

1. Public Notices

Documents:

10-7-24 AND 10-21-24 NOTICE SESSIONS.PDF
10 -7-24 SPECIAL MEETING PUBLIC NOTICE.PDF
10-7-24 BUDGET PUCBLIC NOTICE.PDF

2. County Legislative Committee Meeting Agenda 10-7-24

Documents:

10-7-24F AGENDA.PDF
10-7-24R AGENDA.PDF
10-7-24PW AGENDA.PDF

3. County Legislative Committee Meeting Contracts 10-7-24 [A's & B's]

Documents:

A-19-24 NCWEB.PDF
A-26-24 NCWEB.PDF
A-35-24 NCWEB.PDF
B-2-24 NCWEB.PDF
B-22-24 NCWEB.PDF

PUBLIC NOTICE

PLEASE TAKE NOTICE THAT THE NASSAU COUNTY LEGISLATURE WILL HOLD COMMITTEE MEETINGS OF THE LEGISLATURE ON MONDAY, OCTOBER 7, 2024 STARTING AT 1:00 PM AND WILL HOLD A FULL SESSION OF THE LEGISLATURE ON MONDAY, OCTOBER 21, 2024 STARTING AT 1:00 PM FOR PRESENTATIONS AND PUBLIC COMMENT, AND AT 2:00 PM FOR THE LEGISLATIVE CALENDAR IN THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER, 1ST FLOOR, THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING, 1550 FRANKLIN AVENUE, MINEOLA, NEW YORK 11501.

FULL LEGISLATIVE SESSION.....1:00 PM

| COMMITTEES | TIME |
|---|---------------|
| RULES | 1:00PM |
| PUBLIC SAFETY | 1:00PM |
| PLANNING, DEVELOPMENT & THE ENVIRONMENT | 1:00PM |
| TOWNS, VILLAGES AND CITIES | 1:00PM |
| ECONOMIC AND COMMUNITY DEVELOPMENT, LABOR AND TRANSPORTATION COMMITTEE | 1:00PM |
| PUBLIC WORKS AND PARKS | 1:00PM |
| HEALTH AND SOCIAL SERVICES | 1:00PM |
| GOVERNMENT SERVICES AND OPERATIONS | 1:00PM |
| MINORITY AFFAIRS | 1:00PM |
| VETERANS | 1:00PM |
| SENIOR AFFAIRS | 1:00PM |
| FINANCE | 1:00PM |

MICHAEL C. PULITZER
Clerk of the Legislature

Dated: September 30th, 2024
Mineola, NY

As per the Nassau County Fire Marshal’s Office, the Peter J. Schmitt Memorial Legislative Chamber has a maximum occupancy of 200 people. Attendees who would like to address the Legislature must submit a slip to the Clerk’s office staff. Public comment is limited to three minutes per person. At meetings of the full Legislature, public comment will be heard only during the pre-calendar public comment period and during public hearings that are on the calendar. At meetings of the Legislature’s committees, there is no pre-calendar public comment period. Public comment will be heard on agenda items. Public comment on any item may be emailed to the Clerk of the Legislature at LegPublicComment@nassaucountyny.gov and will be made part of the formal record of this Legislative meeting.

The Nassau County Legislature is committed to making its public meetings accessible to individuals with disabilities and every reasonable accommodation will be made so that they can participate. Please contact the Office of the Clerk of the Legislature at 571-4252, or the Nassau County Office for the Physically Challenged at 227-7101 or TDD Telephone No. 227-8989 if any assistance is needed. Every Legislative meeting is streamed live on <http://www.nassaucountyny.gov/agencies/Legis/index.html>

**Scan the QR code to submit written public comment,
which will be incorporated into the record of this meeting**





PUBLIC NOTICE

PLEASE TAKE NOTICE THAT

THE NASSAU COUNTY LEGISLATURE WILL HOLD

A SPECIAL MEETING

ON

MONDAY, OCTOBER 7, 2024 AT 1:00PM

IN

**THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER
THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING
1550 FRANKLIN AVENUE, MINEOLA, NEW YORK 11501**

AT WHICH TIME, PURSUANT TO SECTION 617.8(E) OF THE IMPLEMENTING REGULATIONS, SET FORTH AT 6 NYCRR PART 617, FOR THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA" – ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW), THE LEGISLATURE WILL CONSIDER THE "FINAL SCOPE" OF THE "DRAFT ENVIRONMENTAL IMPACT STATEMENT" FOR THE PROPOSED LEASE BETWEEN NASSAU COUNTY AND LVS NY HOLDCO 2, LLC ("SANDS"), AND THE ULTIMATE DEVELOPMENT OF THE "SANDS NEW YORK INTEGRATED RESORT," ON THE APPROXIMATELY 71.6-ACRE NASSAU VETERANS MEMORIAL COLISEUM SITE, LOCATED AT 1255 HEMPSTEAD TURNPIKE, UNIONDALE, NEW YORK (NASSAU COUNTY TAX MAP SECTION 44, BLOCK F, LOTS 351, 411, 412 AND 415), AND POTENTIALLY THE ADJACENT APPROXIMATELY 14.7-ACRE MARRIOTT HOTEL SITE, LOCATED AT 101 JAMES DOOLITTLE BOULEVARD, UNIONDALE, NEW YORK (NASSAU COUNTY TAX MAP SECTION 44, BLOCK F, LOTS 326, 401, AND 402).

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MICHAEL C. PULITZER
Clerk of the Legislature
Nassau County, New York

DATED: September 30, 2024
Mineola, NY

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PUBLIC NOTICE

PLEASE TAKE NOTICE THAT

**THE NASSAU COUNTY LEGISLATURE WILL HOLD A MEETING OF
THE GOVERNMENT SERVICES AND OPERATIONS COMMITTEE**

ON

MONDAY, OCTOBER 7, 2024 AT 9:30 AM

**AT WHICH TIME THE COMMITTEE WILL HOLD A PUBLIC
HEARING REGARDING THE 2025 NASSAU COUNTY BUDGET
PERTAINING TO THE DEPARTMENTS OF ASSESSMENT, PUBLIC
WORKS, SOCIAL SERVICES, HEALTH, AND PARKS, RECREATION
& MUSEUMS, AS WELL AS THE OFFICES OF COMMUNITY
DEVELOPMENT AND MINORITY AFFAIRS**

IN

**THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER
THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING
1550 FRANKLIN AVENUE, MINEOLA, NEW YORK 11501**

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**DATED: September 30, 2024
Mineola, NY**

**MICHAEL C. PULITZER
Clerk of the Legislature
Nassau County, New York**



NASSAU COUNTY LEGISLATURE

15th TERM MEETING AGENDA

FINANCE COMMITTEE

OCTOBER 7, 2024 1:00 PM

Thomas McKevitt – Chairman

John Ferretti – Vice Chairman

James Kennedy

Rose Marie Walker

Carrié Solages – Ranking

Scott M. Davis

Seth I. Koslow

Michael C. Pulitzer, Clerk of the Legislature

Scan the QR code to submit written public comment,
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| Clerk Item No. | Proposed By | Assigned To | <u>Summary</u> |
|----------------|-------------|-------------|--|
| 223-24 | PW | F, R | <p><u>RESOLUTION NO. – 2024</u> A RESOLUTION MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE ACQUISITION OF AN EASEMENT FROM THE INCORPORATED VILLAGE OF FARMINGDALE OVER A PARCEL OF REAL PROPERTY SITUATED IN THE INCORPORATED VILLAGE OF FARMINGDALE, COUNTY OF NASSAU, STATE OF NEW YORK, SAID PROPERTY KNOWN AS SECTION 49, BLOCK 226, LOT 48 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN EASEMENT AGREEMENT AND ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH TO ACCEPT SUCH EASEMENT. 223-24(PW)</p> |

NASSAU COUNTY LEGISLATURE

15th TERM MEETING AGENDA

RULES COMMITTEE

OCTOBER 7, 2024 1:00 PM

Howard Kopel – Chairman

Thomas McKeivitt – Vice Chairman

John Ferretti

James Kennedy

Delia DeRiggi-Whitton– Ranking

Siela A. Bynoe

Arnold W. Drucker

Michael C. Pulitzer, Clerk of the Legislature

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| Clerk Item No. | Proposed By | Assigned To | <u>Summary</u> |
|----------------|-------------|-------------|--|
| 223-24 | PW | F, R | <p><u>RESOLUTION NO. – 2024</u> A RESOLUTION MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE ACQUISITION OF AN EASEMENT FROM THE INCORPORATED VILLAGE OF FARMINGDALE OVER A PARCEL OF REAL PROPERTY SITUATED IN THE INCORPORATED VILLAGE OF FARMINGDALE, COUNTY OF NASSAU, STATE OF NEW YORK, SAID PROPERTY KNOWN AS SECTION 49, BLOCK 226, LOT 48 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN EASEMENT AGREEMENT AND ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH TO ACCEPT SUCH EASEMENT. 223-24(PW)</p> |
| 236-24 | PW | PW, R | <p><u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ACCEPT ON BEHALF OF THE COUNTY OF NASSAU THE DEDICATION OF A CERTAIN SANITARY SEWER LINE CONSTRUCTED IN THE BED OF SEAMAN AVENUE, BALDWIN TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK. 236-24(PW)</p> |
| 237-24 | PW | PW, R | <p><u>RESOLUTION NO. – 2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ACCEPT ON BEHALF OF THE COUNTY OF NASSAU THE DEDICATION OF A CERTAIN SANITARY SEWER LINE CONSTRUCTED WITHIN THE EXISTING TOWN OF HEMPSTEAD RIGHT- OF- WAY ON WANSERS LANE, HAMLET OF SEAFORD, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK. 237-24(PW)</p> |
| 238-24 | CE | R | <p><u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION ADOPTING THE FINAL SCOPE FOR THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) FOR THE PROPOSED LEASE BETWEEN NASSAU COUNTY AND LVS NY HOLDCO 2, LLC AND THE ULTIMATE DEVELOPMENT OF THE SANDS NEW YORK INTEGRATED RESORT. 238-24 (CE)</p> |

| Clerk Item No. | Proposed By | Assigned To | <u>Summary</u> |
|----------------|-------------|-------------|---|
| 239-24 | CE | R | <u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF ELLIOT S. CONWAY TO THE NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES PURSUANT TO SECTION 6306 OF THE EDUCATION LAW. 239-24 |
| 240-24 | LE | R | <u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION CONFIRMING THE APPOINTMENT OF ELLIOT S. CONWAY TO THE NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES, FILLING A VACANT POSITION. 240-24 |
| A-19-24 | PR | R | <u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION AUTHORIZING THE COMMISSIONER OF SHARED SERVICES TO AWARD AND EXECUTE A PURCHASE ORDER BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, AND EASTERN COMMUNICATIONS LTD. A-19-24 |
| A-26-24 | PR | R | <u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION AUTHORIZING THE COMMISSIONER OF SHARED SERVICES TO AWARD AND EXECUTE A PURCHASE ORDER BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND XYLEM DEWATERING SOLUTIONS, INC. A-26-24 |
| A-35-24 | PR | R | <u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION AUTHORIZING THE COMMISSIONER OF SHARED SERVICES TO AWARD AND EXECUTE A PURCHASE ORDER BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, AND EASTERN COMMUNICATIONS LTD. A-35-24 |
| B-2-24 | PW | R | <u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND E & A RESTORATION, INC. B-2-24 |

| Clerk Item No. | Proposed By | Assigned To | <u>Summary</u> |
|----------------|-------------|-------------|---|
| B-22-24 | PW | R | <u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION RATIFYING THE COMMISSIONER OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS’ AWARD AND THE COUNTY EXECUTIVE’S EXECUTION OF AN EMERGENCY CONTRACT BETWEEN THE COUNTY OF NASSAU, DEPARTMENT OF PUBLIC WORKS AND SEAFORD AVENUE CORP. B-22-24 |
| E-164-24 | PK | R | <u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND MUSEUMS, AND RAINBOW SOUND, INC. E-164-24 |
| E-165-24 | PW | R | <u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND HAZEN AND SAWYER D.P.C. E-165-24 |
| E-166-24 | IT | R | <u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY AND SVAM INTERNATIONAL, INC. E-166-24 |
| E-167-24 | PW | R | <u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS AND GANNETT FLEMING ENGINEERS AND ARCHITECTS, P.C. E-167-24 |
| E-168-24 | PD | R | <u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY POLICE DEPARTMENT AND CRIME VICTIMS CENTER, INC. E-168-24 |

| Clerk Item No. | Proposed By | Assigned To | <u>Summary</u> |
|--|-------------|-------------|---|
| E-169-24 | PB | R | <u>RULES RESOLUTION NO. - 2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY PROBATION DEPARTMENT AND NASSAU HEALTH CARE CORPORATION. E-169-24 |
| E-170-24 | HE | R | <u>RULES RESOLUTION NO. - 2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF HEALTH AND THE RESEARCH FOUNDATION FOR THE STATE UNIVERSITY OF NEW YORK. E-170-24 |
| THE FOLLOWING ITEMS MAY BE UNTABLED | | | |
| A-13-24 | PR | R | <u>RULES RESOLUTION NO. -2024</u> A RESOLUTION AUTHORIZING THE COMMISSIONER OF SHARED SERVICES TO AWARD AND EXECUTE A BLANKET PURCHASE ORDER BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, AND AN EXCELSIOR ELEVATOR CORPORATION. A-13-24 |
| B-9-24 | PW | R | <u>RULES RESOLUTION NO. - 2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND BAYMEN INDUSTRIES, LTD. B-9-24 |
| E-139-24 | PW | R | <u>RULES RESOLUTION NO. - 2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND CAMERON ENGINEERING & ASSOCIATES, LLP. E-139-24 |
| E-162-24 | PB | R | <u>RULES RESOLUTION NO. -2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PROBATION AND HOPE FOR YOUTH, INC. E-162-24 |

NASSAU COUNTY LEGISLATURE

15th TERM MEETING AGENDA

PUBLIC WORKS AND PARKS COMMITTEE

OCTOBER 7, 2024 1:00 PM

Michael Giangregorio - Chairman

John Giuffré - Vice Chairman

James Kennedy

Scott Strauss

Siela A. Bynoe - Ranking

Arnold W. Drucker

Carrié Solages

Michael C. Pulitzer, Clerk of the Legislature

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| Clerk Item No. | Proposed By | Assigned To | <u>Summary</u> |
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| 236-24 | PW | PW, R | <p><u>RULES RESOLUTION NO. – 2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ACCEPT ON BEHALF OF THE COUNTY OF NASSAU THE DEDICATION OF A CERTAIN SANITARY SEWER LINE CONSTRUCTED IN THE BED OF SEAMAN AVENUE, BALDWIN TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK. 236-24(PW)</p> |
| 237-24 | PW | PW, R | <p><u>RESOLUTION NO. – 2024</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ACCEPT ON BEHALF OF THE COUNTY OF NASSAU THE DEDICATION OF A CERTAIN SANITARY SEWER LINE CONSTRUCTED WITHIN THE EXISTING TOWN OF HEMPSTEAD RIGHT- OF- WAY ON WANSERS LANE, HAMLET OF SEAFORD, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK. 237-24(PW)</p> |



Staff Summary A-19-2024

Subject: Software/hardware replacement and upgrades for the Fieldman 1 Unit (RQIT24000133)

Department: Department of Shared Services Office of Purchasing

Department Head Name: Melissa Gallucci

Department Head Signature: *Melissa Gallucci*

Date: September 13, 2024

Vendor Name: Eastern Communications LTD

Contract Number: A-19-2024

Contract Manager Name: Timothy Funaro buyer

Internal Approvals

| Approval | Date & Initial | Approval |
|---------------------------|---------------------|------------------------------------|
| Chief Procurement Officer | 9/18/2024 <i>GG</i> | Budget <i>JP</i> |
| County Attorney | 9/17/24 <i>JSS</i> | County Executive <i>9/25/24 MW</i> |
| <i>Insurance</i> | 9/17/24 <i>JSS</i> | |

Significant Adverse Information Identified? Yes No (If Yes, attach memo.)

Purpose: To authorize and award a purchase order for software/hardware replacement and upgrades plus technical installation labor and extended sw/hw maintenance to update the Fieldcom 1 unit for redundant dispatch capabilities for the Nassau County Department of Information Technology.

Discussion: This is a sole source purchase . Eastern Communications is the original system integrator that designed and installed the existing dispatch communications equipment used by the fire communications Division. This upgrade will enhance the ability to dispatch the Nassau County fire departments as stand-alone unit in the event of a failure of the County's brick and mortar locations or to extend the County's capabilities during an extended operation in a disaster or other situations.

Impact on Funding/Term: The maximum amount authorized under this purchase order shall be Two Hundred Forty Thousand Seven Hundred Thirty Seven dollars and eight cents. (\$240,737.08). from project grant fund PWCAPCAP.

Recommendation:

Department of Shared Services, Office of Purchasing recommends awarding a purchase order to Eastern Communications LTD as a sole source provider.

17-0-01-01-01-01
OFFICE OF PURCHASING
SEP 13 2024

RULES RESOLUTION

A RESOLUTION AUTHORIZING THE COMMISSIONER OF SHARED SERVICES TO AWARD AND EXECUTE A PURCHASE ORDER BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, AND EASTERN COMMUNICATIONS LTD.

WHEREAS, the NASSAU COUNTY DEPARTMENT OF SHARED SERVICES, OFFICE OF PURCHASING is representing to the Rules Committee that the firm Eastern Communications LTD is a sole source provider and meet all specifications for the service described in the said contract as determined by the Commissioner of shared Services.

RESOLVED, that the Rules Committee of the Nassau County Legislature authorizes the Commissioner of Shared Services to award and execute the said Purchase Order with Eastern Communications LTD..

COUNTY OF NASSAU
INTER – DEPARTMENTAL MEMO

TO: CLERK OF THE COUNTY LEGISLATURE

A-19-2024

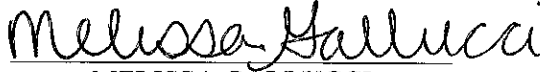
FROM: MELISSA GALLUCCI - COMMISSIONER OF SHARED SERVICES

DATE: August 29, 2024

SUBJECT: RESOLUTION – THE NASSAU COUNTY DEPARTMENT of INFORMATION TECHNOLOGY

THIS RESOLUTION IS RECOMMENDED BY THE COMMISSIONER OF SHARED SERVICES TO AUTHORIZE AN AWARD AND TO EXECUTE A PURCHASE ORDER IN THE AMOUNT OF TWO HUNDRED FORTY THOUSAND SEVEN HUNDRED THIRTY SEVEN DOLLARS AND EIGHT CENTS (\$240,737.08) ON BEHALF OF THE NASSAU DEPARTMENT OF INFORMATION TECHNOLOGY TO EASTERN COMMUNICATIONS FOR SOFTWARE/HARDWARE REPLACEMENT AND UPGRADES FOR THE FIELDCOM 1 UNIT.

THE ABOVE DESCRIBED RESOLUTION AND SUPPORTING DOCUMENTATION ATTACHED HERETO IS FORWARDED FOR YOUR REVIEW, APPROVAL, AND SUBSEQUENT TRANSMITTAL TO THE RULES COMMITTEE FOR INCLUSION IN ITS AGENDA.


MELISSA GALLUCCI
COMMISSIONER OF SHARED SERVICES

MS: br

- ENCL:
- (1) STAFF SUMMARY
 - (2) DISCLOSURE STATEMENT
 - (3) RESOLUTION
 - (4) BID SUMMARY
 - (5) BID PROPOSAL
 - (6) CERTIFICATE OF LIABILITY INSURANCE
 - (7) RECOMMENDATION OF AWARD
 - (8) POLITICAL CONTRIBUTION FORM





COUNTY OF NASSAU

POLITICAL CAMPAIGN CONTRIBUTION DISCLOSURE FORM

1. Has the vendor or any corporate officers of the vendor provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator?

YES NO If yes, to what campaign committee?

Electronically signed and certified at the date and time indicated by:
Gregg Moshensky [GSM@EASTERNCOMMUNICATIONS.COM]

Dated: 07/08/2024 04:55:40 pm

Vendor: Eastern Communications Ltd., LLC

Title: Contracts Manager

Business History Form

The contract shall be awarded to the responsible proposer who, at the discretion of the County, taking into consideration the reliability of the proposer and the capacity of the proposer to perform the services required by the County, offers the best value to the County and who will best promote the public interest.

In addition to the submission of proposals, each proposer shall complete and submit this questionnaire. The questionnaire shall be filled out by the owner of a sole proprietorship or by an authorized representative of the firm, corporation or partnership submitting the Proposal.

NOTE: All questions require a response, even if response is "none" or "not-applicable." No blanks.

(USE ADDITIONAL SHEETS IF NECESSARY TO FULLY ANSWER THE FOLLOWING QUESTIONS).

Date: 07/29/2024

1) Proposer's Legal Name: Eastern Communications Ltd., LLC

2) Address of Place of Business: 4814 36th Street

City: Long Island City State/Province/Territory: NY Zip/Postal Code: 11101

Country: US

3) Mailing Address (if different): _____

City: _____ State/Province/Territory: _____ Zip/Postal Code: _____

Country: _____

Phone: (718) 729-2044

Does the business own or rent its facilities? Rent If other, please provide details:

4) Dun and Bradstreet number: 030730030

5) Federal I.D. Number: 22-2103124

6) The proposer is a: Other (Describe) LLC

7) Does this business share office space, staff, or equipment expenses with any other business?
YES [] NO [X] If yes, please provide details:

8) Does this business control one or more other businesses?

YES NO If yes, please provide details:

- 9) Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business?

YES NO If yes, please provide details:

Eastern Communications Ltd., LLC is 100% owned by Eastern Communications Guarantor, LLC.

The percentage ownership cited by each principle on their Principal Questionnaire is indirect. Their ownership is in Eastern Communications Holdco, LLC of which Eastern Communications Guarantor, LLC is a subsidiary.

- 10) Has the proposer ever had a bond or surety cancelled or forfeited, or a contract with Nassau County or any other government entity terminated?

YES NO If yes, state the name of bonding agency, (if a bond), date, amount of bond and reason for such cancellation or forfeiture: or details regarding the termination (if a contract).

- 11) Has the proposer, during the past seven years, been declared bankrupt?

YES NO If yes, state date, court jurisdiction, amount of liabilities and amount of assets

- 12) In the past five years, has this business and/or any of its owners and/or officers and/or any affiliated business, been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency? And/or, in the past 5 years, have any owner and/or officer of any affiliated business been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency, where such investigation was related to activities performed at, for, or on behalf of an affiliated business.

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

- 13) In the past 5 years, has this business and/or any of its owners and/or officers and/or any affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies? And/or, in the past 5 years, has any owner and/or officer of an affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies, for matters pertaining to that individual's position at or relationship to an affiliated business.

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

- 14) Has any current or former director, owner or officer or managerial employee of this business had, either before or during such person's employment, or since such employment if the charges pertained to events that allegedly occurred during the time of employment by the submitting business, and allegedly related to the conduct of that business:

a) Any felony charge pending?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

b) Any misdemeanor charge pending?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action

taken.

c) In the past 10 years, you been convicted, after trial or by plea, of any felony and/or any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?

YES [] NO [X] If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

d) In the past 5 years, been convicted, after trial or by plea, of a misdemeanor?

YES [] NO [X] If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

e) In the past 5 years, been found in violation of any administrative, statutory, or regulatory provisions?

YES [] NO [X] If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

15) In the past (5) years, has this business or any of its owners or officers, or any other affiliated business had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?

YES [] NO [X] If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

16) For the past (5) tax years, has this business failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?

YES [] NO [X] If yes, provide details for each such year. Provide a detailed response to all questions checked 'YES'. If you need more space, photocopy the appropriate page and attach it to the questionnaire.

17) Conflict of Interest:

a) Please disclose any conflicts of interest as outlined below. NOTE: If no conflicts exist, please expressly state "No conflict exists."

(i) Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

(ii) Any family relationship that any employee of your firm has with any County public servant that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

(iii) Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

b) Please describe any procedures your firm has, or would adopt, to assure the County that a conflict of interest would not exist for your firm in the future.

If a conflict should arise, Eastern will notify the County as required.

A. Include a resume or detailed description of the Proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified.

Have you previously uploaded the below information under in the Document Vault?

YES [] NO [X]

Is the proposer an individual?

YES [] NO [X] Should the proposer be other than an individual, the Proposal MUST include:

i) Date of formation;

01/29/1976

ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner. If none, explain.

Michael Orzetti 16 Fairlawn St, Rye, NY 10580 CEO
Michael Wolf 10 Quail Run, Old Westbury, NY 11568 President
Scott Tschetter 180 Post Rd, Old Westbury, NY 11568 COO

iii) Name, address and position of all officers and directors of the company. If none, explain.

Michael Orzetti 16 Fairlawn St, Rye, NY 10580 CEO
Ryan Veatch, 4630 Center Blvd., Long Island City, NY 11109 CFO
Michael Wolf 10 Quail Run, Old Westbury, NY 11568 President
Scott Tschetter 180 Post Rd, Old Westbury, NY 11568 COO
Cary Steinbeck 85 Bayview Drive, Manhattan Beach, CA 90266 Board Member

iv) State of incorporation (if applicable);

DE

v) The number of employees in the firm;

51

vi) Annual revenue of firm;

89000000

vii) Summary of relevant accomplishments

System Integrator with broad expertise in two-way radio, microwave and leased line backhaul, and radio dispatch consoles including the requisite Network Engineering capabilities

viii) Copies of all state and local licenses and permits.

B. Indicate number of years in business.

48

C. Provide any other information which would be appropriate and helpful in determining the Proposer's capacity and reliability to perform these services.

Eastern has performed the maintenance services on the existing equipment for many years and has always maintained

the highest excellence in customer service, response time and technical expertise.

