) violation of federal or state antitrust statutes or False Claims Acts; or (iv) commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statement(s) or receiving stolen property.

PART V. ADDITIONAL QUESTIONS: In the event of a “Yes”, Contractor must provide all relevant information on a separate sheet annexed hereto, and the Authority reserves the right to inquire further with respect thereto.

- A. List the name, title, and home and business address of each person or legal entity which has a 10% or more ownership or control interest in Contractor:

Name: 100% owned by Mustang Acquisition Holdings Inc.

Title: _____

Home address: _____

Business address: _____

- B. In the past ten (10) years, has Contractor entered into a consent decree, deferred prosecution agreement, or a non-prosecution agreement?

- C. In the past three (3) years, has Contractor been a subcontractor on any contract with the Authority?

<p>D. In the past seven (7) years, have any bankruptcy proceedings been initiated by or against the Contractor (whether or not closed) or is any bankruptcy proceeding pending by or against the Contractor regardless of the date of filing?</p>	
<p>E. In the past five (5) years, have there been any judgments, injunctions, or liens of \$100,000 or more, including but not limited to, judgments based on taxes owed, fines and penalties assessed by a government agency against Contractor at any time? See Attachment B</p>	
<p>F. Are there any judgments, injunctions, or liens for \$100,000 or more each against Contractor that remain open, unsatisfied or in effect today?</p>	
<p>G. During the past five (5) years, has the Contractor failed to file any applicable federal, state or local tax return?</p>	
<p>H. Does the Contractor own or rent office space? Please provide details. Rent</p>	
<p>I. Does any principal owner or officer of the Contractor, or any member of his/her immediate family, have an ownership interest in any entity that holds the title or lease to any real property used by the Contractor?</p>	
<p>J. Does Contractor share office space, staff, equipment, or expenses with any other entities? If "YES", please provide details.</p>	
<p>K. Contractor is required to provide a list of contracts as requested in (1), (2) and (3) below. For each of the contracts listed in (1), (2) and (3) below, Contractor shall provide a brief description of the work performed, the contract number, the dollar amount at award and at completion, date completed, and the name and telephone number of the owner's representative:</p> <p>(1) List all contracts completed during the last three (3) years. If more than three (3) contracts have been completed in the past three (3) years, list the last three (3) contracts completed.</p> <p>a. Brief description of work performed: <u>Please see Attachment C</u></p> <p>_____</p> <p>Contract number: _____</p> <p>Dollar amount of award: _____</p>	

Date completed: _____

Name/Telephone number of company and owner's representative: _____

Dollar amount at completion: _____

b. Brief description of work performed: _____

Contract number: _____

Dollar amount of award: _____

Date completed: _____

Name/Telephone number of company and owner's representative: _____

Dollar amount at completion: _____

c. Brief description of work performed: _____

Contract number: _____

Dollar amount of award: _____

Date completed: _____

Name/Telephone number of company and owner's representative: _____

Dollar amount at completion: _____

- (2) List each contract completed by Contractor during the last three (3) years for which liquidated damages or penalty provisions were assessed against Contractor for failure to complete the work on time or for any other reason. Contractor is required to provide an explanation of the circumstances for each contract.

a. Brief description of work performed: _____

Contract number: _____

Dollar amount of award: _____

Date completed: _____

Name/Telephone number of company and owner's representative: _____

Dollar amount at completion: _____

b. Brief description of work performed: _____

Contract number: _____
Dollar amount of award: _____
Date completed: _____
Name/Telephone number of company and owner's representative: _____
Dollar amount at completion: _____

c. Brief description of work performed: _____

Contract number: _____
Dollar amount of award: _____
Date completed: _____
Name/Telephone number of company and owner's representative: _____
Dollar amount at completion: _____

If none of the above situations occurred during the last three (3) years, state "NONE" here:
NONE

(3) List five (5) completed contracts which demonstrate that you have substantial experience in the construction and/or service of the type and magnitude required by the Contract and under the restrictions and conditions equivalent to those that will be encountered.