D. Provide names and addresses for no fewer than three references for whom the Proposer has provided similar services or who are qualified to evaluate the Proposer's capability to perform this work.

| | | | |
|----------------|-------------------------|--------------------------|----|
| Company | Township of West Orange | | |
| Contact Person | Nick Allegrino | | |
| Address | 66 Main Street | | |
| City | West Orange | State/Province/Territory | NJ |
| Country | US | | |
| Telephone | (973) 325-4006 | | |
| Fax # | (973) 325-4054 | | |
| E-Mail Address | nickallegrino@wopd.org | | |

| | | | |
|----------------|--|--------------------------|----|
| Company | New York State Police | | |
| Contact Person | Timothy Morris, Director of Communications | | |
| Address | 1220 Washington Ave. | | |
| City | Albany | State/Province/Territory | NY |
| Country | US | | |
| Telephone | (518) 457-9602 | | |
| Fax # | | | |
| E-Mail Address | Timothy.Morris@troopers.ny.gov | | |

| | | | |
|----------------|---|--------------------------|----|
| Company | The Port Authority of NY & NJ | | |
| Contact Person | John Wurtzbacher, Sr. Security Communications Analyst | | |
| Address | 241 Erie Street | | |
| City | Jersey City | State/Province/Territory | NJ |
| Country | US | | |
| Telephone | (201) 595-4663 | | |
| Fax # | | | |
| E-Mail Address | jwurtzbacher@panynj.gov | | |

I, Gregg Moshensky, hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Gregg Moshensky, hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Name of submitting business: Eastern Communications Ltd., LLC

Electronically signed and certified at the date and time indicated by:
Gregg Moshensky GSM@EASTERNCOMMUNICATIONS.COM

Contracts Manager
Title

07/29/2024
Date

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Michael Wolf
 Date of birth: 08/16/1956
 Home address: 10 Quail Run

| | | |
|---------------------------|---|----------------------------------|
| City: <u>old Westbury</u> | State/Province/ Territory: <u>NY</u> | Zip/Postal Code: <u>11568</u> |
| Country: <u>US</u> | | |

Business Address: Eastern Communications Ltd.

| | | |
|-------------------------------|---|----------------------------------|
| City: <u>Long Island City</u> | State/Province/ Territory: <u>NY</u> | Zip/Postal Code: <u>11101</u> |
| Country: <u>US</u> | | |
| Telephone: <u>17187292044</u> | | |

Other present address(es):

| | | |
|-------------------------------|---|----------------------------------|
| City: <u>long island city</u> | State/Province/ Territory: <u>NY</u> | Zip/Postal Code: <u>11101</u> |
| Country: <u>US</u> | | |
| Telephone: <u>7187292044</u> | | |

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------------------|-------------|-------|
| President | <u>02/20/1976</u> | Treasurer | _____ |
| Chairman of Board | _____ | Shareholder | _____ |
| Chief Exec. Officer | _____ | Secretary | _____ |
| Chief Financial Officer | _____ | Partner | _____ |
| Vice President | _____ | | |
| (Other) | _____ | | |

3. Do you have an equity interest in the business submitting the questionnaire?

YES NO If Yes, provide details.

less than 10 percent

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?

YES NO If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?
YES NO If Yes, provide details.

YMS Realty,LLC
Eastern Wireless Corp.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?
YES NO If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

a. Been debarred by any government agency from entering into contracts with that agency?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?

YES NO If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9. a. Is there any felony charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

b. Is there any misdemeanor charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

c. Is there any administrative charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

f. In the past 5 years, have you been found in violation of any administrative or statutory charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

I, Michael Wolf , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Michael Wolf , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Eastern Communications Ltd.,LLC

Name of submitting business

Electronically signed and certified at the date and time indicated by:

Michael Wolf MSW@EASTERNCOMMUNICATIONS.COM

President

Title

08/28/2024 12:03:39 pm

Date

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Michael Orzetti
Date of birth: 09/12/1989
Home address: 26 Fairlawn St
City: Rye State/Province/Territory: NY Zip/Postal Code: 10580
Country: US

Business Address: 48-14 36th St
City: Long Island City State/Province/Territory: NY Zip/Postal Code: 11101
Country: US
Telephone: 7187292044

Other present address(es):
City: _____ State/Province/Territory: _____ Zip/Postal Code: _____
Country: _____
Telephone: _____

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------------------|-------------|-------|
| President | _____ | Treasurer | _____ |
| Chairman of Board | _____ | Shareholder | _____ |
| Chief Exec. Officer | <u>08/10/2020</u> | Secretary | _____ |
| Chief Financial Officer | _____ | Partner | _____ |
| Vice President | _____ | | |
| (Other) | _____ | | |

3. Do you have an equity interest in the business submitting the questionnaire?

YES NO If Yes, provide details.

20.9%

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?

YES NO If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?
YES NO If Yes, provide details.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?
YES NO If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

a. Been debarred by any government agency from entering into contracts with that agency?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?

YES NO If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9. a. Is there any felony charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- b. Is there any misdemeanor charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- c. Is there any administrative charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- f. In the past 5 years, have you been found in violation of any administrative or statutory charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

I, Michael Orzetti , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Michael Orzetti , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Eastern Communications Ltd., LLC

Name of submitting business

Electronically signed and certified at the date and time indicated by:

Michael Orzetti MEO@EASTERNCOMMUNICATIONS.COM

CEO

Title

08/26/2024 11:13:14 am

Date

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Cary Steinbeck
Date of birth: 12/26/1971
Home address: 85 Bayview Drive
City: Manhattan Beach State/Province/Territory: CA Zip/Postal Code: 90266
Country: US

Business Address: 48-14 36th Street
City: Long Island City State/Province/Territory: NY Zip/Postal Code: 11101
Country: US
Telephone: 9098690818

Other present address(es):
City: _____ State/Province/Territory: _____ Zip/Postal Code: _____
Country: _____
Telephone: _____

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------|-------------|-------|
| President | _____ | Treasurer | _____ |
| Chairman of Board | _____ | Shareholder | _____ |
| Chief Exec. Officer | _____ | Secretary | _____ |
| Chief Financial Officer | _____ | Partner | _____ |
| Vice President | _____ | | |
| (Other) | _____ | | |

Type Other
Description Board Member
Start Date 08/10/2020

3. Do you have an equity interest in the business submitting the questionnaire?
YES [X] NO [] If Yes, provide details.

0.784% ownership

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES NO If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?
YES NO If Yes, provide details.

I am the principal owner of an entity called CDS Capital Management, LLC. CDS Capital Management, LLC is the personal entity I established that provides investment management services to two entities called Willow Road, LLC and Willow Road II, LLC.

Willow Road, LLC and Willow Road II, LLC are both entities that have investments in an energy company called Liberty Resources II, LLC.

The management of Willow Road, LLC and Willow Road II, LLC are the only activities of CDS Capital Management, LLC.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?
YES NO If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:
- Been debarred by any government agency from entering into contracts with that agency?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
 - Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
 - Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
 - Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?

YES [] NO [X] If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9.

a. Is there any felony charge pending against you?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

b. Is there any misdemeanor charge pending against you?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

c. Is there any administrative charge pending against you?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

f. In the past 5 years, have you been found in violation of any administrative or statutory charges?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

- 12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- 13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

I, Cary Steinbeck , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Cary Steinbeck , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Eastern Communiations, LTD

Name of submitting business

Electronically signed and certified at the date and time indicated by:

Cary Steinbeck CARY.STEINBECK@SHEAVENTURES.COM

Board Member

Title

08/21/2024 09:46:15 am

Date

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Scott Tschetter
Date of birth: 09/30/1970
Home address: 180 Post Road

City: Old Westbury State/Province/Territory: NY Zip/Postal Code: 11568
Country: US

Business Address: 48-14 36th Street
City: Long Island City State/Province/Territory: NY Zip/Postal Code: 11101
Country: US
Telephone: 7187292044

Other present address(es):
City: Long Island City State/Province/Territory: NY Zip/Postal Code: 11101
Country: US
Telephone: 5166691451

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------------------|-------------|-------------------|
| President | _____ | Treasurer | _____ |
| Chairman of Board | _____ | Shareholder | <u>07/12/2010</u> |
| Chief Exec. Officer | _____ | Secretary | _____ |
| Chief Financial Officer | _____ | Partner | _____ |
| Vice President | <u>07/12/2010</u> | | |
| (Other) | | | |

Type: Chief Operating Officer
Description: _____
Start Date: 02/02/2022

3. Do you have an equity interest in the business submitting the questionnaire?
YES [X] NO [] If Yes, provide details.

9% Ownership

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?

YES [] NO [X] If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?

YES [] NO [X] If Yes, provide details.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?

YES [] NO [X] If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

- a. Been debarred by any government agency from entering into contracts with that agency?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

- b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

- c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

- d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?

YES [] NO [X] If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9.

a. Is there any felony charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

b. Is there any misdemeanor charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

c. Is there any administrative charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

f. In the past 5 years, have you been found in violation of any administrative or statutory charges?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

| |
|--|
| |
|--|

I, Scott Tschetter , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Scott Tschetter , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Eastern Communications

Name of submitting business

Electronically signed and certified at the date and time indicated by:

Scott Tschetter SWT@EASTERNCOMMUNICATIONS.COM

COO

Title

08/21/2024 07:03:13 am

Date

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Ryan Veatch
Date of birth: 04/19/1989
Home address: 4630 Center Blvd Apt 1102

| | | | | | |
|----------|-------------------------|-------------------------------|-----------|---------------------|--------------|
| City: | <u>Long Island City</u> | State/Province/ Territory: | <u>NY</u> | Zip/Postal Code: | <u>11109</u> |
| Country: | <u>US</u> | | | | |

Business Address: 4814 36th St

| | | | | | |
|------------|-------------------------|-------------------------------|-----------|---------------------|--------------|
| City: | <u>Long Island City</u> | State/Province/ Territory: | <u>NY</u> | Zip/Postal Code: | <u>11109</u> |
| Country: | <u>US</u> | | | | |
| Telephone: | <u>7045196456</u> | | | | |

Other present address(es):

| | | | | | |
|------------|-------------------------|-------------------------------|-----------|---------------------|--------------|
| City: | <u>Long Island City</u> | State/Province/ Territory: | <u>NY</u> | Zip/Postal Code: | <u>11101</u> |
| Country: | <u>US</u> | | | | |
| Telephone: | <u>7045196456</u> | | | | |

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------------------|-------------|-------|
| President | _____ | Treasurer | _____ |
| Chairman of Board | _____ | Shareholder | _____ |
| Chief Exec. Officer | _____ | Secretary | _____ |
| Chief Financial Officer | <u>11/21/2023</u> | Partner | _____ |
| Vice President | _____ | | |
| (Other) | _____ | | |

3. Do you have an equity interest in the business submitting the questionnaire?
YES NO If Yes, provide details.
<1%

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES NO If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?
YES NO If Yes, provide details.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?
YES NO If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

a. Been debarred by any government agency from entering into contracts with that agency?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?

YES NO If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9. a. Is there any felony charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- b. Is there any misdemeanor charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- c. Is there any administrative charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- f. In the past 5 years, have you been found in violation of any administrative or statutory charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

I, Ryan Veatch , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Ryan Veatch , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

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Eastern Communications Ltd., LLC

Name of submitting business

Electronically signed and certified at the date and time indicated by:

Ryan Veatch RPV@EASTERNCOMMUNICATIONS.COM

CFO

Title

08/20/2024 11:20:12 am

Date

COUNTY OF NASSAU

CONSULTANT'S, CONTRACTOR'S AND VENDOR'S DISCLOSURE FORM

1. Name of the Entity: Eastern Communications Ltd., LLC

Address: 4814 36TH STREET

City: LONG ISLAND CITY State/Province/Territory: NY Zip/Postal Code: 11101

Country: US

2. Entity's Vendor Identification Number: 222103124

3. Type of Business: Ltd. Liability Co (specify) _____

4. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):

1 File(s) uploaded: Eastern Communications Principals 2024 (5).pdf

5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation, include a copy of the 10K in lieu of completing this section.

If none, explain.

1 File(s) uploaded: Eastern Communications Board Members 2024.pdf

6. List all affiliated and related companies and their relationship to the firm entered on line 1. above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract. Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

None

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). If none, enter "None." The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are

not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

Are there lobbyists involved in this matter?
YES [] NO [X]

(a) Name, title, business address and telephone number of lobbyist(s):

(b) Describe lobbying activity of each lobbyist. See below for a complete description of lobbying activities.

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

8. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Electronically signed and certified at the date and time indicated by:

Gregg Moshensky [GSM@EASTERNCOMMUNICATIONS.COM]

Dated: 07/26/2024 12:28:34 pm

Title: Contracts Manager

The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including but not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

Eastern Communications Ltd. LLC - Principals

Michael Orzetti – Board Member/CEO
16 Fairlawn Street
Rye, NY 10580

Mike Wolf – Board Member/President
10 Quail Run
Old Westbury, NY 11568

Scott Tschetter – COO
180 Post Road
Old Westbury, NY 11568

Ryan Veatch – CFO
4630 Center Blvd., Apt 1102
Long Island City, NY 11109

Alex Brown – Board Member
331 W Broadway Fl 3
New York, NY 10013

Cary Steinbeck – Board Member
100 Wilshire Blvd, Suite 1845
Los Angeles, CA 90401

Eastern Communications Ltd. LLC - Board Members

Alex Brown
331 W Broadway Fl 3
New York, NY 10013

Cary Steinbeck
100 Wilshire Blvd, Suite 1845
Los Angeles, CA 90401

Michael Orzetti
16 Fairlawn Street
Rye, NY 10580

Mike Wolf
10 Quail Run
Old Westbury, NY 11568

REQUISITION

RQIT24000170 13/SEP/2024

VENDOR:
 EASTERN COMMUNICATIONS LTD.
 48-14 36TH STREET
 LONG ISLAND CITY NY 11101
 TEL:(718)729-2044
 FAX:(718)729-2241

REQUISITIONER:
 IT DEPARTMENT OF INFORMATION TECH
 240 OLD COUNTRY ROAD
 6TH FLOOR
 MINEOLA NY 11501
 S.BARNETT/MICHAEL UTTARO
 TEL:(516)573-9994
 FAX:(516)571-3918

| ITEM | DESCRIPTION | QTY | U/M | UNIT COST | TOTAL | |
|-------------|---|-----|-----|-----------|--------------|------------|
| 001 | 287-82 TRANSMITTERS, EMERGENCY ALARM TYPE, OR RESCUE EQUIPMENT NEEDED FOR THE FIRECOMM JPS VOTER PROJECT: (BILLED AT 100% AT DELIVERY OF EQUIPMENT FOR STAGING) | | | 1.00 LOT | 231,379.2000 | 231,379.20 |
| 5951-800000 | SNV-12 SINGNAL TO NOISE VOTER WITH ACCESSORY KIT, QTY: 4 X \$6,183.00 = \$24,732.00 (MINEOLA - VOTER) | | | | | |
| 5952-200000 | SVM-3 SITE VOTER MODULE, QTY: 12 X \$1,917.00 = \$23,004.00 (MINEOLA - VOTER MODULES) | | | | | |
| 5200-300000 | QMT-1B VOTER REMOTE W/OPERATION MANUAL & ACCESSORY KIT, QTY: 30 X \$1,134.00 = \$34,020.00 (MINEOLA - REMOTES) | | | | | |
| 5952-200000 | SVM-3 SITE VOTER MODULE, QTY: 1 X \$1,917.00 = \$1,917.00 (MINEOLA - SPARE MODULES) | | | | | |
| 5200-300000 | QMT-1B VOTER REMOTE W/OPERATION MANUAL & ACCESSORY KIT, QTY: 4 X \$1,134.00 = \$4,536.00 (MINEOLA - SPARE REMOTES) | | | | | |
| 5952-200000 | SVM-3 SITE VOTER MODULE, QTY: 12 X \$1,917.00 = \$23,004.00 (WESTBURY - VOTER MODULES) | | | | | |
| 5200-300000 | QMT-1B VOTER REMOTE W/OPERATION MANUAL & ACCESSORY KIT, CONTINUED, NEXT PAGE | | | | | |

REQUISITION

RQIT24000170 13/SEP/2024

VENDOR:
EASTERN COMMUNICATIONS LTD.
48-14 36TH STREET

LONG ISLAND CITY NY 11101

TEL: (718)729-2044
FAX: (718)729-2241

REQUISITIONER:
IT DEPARTMENT OF INFORMATION TECH
240 OLD COUNTRY ROAD
6TH FLOOR
MINEOLA NY 11501
S.BARNETT/MICHAEL UTTARO
TEL: (516)573-9994
FAX: (516)571-3918

QTY: 30 X \$1,134.00 = \$34,020.00 (WESTBURY - REMOTES)

.
5952-200000 SVM-3 SITE VOTER MODULE, QTY: 1 X \$1,917.00 = \$1,917.00
(WESTBURY - SPARE MODULES)

.
5200-300000QMT-1B VOTER REMOTE W/OPERATION MANUAL & ACCESSORY KIT,
QTY: 4 X \$1,134.00 = \$4,536.00 (WESTBURY - SPARE REMOTES)
SMART2200RM2U TRIPP-LITE SMARTPRO 120V 2.2KVA 1,92 KW SINE WAVE UPS,
QTY: 15 X \$1,731.98 = \$25,979.70

.
5951-800000 SNV-12 SIGNAL TO NOISE VOTER WITH ACCESSORY KIT,
QTY: 4 X \$6,183.00 = \$24,732.00 (WESTBURY - VOTER)

.
C1111-8P ROUTER,ISR,C1111-8P, QTY: 15 X \$1,765.78 = \$26,486.70

.
WEBCARDLX REPLACEMENT FOR OPTIONAL SNMPWEBCARD NETWORK INTERFACE,
QTY: 15 X \$496.08 = \$7,441.20

.
OUTPOSTPLUS-2R OUTPOSTPLUS RADIO GATEWAY, VOIP, 2 PORT, POE, POWER
SUPPLY NOT INCLUDED, QTY: 1 X \$2,191.50 = \$2,191.50

.
OUTPOSTPLUS-CFG OUTPOSTPLUS CONFIGURATION TOOL. 1 REQUIRED PER SITE.
QTY: 1 X \$192.60 = \$192.60

.
OUTPOSTPLUS-PS-NA OUTPOSTPLUS POWER SUPPLY, NORTH AMERICA,
QTY: 1 X \$96.30 = \$96.30

.
OUTPOSTPLUS-PWR-US OUTPOSTPLUS POWER CORD,US, QTY: 1 X \$14.40 = \$14.40
CONTINUED, NEXT PAGE

REQUISITION

RQIT24000170 13/SEP/2024

VENDOR:
 EASTERN COMMUNICATIONS LTD.
 48-14 36TH STREET

 LONG ISLAND CITY NY 11101

 TEL:(718)729-2044
 FAX:(718)729-2241

REQUISITIONER:
 IT DEPARTMENT OF INFORMATION TECH
 240 OLD COUNTRY ROAD
 6TH FLOOR
 MINEOLA NY 11501
 S.BARNETT/MICHAEL UTTARO
 TEL:(516)573-9994
 FAX:(516)571-3918

=====

SUB-TOTAL = \$238,820.40

ECL-DISCOUNT 100% DISCOUNT ON THE SNMP CARDS FOR UPS,
 QTY: 1 X (\$7,441.20) = (\$7,441.20)

=====

TOTAL = \$231,379.20

| ITEM | DESCRIPTION | QTY | U/M | UNIT COST | TOTAL |
|------|---|------|-----|--------------|------------|
| 002 | 962-86 TRANSPORTATION OF GOODS, DRAYAGE, FREIGHT, SHIPPING AND HANDLING. FREIGHT CHARGES TBD AS PER QUOTE | | | 1.00 LOT | .0001 |
| 003 | 939-72 RADIO/TELECOMMUNICATIONS/FACSIMILE TRANSCEIVERS EQUIP. MAINT/REPAIR | 1.00 | EA | 154,285.0000 | 154,285.00 |

ECL IMPLEMENTATION ASSURANCE

IA-001 ECL TECHNICAL SERVICES TO BE BILLED AND PAID AS PER PAGE 24
 OF THE PRESENTATION DOCUMENT:

- 5% DUE AT KICKOFF/CONTRACT SIGNING = \$ 7,714.25
- 10% DUE UPON CUSTOMER APPROVED CUSTOMER DESIGN REVIEW = \$15,428.50
- 10% DUE UPON COMPLETION OF THE FACTORY ACCEPTANCE TEST
 PLAN = \$15,428.50
- 5% DUE UPON COMPLETION OF PORT WASHINGTON SITE
 ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF SEACLIFF SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF EAST NORWICH SITE ACCEPTANCE = \$ 7,714.25

CONTINUED, NEXT PAGE

REQUISITION

RQIT24000170 13/SEP/2024

VENDOR:
EASTERN COMMUNICATIONS LTD.
48-14 36TH STREET

LONG ISLAND CITY NY 11101

TEL:(718)729-2044
FAX:(718)729-2241

REQUISITIONER:
IT DEPARTMENT OF INFORMATION TECH
240 OLD COUNTRY ROAD
6TH FLOOR
MINEOLA NY 11501
S.BARNETT/MICHAEL UTTARO
TEL:(516)573-9994
FAX:(516)571-3918

- 5% DUE UPON COMPLETION OF BAYVILLE SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF SOUTH FARMINGDALE SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF UNIONDALE SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF FRANKLIN SQUARE SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF FLORAL PARK FD SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF ROCKVILLE CENTRE SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF LAWRENCE/MEADOWMERE PARK SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF LEVITTOWN SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF POINT LOOKOUT SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF JERICHO SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF MINEOLA 1 SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON FINAL CUSTOMER ACCEPTANCE = \$ 7,714.25

=====

TOTAL = \$154,285.00

.....
.....
BILL TO: I.T ACCOUNTS PAYABLE
240 OLD COUNTRY ROAD 6TH FLOOR
MINEOLA, NY 11501
EMAIL: ITACCOUNTING@NASSAUCOUNTYNY.GOV

.....
.....
* END *
.....

REQUISITION

RQIT24000170 13/SEP/2024

VENDOR:

EASTERN COMMUNICATIONS LTD.

48-14 36TH STREET

LONG ISLAND CITY

NY 11101

TEL: (718)729-2044

FAX: (718)729-2241

REQUISITIONER:

IT DEPARTMENT OF INFORMATION TECH

240 OLD COUNTRY ROAD

6TH FLOOR

MINEOLA

NY 11501

S. BARNETT/MICHAEL UTTARO

TEL: (516) 573-9994

FAX: (516) 571-3918

ESTIMATED TOTAL: 385,664.20

REQUISITION

RQIT24000170 13/SEP/2024

VENDOR:

EASTERN COMMUNICATIONS LTD.
48-14 36TH STREET

LONG ISLAND CITY NY 11101

TEL: (718) 729-2044

FAX: (718) 729-2241

REQUISITIONER:

IT DEPARTMENT OF INFORMATION TECH
240 OLD COUNTRY ROAD
6TH FLOOR

MINEOLA NY 11501

S. BARNETT/MICHAEL UTFARO

TEL: (516) 573-9994

FAX: (516) 571-3918

BRUCE BLAKEMAN
COUNTY EXECUTIVE



Nancy Stanton
COMMISSIONER

DEPARTMENT OF INFORMATION TECHNOLOGY

August 28, 2024

TO: Robert Cleary, Chief Compliance Officer
Nassau County Dept. of Shared Services

Subject: FireComm's JPS Voter Equipment Replacement Justification RQIT24000170

Robert,

This effort is to replace obsolete analog voters that have become unreliable leading to communications issues for our Fire Communications that service the fire service throughout the county. These new digital voters will replace those with greater capabilities and reliability. They will also support our radios as we upgrade those in the coming years.

Please approve this urgently needed purchase.

Thank you

Please let I.T. know if anything further is needed to approve the creation of the P.O.

Thank you,
Nancy

Nancy Stanton, Commissioner Of Information Technology
N.C. Dept. of Information Technology



48-14 36th Street • Long Island City, NY 11101
718.729.2044 • 718.729.2241 fax

4/25/24

Michael Kessler
Nassau County Department of Information
240 Old Country Rd
Mineola, NY 11501

Ref: Sole Source Justification for Eastern Communications projects to upgrade Fire Communications emergency response infrastructure.

This letter provides the Sole Source justification to enable Eastern Communications to provide equipment and services to upgrade critical elements of the Fire Communications Division emergency response infrastructure.

Eastern Communications is the original system integrator that designed and installed the existing Dispatch Communications equipment used by the Fire Communications Division. Further, Eastern is the current maintenance contract holder (and legacy contracts for the past 15+ years) for maintenance services for these systems with Nassau County. Over that time, significant intellectual and proprietary knowledge regarding installation, repair, and operation of the infrastructure have been acquired and applied in various emergency instances. This body of knowledge and experience uniquely qualifies Eastern communications to perform the currently quoted work in the timeliest and most cost-efficient manner.

In addition to the intellectual knowledge stated above, Eastern Communications is the only Distributor and System Integrator on Long Island or Metro NYC which is certified by each of the relevant OEMs with components in the systems (Zetron, Avtec, L3Harris, Tait) to provide these services.

Lastly, each of these OEMs has designated Eastern Communications as their respective account representative for the Nassau County Fire Communications Division for sales and service.

Respectfully,

Philip G. Schram

Philip G. Schram
Business Development Manager – East
Eastern Communications

Quotation

Quote # ECLQ324-0147
 Quote Revision Rev -
 Customer Nassau County Firecom
 Quote Date 1/31/2024
 Provided By Tyler Balkan
 Quote Validity 30 Days
 Estimated Lead Time TBD
 Project/Opportunity



| Contract Item | Part Number | Description | Qty | Unit List | Ext List | Nassau County Firecom List -> Sale | Unit Sale | Ext Sale |
|------------------------|--------------|---|-----|-----------|--------------|------------------------------------|-------------|--------------|
| Mineola_Voter | 5951-800000 | SNV-12 Signal to Noise Voter with Accessory Kit | 4 | 6,870.00 | \$ 27,480.00 | 10.00% | \$ 6,183.00 | \$ 24,732.00 |
| Mineola_Voter Modules | 5952-200000 | SVM-3 Site Voter Module (Up to 12 Per system) | 12 | 2,130.00 | \$ 25,560.00 | 10.00% | \$ 1,917.00 | \$ 23,004.00 |
| Mineola_Remotes | 5200-300000 | QMT-1B; Voter Remote w/Operation Manual & Accessory Kit | 30 | 1,260.00 | \$ 37,800.00 | 10.00% | \$ 1,134.00 | \$ 34,020.00 |
| Mineola_Spare Modules | 5952-200000 | SVM-3 Site Voter Module (Up to 12 Per system) | 1 | 2,130.00 | \$ 2,130.00 | 10.00% | \$ 1,917.00 | \$ 1,917.00 |
| Mineola_Spare Remotes | 5200-300000 | QMT-1B; Voter Remote w/Operation Manual & Accessory Kit | 4 | 1,260.00 | \$ 5,040.00 | 10.00% | \$ 1,134.00 | \$ 4,536.00 |
| | | | | | \$ 98,010.00 | | \$ | \$ 88,209.00 |
| Westbury_Voter Modules | 5952-200000 | SVM-3 Site Voter Module (Up to 12 Per system) | 12 | 2,130.00 | \$ 25,560.00 | 10.00% | \$ 1,917.00 | \$ 23,004.00 |
| Westbury_Remotes | 5200-300000 | QMT-1B; Voter Remote w/Operation Manual & Accessory Kit | 30 | 1,260.00 | \$ 37,800.00 | 10.00% | \$ 1,134.00 | \$ 34,020.00 |
| Westbury_Spare Modules | 5952-200000 | SVM-3 Site Voter Module (Up to 12 Per system) | 1 | 2,130.00 | \$ 2,130.00 | 10.00% | \$ 1,917.00 | \$ 1,917.00 |
| Westbury_Spare Remotes | 5200-300000 | QMT-1B; Voter Remote w/Operation Manual & Accessory Kit | 4 | 1,260.00 | \$ 5,040.00 | 10.00% | \$ 1,134.00 | \$ 4,536.00 |
| | | | | | \$ 70,530.00 | | \$ | \$ 63,477.00 |
| UPS w/o SNMP | SMART200RM2U | Tripp-Lite SmartPro 120V 2.2KVA 1.92 kW Sine Wave UPS, 2U | 15 | 1,924.42 | \$ 28,866.30 | 10.00% | \$ 1,731.98 | \$ 25,979.70 |
| UPS w/o SNMP | | | | | \$ 28,866.30 | | \$ | \$ 25,979.70 |

Additional Equipment Required based on 1/23/2024 design review at Firecom

| | | | | | | | | |
|--------------------|--------------------|--|----|----------|--------------|--------|-------------|--------------|
| Westbury_Voter | 5951-800000 | SNV-12 Signal to Noise Voter with Accessory Kit | 4 | 6,870.00 | \$ 27,480.00 | 10.00% | \$ 6,183.00 | \$ 24,732.00 |
| Westbury | | | | | \$ 27,480.00 | | \$ | \$ 24,732.00 |
| Router/Switches | C1111-8P | ROUTER,ISR,C1111-8P | 15 | 2,207.22 | \$ 33,108.30 | 20.00% | \$ 1,765.78 | \$ 26,486.70 |
| Router/Switches | | | | | \$ 33,108.30 | | \$ | \$ 26,486.70 |
| SNMP Card for UPS | WERCARDLX | replacement for optional SNMP/PWERCARD network interface | 15 | 551.20 | \$ 8,268.00 | 10.00% | \$ 496.08 | \$ 7,441.20 |
| SNMP Card for UPS | | | | | \$ 8,268.00 | | \$ | \$ 7,441.20 |
| Additional Outpost | OUTPOSTPLUS-ZR | OUTPOSTPLUS RADIO GATEWAY, VOIP, 2 PORT, POE, POWER SUPPLY NOT INCLUDED. | 1 | 2,435.00 | \$ 2,435.00 | 10.00% | \$ 2,191.50 | \$ 2,191.50 |
| Additional Outpost | OUTPOSTPLUS-CFG | OUTPOSTPLUS CONFIGURATION TOOL, 1 REQUIRED PER SITE. | 1 | 214.00 | \$ 214.00 | 10.00% | \$ 192.60 | \$ 192.60 |
| Additional Outpost | OUTPOSTPLUS-PS-NA | OUTPOSTPLUS POWER SUPPLY, NORTH AMERICA | 1 | 107.00 | \$ 107.00 | 10.00% | \$ 96.30 | \$ 96.30 |
| Additional Outpost | OUTPOSTPLUS-PWR-US | OUTPOSTPLUS POWER CORD, US | 1 | 16.00 | \$ 16.00 | 10.00% | \$ 14.40 | \$ 14.40 |
| Additional Outpost | | | | | \$ 2,772.00 | | \$ | \$ 2,494.80 |

Equipment Total

\$ 269,034.60

\$ 238,820.40

Quotation

Quote # ECLQ324-0147
 Quote Revision Rev -
 Customer Nassau County Firecom
 Quote Date 1/31/2024
 Provided By Tyler Balkan
 Quote Validity 30 Days
 Estimated Lead Time TBD
 Project/Opportunity



| Contract Item | Part Number | Description | Qty | Unit List | Ext List | Nassau County Firecom | | Ext Sale |
|-----------------------------------|--------------|---|-----|---------------|---------------|-----------------------|---------------|---------------|
| | | | | | | List -> Sale | Unit Sale | |
| ECL Implementation Assurance | IA-001 | ECL technical Services | 1 | \$ 154,285.00 | \$ 154,285.00 | 0.00% | \$ 154,285.00 | \$ 154,285.00 |
| ECL Implementation Assurance | | | | \$ | \$ 154,285.00 | | \$ | \$ 154,285.00 |
| Services Total | | | | \$ | \$ 154,285.00 | | \$ | \$ 154,285.00 |
| Additional System Discount | ECL-DISCOUNT | 100% discount on the SNMP Cards for UPS | 1 | | | | \$ (7,441.20) | \$ (7,441.20) |
| Additional System Discount | | | | | | | \$ | \$ (7,441.20) |
| Project Total | | | | | \$ 423,319.60 | | \$ | \$ 385,664.20 |
| Freight | | | | | | | | TBD |

Notes:
 1) Nassau County IT Department to supply IP backhaul from each site to each dispatch center.
 2) This quote supplies JPS equipment for 15 locations to replace EOL ADTRAN MUX Equipment and provide new Voting equipment.
 3) The projected project duration is expected to be 12 months after receipt of Purchase Order from Nassau County. This assumes Nassau County provided backhaul is in place.



NASSAU COUNTY FIRECOMM JPS VOTER PROJECT 305

CUSTOMER DESIGN REVIEW APRIL 18, 2024

www.easterncommunications.com

EASTERN
COMMUNICATIONS, LTD.

CDR Agenda

- Stakeholder Introductions-Ryan
- Site Review/Channels-Ryan
- Networking-Lewis
 - Network Topology Diagram
- RX Signal Flow-Allen
- TX Signal Flow-Allen
 - Avtec
 - Zetron
- Site Power-Allen
- Site Tracker-Ryan
- Equipment-Ryan
- Spares-Ryan
- Staging-Ryan
- ATP's:
 - FATP-Allen
 - Site ATP-Allen
- Project Schedule-Ryan
- Transition Plan-Ryan
- Communication Plan-Ryan
- County Responsibilities/Open Issues-Ryan
- Billing Milestones-Ryan

INTRODUCTION AND REVIEW OF THE ROLES OF THE PROJECT PARTICIPANTS



Eastern Team:

- Ryan Currie-Project Manager
- Allen Thompson-System Engineer
- Lewis Jackson-Network Engineer
- Kayla Burgos-Logistics Manager
- Phil Schram-Salesperson
- Ron Bender-Head of Project Management
- Steve Druckman-Technical resource
- Charlie Lagudi-Technical resource
- Devin McCullough-Technical resource

NCFC Team:

- Michael Kessler-Project Manager
- Doug Rodriguez-Network Engineer

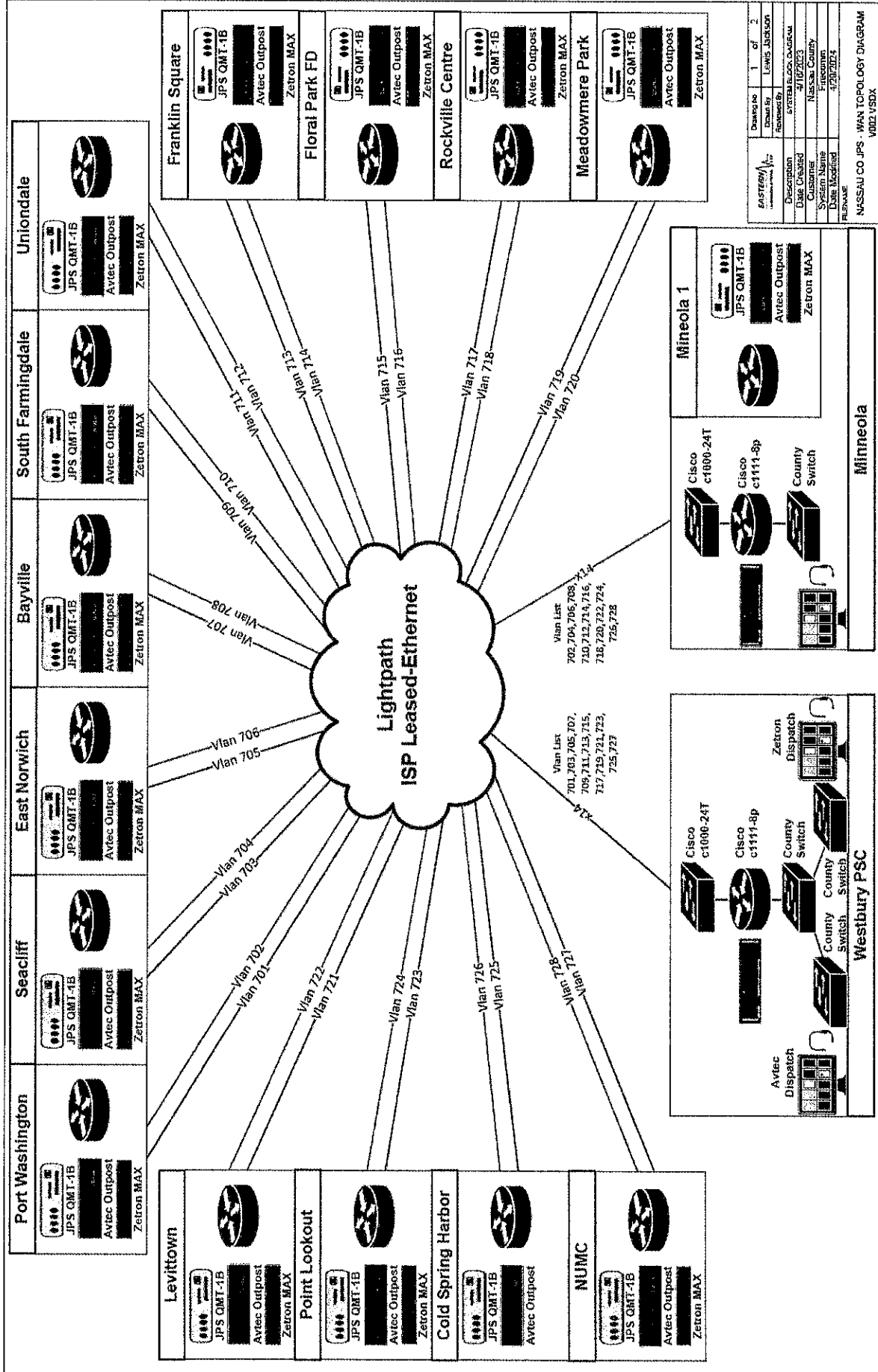
SITE CHANNELS



| Address | Voted (Y/N) | County Wide Dispatch | Battalions | Battalions | Battalions |
|---|-------------|----------------------|------------|------------|------------|
| 1194 Prospect Avenue Westbury, NY 11590 | | | 5 8 9 | 2 3 4 | 1 6 7 |
| 423 Port Washington Blvd, Port Washington, NY 11050 | Y | X | 46.12 | 46.20 | 46.32 |
| 25 Roslyn Ave, Sea cliff, NY 11579 | Y | X | | | |
| 900 Oyster Bay Rd, East Norwich, NY 11732 | Y | X | | | |
| 258 Bayville Ave, Bayville, NY 11709 | Y | X | | | |
| 40 Langdon Road, South Farmingdale, NY | Y | X | | | |
| 950 Hempstead Blvd, Uniondale, NY 11550 | Y | X | | | X |
| 895 Schroeter Ave, FRANKLIN SQUARE | Y | X | | | X |
| 9 Holland Ave, Floral Park, NY 11001 | Y | X | | | X |
| 140 Maple Ave in Rockville Centre | Y | X | | X | |
| 14 Meyer Ave, Lawrence, NY 11559 | Y | X | | X | |
| 120 Gardiners Ave, Levittown, NY 11756 | Y | X | | X | |
| 330 Lido (water tower) Blvd, POINT LOOKOUT | Y | X | | X | |
| Cold Spring Harbor Laboratory | Y | X | | X | |
| 140 15th street Garden City | Y | X | | X | |
| 2201 HEMPSTEAD TPKE EAST MEADOW NY 11554 | N | X | | | |

Networking

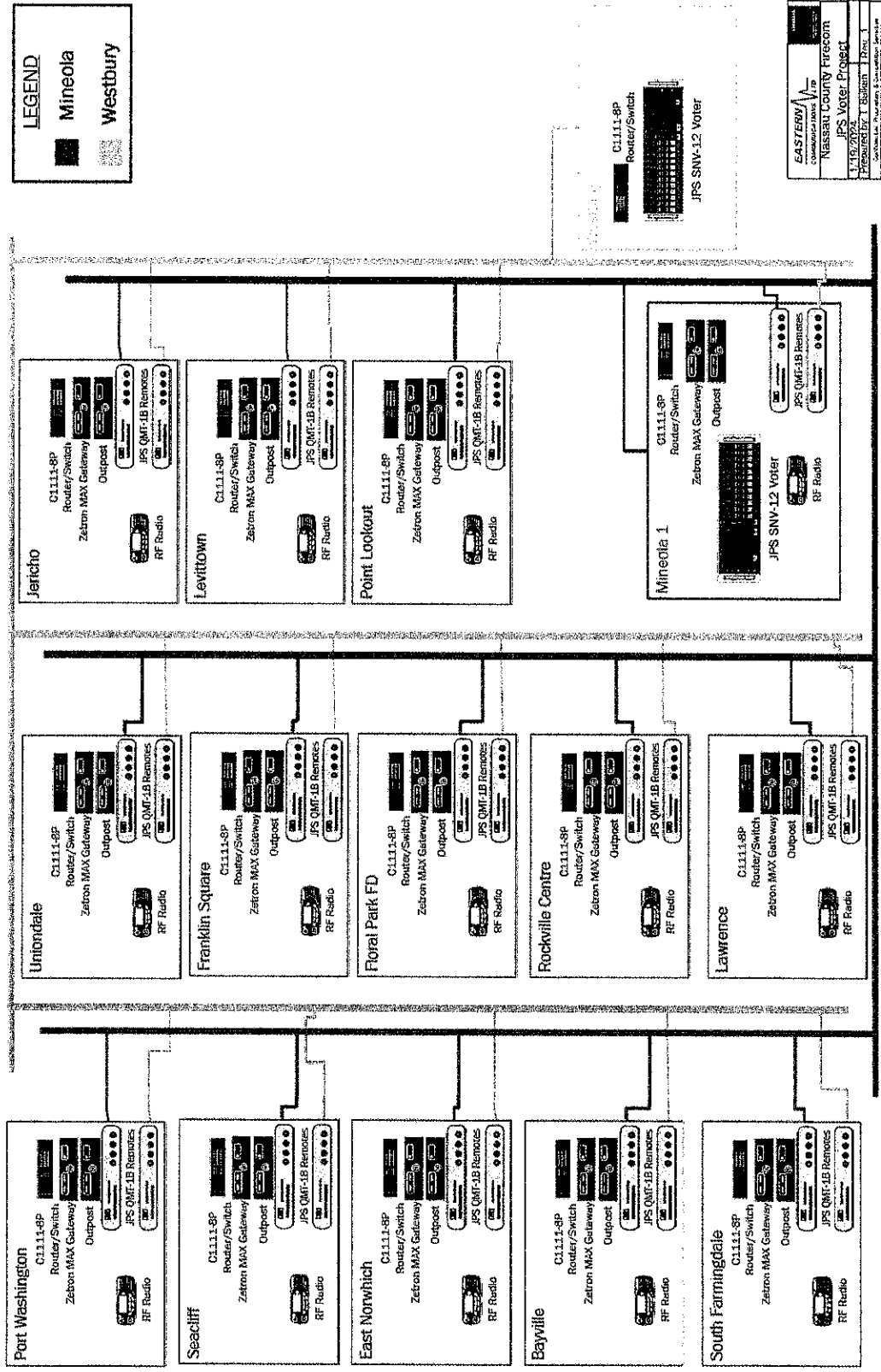
- Circuit testing
 - Eastern will test each circuit
 - R244C test
 - PT to PT
 - 10 MBPS BW
 - 30ms latency
 - 10ms jitter
 - Copper delivery
 - 2/30's
 - IT support
 - Enable multicast (Zetron)



| | | |
|---------------|----------------------|---|
| Drawn by | 1 | 2 |
| Drawn by | Lewis Jackson | |
| Description | SYSTEM BLOCK DIAGRAM | |
| Date Created | 4/10/2003 | |
| Customer | Nassau County | |
| System Name | Firecom | |
| Date Modified | 4/20/2003 | |
| REVISED | | |

NASSAU CO JPS - WAN TOPOLOGY DIAGRAM
 V012.VSDX

Nassau County - JPS Voter Project 46.10 County Wide Dispatch



LEGEND

Mineola

Westbury

EASTERN
COMMUNICATIONS, INC.

Nassau County Firecom

JPS Voter Project

1/18/2012

PROJECT NO. 1-833000-1

PAGE 3

DATE: 1/18/2012 10:54:00 AM

C1111-8P
Router/Switch

JPS SNV-12 Voter

Jericho

C1111-8P
Router/Switch
Zetron MAX Gateway
Output

JPS QMT-1B Remotes
RF Radio

Levittown

C1111-8P
Router/Switch
Zetron MAX Gateway
Output

JPS QMT-1B Remotes
RF Radio

Point Lookout

C1111-8P
Router/Switch
Zetron MAX Gateway
Output

JPS QMT-1B Remotes
RF Radio

Mineola 1

C1111-8P
Router/Switch
Zetron MAX Gateway
Output

JPS SNV-12 Voter
RF Radio

JPS QMT-1B Remotes

Uniondale

C1111-8P
Router/Switch
Zetron MAX Gateway
Output

JPS QMT-1B Remotes
RF Radio

Franklin Square

C1111-8P
Router/Switch
Zetron MAX Gateway
Output

JPS QMT-1B Remotes
RF Radio

Floral Park FD

C1111-8P
Router/Switch
Zetron MAX Gateway
Output

JPS QMT-1B Remotes
RF Radio

Rockville Centre

C1111-8P
Router/Switch
Zetron MAX Gateway
Output

JPS QMT-1B Remotes
RF Radio

Lawrence

C1111-8P
Router/Switch
Zetron MAX Gateway
Output

JPS QMT-1B Remotes
RF Radio

Port Washington

C1111-8P
Router/Switch
Zetron MAX Gateway
Output

JPS QMT-1B Remotes
RF Radio

Seaclyff

C1111-8P
Router/Switch
Zetron MAX Gateway
Output

JPS QMT-1B Remotes
RF Radio

East Norwich

C1111-8P
Router/Switch
Zetron MAX Gateway
Output

JPS QMT-1B Remotes
RF Radio

Bayville

C1111-8P
Router/Switch
Zetron MAX Gateway
Output

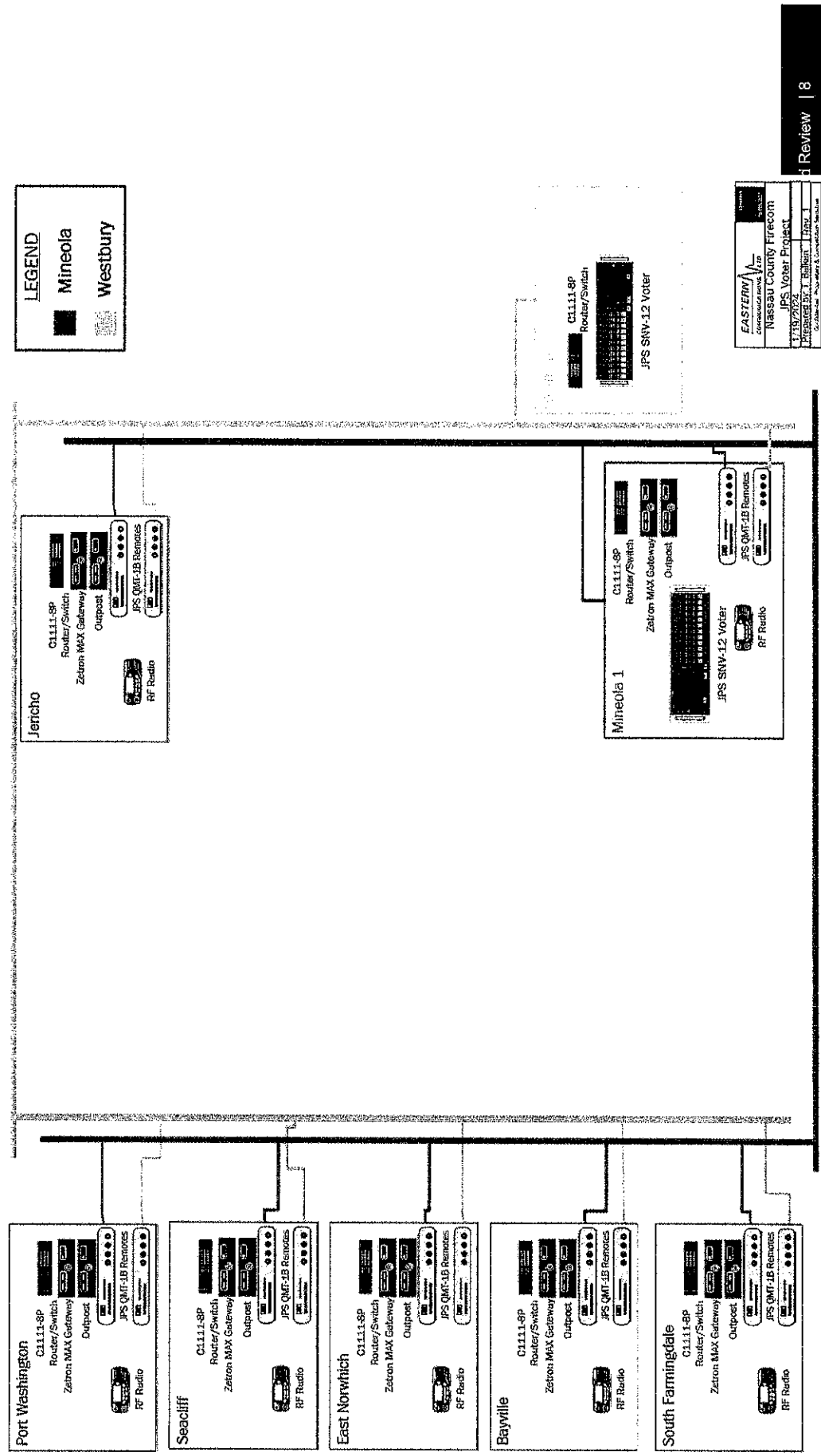
JPS QMT-1B Remotes
RF Radio

South Farmingdale

C1111-8P
Router/Switch
Zetron MAX Gateway
Output

JPS QMT-1B Remotes
RF Radio

Nassau County - JPS Voter Project
46.12 Battalions 5 8 9



LEGEND

Mineola
Westbury

EASTERN
COMMUNICATIONS, LTD.

Nassau County Firecom
JPS Voter Project

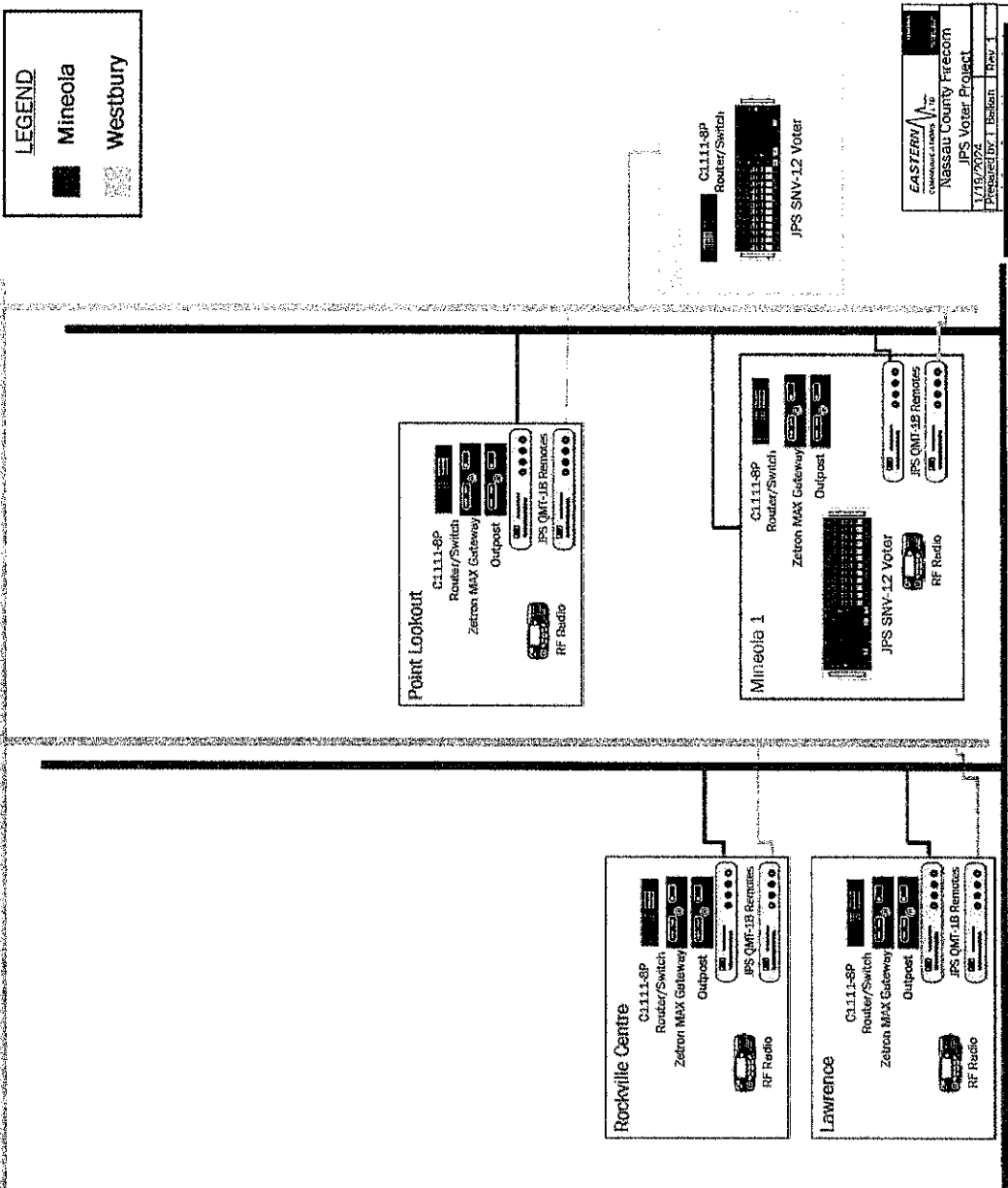
1/19/2024
Prepared by: [Name] | [Title]