See Attachment D

In addition, provide relevant information that demonstrates that your firm has the following experience:

Not Applicable

- A minimum of five (5) years' experience in the manufacturing of rectifiers and transformers used for heavy duty traction power substations and/or the integration of such components supplied by others.
- The manufacturer of the rectifiers and transformers must have a minimum of five (5) years' experience in the manufacturing of rectifiers and transformers for heavy duty traction power substations.
- The on-site firm responsible for installation, testing, and commissioning of the substation shall have a minimum of five (5) years' experience in the integration of such components supplied by others, If the on-site firm is not the manufacturer, it must have direct oversight and technical resources to support the integration of the system components in the overall design.

L. Furnish the following information for each contract for which, during the last three (3) years, the Contractor was:

- (1) Terminated for default; or
- (2) Sued to compel performance; or
- (3) Sued to recover damages, including, without limitation, upon an alleged breach of contract, misfeasance, error or omission or other alleged failure on Contractor's part to perform as required by the contract; or
- (4) Called upon a surety to perform the work; or
- (5) Required to engage the services of an Integrity Monitor in connection with the award of or in order to complete, any public or private contract; or
- (6) Required to draw on a letter of credit in lieu of a performance bond.

a. Brief description of work performed: _____

Contract number: _____

Dollar amount of award: _____

Date completed: _____

Name/Telephone number of owner's representative: _____

If none of the above situations occurred during the last three (3) years, state "NONE" here:
See Attachment G

M. List all Contractor employees: (Attach additional sheets as needed) None

(1) Who are currently employees of MTA or any MTA subsidiary or affiliate:

Name: _____

Currently employed by: (check as appropriate)

MTA NYCT MaBSTOA SIRTOA MNCR

LIRR MSBA TBTA MTACC MTA BC

Name: _____

Currently employed by:

MTA NYCT MaBSTOA SIRTOA MNCR

LIRR MSBA TBTA MTACC MTA BC

Name: _____

Currently employed by:

MTA NYCT MaBSTOA SIRTOA MNCR

LIRR MSBA TBTA MTACC MTA BC

(2) Who within the past two (2) years have been MTA or any MTA subsidiary or affiliate employees who were involved on behalf of Contractor with the preparation of this bid/proposal or would be involved in the performance of the contract if it is awarded to Contractor.

Name: _____

Currently employed by: _____

MTA NYCT MaBSTOA SIRTOA MNCR

LIRR MSBA TBTA MTACC MTA BC

Name: _____

Currently employed by: _____

MTA NYCT MaBSTOA SIRTOA MNCR

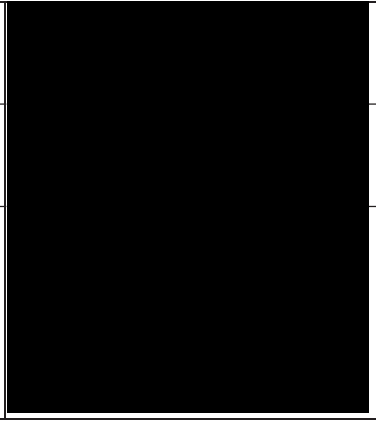
LIRR MSBA TBTA MTACC MTA BC

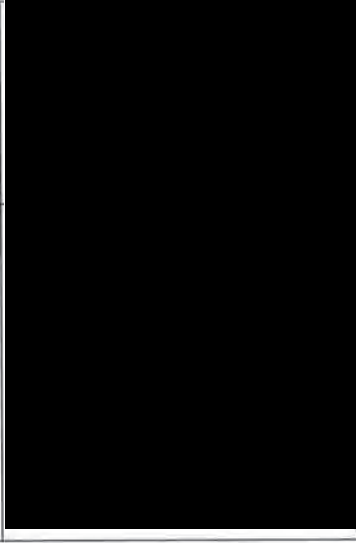
N. Provide certified financial statements for Contractor’s last three (3) fiscal years. If Contractor does not have certified financial statements, provide financial statements sworn to by Contractor’s chief financial officer. If Contractor is unable to provide any such statements, provide other information which will enable the Authority to evaluate and determine whether Contractor has sufficient financial resources to enable Contractor to perform the Contract. See Attachment E

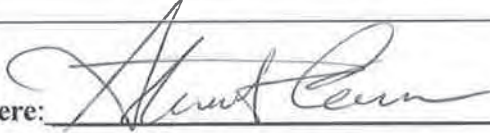
O. Does Contractor have a subsidiary or affiliate?