Nassau County - JPS Voter Project
46.20 Battalions 2 3 4



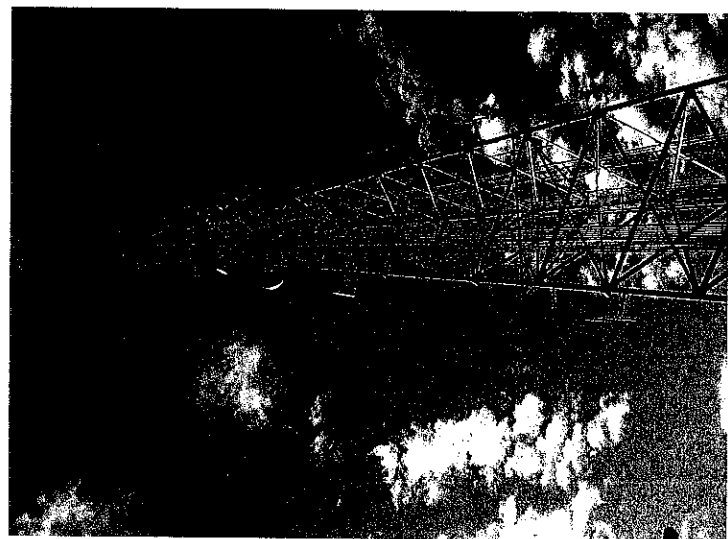
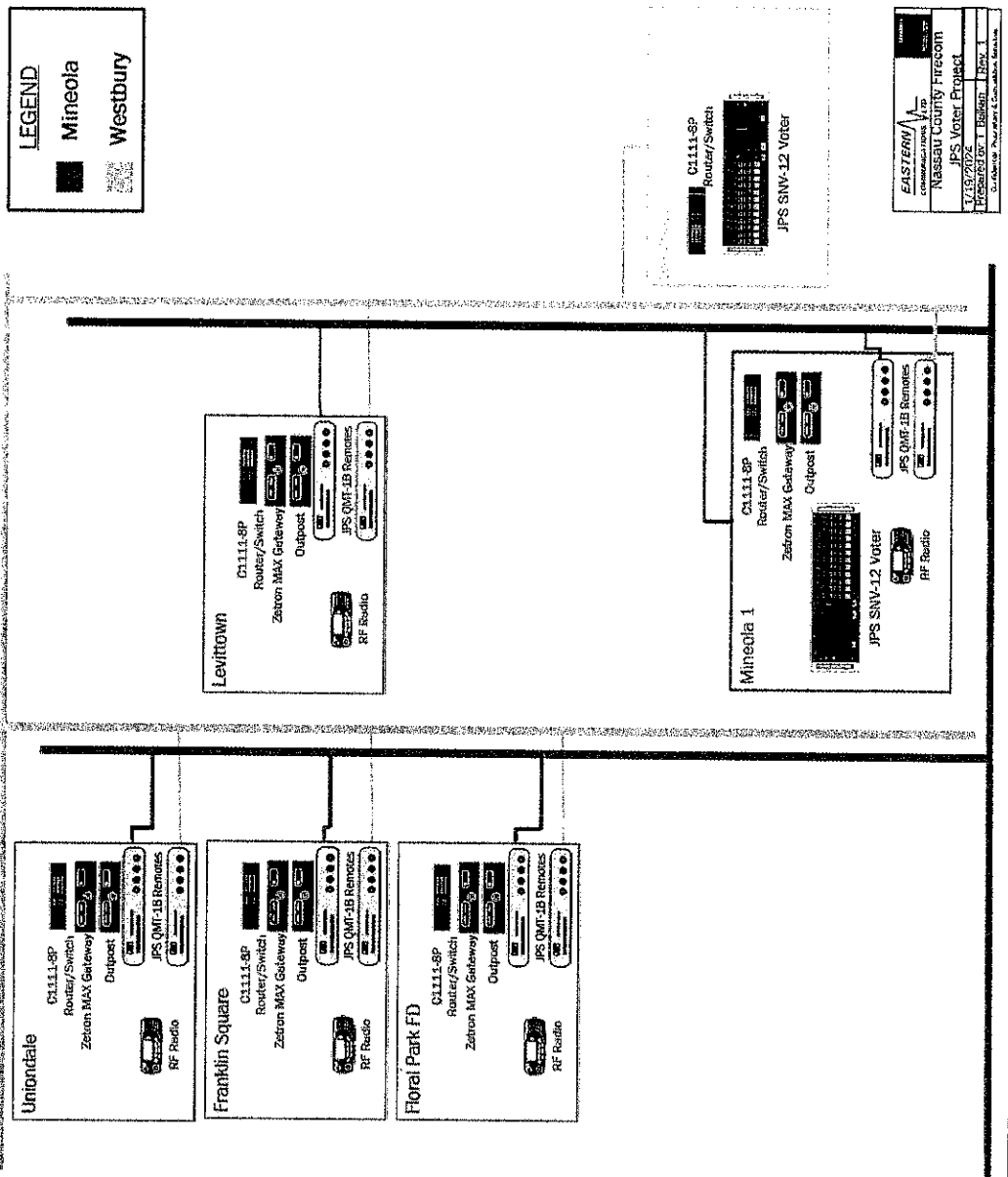
LEGEND

- Mineola
- Westbury



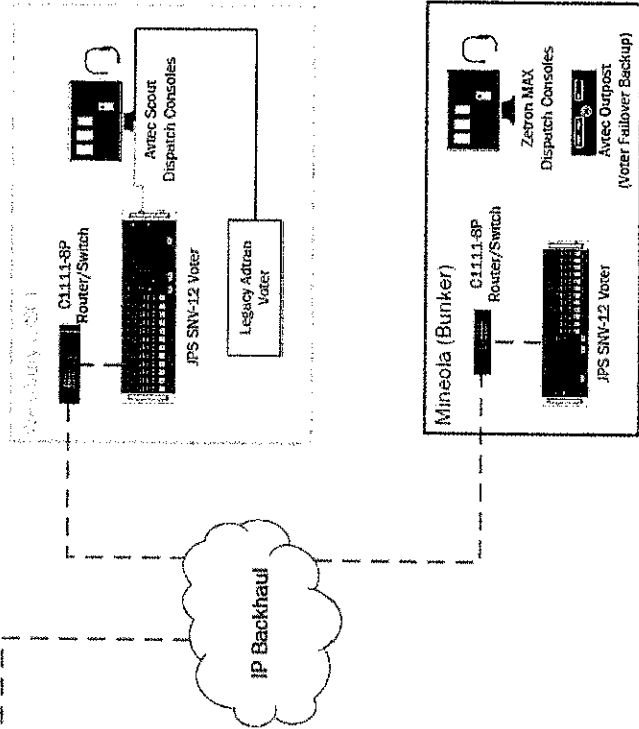
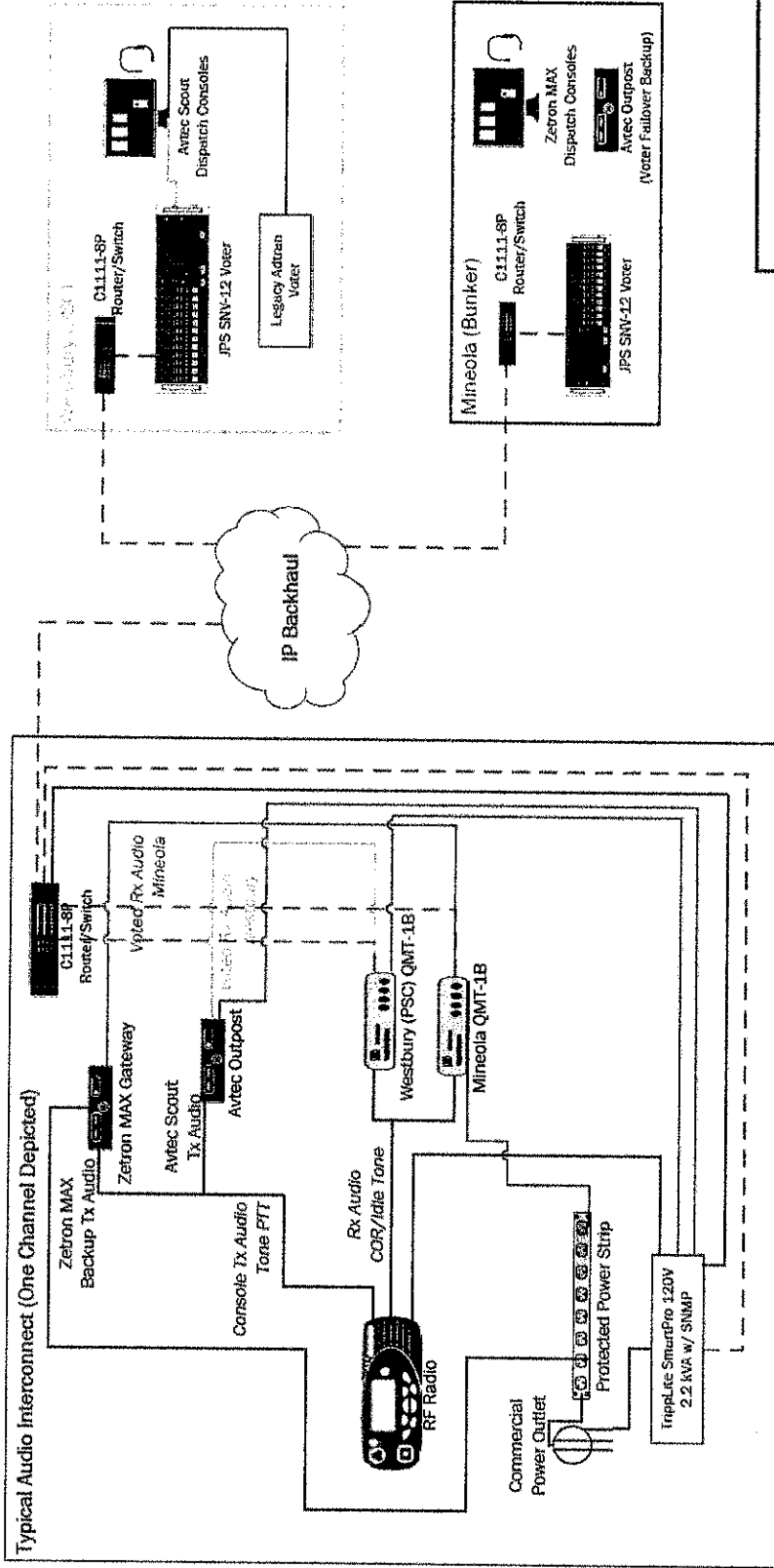
EASTERN LTD.
COMMUNICATIONS LTD.
Nassau County Firecon
JPS Voter Project
1/19/2024
Prepared by: T. Balaban | Rev. 1

Nassau County - JPS Voter Project
46.32 Battalions 1 6 7



| | |
|---|--------|
| EASTERN COMMUNICATIONS, LTD. | |
| Nassau County Firecom | |
| JPS Voter Project | |
| PROJECT NO. 1 | REV. 1 |
| 1/19/2024 | REV. 1 |
| Copyright © 2024 Eastern Municipal Communications, Ltd. | |

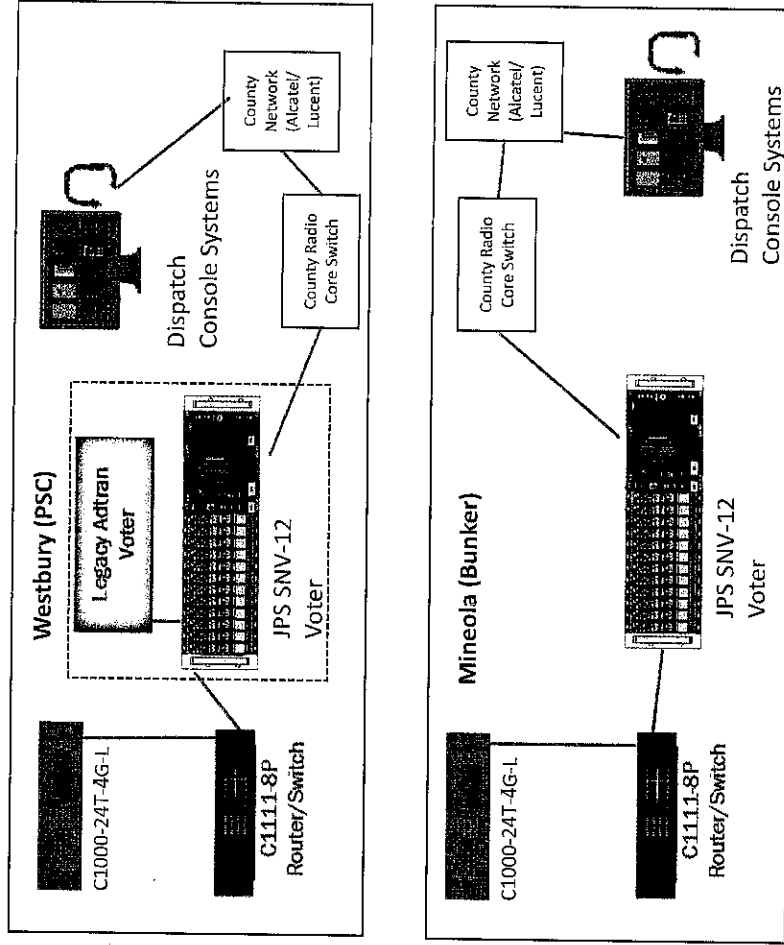
Typical Site and Channel System Diagram (as proposed)



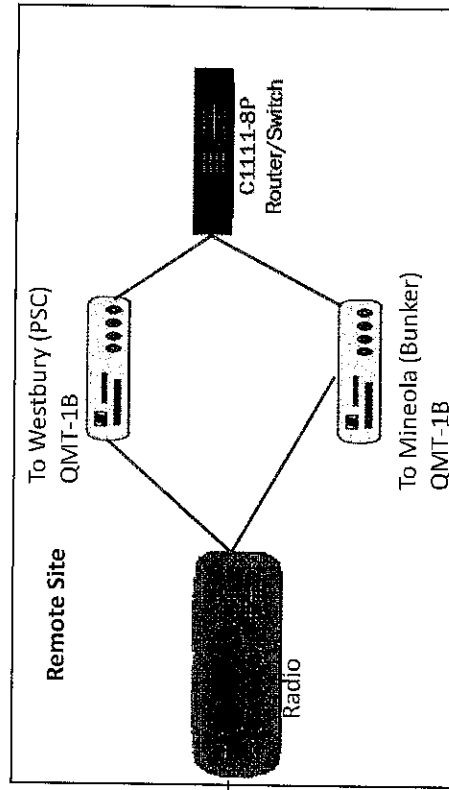
LEGEND

| | |
|-----|-------------------------------|
| --- | IP Backhaul |
| --- | Power |
| --- | Mineola Voted Rx Audio |
| --- | Westbury Voted Rx Audio (New) |
| --- | Westbury Voted Rx Audio (Old) |

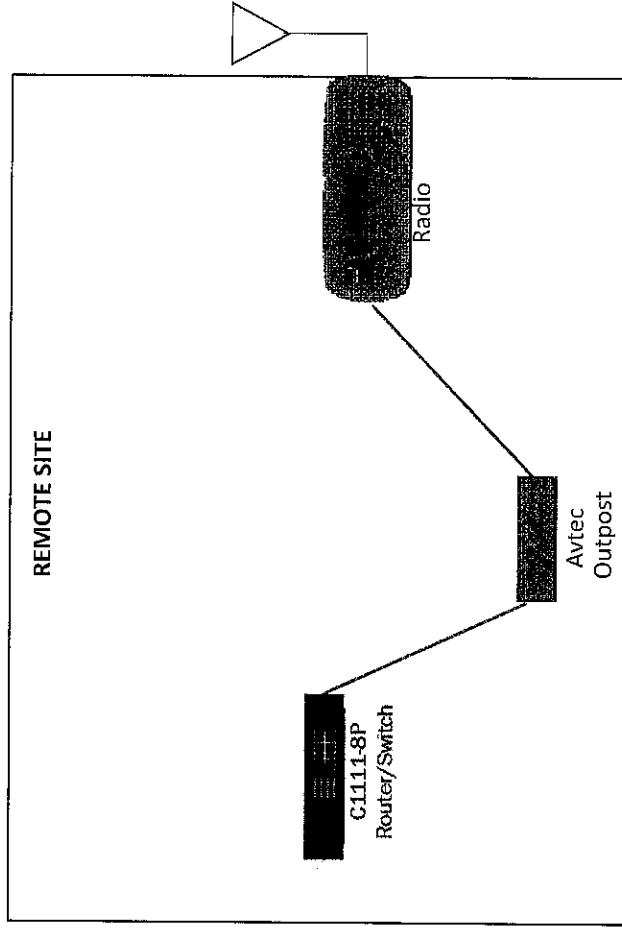
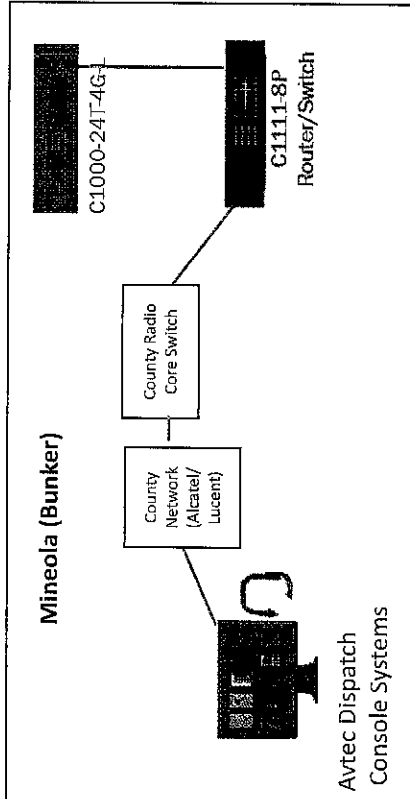
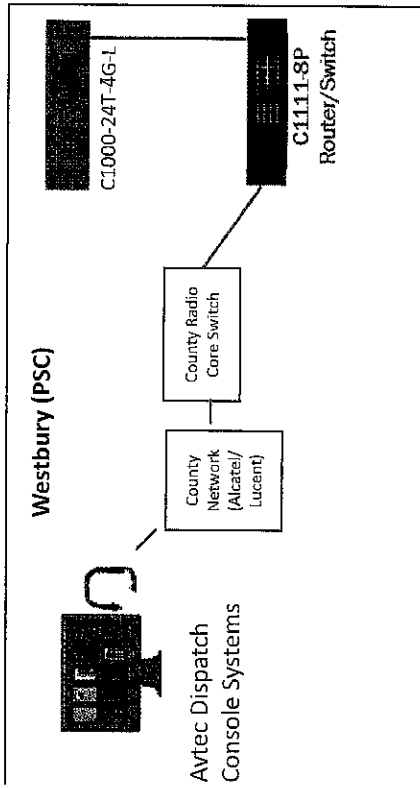
RX SIGNAL FLOW



IP Backhaul
 Ethernet
 Audio

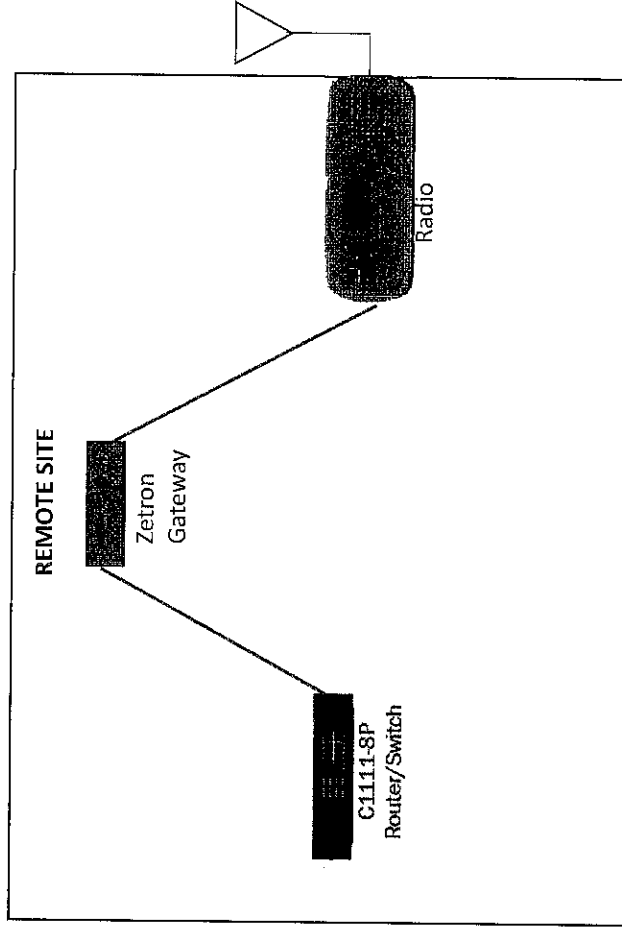
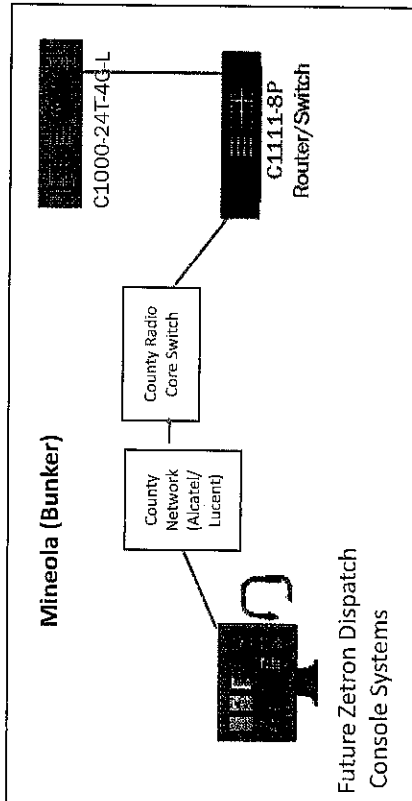
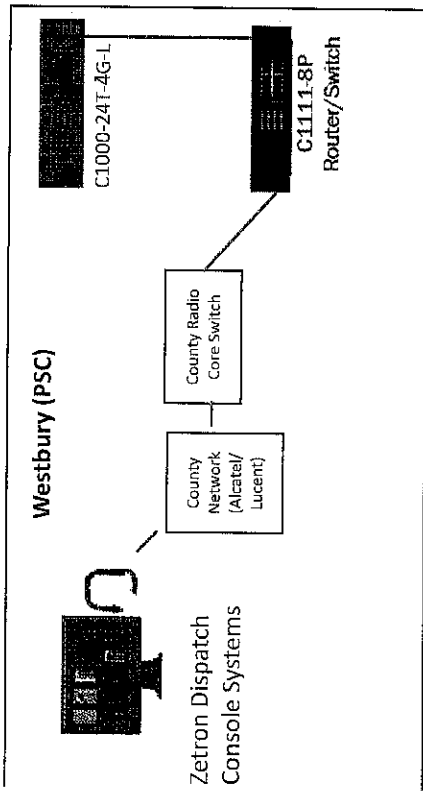


Avtec TX SIGNAL FLOW



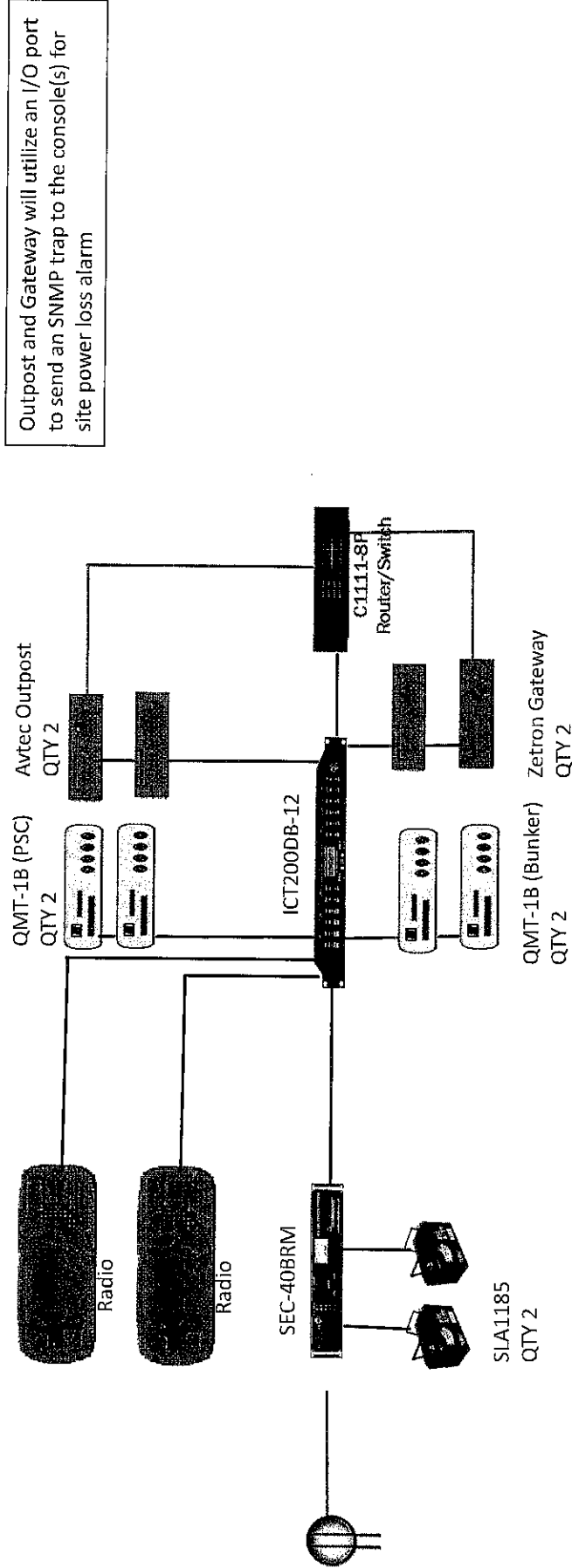
IP Backhaul
 Ethernet
 Audio

Zetron TX SIGNAL FLOW



IP Backhaul
 Ethernet
 Audio

Proposed 12VDC Site Power



- _____ Ethernet
- _____ IP Backhaul
- _____ 12VDC Power
- _____ 120VAC Power

UPS vs. 12VDC Site Power Run Time

| | C1111-8P | TrippLite UPS | 2 Interstate Battery |
|----------------------|----------------|----------------|----------------------|
| | Watts Per Unit | SMART 2200RM2U | SLA1185 |
| | Quantity | Minutes | Minutes |
| Port Washington | 1 | 17 | 200 |
| Seacliff | 1 | 17 | 200 |
| East Norwich | 1 | 17 | 200 |
| Bayville | 1 | 17 | 200 |
| South Farmingdale WT | 1 | 17 | 200 |
| Uniondale | 1 | 17 | 200 |
| Franklin Square | 1 | 17 | 200 |
| Rockville Centre | 1 | 17 | 200 |
| Lawrence | 1 | 17 | 200 |
| Levittown | 1 | 17 | 200 |
| Point Lookout | 1 | 17 | 200 |
| Mineola | 1 | 14 | 180 |
| Floral Park | 1 | 17 | 200 |
| Cold Spring Harbor | 1 | 17 | 200 |

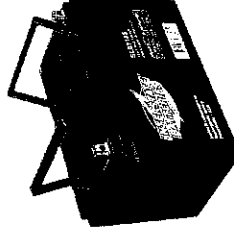
SITE TRACKER



| address | Site Walk | Connectivity | Verified Connectivity | Receive Equipment | ECL Staging | FC Local Staging | Equipment Installed | County Wide Test | | Battalion Test | | Remove Legacy ADTRAN Equipment |
|---|-----------|--------------|-----------------------|-------------------|-------------|------------------|---------------------|------------------|--------|----------------|--------|--------------------------------|
| | | | | | | | | Avtec | Zetron | Avtec | Zetron | |
| 1184 Prospect Avenue Westbury, NY 11590 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| 423 Port Washington Blvd, Port Washington, NY 11050 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| 25 Roslyn Ave, Sea Cliff, NY 11579 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| 900 Oyster Bay Rd, East Norwich, NY 11732 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| 228 Bayville Ave, Bayville, NY 11709 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| 40 Langdon Road, South Farmingdale, NY | 100 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| 850 Hempstead Blvd., Unfordale, NY 11550 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| 895 Schriener Ave, FRAKUN SQUARE Floral Park, NY 11001 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| 140 Maple Ave in Rockville Centre Rockville Centre, NY 11559 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| 14 Meyer Ave, Lawrence, NY 11559 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| 120 Gardiner Ave, Levittown, NY 11756 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| 330 Lida (water tower) Blvd, POINT LOOKOUT Point Lookout, NY 11960 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| Cold Spring Harbor Laboratory 140 16th street Garden City Garden City, NY 11534 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| 2201 HEMPS TEAD, TRKEAST MEADOW, NY 11554, NUNGC | 100 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |

Equipment

- JPS
 - New chassis at PSC
- Cisco
 - C1111-8P-One at each site, one at Mineola and one at PSC
 - SWITCH/ISR,C1000-24P one at PSC and one at Mineola C1000 switch
- DC
 - Power Supply SEC-80BRM+SEC-2012MPSB
 - Breaker Panel ICT200DB-12
- MISC
 - Avtec Outpost
 - Open Racks post Harris x2
 - Shelves Startec (same ones as Northwell)



SPARES

- JPS
 - QMT-1B QTY 8
 - SVM-3 QTY 2
- Cisco
 - C1111-8P QTY 1
 - SWITCH,JSR,C1000-24P QTY 1
- DC Power Supply
 - SEC-80BRM QTY 1
 - SEC-2012MPSB QTY 2
- Store in PSC shelter

STAGING

- **ECL Tabletop**
 - 100% local network
 - Test 100% of voters (use spare Orion's)
 - Can not test full audio path (no consoles, use tone remote adapters)
 - Customer witnessed ECL LIC
 - June/July 2024
- **PSC Tabletop**
 - 100% County network
 - Stage first few sites at the PSC
- **First Test Site**
 - Not Rockville Centre
 - Geographically close to PSC
 - Indoor site

ATP'S

- **FAT**
 - At ECL LIC
 - FATP document/spreadsheet
- **Circuit testing**
 - Eastern will test each circuit
 - R244C test
- **Site ATP**
 - Leverage FATP document/spreadsheet as each site is brought up

Schedule/ Communication / Transition Plan

- **Schedule:**
 - Drop orders early May
 - Staging July
 - Install first site August

- **Transition Plan:**
 - T-1 to Ethernet x2
 - Soft Cutover, site by site
 - Stage first few sites at the PSC
 - Operations
 - Outage period ?
 - Test Site Levittown

- **Communication Plan:**
 - Bi-Weekly Project Plan update

County Responsibilities/Open Issues

- Connectivity-Critical Path
- Remote network access
- IT support
 - Enable multicast (Zetron)
- Legacy equipment removal
 - Disposal?
- Sold 15 sites of Equipment+spares
- Sold 14 sites of Services
- Point Lookout flooding
- Levittown, Cold Spring Harbor larger cabinets

Billing Milestones

Material

100% due at delivery of equipment for staging

100% \$ 231,379.20

Services:

- 5% due at kickoff/contract signing
- 10% due upon customer approved Customer Design Review
- 10% due upon completion of the Factory Acceptance Test Plan
- 5% due upon completion of Port Washington Site Acceptance
- 5% due upon completion of Seaciff Site Acceptance
- 5% due upon completion of East Norwich Site Acceptance
- 5% due upon completion of Bayville Site Acceptance
- 5% due upon completion of South Farmingdale Site Acceptance
- 5% due upon completion of Uniondale Site Acceptance
- 5% due upon completion of Franklin Square Site Acceptance
- 5% due upon completion of Floral Park FD Site Acceptance
- 5% due upon completion of Rockville Centre Site Acceptance
- 5% due upon completion of Lawrence/Meadowmere Park Site Acceptance
- 5% due upon completion of Levittown Site Acceptance
- 5% due upon completion of Point Lookout Site Acceptance
- 5% due upon completion of Jericho Site Acceptance
- 5% due upon completion of Mineola 1 Site Acceptance
- 5% due upon final customer acceptance

| | | |
|--------|-----------|---------------|
| 5% \$ | 7,714.25 | Invoice 16703 |
| 10% \$ | 15,428.50 | Invoice 16703 |
| 10% \$ | 15,428.50 | |
| 5% \$ | 7,714.25 | |
| 5% \$ | 7,714.25 | |
| 5% \$ | 7,714.25 | |
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| 5% \$ | 7,714.25 | |





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/4/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | | |
|--|--|--|-----------------------|
| PRODUCER Risk Strategies Company 1330 Lake Robbins Drive, Suite 405 The Woodlands TX 77380 | CONTACT NAME: PHONE (A/C, No, Ext): 212-596-3400 | | FAX (A/C, No): |
| | E-MAIL ADDRESS: KTRTech@risk-strategies.com | | |
| INSURED Racom Corporation 201 West State Street Marshalltown, IA 50158 | INSURER(S) AFFORDING COVERAGE | | NAIC # |
| | INSURER A: Admiral Insurance Company | | 24856 |
| | INSURER B: Phoenix Insurance Company | | 25623 |
| | INSURER C: Charter Oak Fire Insurance Company | | 25615 |
| | INSURER D: Travelers Indemnity Company | | 25658 |
| | INSURER E: | | |
| INSURER F: | | | |

COVERAGES

CERTIFICATE NUMBER: 738930212

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|-----------|----------|-----------------------|-------------------------|-------------------------|--|
| B | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | Y | Y | H-630-8W195749-PHX-24 | 6/1/2024 | 6/1/2025 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$ |
| C | <input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> Garagekeeper | Y | Y | 810-8W140185-24-I3-G | 6/1/2024 | 6/1/2025 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Garage Keepers \$ Included |
| D | <input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$ | Y | Y | CUP-8W23165A-24-I3 | 6/1/2024 | 6/1/2025 | EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |
| A | E&O | | | EO000057159-03 | 6/1/2024 | 6/1/2025 | Limit 5,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Certificate Holder is included under blanket GL and Auto Additional Insured (except Workers' Compensation) where required by written contract. Blanket Primary and Non-Contributory endorsement included over any existing insurance and limited to liability arising out of the operations of the Named Insured and where required by written contract. Includes Blanket waiver of subrogation endorsements.

CERTIFICATE HOLDER**CANCELLATION**

County of Nassau
 Office of Purchasing
 1 West Street
 Mineola NY 11501

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



Staff Summary A-26-2024

Subject: Trash Pump
S/B 72015-12123-268/RQPW23000219

Department: Shared Services, Office of Purchasing

Department Head Name: Melissa Gallucci

Department Head Signature: *Melissa Gallucci*

Date: 05/24/2024

Vendor Name: Xylem Dewatering Solutions, Inc.

Contract Number: A-26-2024

Contract Manager Name: A. Sullivan

| Internal Approvals | | | |
|----------------------|---------------------------|----------------|-----------------------------------|
| Date & Initial | Approval | Date & Initial | Approval |
| 8/20/2024 <i>MB</i> | Chief Procurement Officer | <i>MB</i> | Budget |
| 8/28/2024 <i>JCY</i> | County Attorney | | County Executive <i>9/25/24 M</i> |

Significant Adverse Information Identified? Yes No (If Yes, attach memo.)

Purpose:
To authorize and award a purchase order for a Trash Pump for the Nassau County Department of Public Works.

Discussion: This solicitation was advertised in Newsday, New York State Contract Reporter and posted Nassau County Bid Solicitation Board. Minority Affairs was also notified of this solicitation.

Vendors viewed the bid: 39

- 4 Woman owned business
- 9 Minority (African/American)
- 24 Small Business
- Service Disabled (Veteran) owned
- Veteran Owned Business
- 2 None of the above

Vendors bid on this solicitation: 7

- Woman owned business
- 1 Minority (African/American)
- 2 Small Business
- Service Disabled (Veteran) owned business
- Veteran Owned Business
- 4 None of the above

The identified lowest responsible bidder: Xylem Dewatering Solutions, Inc. is not one of the above categories.

Impact on Funding/Term: The maximum amount authorized under this Purchase Order shall be One Hundred Fifty Thousand Six Hundred Seventy Five Dollars (\$150,675.00) from PWGEN0320,0240,0260 and PWCAPCAP.

Recommendation: Department of Shared Services, Office of Purchasing recommends an award be given to Xylem Dewatering Solutions, Inc. as the lowest responsible bidder meeting specifications.

2024 SEP 25 2:52:22
 CLERK OF THE SUPPLY
 DEPARTMENT OF THE CLERK

A RESOLUTION AUTHORIZING THE COMMISSIONER OF SHARED SERVICES TO AWARD AND EXECUTE A PURCHASE ORDER BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND XYLEM DEWATERING SOLUTIONS, INC.

WHEREAS, the NASSAU COUNTY DEPARTMENT OF SHARED SERVICES, OFFICE OF PURCHASING has received competitive bids under sealed bid solicitation # 72015-12123-268 for a trash pump for the Nassau County Department of Public Works, as more particularly described in the bid document; and

WHEREAS, the Commissioner of Shared Services is representing to the Rules Committee that Xylem Dewatering Solutions, Inc. submitted the lowest responsible bid and meets all specifications for the product and/or services described in the said bid document as determined by the Commissioner of Shared Services.

RESOLVED, that the Rules Committee of the Nassau County Legislature authorizes the Commissioner of Shared Services to award and execute the said Purchase Order with Xylem Dewatering Solutions, Inc.



COUNTY OF NASSAU

INTER - DEPARTMENTAL MEMO

TO : CLERK OF THE COUNTY LEGISLATURE

A-26-2024

FROM: MELISSA GALLUCCI - COMMISSIONER OF SHARED SERVICES

DATE: MAY 24, 2024

SUBJECT: RESOLUTION- THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS

THIS RESOLUTION IS RECOMMENDED BY THE COMMISSIONER OF SHARED SERVICES TO AUTHORIZE AN AWARD AND TO EXECUTE A PURCHASE ORDER WITH A MAXIMUM AMOUNT OF ONE HUNDRED FIFTY THOUSAND SIX HUNDRED SEVENTY-FIVE DOLLARS (\$150,675.00) FOR A TRASH PUMP ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS TO XYLEM DEWATERING SOLUTIONS, INC. WHO IS THE LOWEST RESPONSIBLE BIDDER MEETING SPECIFICATIONS.

THE ABOVE-DESCRIBED DOCUMENT ATTACHED HERETO IS FORWARDED FOR YOUR REVIEW AND APPROVAL AND SUBSEQUENT TRANSMITTAL TO THE RULES COMMITTEE FOR INCLUSION IN ITS AGENDA,

A handwritten signature in cursive script that reads "Melissa Gallucci".

MELISSA GALLUCCI

COMMISSIONER OF SHARED SERVICES

VB: gb

ENCL:

- (1) STAFF SUMMARY
- (2) DISCLOSURE STATEMENT
- (3) RESOLUTION
- (4) BID SUMMARY
- (5) BID PROPOSAL
- (6) CERTIFICATE OF LIABILITY INSURANCE
- (7) RECOMMENDATION OF AWARD
- (8) TICAL CONTRIBUTION FORM



COUNTY OF NASSAU

POLITICAL CAMPAIGN CONTRIBUTION DISCLOSURE FORM

1. Has the vendor or any corporate officers of the vendor provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator?

YES [] NO [X] If yes, to what campaign committee?

Electronically signed and certified at the date and time indicated by:
Megan Lockard [MEGAN.LOCKARD@XYLEM.COM]

Dated: 06/21/2024 02:07:08 pm

Vendor: Xylem Dewatering Solutions

Title: Outside Sales Representative

Business History Form

The contract shall be awarded to the responsible proposer who, at the discretion of the County, taking into consideration the reliability of the proposer and the capacity of the proposer to perform the services required by the County, offers the best value to the County and who will best promote the public interest.

In addition to the submission of proposals, each proposer shall complete and submit this questionnaire. The questionnaire shall be filled out by the owner of a sole proprietorship or by an authorized representative of the firm, corporation or partnership submitting the Proposal.

NOTE: All questions require a response, even if response is "none" or "not-applicable." No blanks.

(USE ADDITIONAL SHEETS IF NECESSARY TO FULLY ANSWER THE FOLLOWING QUESTIONS).

Date: 07/25/2024

1) Proposer's Legal Name: Xylem Dewatering Solutions,

2) Address of Place of Business: 20 Truman Dr South

City: Edison State/Province/Territory: NJ Zip/Postal Code: 08817

Country: US

Address: 84 Floodgate Rd

City: Bridgeport State/Province/Territory: NJ Zip/Postal Code: 08014

Country: US

Start Date: _____ End Date: _____

3) Mailing Address (if different): _____

City: _____ State/Province/Territory: _____ Zip/Postal Code: _____

Country: _____

Phone: _____

Does the business own or rent its facilities? Both If other, please provide details: _____

4) Dun and Bradstreet number: 083244269

5) Federal I.D. Number: 222138498

- 6) The proposer is a: Corporation (Describe) _____
- 7) Does this business share office space, staff, or equipment expenses with any other business?
 YES NO If yes, please provide details:
Building is shared by Pure Technologies and Wachs Water, both are subsidiaries of Xylem Dewatering
- 8) Does this business control one or more other businesses?
 YES NO If yes, please provide details:
Xylem Dewatering controls Godwin Brand
- 9) Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business?
 YES NO If yes, please provide details:
Xylem Inc, see attached 10-k
- 10) Has the proposer ever had a bond or surety cancelled or forfeited, or a contract with Nassau County or any other government entity terminated?
 YES NO If yes, state the name of bonding agency, (if a bond), date, amount of bond and reason for such cancellation or forfeiture: or details regarding the termination (if a contract).

- 11) Has the proposer, during the past seven years, been declared bankrupt?
 YES NO If yes, state date, court jurisdiction, amount of liabilities and amount of assets

- 12) In the past five years, has this business and/or any of its owners and/or officers and/or any affiliated business, been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency? And/or, in the past 5 years, have any owner and/or officer of any affiliated business been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency, where such investigation was related to activities performed at, for, or on behalf of an affiliated business.
 YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

- 13) In the past 5 years, has this business and/or any of its owners and/or officers and/or any affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies? And/or, in the past 5 years, has any owner and/or officer of an affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies, for matters pertaining to that individual's position at or relationship to an affiliated business.
 YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

- 14) Has any current or former director, owner or officer or managerial employee of this business had, either before or during such person's employment, or since such employment if the charges pertained to events that allegedly occurred during the time of employment by the submitting business, and allegedly related to the conduct of that business:
 a) Any felony charge pending?
 YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action

taken.

b) Any misdemeanor charge pending?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

c) In the past 10 years, you been convicted, after trial or by plea, of any felony and/or any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?
YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

d) In the past 5 years, been convicted, after trial or by plea, of a misdemeanor?
YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

e) In the past 5 years, been found in violation of any administrative, statutory, or regulatory provisions?
YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

15) In the past (5) years, has this business or any of its owners or officers, or any other affiliated business had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?
YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

16) For the past (5) tax years, has this business failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?
YES NO If yes, provide details for each such year. Provide a detailed response to all questions checked 'YES'. If you need more space, photocopy the appropriate page and attach it to the questionnaire.

17) Conflict of Interest:
a) Please disclose any conflicts of interest as outlined below. NOTE: If no conflicts exist, please expressly state "No conflict exists."

(i) Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exist

(ii) Any family relationship that any employee of your firm has with any County public servant that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

(iii) Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exist

b) Please describe any procedures your firm has, or would adopt, to assure the County that a conflict of interest would not exist for your firm in the future.

We will notify Nassau County officials if a conflict arises.

A. Include a resume or detailed description of the Proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified.

Have you previously uploaded the below information under in the Document Vault?
YES [] NO [X]

Is the proposer an individual?
YES [] NO [X] Should the proposer be other than an individual, the Proposal MUST include:

i) Date of formation;
08/20/2024

ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner. If none, explain.
see attached 10-k

iii) Name, address and position of all officers and directors of the company. If none, explain.

1 File(s) uploaded: Xylem Dewatering Officer Appointments 2023-06-09 Fully signed (2).pdf

iv) State of incorporation (if applicable);
IN

v) The number of employees in the firm;
800

vi) Annual revenue of firm;
5522000000

vii) Summary of relevant accomplishments
See xylem.com website for accomplishments and projects

viii) Copies of all state and local licenses and permits.

B. Indicate number of years in business.
13

C. Provide any other information which would be appropriate and helpful in determining the Proposer's capacity and reliability to perform these services.

Please reach out to references listed for any questions regarding capacity and reliability

- D. Provide names and addresses for no fewer than three references for whom the Proposer has provided similar services or who are qualified to evaluate the Proposer's capability to perform this work.

Company Latham Water District
Contact Person Daniel Seaver
Address 347 Old Niskayuna Rd
City Latham State/Province/Territory NY
Country US
Telephone (518) 782-2750
Fax # _____
E-Mail Address seaverd@colonie.org

Company TAM Enterprises
Contact Person Brian Cutler
Address 114 Hartly Rd
City Goshen State/Province/Territory NY
Country US
Telephone (845) 294-8882
Fax # _____
E-Mail Address bcutler@tamentinc.com

Company GA Fleet Associates
Contact Person Cinar Akman
Address 6 International Dr
City Rye Brook State/Province/Territory NY
Country US
Telephone (914) 835-4000
Fax # _____
E-Mail Address cakman@gafleet.com

I, Thomas Dickson, hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Thomas Dickson, hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Name of submitting business: Xylem Dewatering Solutions, Inc

Electronically signed and certified at the date and time indicated by:
Thomas Dickson THOMAS.DICKSON@XYLEM.COM

Outside Sales Representative
Title

08/20/2024 01:17:40 pm
Date



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

| | |
|----------------------------|---|
| Taxpayer Name: | XYLEM DEWATERING SOLUTIONS, INC. |
| Trade Name: | GODWIN PUMPS OF AMERICA |
| Address: | 1 FLOODGATE ROAD BRIDGEPORT, NJ 08014-1000 |
| Certificate Number: | 0067273 |
| Effective Date: | November 17, 1976 |
| Date of Issuance: | January 06, 2012 |

For Office Use Only:
20120106094210364

XYLEM DEWATERING SOLUTIONS, INC.

UNANIMOUS WRITTEN CONSENT OF THE BOARD OF DIRECTORS

WHEREAS, the undersigned, constituting all of the members of the Board of Directors of Xylem Dewatering Solutions, Inc., a corporation formed pursuant to the laws of the State of New Jersey (the "Corporation"), hereby take the following actions and consents to, approves and adopts the following resolutions without a meeting, pursuant to the provisions of New Jersey Corporations Act, Section 14A:6-7.1 of the New Jersey Statutes, with the same effect were taken pursuant to resolutions presented to, and adopted at a duly called meeting of the Directors of the Corporation.

RESOLVED: That the legal acts and contracts of the current and past officers of the Company are hereby adopted, ratified, and approved.

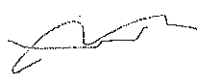
RESOLVED FURTHER: That the following named persons are appointed as officers of the Company in the capacities indicated opposite their respective names, to serve as officers from this date forward until their resignation, removal, termination of employment with the Company or its affiliates, or death or until their successors are duly appointed.

| <u>Individuals</u> | <u>Office (s)</u> |
|-------------------------|--------------------------------------|
| Vincenzo Giovanni Violi | President |
| Robert W. Barlett | Vice President & Secretary |
| Justin Pifer | Vice President & Assistant Secretary |
| Matthew Latino | Vice President & Treasurer |
| David Alban | Vice President |
| Ken Albaugh | Vice President |
| Janel Cotto | Vice President |
| Juan De la Maza | Vice President |
| Matthew Fisher | Vice President |
| Todd Huffman | Vice President |
| Joseph McCausland | Vice President |
| Michael Ramos | Vice President |
| Randy Stewart | Vice President |
| Christine Valencia | Vice President |


RESOLVED: That any previous appointments of officers for the Corporation are hereby revoked.

RESOLVED FURTHER: That this Unanimous Written Consent may be executed in any number of counterparts, each of which when so executed shall be deemed to be an original and all of which when taken together shall constitute one and the same document, and that the different directors of the Corporation need not be signatories to the same counterpart.

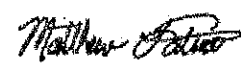
This Unanimous Written Consent of the Board of Directors is effective on June 9, 2023.



Robert W. Barlett



Vincenzo Giovanni Violi



Matthew Latino

XYLEM DEWATERING SOLUTIONS, INC.

UNANIMOUS WRITTEN CONSENT OF THE BOARD OF DIRECTORS

WHEREAS, the undersigned, constituting all of the members of the Board of Directors of Xylem Dewatering Solutions, Inc., a corporation formed pursuant to the laws of the State of New Jersey (the "Corporation"), hereby take the following actions and consents to, approves and adopts the following resolutions without a meeting, pursuant to the provisions of New Jersey Corporations Act, Section 14A:6-7.1 of the New Jersey Statutes, with the same effect were taken pursuant to resolutions presented to, and adopted at a duly called meeting of the Directors of the Corporation.

RESOLVED: That the legal acts and contracts of the current and past officers of the Company are hereby adopted, ratified, and approved.

RESOLVED FURTHER: That the following named persons are appointed as officers of the Company in the capacities indicated opposite their respective names, to serve as officers from this date forward until their resignation, removal, termination of employment with the Company or its affiliates, or death or until their successors are duly appointed.

Individuals

Vincenzo Giovanni Violi
Robert W. Barlett
Justin Pifer
Matthew Latino
David Alban
Ken Albaugh
Janel Cotto
Juan De la Maza
Matthew Fisher
Todd Huffman
Joseph McCausland
Michael Ramos
Randy Stewart
Christine Valencia

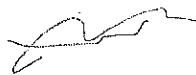
Office (s)

President
Vice President & Secretary
Vice President & Assistant Secretary
Vice President & Treasurer
Vice President
Vice President
Vice President
Vice President
Vice President
Vice President
Vice President
Vice President
Vice President
Vice President

RESOLVED: That any previous appointments of officers for the Corporation are hereby revoked.

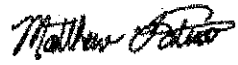
RESOLVED FURTHER: That this Unanimous Written Consent may be executed in any number of counterparts, each of which when so executed shall be deemed to be an original and all of which when taken together shall constitute one and the same document, and that the different directors of the Corporation need not be signatories to the same counterpart.

This Unanimous Written Consent of the Board of Directors is effective on June 9, 2023.


Robert W. Barlett



Vincenzo Giovanni Violi



Matthew Latino

**FOURTH AMENDED AND RESTATED ARTICLES OF
INCORPORATION OF
XYLEM INC.**

ARTICLE FIRST

The name of the corporation is Xylem Inc. (the "Corporation").

ARTICLE SECOND

The address of the registered office of the Corporation in the State of Indiana is 251 East Ohio Street, Suite 1100, Indianapolis, Indiana 46204. The name of the registered agent of the Corporation at such address is The Corporation Trust Company.

ARTICLE THIRD

The purpose of the Corporation is to engage in any lawful act or activity for which corporations may be organized under the Indiana Business Corporation Law ("IBCL").

ARTICLE FOURTH

(a) The aggregate number of shares of stock that the Corporation shall have authority to issue is 800,000,000 shares, consisting of 750,000,000 shares designated "Common Stock" and 50,000,000 shares designated "Preferred Stock". The shares of Common Stock shall have a par value of \$0.01 per share, and the shares of Preferred Stock shall not have any par or stated value, except that, solely for the purpose of any statute or regulation imposing any fee or tax based upon the capitalization of the Corporation, the shares of Preferred Stock shall be deemed to have a par value of \$.01 per share.

(b) The Board of Directors of the Corporation shall have the full authority permitted by law, at any time and from time to time, to divide the authorized and unissued shares of Preferred Stock into classes or series, or both, and to determine the preferences, limitations and relative voting and other rights of any such class or series of Preferred Stock, with such divisions and determinations to be accomplished by an amendment to these Amended and Restated Articles of Incorporation ("Articles of Incorporation") which amendment may, except as otherwise provided by law, be made solely by action of the Board of Directors, which shall have the full authority permitted by law to make such divisions and determinations.

(c) Each holder of shares of Common Stock shall be entitled to one vote for each share of Common Stock held of record on all matters on which the holders of shares of Common Stock are entitled to vote. No holder of shares of Common Stock will be permitted to cumulate votes at any election of directors.

(d) Subject to all the rights of the holders of the Preferred Stock, the holders of shares of Common Stock shall be entitled to receive, when, as and if declared by the Board of Directors, out of funds legally available for the payment thereof, dividends payable in cash, stock or otherwise. Upon any liquidation, dissolution or winding up of the Corporation, whether voluntary or involuntary, and subject to the rights of the holders of the Preferred Stock, the remaining assets of the Corporation available for distribution shall be distributed to the holders of the Common Stock ratably according to the number of shares of Common Stock held by such holder.

ARTICLE FIFTH

(a) The number of directors constituting the Board of Directors of the Corporation shall be not less than three nor more than twenty-five, with the exact number to be fixed from time to time solely by resolution of the Board of Directors acting by not less than a majority of the directors in office. Prior to the annual meeting of shareholders to be held in 2016 (the "2016 Annual Meeting"), the Board of Directors shall be divided into three (3) classes, as nearly equal in number as possible, with the term of office of one class expiring each year. At each annual meeting of shareholders prior to the 2016 Annual Meeting, each class of directors whose term shall then expire shall be elected to hold office for a three-year term. All directors of the Corporation elected at or after the 2016 Annual Meeting shall

be elected for a term expiring at the next annual meeting of shareholders, with each such director to hold office until such director's successor shall have been elected and qualified, or until his or her earlier death, retirement, resignation or removal. Notwithstanding the foregoing, any director whose term expires at the annual meeting of shareholders scheduled to be held in 2017 or 2018 shall continue to hold office until the end of the term for which such director was elected and until such director's successor shall have been elected and qualified, or until his or her earlier death, retirement, resignation or removal.