P. Is Contractor a subsidiary of another entity?

Q. Within the past five (5) years or currently, does Contractor, any director, officer, principal, managerial employee of Contractor, or any person or entity with a 10% or more interest in Contractor have an interest of 10% or more in any other firm or legal entity?



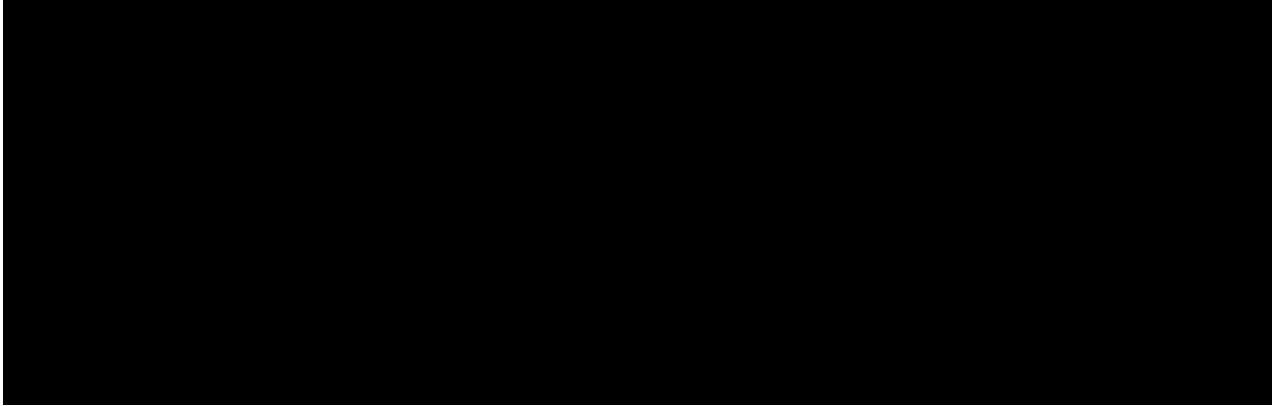
<p>R. If the answer to P, Q or R is "YES," would Contractor's answers pertaining to Part V Questions A through M above be the same for each such parent, subsidiary, affiliate, firm or legal entity? If not, please provide a full explanation on a separate sheet of paper.</p>	
<p>S. Describe the resources, including but not limited to, staffing, facilities, equipment, and tools that Contractor will commit to the performance of this contract. If this information is provided elsewhere in Contractor's bid/proposal, please enter below the reference to that section in Contractor's submission that responds to this question.</p>	
<p>T. See Section: <u>See Attachment F</u></p>	

Contractor must sign here:  _____
Authorized Signature
Stuart E. Lerner, PE, ENV SP, Senior Vice President

Date: July 13, 2017

[REDACTED]

[REDACTED]



STANDARD FORM (SF) 254

Architect-Engineer and Related Services Questionnaire

5. Name of Parent Company, if any:
Stantec Inc.



1. Firm Name / Business Address:
Stantec
Corporate Headquarters
10160 - 112 Street
Edmonton, AB T5K 2L6

1a. Submittal is for Parent Company Branch or Subsidiary Office

DUNS No. 073458523
TIN No. 86-0679505
ACASS No. 013158

2. Year Present Firm Established:
1954

3. Date Prepared:
January 2017

4. Specify type of ownership and check below, if applicable:
Corporation

- A. Small Business
- B. Small Disadvantaged Business
- C. Woman-owned Business

5a. Former Parent Company Name(s), if any, and Year(s) Established:

Stanley Technology Group, 1954
Franzoy Corey, 1991
Carier Associates, 1991
NBS Lowry, 1996
SFC Engineering (formerly IMC Consultants), 1997
SEA Engineers, 1997
Kaminski Hubbard Engineering, 1998
Stantech Consulting Inc. to Stantec Consulting Inc., 1998
ITX Stanley Inc. to Stantec Consulting Inc., 1998
Celia Barr Associates, Inc., 1999
EWP Engineering, 2000
P.R. Fletcher & Associates, 2000
DSAtlantic Corporation, 2000
Dufresne-Henry, 2006
ACEX Technologies, Inc., 2006
Tipton and Kalmbach, Inc., 2000
EnviroNet, Inc., 2000
The Spink Corporation, 2000
Pentacore Family of Companies, 2001
Taggart Engineering & Associates, 2001
GKO Engineering, 2002
Graeme & Murray Consultants Ltd., 2002

GeoViro Engineering Ltd., 2002
Site Consultants Inc., 2002
English Harper Reia Architects, 2002
The RPA Group, 2002
Beak International Incorporated, 2002
Aerotechnica, 2003
ESG International Inc., 2003
Sear-Brown, 2004
GBR Architects, 2004
Dunlop Architects Inc., 2004
CPV Group Architects & Engineers Ltd., 2005
The Keith Companies Inc., 2005
Keen Engineering, 2005
Carinci Burt Rogers Engineering, Inc., 2006
Vollmer Associates LLP, 2007
Chong Partners Architecture, 2007
Geller DeVellis Inc / Geller Sport, 2007
Land Use Consultants, Inc., 2007
Moore Paterson Architects Inc., 2007
Murphy Hilgers Architects Inc., 2007
Neil and Gunter Inc., 2007

Neill and Gunter Ltd, 2007
Neill and Gunter Nova Scotia Ltd, 2007
Nicolson Tamaki Architects, 2007
Regenbogen Associates, 2007
Trico Engineering Consultants Inc., 2007
Woodlot Alternatives, 2007
Fuller, Mossbarger, Scott & May Engineers (FMSM), 2008
R.D. Zande, 2008
RHL Design Group Inc., 2008
Rochester Signal Inc., 2008
Secor International Incorporated (Secor), 2008
McIntosh Engineering, 2008
Jacques Whitford, 2009
Granary Associates, 2009
Project Control Group Inc., 2010
FMA Heritage, 2010
LR Wilson Consultants Ltd., 2010
TetraES Consultants Inc., 2010
Industry & Energy Associates 2010

WilsonMiller, Inc., 2010
Natural Resources Consulting, Inc., 2010
CommArts, 2010
Anshen + Allen, 2010
ECO: LOGIC, 2010
Street Smarts, 2010
Burt Hill, 2010
QuadratEc Inc, 2011
Bonestroo, Inc./Bonestroo Services LLC, 2011
ENTRAN, Inc., 2011
FSC Architects and Engineers, 2011
The Caltech Group, 2011
ABMB Engineers, Inc. 2012
PHB Group Inc., 2012
Architecture 2000 Inc., 2012
Cimaron Engineering Ltd., 2012
Landmark Surveying and Mapping, 2012
Corzo Castella Carballo Thompson Salman, P.A. (C3TS), 2012
Greenhome & O'Mara, 2012
AP/ID (Ashley Pryce Interior Design), 2013
IBE Consulting Engineering, 2013

Roth Hill, 2013
JDA Mackenzie Architects Limited, 2013
The National Testing Laboratories Limited, 2013
Cambria Gordon Ltd., 2013
Cultural Resource Inc., 2014
Williamsburg Environmental Group, Inc., 2014
Processes Unlimited International, Inc. (ProU), 2014
JBR Environmental Consultants, Inc., 2014
SHW Group, 2014
Wiley Engineering, 2014
USKH, Inc., 2014
ADD Inc., 2014
Penfield & Smith, 2014
Dessau Inc, 2015
Sparling, Inc. 2015
VI Engineering, LLC 2015
VA Consulting, Inc. 2015
Fay, Spofford & Thorndike, Inc. 2015
KBR-Infrastructure Americas Division 2015
Bury, Inc. 2016
MMW Global Inc., 2016
VOA Associates Incorporated 2016

6. Names of not more than Two Principals to Contact: Title / Telephone (1) Scott Murray, Executive Vice President. (2) Eric Nielsen, Executive Vice President.