(b) In the case of any vacancy on the Board of Directors, including a vacancy created by an increase in the number of directors, the vacancy shall be filled by the Board of Directors with the director so elected to serve (i) in the case of any vacancy so filled prior to the 2016 Annual Meeting, for the remainder of the term of the director being replaced or, in the case of an additional director, for the remainder of the term of the class to which the director has been assigned, with each such director to hold office until his or her successor is elected and qualified and (ii) in the case of any vacancy so filled at or after the 2016 Annual Meeting, until the next annual meeting of shareholders, with each such director to hold office until his or her successor is elected and qualified. Until the 2016 Annual Meeting, if the number of directors is changed, any newly created directorships or any decrease in directorships shall be so assigned among the classes by a majority of the directors then in office, though less than a quorum, as to make all classes as nearly equal in number as possible. No decrease in the number of directors shall have the effect of shortening the term of any incumbent director.

(c) In a contested election of directors (i.e. any election where the number of nominees exceeds the number of directors to be elected), directors shall be elected by a plurality of the votes cast by the shares entitled to vote in the election at a meeting at which a quorum is present. In an uncontested election of directors, directors shall be elected by a majority of the votes cast by the shares entitled to vote in the election at a meeting at which a quorum is present. Any director or directors may be removed from office at any time, but only for cause and only upon the affirmative vote of at least a majority of the shares then entitled to vote at a meeting called, and notice provided, in accordance with the IBCL, these Articles of Incorporation and the By-Laws of the Corporation.

(d) Special meetings of shareholders of the Corporation may be called (i) by the Chairman of the Board of Directors, (ii) by a majority vote of the entire Board of Directors, or (iii) by the Secretary of the Corporation upon the written request of the holders of at least twenty-five percent (25%) of the outstanding shares of Common Stock of the Corporation entitled to vote on the matter or matters to be brought before the proposed special meeting in accordance with the procedures and other requirements set forth in the By-Laws of the Corporation.

(e) Holders of the Common Stock of the Corporation shall not have any preemptive rights to subscribe for additional issues of shares of Common Stock of the Corporation except as may be agreed from time to time by the Corporation and any such shareholder.

(f) Notwithstanding the foregoing, whenever the holders of any one or more classes or series of Preferred Stock issued by the Corporation, if any, shall have the right, voting separately by class or series, to elect directors at an annual or special meeting of shareholders, the election, term of office, filling of vacancies and other features of such directorships shall be governed by the terms of such class or series of Preferred Stock.

ARTICLE SIXTH

To the fullest extent permitted by applicable law as then in effect, no director or officer shall be personally liable to the Corporation or any of its shareholders for damages for any action taken as a director or officer, or any failure or omission to take any action, regardless of the nature of the breach or alleged breach, including any breach or alleged breach of the duty of care, the duty of loyalty or the duty of good faith. Any repeal or modification of this ARTICLE SIXTH shall not adversely affect any right or protection of a director or officer of the Corporation existing at the time of such repeal or modification with respect to acts or omissions occurring prior to such repeal or modification.

ARTICLE SEVENTH

The holders of the capital stock of the Corporation shall not be personally liable for the payment of the Corporation's debts and the private property of the holders of the capital stock of the Corporation shall not be subject to the payment of debts of the Corporation to any extent whatsoever.

ARTICLE EIGHTH

Subject to any express provision of the laws of the State of Indiana or these Articles of Incorporation, the By-laws of the Corporation may from time to time be supplemented, amended or repealed, or new By-laws may be adopted, by the Board of Directors at any regular or special meeting of the Board of Directors, if such supplement, amendment, repeal or adoption is approved by a majority of the entire Board of Directors. Subject to any express provision of the laws of the State of Indiana or these Articles of Incorporation, the By-laws of the Corporation may from time to time be supplemented, amended or repealed, or new By-laws may be adopted, by the shareholders at any regular or special meeting of the shareholders at which a quorum is present, if such supplement, amendment, repeal or adoption is approved by at least a majority of the voting power of the outstanding shares of Common Stock of the Corporation.

ARTICLE NINTH

The Corporation reserves the right to supplement, amend or repeal any provision contained in these Articles of Incorporation, in the manner now or hereafter prescribed by the laws of the State of Indiana, and all rights conferred on shareholders herein are granted subject to this reservation.

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Kenneth Albaugh
Date of birth: 09/18/1972
Home address: 1800 Mann Road
City: Lebanon State/Province/Territory: TN Zip/Postal Code: 37087
Country: US

Business Address: 84 Floodgate Road
City: Bridgeport State/Province/Territory: NJ Zip/Postal Code: 08014
Country: US
Telephone: 6159755410

Other present address(es):
City: _____ State/Province/Territory: _____ Zip/Postal Code: _____
Country: _____
Telephone: _____

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------------------|-------------|-------|
| President | _____ | Treasurer | _____ |
| Chairman of Board | _____ | Shareholder | _____ |
| Chief Exec. Officer | _____ | Secretary | _____ |
| Chief Financial Officer | _____ | Partner | _____ |
| Vice President | <u>06/09/2023</u> | | |
| (Other) | | | |

3. Do you have an equity interest in the business submitting the questionnaire?
YES [] NO [X] If Yes, provide details.

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES [] NO [X] If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or not-for-profit organization other than the one submitting the questionnaire?
YES NO If Yes, provide details.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?
YES NO If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

a. Been debarred by any government agency from entering into contracts with that agency?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?
YES NO If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9. a. Is there any felony charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

b. Is there any misdemeanor charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

c. Is there any administrative charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

f. In the past 5 years, have you been found in violation of any administrative or statutory charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

I, Kenneth Albaugh, hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Kenneth Albaugh, hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Xylem Dewatering Solutions, Inc.

Name of submitting business

Electronically signed and certified at the date and time indicated by:
Kenneth Albaugh KEN.ALBAUGH@XYLEM.COM

Vice President

Title

03/18/2024 09:04:14 am

Date

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Joseph Herbst
 Date of birth: 05/21/1966
 Home address: 5891 Wade Road
 City: Milford State/Province/Territory: OH Zip/Postal Code: 45150
 Country: US

Business Address: Xylem - 20 Truman Drive
 City: Edison State/Province/Territory: NJ Zip/Postal Code: 08817
 Country: US
 Telephone: 513-259-0510

Other present address(es):
 City: _____ State/Province/Territory: _____ Zip/Postal Code: _____
 Country: US
 Telephone: _____

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------|-------------|-------|
| President | _____ | Treasurer | _____ |
| Chairman of Board | _____ | Shareholder | _____ |
| Chief Exec. Officer | _____ | Secretary | _____ |
| Chief Financial Officer | _____ | Partner | _____ |
| Vice President | _____ | | |
| (Other) | | | |

Type: Other
 Description: NE Regional Director Sales & Services
 Start Date: 03/19/2018

3. Do you have an equity interest in the business submitting the questionnaire?

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES NO If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?
YES NO If Yes, provide details.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?
YES NO If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

- a. Been debarred by any government agency from entering into contracts with that agency?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?
YES NO If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9.

- a. Is there any felony charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- b. Is there any misdemeanor charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- c. Is there any administrative charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- f. In the past 5 years, have you been found in violation of any administrative or statutory charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- 10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- 11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- 12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- 13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

| |
|--|
| |
|--|

I, Joseph Herbst, hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Joseph Herbst, hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Xylem Dewatering Inc
Name of submitting business

Electronically signed and certified at the date and time indicated by:
Joseph Herbst JOSEPH.HERBST@XYLEM.COM

NE Regional Director Sales & Services
Title

03/19/2024 03:34:32 pm
Date

UNITED STATES SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549
FORM 10-K

(Mark One)

ANNUAL REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE
SECURITIES EXCHANGE ACT OF 1934
For the fiscal year ended December 31, 2023

or

TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE
SECURITIES EXCHANGE ACT OF 1934

For the transition period from to
Commission file number: 1-35229

Xylem Inc.

(Exact name of registrant as specified in its charter)

Indiana

(State or other jurisdiction of incorporation or
organization)

45-2080495

(I.R.S. Employer Identification No.)

301 Water Street SE, Washington, DC 20003

(Address of principal executive offices and zip code)

(202) 869-9150

(Registrant's telephone number, including area code)

Securities registered pursuant to Section 12(b) of the Act:

| Title of each class | Trading Symbol(s) | Name of each exchange on which registered |
|--|-------------------|---|
| Common Stock, par value \$0.01 per share | XYL | New York Stock Exchange |

Securities registered pursuant to Section 12(g) of the Act: None

Indicate by check mark if the registrant is a well-known seasoned issuer, as defined in Rule 405 of the Securities Act. Yes No

Indicate by check mark if the registrant is not required to file reports pursuant to Section 13 or Section 15(d) of the Act. Yes No

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes No

Indicate by check mark whether the registrant has submitted electronically, if any, every Interactive Data File required to be submitted pursuant to Rule 405 of Regulation S-T (§232.405 of this chapter) during the preceding 12 months (or for such shorter period that the registrant was required to submit such files). Yes No

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, a non-accelerated filer, a smaller reporting company, or an emerging growth company. See definitions of "large accelerated filer," "accelerated filer," "smaller reporting company," and "emerging growth company" in Rule 12b-2 of the Exchange Act. (Check one):

Large Accelerated Filer Accelerated Filer Non-Accelerated Filer Smaller reporting company Emerging growth company

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.

Indicate by check mark whether the registrant has filed a report on and attestation to its management's assessment of the effectiveness of its internal control over financial reporting under Section 404(b) of the Sarbanes-Oxley Act (15 U.S.C. 7262(b)) by the registered public accounting firm that prepared or issued its audit report. Yes No

If securities are registered pursuant to Section 12(b) of the Act, indicate by check mark whether the financial statements of the registrant included in the filing reflect the correction of an error to previously issued financial statements.

Indicate by check mark whether any of those error corrections are restatements that required a recovery analysis of incentive-based compensation received by any of the registrant's executive officers during the relevant recovery period pursuant to §240.10D-1(b).

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Act). Yes No

The aggregate market value of the common stock of the registrant held by non-affiliates of the registrant as of June 30, 2023 was approximately \$26.9 billion. As of February 23, 2024, there were 241,770,413 outstanding shares of the registrant's common stock, par value \$0.01 per share.

DOCUMENTS INCORPORATED BY REFERENCE

Portions of the registrant's definitive proxy statement for its 2024 Annual Meeting of Shareowners, to be held in May 2024, are incorporated by reference into Part II and Part III of this Report.

Xylem Inc.
ANNUAL REPORT ON FORM 10-K
For the fiscal year ended December 31, 2023

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* Included pursuant to the Instruction to Item 401(b) of Regulation S-K.

PART I

The following discussion should be read in conjunction with the consolidated financial statements, including the notes, included elsewhere in this Annual Report on Form 10-K (this "Report").

Forward-Looking Statements

This Report contains "forward-looking statements" within the meaning of Section 27A of the Securities Act of 1933, as amended, and Section 21E of the Securities Exchange Act of 1934, as amended. Generally, the words "anticipate," "estimate," "expect," "project," "intend," "plan," "contemplate," "predict," "forecast," "likely," "believe," "target," "will," "could," "would," "should," "potential," "may" and similar expressions or their negative, may, but are not necessary to, identify forward-looking statements. By their nature, forward-looking statements address uncertain matters and include any statements that: are not historical, such as statements about our strategy, financial plans, outlook, objectives, plans, intentions or goals (including those related to our social, environmental and other sustainability goals); or address possible or future results of operations or financial performance, including statements relating to orders, revenues, operating margins and earnings per share growth.

Although we believe that the expectations reflected in any of our forward-looking statements are reasonable, actual results could differ materially from those projected or assumed in any of our forward-looking statements. Our future financial condition and results of operations, as well as any forward-looking statements, are subject to change and to inherent risks and uncertainties, many of which are beyond our control. Important factors that could cause our actual results, performance and achievements, or industry results to differ materially from estimates or projections contained in or implied by our forward-looking statements include, among others, the following: the impact of overall industry and general economic conditions, including industrial, governmental, and public and private sector spending, interest rates, inflation and related monetary policy by governments in response to inflation, and the strength of the residential and commercial real estate markets, on economic activity and our operations; geopolitical events, including the ongoing and possible escalation of the conflicts involving Russia and Ukraine, and the Middle East, as well as regulatory, economic and other risks associated with our global sales and operations, including those related to domestic content requirements applicable to projects receiving governmental funding; manufacturing and operating cost increases due to macroeconomic conditions, including inflation, energy supply, supply chain shortages, logistics challenges, tight labor markets, prevailing price changes, tariffs and other factors; demand for our products, disruption, competition or pricing pressures in the markets we serve; cybersecurity incidents or other disruptions of information technology systems on which we rely, or involving our connected products and services; lack of availability or delays in receiving parts and raw materials from our supply chain, including electronic components (in particular, semiconductors); disruptions in operations at our facilities or that of third parties upon which we rely; uncertainty related to the realization of the benefits and synergies from our acquisition of Evoqua Water Technologies Corp.; safe and compliant treatment and handling of water, wastewater and hazardous materials; failure to successfully execute large projects, including with respect to meeting performance guarantees and customers' budgets, timelines and safety requirements; our ability to retain and attract leadership and other diverse and key talent, as well as competition for overall talent and labor; defects, security, warranty and liability claims, and recalls related to our products; uncertainty around restructuring and realignment actions and related costs and savings; our ability to execute strategic investments for growth, including related to acquisitions and divestitures; availability, regulation or interference with radio spectrum used by certain of our products; volatility in served markets or impacts on our business and operations due to weather conditions, including the effects of climate change; risks related to our sustainability commitments and related disclosures; fluctuations in foreign currency exchange rates; difficulty predicting our financial results; risk of future impairments to goodwill and other intangible assets; changes in our effective tax rates or tax expenses; financial market risks related to our pension and other defined benefit plans; failure to comply with, or changes in, laws or regulations, including those pertaining to our business conduct, operations, products and services, including anti-corruption, data privacy and security, trade, competition, the environment, climate change and health and safety; legal, governmental or regulatory claims, investigations or proceedings and associated contingent liabilities; matters related to intellectual property infringement or expiration of rights; and other factors set forth under "Item 1A. Risk Factors" in this Report and in subsequent filings we make with the Securities and Exchange Commission ("SEC").

Forward-looking and other statements in this Form 10-K regarding our environmental and other sustainability plans and goals are not an indication that these statements are necessarily material to investors or are required to be disclosed in our filings with the SEC. In addition, historical, current, and forward-looking social, environmental and sustainability-related statements may be based on standards for measuring progress that are still developing, internal controls and processes that continue to evolve, and assumptions that are subject to change in the future. All forward-looking statements made herein are based on information currently available to us as of the date of this Report. We undertake no obligation to publicly update or revise any forward-looking statements, whether as a result of new information, future events or otherwise, except as required by law.

ITEM 1. BUSINESS

Business Overview

Xylem is a leading global water technology company with 2023 revenues of \$7.4 billion and approximately 23,000 employees worldwide. We design, manufacture and service highly engineered products and solutions across a wide variety of critical applications primarily in the water sector. Our broad portfolio of products, services and solutions addresses customer needs of scarcity, resilience, quality, and affordability across the water cycle, from the delivery, treatment, measurement and use of drinking water, to the collection, testing, analysis and treatment of wastewater, to the return of water to the environment.

We have differentiated market positions in core application areas including transport, treatment, dewatering, analytic instrumentation and measurement, smart metering, infrastructure assessment services, digital software solutions for utilities, industrial processes, outsourced water services, filtration and separation, applied water systems for commercial and residential business services, disinfection, wastewater treatment, and anodes. Setting us apart is a unique set of global assets that include:

- Market-leading brands, some of which have been in use for more than 100 years
- Global distribution networks consisting of direct sales forces and independent channel partners serving a diverse customer base in approximately 150 countries
- A substantial global installed base across the water cycle that provides for steady recurring and replacement revenue
- A strong history of bringing innovative products, solutions, and business models to customers
- A dedicated, experienced, qualified and technologically advanced group of employees focused on safely satisfying our customers' requirements in the water and energy spaces
- A strong financial position and cash generation profile that enables us to fund strategic organic and inorganic growth initiatives, and consistently return capital to shareholders
- A demonstrated commitment to corporate governance, social and environmental sustainability and delivering a positive impact to our customers, communities and employees

Our Industry

Our vision is to create a world in which water issues are no longer a constraint to health, prosperity and sustainable development.

Our planet faces serious water challenges. Less than 1% of the total water available on earth is fresh water, and these supplies are threatened by factors such as the draining of aquifers, increased pollution and the effects of climate change. Demand for fresh water is rising rapidly due to population growth, industrial expansion, and increased agricultural development, with consumption estimated to double every 20 years. It is expected that there will be a 40% gap between global water supply and demand by 2030. Even in developed countries with sufficient clean water supply, existing water supply infrastructure is aging and often inefficient. In the U.S., deteriorating pipe systems, theft or inaccurate meters result in approximately one out of every six gallons of treated water being lost prior to reaching the end customer. This problem of "non-revenue" water is a major financial challenge of many utilities globally, especially in developing markets where non-revenue water can represent 10% to 60% or more of net water produced. These and other challenges create opportunities for growth in the global water industry. We estimate the total addressable market size of the global water industry, excluding operational expenditures related to labor, energy, and chemicals, to be approximately \$700 billion.

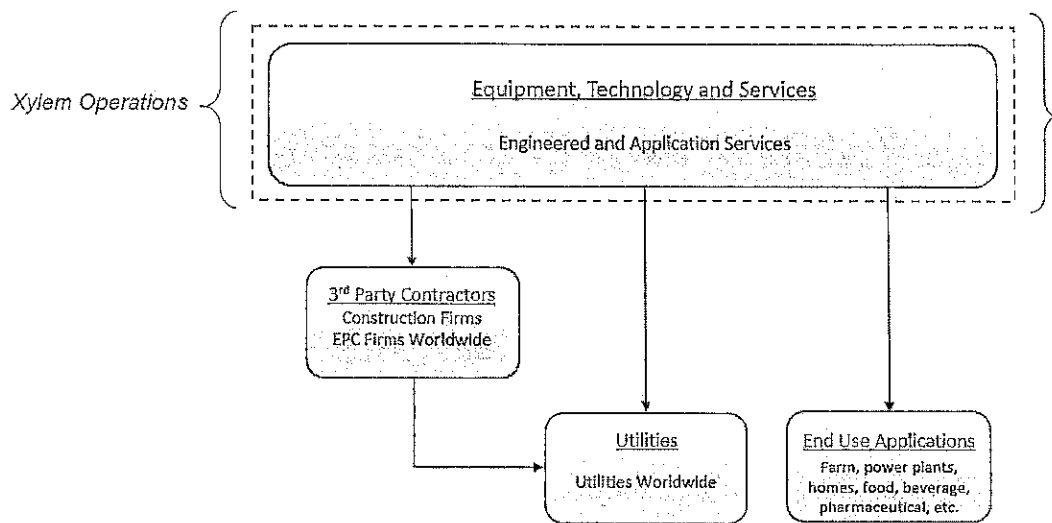
Global water needs cannot be met without streamlining the water industry's cost structure with technologies that fundamentally change the provision and management of water. We compete in areas that are pivotal to improving "water affordability," "water quality," and "resilience", while reducing the impact of "water scarcity". "Water affordability" refers to the more efficient delivery, use and treatment of clean water and wastewater. "Water quality" refers to the suitability of water for a particular use based on its physical, chemical and biological characteristics. "Resilience" refers to the management of water-related risks, including climate change mitigation, and the resilience of water infrastructure. "Water scarcity" refers to the management of limited supplies of water due to climate change, overpopulation and pollution. Our customers often face all four of these challenges, ranging from inefficient and aging water distribution networks and energy-intensive or unreliable water and wastewater management systems (requiring improvements in water affordability); droughts and pollution which limit the amount of water readily available (causing water scarcity); or exposure to natural disasters such as floods or droughts (requiring improvements in resilience). Additionally, we also provide solutions to enhance communications and efficiency,

improve safety and conserve resources to customers in the water sector. Delivering value in these areas creates significant opportunity for the Company.

The Global Water Industry Value Chain

The water industry value chain includes Equipment, Technology and Services companies, like Xylem, that address the unique challenges and demands of a diverse customer base. This customer base includes water and wastewater utilities that supply, treat and monitor clean water or transport, treat and analyze wastewater or storm water through an infrastructure network, and engineering, procurement and construction ("EPC") firms and third party contractors, that work with utilities to design and build water and wastewater infrastructure networks, as depicted below. Utilities and other customers require products, solutions, services, technology and application expertise from their Equipment, Technology and Services providers to address trends such as rising pollution, stricter regulations, increasing operational costs and the increased outsourcing of process knowledge. In addition to utilities, Equipment, Technology and Service companies also provide distinct technologies and application expertise and services to a wide array of entities, including farms, mines, power plants, industrial facilities (such as food and beverage and pharmaceutical manufacturers) and residential and commercial customers seeking to address similar trends.

Water Industry Supply Chain



Business Strategy

Our overarching strategy is to help customers solve the world's greatest water challenges with innovative products, services and solutions to deliver sustainable economic, social and environmental benefits. The following strategic pillars guide where and how we focus our efforts and resources to implement this strategy:

- **Drive Customer Success.** We seek to partner with customers to meet their stakeholders' needs through our broad portfolio of products, services and solutions. We are focused on several key areas, beginning with making it easier for customers to do business with Xylem and access the full range of our capabilities. As part of this, we are implementing a digital platform to discover, select, get price quotes, and purchase our offerings. Second, we seek to lead the way as digital technologies transform our sector by further integrating our digital solution portfolio and broadening our solution sales, digital literacy and marketing capabilities company-wide. Third, we seek to help customers get the most out of their systems by providing world-class services that enable increased uptime, efficiency and resilience. We partner with them by providing powerful, integrated lifecycle services and solutions.

- **Grow in the Emerging Markets.** We continue to invest in regionalizing our capabilities in the emerging markets. We will continue building innovation, product management and engineering teams in these regions, expanding our market coverage in key growth markets such as China, India, Eastern Europe, Latin America and Africa. We seek to address the base of the pyramid population by providing water and sanitation needs with new and fit-for-market product portfolios, solutions, and business models.
- **Strengthen Innovation and Technology.** We seek to create new customer offerings that help them solve water challenges more powerfully than ever before, while also providing our company with rapid, profitable, growth opportunities. We are focused on building and enabling infrastructure for digital growth by making our hardware, networks and software applications interoperable and creating a common software experience. This will further strengthen our core product offerings, and deliver strategic, sustainable innovations and insightful data analytics that help us tap into new markets through advanced technology and new business models.
- **Build a High Impact Culture.** We seek to continue embedding a continuous improvement mindset throughout the Company, to further improve our efficiency, simplify our business and manage costs to support continued growth. We are committed to eliminating business complexity by streamlining internal bureaucracy and expanding standard business platforms and processes to help people do their jobs. This will result in freeing up time to ensure that we focus on work that creates customer value. Other focus areas include removing unnecessary costs from our end-to-end value chain to free up resources for growth; and building resilience and sustainability into our supply chain to protect our ability to serve customers.
- **Cultivate Leadership and Talent Development.** We continue to foster an empowering, mission-driven, diverse, equitable and inclusive culture. We will continue to build leadership succession depth and breadth in keeping with our commitment to developing the next generation of leaders. We will also align our incentives, including share-based and performance-based compensation, and organizational structure to our strategy, favoring approaches to drive 'one company' skills, mindset and behaviors, and stakeholder value creation.

Our strategic plan firmly embeds sustainability at the heart of our competitive advantage and unique business model, and aligns each of our five core strategic pillars to the overarching goal of integrating sustainability into everything we do.

While our strategy will evolve in response to the changing world, our four values are the enduring principles that go to the heart of who we are and guide how we conduct ourselves each day: Respect, Responsibility, Integrity and Creativity.

Business Segments, Distribution and Competitive Landscape

We have four reportable business segments that are aligned around the critical market applications they provide: Water Infrastructure, Applied Water, Measurement and Control Solutions and Integrated Solutions and Services. See Note 21, "Segment and Geographic Data," in our consolidated financial statements for financial information about segments and geographic areas.

The table and descriptions below provide an overview of our business segments:

| | Market Applications | 2023 Revenue (in millions) | % Revenue | Major Products | Primary Brands |
|-----------------------------------|---------------------|----------------------------|--------------|--|--|
| Water Infrastructure | Transport | \$ 2,172 | 73 % | <ul style="list-style-type: none"> • Water and wastewater pumps • Filtration, disinfection and biological treatment equipment • Mobile dewatering equipment and rental services | <ul style="list-style-type: none"> • ADI • Flygt • Godwin • Ionpure • Leopold • Magneto • Neptune Benson • Sanitaire • Wallace & Tiernan • Wedeco • Xylem Vue |
| | Treatment | 795 | 27 % | | |
| | | <u>\$ 2,967</u> | <u>100 %</u> | | |
| Applied Water | Building Solutions | \$ 1,025 | 55 % | <ul style="list-style-type: none"> • Pumps • Valves • Heat exchangers • Controls • Dispensing equipment systems | <ul style="list-style-type: none"> • A-C Fire Pump • Bell & Gossett • Flojet • Goulds Water Technology • Jabsco • Lowara • Standard Xchange • Xylem Vue |
| | Industrial Water | 828 | 45 % | | |
| | | <u>\$ 1,853</u> | <u>100 %</u> | | |
| Measurement and Control Solutions | Water | \$ 1,354 | 78 % | <ul style="list-style-type: none"> • Smart meters • Networked communication devices • Data analytics • Test equipment • Controls • Sensor devices • Software & managed services • Critical infrastructure services | <ul style="list-style-type: none"> • Pure Technologies • Sensus • Smith Blair • WTW • YSI • Xylem Vue |
| | Energy | 375 | 22 % | | |
| | | <u>\$ 1,729</u> | <u>100 %</u> | | |
| Integrated Solutions and Services | | \$ 815 | 100 % | <ul style="list-style-type: none"> • Preventative maintenance services • Rapid response mobile services • Digitally enabled/outsourced solutions • Process and wastewater systems • Environmental remediation • Odor and corrosion control • Filtration • Reverse osmosis • Ion exchange • Continuous deionization | <ul style="list-style-type: none"> • AquaPro • WaterOne • Ion Pure |

Water Infrastructure

Our Water Infrastructure segment primarily supports the process that collects water from a source, treats it and distributes it to users, and then treats and returns the wastewater responsibly to the environment through two closely linked applications: Transport and Treatment. The Transport application also includes sales and rental of specialty dewatering pumps, scalable products, and related equipment, technology, and services, which provide the safe removal or draining of groundwater and surface water from construction sites or other industrial sites and bypass pumping for the repair of aging utility infrastructure, as well as emergency water transport and removal during severe weather events.