7. Present Offices: City / State / Telephone / No. Personnel/Each Office

7a. Total Personnel

Edmonton, AB	1209	Albany NY	84	Anchorage AK	48	Ann Arbor MI	40	Arlington TX	7
Atlanta GA	25	Auburn NH	36	Austin (Bee Caves) TX	40	Austin (North Mopac) TX	14	Austin (West Sixth) TX	131
Bakersfield CA	142	Baltimore MD	56	Baton Rouge LA	101	Bedford NH	10	Bellevue WA	74
Berkley MI	66	Binghamton NY	33	Bismarck ND	4	Boise ID	4	Bonifay FL	15
Boston (Causeway) MA	102	Boston (Summer) MA	134	Boulder CO	23	Burlington MA	187	Butler PA	96
Butte MT	6	Camarillo CA	23	Caribou ME	6	Charleston SC	37	Charleston WV	3
Charlotte NC	42	Charlottesville VA	6	Chattanooga TN	10	Chelsea AL	3	Chicago (S LaSalle) IL	43
Chicago (S Michigan) IL	125	Cincinnati OH	73	Cleveland OH	23	Columbia SC	6	Columbus OH	120
Coral Gables FL	88	Cottage Grove WI	44	Dallas (Harvest Hill 100) TX	86	Dallas (Harvest Hill 299) TX	37	Dallas (N Central) TX	21
Deerfield Beach FL	21	Denver CO	104	Elko NV	9	Fairbanks AK	13	Fairfax VA	12
Fairmont WV	18	Fargo ND	13	Farmington Hills MI	14	Fort Collins CO	37	Fort Myers FL	13
Fredericksburg VA	16	Fresno (North Colonial) CA	18	Fresno (Shaw) CA	14	Germanatown MD	17	Glen Allen VA	16
Grants Pass OR	2	Green Bay WI	23	Hartford CT	9	Hauppauge NY	44	Highland IN	7
Honolulu, HI	7	Houston (Egret Bay) TX	27	Houston (Greenway) TX	59	Houston (Jefferson) TX	69	Houston (Woodway) TX	69
Hyannis MA	4	Independence IA	16	Indianapolis IN	16	Irvine (Discovery) CA	38	Irvine (Technology) CA	169
Jackson MS	24	Jacksonville FL	6	Kansas City KS	24	Lake Mary FL	26	Las Vegas NV	11
Laurel MD	136	Lexington (E Vine) KY	59	Lexington (N Forbes) KY	137	Logan OH	11	Lombard IL	29
Long Beach CA	8	Los Gatos CA	12	Louisville KY	89	Lynnwood WA	4	Macon GA	3
Maitland FL	7	Mechanicsburg PA	59	Mequon WI	38	Miami FL	130	Mobile AL	50
Mount Laurel NJ	29	Naples FL	47	Nashville TN	47	Nevada City CA	17	New Haven CT	18
New Orleans (Poydras) LA	14	New Orleans (Riverbend) LA	10	New York (Fifth) NY	33	New York (John) NY	12	New York (West 23rd) NY	203

Edmonton, AB	1209	Albany NY	84	Anchorage AK	48	Ann Arbor MI	40	Arlington TX	7
Atlanta GA	25	Auburn NH	36	Austin (Bee Caves) TX	40	Austin (North Mopac) TX	14	Austin (West Sixth) TX	131
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Butte MT	6	Camarillo CA	23	Caribou ME	6	Charleston SC	37	Charleston WV	3
Charlotte NC	42	Charlottesville VA	6	Chattanooga TN	10	Chelsea AL	3	Chicago (S LaSalle) IL	43
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Deerfield Beach FL	21	Denver CO	104	Elko NV	9	Fairbanks AK	13	Fairfax VA	12
Fairmont WV	18	Fargo ND	13	Farmington Hills MI	14	Fort Collins CO	37	Fort Myers FL	13
Fredericksburg VA	16	Fresno (North Colonial) CA	18	Fresno (Shaw) CA	14	Germanatown MD	17	Glen Allen VA	16
Grants Pass OR	2	Green Bay WI	23	Hartford CT	9	Hauppauge NY	44	Highland IN	7
Honolulu, HI	7	Houston (Egret Bay) TX	27	Houston (Greenway) TX	59	Houston (Jefferson) TX	69	Houston (Woodway) TX	69
Hyannis MA	4	Independence IA	16	Indianapolis IN	16	Irvine (Discovery) CA	38	Irvine (Technology) CA	169
Jackson MS	24	Jacksonville FL	6	Kansas City KS	24	Lake Mary FL	26	Las Vegas NV	11
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Long Beach CA	8	Los Gatos CA	12	Louisville KY	89	Lynnwood WA	4	Macon GA	3
Maitland FL	7	Mechanicsburg PA	59	Mequon WI	38	Miami FL	130	Mobile AL	50
Mount Laurel NJ	29	Naples FL	47	Nashville TN	47	Nevada City CA	17	New Haven CT	18
New Orleans (Poydras) LA	14	New Orleans (Riverbend) LA	10	New York (Fifth) NY	33	New York (John) NY	12	New York (West 23rd) NY	203

THIS DOCUMENT HAS BEEN REDACTED FOR PUBLIC DISTRIBUTION

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

046	P	9)	NYSTA Term Agreement D213676, Albany NY. Alternative analysis and detailed design of various roadway, bridge and culvert reconstruction/rehabilitation projects. Numerous Stormwater pollution Prevention Plan (SWPPP's) permits were prepared.	New York State Thruway Authority 200 Southern Boulevard Albany, New York 12201	2012
046	P	10)	I-87 Reconstruction: Western Ave. to Saratoga County Line, NY. Preliminary and final design services associated with the rehabilitation of 13-miles of I-87.	New York State Department of Transportation 50 Wolf Road Albany, New York 12232	2013
046	P	11)	RT 46 / RT 3 / Valley Road / Notch Road Interchanges, Passaic County, NJ. Performed NEPA Documentation and preliminary engineering for the reconstruction of Route 46 at its interchange with Route 3 and Valley Road.	New Jersey Department of Transportation 1035 Parkway Avenue, CN 600 Trenton, New Jersey 08625	2011
046	P	12)	NYS Route 17/I-86 – Interchanges 67 & 68, Binghamton, NY. Preliminary design associated with the reconfiguration of Interchanges 67 and 68 to Interstate Standards and safety improvements for a 10 mile section of Route 17 / I-86	New York State Dept. of Transportation 50 Wolf Road Albany, New York 12232	2012
056	S	13)	US Route 15 Reconstruction, Presho, NY. Stantec completed the drainage design, erosion and sedimentation control plans, maintenance and protection of traffic, and landscaping for the future I-99	New York State Department of Transportation 50 Wolf Road Albany, New York 12232	2012
059	P	14)	Route 9A West Street Promenade Project (West Thames to Chambers Street), New York, NY. Provided preliminary and final design (PS&E) to reconstruct and restore Route 9A after it was damaged on September 11 th , to provide a "Grand Boulevard" that will link Battery Place to the World Trade Center.	New York State Department of Transportation 50 Wolf Road Albany, New York 12232	2010
059	P	15)	Route 347 Safety & Mobility Improvements, Smithtown, NY. Completed Safety and Mobility Improvements for 20 intersections including improved geometry, drainage improvements and urban design improvements including a dedicated bike/pedestrian path.	NYS Dept. of Transportation, Region 10 New York State Office Bldg. 250 Veterans Memorial Highway Hauppauge, New York, 11788	2013
062	P	16)	Rundel Library Lighting Enhancement, Rochester, NY. Stantec completed the design for an LED Lighting System to light the exterior of the historic Rundel Library along the downtown banks of the Genesee River in Rochester.	City of Rochester 30 Church Street Rochester, New York, 14614	2014
089	P	17)	Living History Rest Area, Root, NY. Preliminary and final design phases I-VI for the construction of a new rest area. Architectural, MEP, structural and civil site services were provided.	New York State Thruway Authority 200 Southern Boulevard Albany, New York 12201	2016
092	P	18)	Flood Damage Repairs at Lock E-9, NY. Design work for the reconstruction of the lock, lock house and other site amenities after damaged by Hurricane Irene and Tropical Storm Lee	New York State Thruway Authority 200 Southern Boulevard Albany, New York 12201	2013
092	P	19)	Ocean Parkway & Robert Moses State Park Traffic Circle Emergency Repairs, Long Island, NY. Completed repairs to arkway and Traffic Circle after flooding caused by Superstorm Sandy.	New York State Dept. of Transportation 50 Wolf Road Albany, New York 12232	2013
101	P	20)	Robert Moses Causeway Bridge Over Fire Island Inlet Suffolk County, NY. Completed a fast track bridge rehabilitation project to get the only connection from the mainland to Fire Island ready in time for the summer season.	NYS Dept. of Transportation, Region 10 New York State Office Bldg. 250 Veterans Memorial Highway Hauppauge, New York, 11788	2014
102	P	21)	Route 22 Auxiliary Lane Union Township, NJ	New Jersey Department of Transportation 1035 Parkway Avenue Trenton, New Jersey 08625	2011
104	P	22)	NYCEDC Green Infrastructure, Borough of the Bronx, New York. Stantec worked with EDC to meet their goal of reducing the quantity and frequency of combined sewer overflow discharges in an environmentally sensitive way through the siting and design of green infrastructure in the Bronx.	Economic Development Corporation 110 William Street New York, New York, 10038	2015