The customer base consists of two primary end markets: utility and industrial. The utility market includes public, private and public-private entities that support water, wastewater and storm water networks. The industrial market includes customers that require similar water and wastewater infrastructure applications to support various industrial operations.

Water Infrastructure sells primarily through direct channels with remaining sales through indirect channels and service capabilities. Both utility and industrial facility customers increasingly require our teams' global but locally proficient expertise to use our equipment in their specific applications. Several trends are increasing demand for this application expertise: (i) the increase in both the type and amount of contaminants found in the water supply, (ii) increasing environmental regulations, (iii) the need to increase system resilience and efficiencies to optimize energy and other operational costs, (iv) the retirement of an aging water industry workforce that has not been systematically renewed at utilities and other end-user customers, and (v) the build-out of water infrastructure in the emerging markets.

Given the highly fragmented nature of the water industry, the Water Infrastructure segment competes with a large number of businesses and no one business competes across all the markets Water Infrastructure serves. We differentiate ourselves in the market by focusing on product and service performance, quality and reliability, innovation, speed to market with new or disruptive technologies and business models, application expertise, brand reputation, energy efficiency, product security, product life-cycle cost, timeliness of delivery, proximity of service centers, effectiveness of our distribution channels, price and customers' experience in doing business with us. Increasingly digital solutions and analytics are important competitive differentiators. We are actively expanding our capabilities in these areas and integrating them together with our legacy technologies and service offerings as well as capabilities from other Xylem business units to present ever more compelling solutions to our customers. In the sale or rental of products and provision of services, we benefit from our large installed base, which requires maintenance, repair and replacement parts due to the critical application and nature of the products and the conditions under which they operate. Timeliness of delivery, quality and the proximity of service centers are important customer considerations when selecting a provider for after-market products and services as well as equipment rentals. In geographic regions where we are locally positioned to provide a quick response, customers have historically relied on us, rather than our competitors, for after-market products relating to our highly engineered and customized solutions. Our key competitors in the Water Infrastructure segment include KSB Inc., Sulzer Ltd., Grundfos, United Rentals, Trojan (Veralto Corporation), Veolia, De Nora, and ProMinent.

Applied Water

Applied Water encompasses the uses of water to serve a diverse set of customers in the commercial, residential and industrial end markets. Residential consumers represent the end users in the residential market, while owners and managers of properties such as apartment buildings, retail stores, institutional buildings, restaurants, schools/universities, hospitals and hotels are examples of end users in the commercial market. The industrial market includes original equipment manufacturers ("OEMs"), exploration and production firms, agricultural customers, and developers and managers of industrial facilities, such as electrical power generators, chemical manufacturers, machine shops, clothing manufacturers, marine, food and beverage companies and car washes.

In the Applied Water segment, end markets vary widely and, as a result, specialized distribution partners are often preferred. As such, the Applied Water segment provides the majority of its sales through strong indirect channels with the remaining sales going through our global direct sales channels. We have long-standing relationships with many of the leading independent distributors in the markets we serve and we provide incentives to distributors, such as specialized loyalty and training programs.

Population growth and urbanization, climate and regulation on energy efficiency, and digitalization enabling self-service and preventive maintenance are macro growth drivers of these markets, driving the need for housing, food, community services and retail goods within growing city centers.

Competition in the Applied Water segment focuses on brand reputation, application expertise, product delivery, performance and energy efficiency, quality and reliability, and price. We compete by offering a wide variety of innovative and high-quality products, coupled with world-class application expertise. We believe our distribution through well-established channels and our reputation for quality significantly enhance our market position. Our ability to deliver innovative product offerings has enabled us to compete effectively, to cultivate and maintain customer relationships and to serve and expand into many niche and new markets. Our key competitors in the Applied Water segment include Grundfos, Wilo SE, Pentair plc and Franklin Electric Co., Inc.

Measurement and Control Solutions

Measurement and Control Solutions develops advanced technology solutions that enable intelligent use and conservation of critical water and energy resources. The segment delivers communications, smart metering, measurement and control capabilities and critical infrastructure technologies that allow customers to more effectively use their distribution networks for the delivery, monitoring and control of critical resources such as water, electricity and natural gas. We also provide analytical instrumentation used to measure and analyze water quality, flow and level in clean water, wastewater, outdoor water environments. Additionally, we offer software and services including cloud-based analytics, remote monitoring and data management, leak detection, condition assessment, asset management and pressure monitoring solutions.

At the heart of our leading technologies are automation, data management and decision support. Communications networks enable customers to automate and optimize meter reading, bill customers, monitor flow rates and detect and enable rapid response to changing and unsafe conditions. In short, they provide insight into operations and enable our customers to manage the entire scope of their operations remotely through their networks and to optimize their operational costs. At the center of our offering is the FlexNet communication network, which provides a common communications platform and infrastructure for essential metering services. This two-way communication technology remotely connects a wide variety of smart points in a given network with protocols, frequently on Federal Communications Commission ("FCC") licensed spectrum in the U.S., to enable reliable, resilient and secure transmissions. These technologies allow our customers to remotely and continuously monitor their water and energy distribution infrastructure, prioritize and manage maintenance, and use data to optimize many aspects of their networks. Our digital software solutions complement these offerings with intelligent applications that help utility decision-makers manage and maintain their networks more effectively in real time.

The majority of our sales in the U.S. are conducted through strong, long-standing relationships with leading distributors and dedicated channel partners for the water and energy markets. Internationally, direct sales are often made in markets without established distribution channels; however, some distribution channels are used in more developed markets. A direct sales approach, with key account management, is employed for large utilities and government programs.

Macro growth drivers include increasing regulation, aging infrastructure and worldwide movement towards smart grid implementation and automated meter infrastructure ("AMI"). Water scarcity and conservation, as well as the need to prevent revenue loss (via inaccurate meter readings, leaks or theft) are among the drivers of smart meter and leak detection technologies.

Our Sensus-branded meters are well positioned in the smart metering sector, the fastest growing sector of the global meter industry. We set ourselves apart in the industry by focusing on our communication network, innovation, new product development and service offerings that deliver tangible savings from efficiency of operating costs in meter reading and billing, as well as reduction of non-revenue water through improved meter accuracy, reduced theft and identification of leaks. Our YSI and WTW-branded instruments have a strong position in the analytical instrumentation market and provide critical readings of various water quality, level and flow parameters for customers. We provide a differentiated offering in the reliability and accuracy of our products often in rugged, remote, and hazardous locations. Our Pure Technologies equipment and services are also well positioned in the leak detection sector, which is attracting considerable attention as aging infrastructure and increased regulatory scrutiny exert pressure on operating budgets. Our key competitors in the Measurement and Control Solutions segment include Itron, Badger Meter, Landis+Gyr, Neptune (Roper), Kamstrup, Echologics (Mueller Water Products), Hach (Veralto Corporation) and Teledyne.

Integrated Solutions and Services

Our Integrated Solutions and Services segment provides application-specific solutions and full lifecycle services to treat process water, utility water, and wastewater for customers in a variety of end markets. Integrated Solutions and Services also provides odor and corrosion control services and drinking water treatment systems for municipalities. Integrated Solutions and Services offers customers outsourced water service contracts, capital

systems and related recurring aftermarket services, parts and consumables, and emergency services. Our outsourced water service contracts include short-term service deionization contracts, averaging one to two years in duration, longer-term build-own-operate contracts, averaging eight to ten years in duration, and event driven mobile fleet deployments, including a growing portfolio of digitally connected technologies encompassed in our Water One® service platform. Key capital and related aftermarket service and product offerings include filtration, reverse osmosis, ion exchange and continuous deionization.

Integrated Solutions and Services supports service and aftermarket sales through what we believe to be the largest integrated industrial service branch network in North America, which is comprised of approximately 1,060 highly qualified professionals in field service and application engineering roles and our extensive fleet of mobile reverse osmosis and deionization water treatment systems. This is complemented by our digitally connected Water One® service platform, which uniquely combines our water expertise, proactive service, proven technology, and data intelligence to continually improve customers' water operation management. Our remote monitoring capabilities enable us to optimize our routine service calls through predictive analytics and provide customers a more predictable, cost-efficient water solution.

Integrated Solutions and Services partners with customers through our direct sales and service team, which is organized geographically and by end market and is complemented by an inside sales force, field sales engineers, and a growing e-commerce platform.

Our key competitors in the Integrated Solutions and Services segment include Veolia, Ecolab, MPW Industrial Services, and Ovivo.

Geographic Profile

The table below illustrates the annual revenue and percentage of revenue by geographic area for each of the three years ended December 31.

| (in millions) | Revenue | | | | | |
|----------------------|-----------|------------|-----------|------------|-----------|------------|
| | 2023 | | 2022 | | 2021 | |
| | \$ Amount | % of Total | \$ Amount | % of Total | \$ Amount | % of Total |
| United States | \$ 3,956 | 54 % | \$ 2,573 | 47 % | \$ 2,280 | 44 % |
| Western Europe | 1,655 | 22 % | 1,411 | 26 % | 1,414 | 27 % |
| Emerging Markets (a) | 1,182 | 16 % | 1,074 | 19 % | 1,066 | 21 % |
| Other | 571 | 8 % | 464 | 8 % | 435 | 8 % |
| Total | \$ 7,364 | | \$ 5,522 | | \$ 5,195 | |

(a) Emerging Markets includes results from the following regions: Eastern Europe, the Middle East and Africa, Latin America and Asia Pacific (excluding Japan, Australia and New Zealand, which are presented in "Other")

Supply and Seasonality

We have a global manufacturing and assembly footprint, with production facilities in Europe, North America, Latin America, Asia and the Middle East. All of our businesses require various parts and raw materials, the availability and prices of which may fluctuate. Parts and raw materials commonly used in our products include motors, fabricated parts, castings, magnets, bearings, seals, batteries, printed circuit boards ("PCBs") and electronic components, including semiconductors, as well as commodities, including steel, brass, nickel, copper, aluminum and plastics. While we may recover some cost increases through operational improvements, we are still exposed to pricing risk, including due to duty and tariff assessments by the U.S. or other governments on foreign imports. We attempt to control costs through fixed-priced contracts with suppliers and various other programs, such as our global procurement initiative.

Our business relies on third-party suppliers, contract manufacturing and commodity markets to secure raw materials, parts and components used in our products. We typically acquire materials and components through a combination of blanket and scheduled purchase orders to support our materials requirements. For many of our products we have existing alternate sources of supply, or such sources may be readily available.

We have experienced price volatility or supply constraints when materials have not been available from multiple sources. From time to time, we acquire certain inventory in anticipation of supply constraints or enter into longer-term pricing commitments with suppliers to improve the priority, price and availability of supply.

Our business segments experience a modest level of seasonality in their operations. This seasonality is dependent on factors such as customers' capital spending, as well as the effects of climate change and weather

conditions, including heavy flooding, prolonged droughts and fluctuations in temperatures or weather patterns, all of which can positively or negatively impact portions of our business.

Customers

Our business is not dependent on any single customer or a few customers, the loss of which would have a material adverse effect on our Company. No individual customer accounted for more than 5% of our consolidated revenues in 2023, 2022 or 2021.

Backlog

Backlog includes orders on hand as well as contractual customer agreements at the end of the period. Delivery schedules vary from customer to customer based on their requirements. Annual or multi-year contracts are subject to rescheduling and cancellation by customers due to the long-term nature of the contracts. As such, beginning total backlog, plus orders, minus revenues, will not equal ending total backlog due to contract adjustments, foreign currency fluctuations, and other factors. Typically, large projects require longer lead production cycles and deployment schedules, and delays occur from time to time. Total backlog was \$5,088 million at December 31, 2023 and \$3,605 million at December 31, 2022. We anticipate that approximately 55% of the backlog at December 31, 2023 will be recognized as revenue during 2024.

Research and Development

Research and development ("R&D") is a key foundation of our growth strategy and we focus on the design and development of products, services, solutions and application know-how that address anticipated customer needs and emerging trends. Our engineers are involved in new product, service, and solution development as well as improvement of existing products, services and solutions to increase customer value. Our businesses invest substantial resources into R&D. We anticipate we will continue to develop and invest in our R&D capabilities to promote a steady flow of innovative, high-quality and reliable products and integrated solutions to further strengthen our position in the markets we serve. In addition to investments made in software development, which were capitalized, we incurred \$232 million, \$206 million, and \$204 million as a result of R&D investment spending in 2023, 2022 and 2021, respectively.

We have R&D and development capabilities around the world. R&D activities are initially conducted in our technology centers, located in conjunction with some of our major manufacturing facilities to enable an efficient and robust development process. We have several global technical centers and local development teams around the world where we are supporting global needs and accelerating the customization of our products, services, and solutions to address local needs. In some cases, our R&D activities are conducted at our piloting and testing facilities and at strategic customer sites. These piloting and testing facilities enable us to serve our strategic markets globally. As part of expanding our bandwidth and to increase our access to technology, we have built innovation eco-system partnerships with academic institutions as well as other technology firms, start-up accelerators and venture capital organizations.

Capitalized Software

We offer software as a product or service directly to external customers, which is included within "Other intangible assets, net" on our Consolidated Balance Sheets. As of December 31, 2023 and 2022 we had net capitalized software used in sales and services to external customers of \$209 million and \$213 million, respectively.

Intellectual Property

We generally seek patent protection for inventions that we believe will improve our competitive position and are not suitable to be kept as a trade secret. While we own, control or license a significant number of patents, trade secrets, proprietary information, trademarks, trade names, copyrights and other intellectual property rights which, in the aggregate, are of material importance to our business, management believes that our business, as a whole, as well as each of our business segments, is not materially dependent on any one intellectual property right or related group of such rights.

Patents, patent applications and license agreements expire or terminate over time by operation of law, in accordance with their terms or otherwise. As the portfolio of our patents, patent applications and license agreements has evolved over time, we do not expect the expiration of any specific patent to have a material adverse effect on our financial position or results of operations.

Governmental Regulations

Environmental Regulations

Our global operations are subject to various laws and regulations governing the environment and climate change, such as those promulgated by the U.S. Environmental Protection Agency and similar state and foreign environmental agencies, including related to the discharge of pollutants and the management and disposal of hazardous substances. While environmental and climate change laws and regulations are subject to change, such changes can be difficult to predict reliably and the timing of potential changes is uncertain. Management does not believe, based on current circumstances, that compliance costs pursuant to such regulations will have a material adverse effect on our financial position or results of operations. However, the effect of future legislative or regulatory changes could be material to our financial condition or results of operations.

We continue to be dedicated to environmental and sustainability programs to minimize the use of natural resources, reduce the utilization and generation of hazardous materials from our processes and remediate identified environmental concerns. We are currently engaged in site investigations and remediation activities to address environmental cleanup from past operations at a number of current and former manufacturing facilities. We do not anticipate these liabilities will have a material adverse effect on our consolidated financial position or results of operations. At December 31, 2023, we had estimated and accrued \$4 million related to environmental matters.

Other Regulations

As a company with global operations, we are subject to complex U.S. federal, state and local and foreign laws, regulations, and permits in the countries where we conduct business, including related to trade, such as tariffs, imports and exports; anti-bribery and corruption; antitrust and competition; data security and privacy, such as the EU General Data Protection Regulation ("GDPR") and the China Personal Information Protection Law ("PIPL"); use of regulated radio spectrum, including that of the U.S. FCC; lobbying activity; health and safety; the environment; air emissions; potable and non-potable water; wastewater discharge; and the generation, handling, storage, use, transport, treatment and disposal of non-hazardous and hazardous materials and wastes, among other matters. We have policies and procedures in place to promote compliance with these laws, regulations, and permits. Additional information about the impact of government regulations on Xylem's business is included in Item 1A. "Risk Factors" under the headings Risks Related to Our Business and Operations, Risks Related to Financial and Tax, and Risks Related to Legal and Regulatory.

Sustainability

At Xylem, sustainability is at the center of who we are and what we do. As a leading global water technology company, we address some of the world's most urgent sustainability challenges - responsible stewardship of our shared water resources and resiliency of communities to climate change. Technology is playing an increasingly important role in helping the world solve water issues. We have a long history of innovation and we are focusing on the powerful capabilities of smart technology, integrated management and data analytics.

We believe our financial performance and commitment to sustainability go hand in hand. Xylem approaches business sustainability as a way to generate economic value while also creating value for society, thus meeting the needs of both. Accordingly, in 2019, we evolved our approach to leverage sustainability in our decision-making toward long-term value creation for our shareholders, customers, employees and communities in which we operate and we announced an ambitious slate of 2025 Sustainability goals. The progress towards these goals can be found in our 2022 Sustainability Report, which is aligned to the Global Reporting Initiative and the Sustainability Accounting Standards Board frameworks.

In setting our 2025 Sustainability goals, we also aligned them with the United Nations Sustainable Development Goals ("UNSDGs"), not only to substantiate our contribution to achieving global objectives, but also to be transparent in our communication to stakeholders by providing details on our responsibility to build a sustainable future. While Xylem embraces all 17 of the UNSDGs, we have a special focus on SDG6: Clean Water and Sanitation.

Additionally, in 2021, Xylem announced our commitment to reach Net Zero greenhouse gas ("GHG") emissions before 2050 across our value chain, further aligning our long-term commitment to sustainability with sector-wide moves towards reduced carbon footprint. In 2022, we submitted our 2030 GHG reduction targets to the Science Based Target Initiative for validation. As of December 31, 2023, we are working to determine the impact of the Evoqua Water Technologies Corp. ("Evoqua") acquisition on these targets.

In 2023, we entered into a five-year revolving credit facility (the "2023 Credit Facility") with Citibank, N.A., as Administrative Agent, and a syndicate of lenders. The 2023 Credit Facility includes a pricing grid that determines the applicable margin based on Xylem's credit rating, with a further adjustment based on Xylem's achievement of certain sustainability related key performance indicators (the "KPIs"). Facility fees under the 2023 Credit Facility are also adjusted based on Xylem's credit rating and the KPIs. In 2022, we announced investments in CNote's Impact Cash™ platform, a mechanism through which we invest and deposit cash at scale in community finance institutions that strengthen and transform underserved communities. In 2021, in partnership with Goldman Sachs, we continued our work towards further integrating our business and finance strategies with sustainability by creating a cash account tied to performance of select 2025 Sustainability goals. In 2020, Xylem completed a \$1 billion Green Bond offering in senior unsecured notes, consisting of \$500 million of 1.950% senior notes due in January 2028 and \$500 million of 2.250% senior notes due in January 2031. The proceeds of this offering were allocated to green projects that help improve water accessibility, water affordability, and water systems resilience. Additionally, during the first quarter of 2021, we issued a special grant to certain employees of less than 0.1 million ESG performance share units.

Human Capital

Our colleagues around the globe are united in a shared purpose – to solve water – and, as such, are key to the Company's success and execution of our strategy. We seek to foster a high-impact culture - that is, one in which our colleagues are inspired to innovate, empowered to lead, and accountable to deliver – creating an environment that is mission-driven, people-centered, diverse, equitable and inclusive. We believe that our overall success and long-term growth depend, in part, on our continued ability to attract and retain diverse and highly skilled colleagues, including senior leaders and individuals with skills in our strategic competencies, such as engineering, innovation, digital technologies, sales excellence, sustainability and product and project management, as well as production, field service and technical services talent. The market for individuals with these competencies is increasingly competitive, but we believe our culture is a differentiator and therefore important to our ability to attract and retain employees.

As of December 31, 2023, Xylem employed approximately 23,000 employees worldwide. We have approximately 9,300 employees in the U.S., 7,800 in Western Europe, and 4,700 in the Emerging Markets, with the remaining 1,000 in other geographies in which we operate. Approximately 11% of our U.S. colleagues are represented by labor unions. In certain foreign countries, our colleagues are represented by work councils. We believe that our relations with our employees are good, including with our employees that are represented by labor unions and/or works councils.

We conduct regular employee engagement surveys and listening sessions to understand our employees' perspectives, identify areas for additional focus and establish action plans. In 2023, we changed our approach in order to gather more frequent and specific feedback from our wired colleagues through shorter, pulse surveys that provide insights into employee engagement, customer focus, company culture and organizational effectiveness. In addition, we periodically conduct ad hoc surveys to gain insights into other relevant topics, including well-being, safety and professional development.

Our Vision and Values

Our vision and values provide the foundation for how we want to grow as a company, as well as the inspiration for how we want to behave as industry leaders and ethical corporate citizens. Our vision is to create a world in which water issues are no longer a constraint to health, prosperity, and sustainable development. We devote our technology, time and talent to advance the smarter use of water and our colleagues are guided by our core values:

- Respect for each other, for diversity of people and opinions, for the environment;
- Responsibility for our words and actions, for customer satisfaction, for giving back to our communities;
- Integrity for acting ethically, for doing what we say we'll do, for having the courage to communicate with candor; and
- Creativity for thinking beyond boundaries, for anticipating tomorrow's challenges, for unlocking growth potential.

Diversity, Equity and Inclusion

We are committed to a workplace that creates a sense of belonging for everyone: where all our colleagues feel involved, respected, valued, heard, connected, able to bring their authentic selves to the workplace, and empowered to do their best work. We believe that Xylem is strongest when we embrace the power of diversity, equity and inclusion to drive innovation, make us more competitive, positively impact employee and customer

satisfaction and the Company's performance, better serve the communities in which we operate, create value for our shareholders and other stakeholders, and advance social equity.

Our commitment to fostering a global, diverse, equitable and inclusive environment starts with our Board of Directors and senior leadership team members, who represent a broad spectrum of backgrounds, identities and perspectives. We believe that the diversity of our Board of Directors and senior leadership enhances our ability to evolve and execute our business strategy and to attract and retain diverse and highly-qualified talent, and also fuels our commitment to foster an environment of inclusion and provide our colleagues with equitable access to opportunities.

As of December 31, 2023, 25% of our colleagues globally identify as female; in the U.S., 26% of our colleagues identify as U.S. minorities. These and other diversity and inclusion metrics are included in our regular business reviews to provide transparency and drive accountability by highlighting progress on goals and outlining steps to achieve them, grounded in merit-based retention, promotion and recruitment. In addition, we publicly disclose various workforce metrics regarding gender, age and racial and ethnic diversity, including our U.S. EEO-1 report. Key strategies for becoming a more diverse organization—and incorporating broader experiences, skill sets, and perspectives into our work—include expanding sourcing channels for diverse talent through external diversity partnerships and affiliations, and prioritizing diverse candidate slates when filling professional roles to increase the pool of qualified candidates considered.

We offer Employee Network Groups, which are voluntary, employee-led groups formed by people with a common affinity, such as gender, race, sexual orientation and gender identity, military status or other attributes. Each Employee Network Group is sponsored and supported by one or more senior leaders and all groups are open to all employees regardless of any diversity attributes with which they may identify. Collectively, approximately 4,400 colleagues participate as members of our network groups.

Health and Safety

Protecting the safety, health and well-being of our colleagues is one of our highest priorities. We have a strong Environmental, Health and Safety program that focuses on governance, risk reduction, training and education, and leadership accountability to provide our colleagues with safe and healthy workplaces.

Based on historical employee engagement survey feedback, we have augmented our holistic well-being strategies, including the expansion of our Employee Assistance Program support across the globe and mental health awareness training to our people leaders.

Compensation and Benefits

Xylem strives to provide our colleagues with competitive compensation and benefits and takes a total rewards approach that integrates programs for compensation, benefits, recognition and work-life balance. In 2022, for our U.S. colleagues, we enhanced our paid parental leave and short-term disability coverage, provided for flexible time off for exempt colleagues, and expanded our health and welfare benefits, including with respect to reproductive care. While individual program components may differ by country, role or level, our culture and commitment to results and equity remain constant. We are currently conducting a pay equity assessment based on gender and U.S. minority classifications and will use the results of this assessment to continue to support our commitment to equitable pay by role.

We seek to align our human capital and sustainability strategies to support our high-impact culture and further our shared value approach, which are both designed to generate long-term economic and social value for our investors and other stakeholders. Accordingly, in 2021, the Company expanded its sustainability-linked compensation for all of our senior leaders, as well as a broader group of executives, through a special, one-time grant of performance share units with goals that are based on 5 of our strategically transformative 2025 Sustainability goals. We continue to expand our long-term incentive program to reach deeper in the organization to recognize key talent and top performers and attract and retain digital talent.

We have heard from many of our office-based colleagues that they greatly value the increased flexibility and autonomy that come with remote working. We believe that an appropriately tailored approach that balances in the office, fully remote and hybrid arrangements increases our ability to retain and attract the best, most diverse talent, while reducing our carbon footprint associated with unnecessary commuting and business travel. We are continuing to explore ways to help our colleagues thrive in a variety of work settings and have formalized guidelines that support remote and hybrid work. To better support our colleagues in a more flexible workplace, we also provide high-touch global onboarding and leverage collaboration technologies.

Career Development

We are committed to enhancing colleagues' capabilities needed for the Company to win in the marketplace. We also are focused on internal talent mobility across functions, geographies and businesses. Through our continuous improvement program, we nurture and grow a continuous improvement mindset throughout all areas of the Company.

We have a broad range of talent development programs and experiences to facilitate the continued professional growth and leadership development of our colleagues and to support our succession plans. These programs span across all levels, businesses and functions, including entry-level talent recruitment programs, development programs for emerging leaders, people leader training and executive leadership development. We also provide on-demand/self-paced learning through our learning management systems.

We prioritize employee engagement through regular, year-round discussions focused on performance feedback and development, opportunities to work on special projects, and volunteer activities involving Watermark, our corporate responsibility program, as well as Xylem Ignite, our youth engagement program. In 2023, approximately 89% of our colleagues participated in employee-led volunteerism, including through Watermark, enhancing the Company's commitment to employee development, retention, recruiting and collaboration in the communities where we live and work. Our Employee Network Groups foster inclusion and support the development of our colleagues by offering formal and informal leadership opportunities and creating visibility for colleagues.

Labor Relations

Xylem recognizes the work of labor organizations, works councils and trade unions to better the lives of working people. Accordingly, Xylem respects the legal rights of its employees to join or to refrain from joining such organizations. An employee's decision to join or not join a labor organization will in no way result in any discrimination against that employee. Xylem informs managers at all levels of the importance of respecting the rights of colleagues to organize or be represented. We work to establish favorable employment conditions that promote positive relationships between our colleagues and their managers, facilitate communication among our colleagues and support their development.

Evoqua Acquisition

Xylem recognizes that the retention and integration of key talent is critical to the success of our acquisition of Evoqua. Accordingly, in connection with this acquisition, we provided cash and stock incentives to help retain and motivate key colleagues. We held change management sessions for people leaders whose teams were most affected by the acquisition and communicated extensively with our colleagues to help with integration, including visits by members of our senior leadership team to key sites for town halls and individual discussions with our colleagues as well as other targeted outreach to key talent.