106	C	23)	Biennial Bridge Inspection Program 2014/2015 - NYSDOT Region 1, Various Locations, NY (Subconsultant to CDM Smith)	New York State Dept. of Transportation 50 Wolf Road Albany, NY 12232	2015
107	P	24)	New York State Bridge Authority Traffic and Revenue Study, New York State. On-Call traffic and revenue studies.	New York State Bridge Authority PO Box 1010 Highland, NY 12528	2012
107	P	25)	Triborough Bridge & Tunnel Authority Traffic and Revenue Study, New York, NY. On-Call traffic and revenue studies.	MTA, Triborough Bridge & Tunnel Authority 347 Madison Avenue New York, NY 10017	2012
111	P	26)	Route 9A Boulevard Reconstruction at the World Trade Center Site, New York, NY. Sewers and Water Mains to support the reconstruction of the West Side Boulevard from Chambers to Battery Park.	New York State Dept. of Transportation 50 Wolf Road Albany, NY 12232	2014
199	P	27)	Construction Inspection Term Contract, 2014/2015 for NYSDOT Region 1, New York. Resident Engineering and Construction inspection for 28 assignments in and around the Capital Region that include highway rehabilitation/reconstructions and bridge rehabilitation/replacements	New York State Thruway Authority 200 Southern Boulevard Albany, New York 12201	2015
199	P	28)	Thruway Reconstruction and Mobility Improvement Project, Exits 23 and 24, Albany, NY. Construction inspection for reconstruction of existing pavement over the 7-mile stretch and the addition of a third travel lane.	New York State Thruway Authority 200 Southern Boulevard Albany, New York 12201	2013
199	P	29)	D213933 Repair/Rehabilitation of Three Bridges at Mileposts 352.59, 363.95 and 364.74 and Culvert Replacement at MP 363.12, Buffalo Division, NY	New York State Thruway Authority 200 Southern Boulevard Albany, New York 12201	2011
12. The foregoing is a statement of facts.					
Signature:				Typed Name & Title: Stuart Lerner, PE, ENV SP, Senior Vice President	Date: July 13, 2017



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Rajat Shanker, Senior Associate, Dubai, United Arab Emirates

Consolidated Financial Statements

For the Years Ended December 31, 2015, and 2014

Consolidated Financial Statement

For the Years Ended December 31, 2014, and 2013