Available Information

We are required to file annual, quarterly and current reports, proxy statements and other information with the SEC. Our annual reports on Form 10-K, quarterly reports on Form 10-Q, current reports on Form 8-K, proxy statements and amendments to those reports are available free of charge on our website www.xylem.com as soon as reasonably practicable after such reports are electronically filed with or furnished to the SEC. The information on our website is not, and shall not be deemed to be, a part hereof or incorporated into this or any of our other filings with the SEC.

In addition, the public may read or copy any materials filed with the SEC, free of charge, at www.sec.gov.

ITEM 1A. RISK FACTORS

In evaluating our business and investment in our securities, investors should carefully consider the following discussion of material factors and events, along with all of the other information in this Report and in our other filings with the SEC. The events and consequences discussed below could, in circumstances that we may not be able to accurately predict, recognize or control, have a material adverse effect on our business, financial condition, cash flows, results of operations and/or market price of our common stock.

These risk factors do not identify all of the risks we face. Our business is also subject to general risks that affect many other companies. In addition, we operate in a continually changing business, economic and geopolitical environment and as a result, new risk factors, or changes to our risk profile, may emerge from time to time. Risks not currently known to us, or that we currently believe are immaterial, may impact our business, operations, financial condition or share price. The global macroeconomic and geopolitical climate amplify many of the risks below. Risks in this section are grouped in the following categories: (1) Risks Related to Geopolitical, Macroeconomic and Industry Factors; (2) Risks Related to Our Business and Operations; (3) Risks Related to Financial and Tax; and (4) Risks Related to Legal and Regulatory. Many risks affect more than one category, and as a result the risks are not in order of significance or probability of occurrence.

Risks Related to Geopolitical, Macroeconomic and Industry Factors

Industry and economic conditions may adversely affect our markets and our customers' operating conditions, which can in turn affect our business, results of operations and financial condition.

With sales in approximately 150 countries, we compete across a wide range of geographies and end markets. Economic and industry factors that have had, or could in the future have, a material impact on our businesses and demand for our products and services include: (i) the overall strength of, and our customers' confidence in, local and global macroeconomic conditions; (ii) inflation and related monetary policy actions by governments in response to inflation, (iii) overall strength of industrial, governmental, public and private sector spending; (iv) overall strength of the industrial, residential and commercial real estate markets; (v) federal, state, local and municipal governmental fiscal, trade and procurement laws, regulations and policies, including as respects domestic content; (vi) the availability of commercial financing for our customers and end-users; and (vii) the degree of funding for our public sector customers, including for water infrastructure investments. Macroeconomic impacts, including actual or potential recession, and supply chain dynamics, including supply shortages, logistics challenges, tight labor markets, inflation, and significant government debt and deficit levels, have had, and continue to have, a material adverse effect on our business and results of operations. Future economic slowdowns or recession, or other prolonged downturns in the global economy or our markets could have material adverse effects on our business, financial condition, cash flows, results of operations and stock price.

Our business may be materially adversely affected by geopolitical, regulatory, economic, foreign exchange and other risks associated with our global sales, supply chain and operations.

In 2023, 54% of our total revenue was from sales to U.S. customers and 46% was from sales to customers outside the U.S. We expect our sales from international operations and export sales to continue to be a significant portion of our revenue. Many of our manufacturing operations, employees, suppliers and distribution channels are located outside of the U.S. Our operations, supply chain and sales both within the U.S. and internationally are subject, in varying degrees, to risks and uncertainties inherent in doing business globally, including:

- economic nationalism, populism, protectionism, anti-global sentiment and changes in trade protection measures, including embargoes, tariffs and other trade barriers, import and export regulations, licensing requirements, and new and existing domestic content requirements for projects receiving governmental funding;
- instability of and impacts from the evolving global geopolitical environment, including concerning the relationships among the U.S., European Union, Middle East, Russia, China, Taiwan, or other foreign countries, and the international community at large;
- threat, outbreak, uncertainty or escalation of terrorism, political instability, insurrection, war or other armed conflict, including between Russia and Ukraine and the Middle East, and the potential for regional escalation;
- threat or outbreak of epidemics, global health crises or pandemics, and related uncertainties;
- changes in tax laws and potential negative consequences from the interpretation, application and enforcement by governmental tax authorities of tax laws and policies, as well as changes in other laws and regulations or how such provisions are interpreted or administered;

- disruptions in global or regional supply chains, our operations, or those of third parties upon which we rely, including due to labor disruptions, supply shortages, and freight and logistics challenges;
- unanticipated regulatory changes or unfavorable circumstances arising from host country laws or regulations, including those related to infrastructure and data transmission, security and privacy;
- theft, compromise or misappropriation of our technology, intellectual property or data;
- shocks to the global financial system, including due to the outbreak or threat of war, armed conflict, other geopolitical conflicts, terrorism or global health crises, the effects of climate change, or other idiosyncratic events;
- foreign currency exchange rate fluctuations, restrictions on repatriation of earnings or payment of distributions, dividends, loans or advances to us by foreign subsidiaries;
- global or regional safety and security considerations; and
- increased costs and risks in developing, staffing and simultaneously managing our many global operations as a result of distance, remote work arrangements, language and cultural differences.

In the year ended December 31, 2023, 16% of our total revenues were generated in emerging markets and we have placed a particular emphasis in our strategy on increasing our growth and presence in emerging markets, including China, India, and key markets in Africa, Middle East and Southeast Asia. Beyond the general risks that we face outside the U.S., our operations in emerging markets are subject to additional risks and uncertainties, including: (i) governments may impose or increase withholding or other taxes on remittances and other payments to us; (ii) governments may seek to nationalize our assets; (iii) governments may impose or increase investment barriers or other restrictions affecting our business; (iv) difficulty in enforcing commercial agreements or collecting receivables; (v) challenges protecting our intellectual property and other assets; (vi) pricing pressure on our products and services; (vii) higher business conduct risks; and (ix) challenges in our ability to attract and retain qualified talent and labor. We cannot predict the impact that such factors might have on our business, financial condition, cash flows, results of operations and stock price.

We have significant sales, operations and direct or indirect suppliers located in China, which have been in the past, or could in the future be, adversely affected by: i) China's evolving laws, regulations and policies, including as respects public health crises, import and export tariffs and restrictions, and information security and privacy, and ii) changes in the political and geopolitical environment involving China, including U.S.-China or China-Taiwan relations. The U.S.'s imposition of tariffs on goods imported from China or deemed to be of Chinese origin, as well as the potential for new tariffs, other governmental actions, trade embargoes or sanctions by the U.S., or countermeasures imposed by China in response, has in the past and could in the future have an adverse direct or indirect impact our global supply chain, manufacturing costs, business and operating results. Geopolitical changes in China-Taiwan relations could disrupt the operations of several companies in Taiwan that are critical to our complex global supply chain for semiconductors ("chips") and other electronic components. Such changes could have significant negative effects on the global semiconductor industry and could adversely affect our ability to manufacture our digitally-enabled products, such as pumps, controllers and smart meters.

In the year ended December 31, 2023, 54% of our revenues were from sales to U.S. customers, which included sales of some products for federally funded projects. We expect our U.S. sales in 2024 and beyond to be similar. However, on a case-by-case basis, we may not be able to successfully compete for a federally funded project as some of our products may not comply with the domestic content requirements of the U.S. Buy America mandate under the Infrastructure Investment and Jobs Act ("IIJA") or other federally funded projects. We continue to evaluate and implement mitigation measures around sourcing and localization of manufacturing for our most significantly impacted product lines, as well as consider alternative products that may meet both project specifications and domestic content requirements, but there is no guarantee that we will be able in all cases to meet applicable domestic content requirements of a project or across all our product lines. While governmental exemptions and waivers may be issued that negate the application of the Buy America mandate for some or all of our potential sales into IIJA and other federally funded projects, it is uncertain whether and to what extent such exemptions or waivers may be issued. An inability to meet applicable domestic content requirements could have a material adverse impact on our business, financial condition or results of operations.

Inflation, tariffs, customs duties and other increases in manufacturing and operating costs have, and could continue to, adversely affect our cash flows and results of operations.

Our operating costs are subject to fluctuations, particularly due to volatility or changes in prices for commodities, parts, raw materials, energy and related utilities, freight and logistics, and the cost of labor., Price volatility and changes have been and may continue to be driven by a variety of factors, such as inflation, tight labor markets,

prevailing price levels, exchange rates, changes in trade agreements, tariffs and other trade protection measures, and other economic factors. Throughout 2023 our operating costs were adversely impacted by price inflation, including the cost of certain raw materials, components, energy, commodities, freight and logistics, which could continue in 2024 to varying degrees depending, in part, on broader macroeconomic or geopolitical conditions. For example, we have significant manufacturing operations in Europe, which could be adversely impacted by increased energy costs related to an actual or potential escalation in the ongoing Russia-Ukraine conflict. Our global supply chain includes shipping routes through the Red Sea, where vessels have been and may continue to be impacted by armed conflicts involving rebel groups; and continued conflicts or escalation of conflict in the Middle East could adversely impact our logistics costs and could also result in an increase in our costs for energy and supplies, and potentially delay shipments to customers. Additionally, the U.S. has enacted various trade actions, including imposing tariffs on certain goods we import from China and other countries, which has resulted in retaliatory tariffs by China and other countries. Additional tariffs imposed by the U.S., or further retaliatory trade measures taken by China or other countries, could increase the cost of our products. We may not be able to offset increases in our manufacturing costs through price increases or productivity. Further, in a declining price environment, our operating margins may contract because we account for inventory using the first-in, first-out method. Actions we take to mitigate volatility in manufacturing and operating costs may not be successful and, as a result, our business, financial condition, cash flows and results of operations could be materially and adversely affected.

Risks Related to Our Business and Operations

Failure to compete successfully in our markets, including our ability to develop and commercialize innovative and disruptive technologies, could adversely affect our business.

We offer our technologies, products and services in highly competitive markets. We believe the principal points of competition are product and service performance, quality and reliability, innovation, speed to market with new or disruptive technologies and business models, application expertise, brand reputation, energy efficiency, product security, product life cycle cost, timeliness of delivery, proximity of our service centers to customers, effectiveness of our distribution channels, price and customers' experience in doing business with us. Maintaining and improving our competitive position will require successful management of these factors in a business environment with increasingly rapid rates of change and disruption.

Our competitive position and future growth depend upon a number of factors, including our ability to successfully: (i) innovate, develop, bring to market and maintain competitive, compelling, secure and efficient technologies, products and services, business models and customer experience, to address emerging regulations and trends and meet customers' needs (including those related to digitization of water, social, environmental and sustainability matters), (ii) defend our market share against an ever-expanding number of competitors, many of which are new and non-traditional from outside our industry, such as large technology firms, or those in the emerging markets, (iii) enhance our product and service offerings by adding innovative features, increased efficiency or disruptive or emerging technologies, such as artificial intelligence, that differentiate them from those of our competitors and prevent commoditization, (iv) continue to invest in, cultivate, develop and maintain our distribution network of channel partners, (v) attract, develop and retain individuals with the requisite innovation, digital and technical capabilities, expertise and understanding of customers' needs to develop and commercialize new technologies, products and services, (vi) continue to leverage and expand our external ecosystem of innovation partners with joint venture partners, universities, venture capital, the start-up of community and other technology firms, (vii) continue to invest in our manufacturing, research and development, engineering, sales and marketing, and digitization of customer service and support tools, (viii) win large contracts and execute them on schedule and on budget, (ix) optimize our supply chain and manufacturing to enable predictable and efficient delivery to customers, and (x) compete for business subject to applicable governmental procurement laws, regulations and policies, including new and existing sustainability and domestic content requirements in the U.S. and globally, as they may evolve over time.

We may not be successful in maintaining our competitive position, which could adversely affect our business, financial condition, cash flows or results of operations. The failure of our technologies, products or services to maintain and gain market acceptance due to more attractive offerings, the failure of our products to comply with governmental regulations or policies, or customers' slower-than-expected adoption of and investment in our new and innovative technologies could significantly reduce our revenues or market share and adversely affect our competitive position. Pricing pressures could cause us to adjust the prices of certain products, services or projects to stay competitive, or we may not be able to continue to win large contracts, which could adversely affect our market share and competitive position.

Cybersecurity incidents and related data breaches or other disruptions to our enterprise information technology and operations, or to our connected products and services, including those of third parties on which we or our customers rely, could materially and adversely affect our business.

Our enterprise consists of our businesses, functions, operations, manufacturing and employees. We rely on information technology, including operational technology, and communications networks to run our manufacturing processes and equipment, to enable business processes, and to process, transmit, store and manage our electronic information, including confidential business information and data relating to employees, customers or other business partners. We also rely on key third parties, including: i) direct and indirect suppliers, ii) strategic joint venture partners that provide certain aspects of our digital services and offerings, iii) contract manufacturers, iv) cloud-based service providers, and v) outsourced business process providers, including in the areas of Information Technology, Finance, Human Resources, Procurement and Travel. Together, we depend on information technology infrastructure and communication networks for access to reliable and secure networks in order to run our and their businesses. Regardless of protection measures, all information technology and communications networks are inherently susceptible to damage or disruption due to causes such as: equipment, system or application failure, including as a result of maintenance, obsolescence, unsupportability or age; human error or malfeasance; vandalism; natural disaster; fire; power, communication or other utility outage or failure; and cybersecurity incidents, including ransomware, denial-of-service, malware, phishing, and computer viruses. In addition to damage or disruption, these cybersecurity incidents may lead to security and data breaches.

We provide certain digitally-enabled or internet-connected products, such as pumps, controllers, meters and other equipment, and services, such as Water One® and other remote monitoring capabilities, condition assessment, and an interoperability platform via a strategic joint venture partner. These products and services are used by us and our customers for operational purposes or to collect data. Our connected products and services are inherently susceptible to damage or disruption from a myriad of causes as described above, including cybersecurity incidents. Cybersecurity incidents may impact hardware, software and information installed, stored or transmitted by our products and services after they have been purchased and incorporated into customers' and other third parties' products, facilities, systems or infrastructure, including critical infrastructure applications. While we attempt to provide our customers with measures to safeguard our products and services from cybersecurity threats, the potential for a cybersecurity incident remains. In addition, certain of our customers continue to use digitally enabled products that we designed, manufactured and sold at a time when current security features were not available.

A cybersecurity incident or other damage or disruption to information technology and communications networks or involving our connected products and services may have adverse effects on us, our customers or third parties on which we rely, including: interference with operations and services, potentially with public health and safety risks involving certain of our customers; disruption of production, supply chain, shipments, billing, collections and customer service; disruption to data analytics; disruption to remote monitoring and control of operational systems; unauthorized access, disclosure, misappropriation, misuse, destruction, compromise or theft of our financial, operational or other proprietary information, including intellectual property and trade secrets, or data pertaining to our employees, customers or suppliers; damage to employee, customer and business partner relationships; recall of our products; legal claims, proceedings or regulatory enforcement actions, and fines or penalties; increased costs to prevent, respond to or mitigate cybersecurity incidents; and damage our brands and reputation. Moreover, a delay in or failure to detect a cybersecurity incident or the full extent of an incident could exacerbate the effects of the incident. As such, any of the foregoing could have a material adverse effect on our reputation, competitive position, results of operations, cash flows or financial condition.

To mitigate reliability and cybersecurity risks related to our enterprise and connected products and services, we maintain relevant policies, standards, procedures and technologies that are applicable to all Xylem employees and contractors, including: patching; passwords; network and data access, including requirements and rights; business continuity and disaster recovery; monitoring for external and insider risks; obsolescence or end-of-life of operating technologies or applications' operating systems; IT general computing controls; secure software development. We are also operationalizing our strategy to establish segmentation between our information technology and operational technology. As implementation and compliance is the responsibility of employees across the enterprise, we cannot guarantee adherence in all instances with our policies, standards and procedures, or that our technologies will be sufficient to fully mitigate the aforementioned or evolving risks.

We, and some third parties upon which we rely, have in the past experienced cybersecurity incidents or other attempts to gain unauthorized access to our information technology and connected products and services. As technology evolves, we may continue to experience such events, likely with more frequency and involving a broader range of devices and more sophisticated modes of attack. To date, none have resulted in any material adverse impact to or theft, misuse or loss of information of our business, operations, products and services, or customers.

We have implemented processes, procedures and technologies designed to detect and respond to cybersecurity incidents and mitigate potential risks associated with cybersecurity threats and incidents involving our information technology, products and services. However, because the timing, nature and modes of cybersecurity attacks and incidents change frequently, evolve and are unpredictable, and because unauthorized accesses may be difficult to detect for long periods of time, we may be unable to anticipate these intrusions or implement adequate protective or remedial measures.

While we maintain insurance coverage designed to address certain aspects of business interruption and cybersecurity risks, it may not be sufficient to cover all losses or all types of claims. Although we continue to assess the aforementioned risks, implement policies, processes, standards, measures, technologies and redundancies to mitigate these risks and perform business continuity and disaster recovery planning, we cannot be sure that cybersecurity incidents or other disruptions with material adverse effects will not occur, or that our business continuity and disaster recovery efforts will be effective and adequate.

Lack of or delay in availability of products, parts, raw materials and energy from our supply chain or the inability of suppliers to meet delivery and other requirements, could adversely affect our business.

Our business relies on a large and complex network of suppliers (and their suppliers), including contract manufacturers and subcontractors to perform manufacturing and customer-related services for us, as well as commodity markets and freight and logistics providers to secure and ship finished goods and raw materials, parts, electronic components and other components used in our products. We expect that our reliance on, and the complexity of, the supply chain and contract manufacturers and subcontractors will continue to be significant and, in some cases, increase.

Parts and raw materials commonly used in our products include motors, fabricated parts, castings, magnets, bearings, seals, batteries, PCBs and electronic components, including semiconductors, as well as commodities, including steel, brass, nickel, copper, aluminum and plastics. We are exposed to the availability of these items, which throughout 2023 have been and may in the future be subject to delay, curtailment or change due to, among other things, macroeconomic factors including: supply and demand dynamics; labor shortages or disputes; changes in the strategy or production planning of suppliers including decisions to exit production of key components upon which we rely; interruptions in suppliers' production, including as a result of fire or natural disaster; the impaired financial condition of a particular supplier; suppliers' capacity allocations to other purchasers; changes in trade agreements and trade protection measures including tariffs, exchange rates and prevailing price levels; ability to meet regulatory requirements; weather emergencies and the effects of climate change; public health crises; and threatened or actual terrorism, armed conflict or war, including the ongoing conflicts between Russia and Ukraine, in the Middle East, and rebel attacks on commercial vessels in the Red Sea. Any threatened or actual escalation of the aforementioned conflicts and related impacts, such as disruption to or increased cost of energy supply or logistics, could delay or interrupt our supplies from suppliers. We have also experienced, and continue to experience, fluctuating freight and logistics costs, delivery delays related to port congestion and other logistics-related challenges. Although we have insurance related to business continuity and supply chain, we cannot be certain that this insurance coverage will continue to be available to us at a reasonable cost or will be adequate to cover any or all aspects of supply chain disruptions.

Some of our key components are available only from a sole- or single-source supplier or a limited group of suppliers and so we are subject to supply and pricing risk. In addition, if a sole- or single-source supplier were to cease or interrupt production or otherwise fail to supply a key component to us, it could adversely affect our production, revenues and operating results.

As a result of global market supply and demand dynamics, we have in the past and could in the future experience shortages, capacity constraints and delays in the supply of raw materials, parts, and components, including chips and other electronic components. While supply conditions eased throughout 2023, if disruptions occur in the future (including related to the aforementioned risk of disruption in the global semiconductor industry due to China-Taiwan geopolitical issues), or if our efforts to mitigate these shortages and disruptions are insufficient or unsuccessful, we may be delayed or unable to execute on our backlog, fill new customer orders or timely deliver products to our customers and therefore could have a material adverse effect on our business, financial condition or results of operations.

A material disruption to any of our facilities or operations, or that of third parties upon which we rely, may adversely affect our business and financial performance.

Our facilities, operations and business rely on a complex and highly reactive global supply chain, including suppliers (and their suppliers), some of which are a single- or sole-source, distributors, contract manufacturers, subcontractors, joint venture partners, utilities providers, and freight and logistics providers. In addition, we

outsource to vendors certain critical business processes and activities, including in the areas of Finance, Human Resources, Procurement, Travel and Information Technology. Certain of our businesses require that we or our subcontractors have access to customer sites to provide our products and services. Our facilities and operations and certain customers, contract manufacturers, subcontractors or other third parties on which we rely, have experienced, and may in the future experience, disruptions or delays resulting from an actual or threatened event or circumstance, including due to: a significant equipment, technological or system failure; natural disaster; weather event or effects of climate change; power or energy curtailment or outage; water or communications outage; fire; explosion; critical supply chain failure; terrorism; cybersecurity attack; political disruption; outbreak of a pandemic or other public health crisis; insurrection; armed conflict or war, including the ongoing conflicts involving Russia and Ukraine, the Middle East, and rebel attacks on vessels in the Red Sea; labor dispute, stoppage or slowdown; technology failure; lack of financial viability or other reason. In addition, our facilities or those of third parties upon which we rely operate in certain circumstances with equipment and manufacturing technology that may be unique and difficult to replace or involve long lead times for replacement. A significant disruption to any of our facilities or operations, or that of customers or third parties on which we rely, could cause material adverse impacts on our operations and business, including an inability to meet customer demand or contractual commitments, increased costs and reduced sales, and could also impact our business processes and activities, including our ability to timely report financial results. Any interruption may be lengthy, have lasting effects, require a significant amount of management and other employees' time and focus, and require us to make substantial expenditures to mitigate the situation, which could negatively affect our operations, business processes and activities, profitability, financial condition and reputation. Any recovery under our insurance policies may not offset the lost sales, increased costs, or longer term loss of suppliers, sales or customers that we may experience as a result of a disruption. Although we continue to assess these risks, implement mitigation plans and perform business continuity and disaster recovery planning, we cannot guarantee that interruptions with material adverse effects on our operational and financial performance will not occur.

We may not realize some or all the expected benefits and synergies from our acquisition of Evoqua.

On May 24, 2023, we completed the acquisition of Evoqua. The success of this acquisition will depend, in part, on our ability to realize the anticipated benefits from combining our and Evoqua's businesses. We have and continue to devote substantial management attention and resources to the integration of the combined company's business practices and operations so that we can fully realize the anticipated benefits of the acquisition, including cost and revenue synergies. Nonetheless, difficulties may arise during the integration process that could result in the failure to achieve the anticipated cost or revenue synergies, including: loss of key talent that may be difficult to replace; disruption of the combined company's ongoing business; inconsistencies in each company's standards, controls, procedures and policies; and our ability to maintain and expand relationships with customers, partners, suppliers or creditors. As a result, the anticipated benefits of the acquisition may not be realized fully within the expected timeframe or at all, may take longer to realize, or may cost more than expected, which could materially and adversely affect our business, results of operations or financial condition, as well as adversely impact the stock price of the combined company.

Water and wastewater treatment operations, including those related to emerging contaminants, as well as the generation, handling, storage, use, transport, treatment, release or disposal of hazardous materials may result in contamination, environmental, personal or other liabilities or pose other significant risks that could cause us to incur significant costs and reputational harm.

Water and wastewater treatment involve various unique risks and require compliance with a variety of laws or regulations, including the Clean Water Act and the Safe Drinking Water Act. If our treatment systems fail or do not operate properly, or if there is a spill, untreated or partially treated wastewater could discharge onto property or into nearby bodies of water and groundwater, causing various liabilities, damages and injuries, including environmental. In addition, a number of emerging contaminants might be found in water that we treat, including PFAS, PFOA, selenium, micro-plastics, chemicals or pathogens, that may cause illness or death if not eliminated during the treatment process. Liabilities resulting from such events, damages and injuries could materially adversely affect our business, financial condition, results of operations or prospects. Changes in environmental requirements, laws and regulations, or increased public awareness around the presence and health impacts of human-made chemicals and naturally occurring contaminants in drinking water, could increase or decrease demand for our products and services, increase our cost of operations, result in the obsolescence of our products, or lead to an interruption or suspension of our operations.

Furthermore, certain of our business activities, such as those of our historical Integrated Solutions and Services segment and new Water Solutions and Services segment, include manufacturing and waste recycling and treatment processes that currently involve the use, treatment, storage, transfer, handling and/or disposal of non-hazardous and hazardous materials, chemicals and wastes, which are subject to applicable federal, state, and local

laws and regulations. The cost of compliance with these laws and regulations may become significant, result in increased operating costs or require additional investment in facilities, and therefore could have a material adverse effect on our business, financial condition, results of operations or prospects. These business activities also create a risk of accidental contamination or injury to our employees, customers and other third parties, the general public (as end-users of our industrial and municipal customers' products and services), and the environment. As such, these activities create a risk of significant legal and environmental liabilities and reputational damage. For example, under applicable environmental laws and regulations, including RCRA and CERCLA, we could be strictly, jointly and severally liable for releases of regulated substances by us at our current or former properties or the properties of others, or by other businesses that previously owned or used our current or former properties. We could also be liable or incur reputational damage if we transport such materials, generate hazardous materials or wastes, or merely arrange for their transportation, disposal, or treatment, and they are subsequently released or cause harm. If our business activities and water and wastewater treatment operations result in legal or environmental claims, damage or liabilities, including those described above, we could incur significant costs, liabilities or reputational damage in connection with legal defense, investigation, remediation of environmental contamination, damage to property or natural resources or personal injuries. Such costs and liabilities could exceed any applicable insurance coverage we may have.

If we are unable to successfully execute large projects or meet customers' timelines, budget, performance and safety requirements, this could have a material adverse effect on our sales and profitability.

A portion of our revenue is derived from large projects that are technically complex and may occur over multiple years. These projects are subject to a number of significant risks, including project delays, cost overruns, changes in scope, unanticipated site conditions, design and engineering issues, incorrect cost assumptions, increases in the cost of materials and labor, health and safety hazards, subcontractor performance issues, weather issues and changes in laws or permitting requirements. If we are unable to manage these risks, we may incur higher costs, liquidated damages, and other liabilities to our customers, which may decrease our profitability and harm our reputation.

Furthermore, our project-based customers typically require performance guarantees around the effluent produced by our water treatment equipment and services. Failure of our products and services to meet performance guarantees may require additional engineering, replacement of parts and equipment and frequent replacement of consumables, monetary reimbursement to a customer, or could otherwise increase our costs or result in liability to our customers. There are significant uncertainties and judgments involved in estimating performance guarantee obligations, including changing product designs, differences in customer installation processes and failure to identify or disclaim certain variables in a customer's influent. To the extent that we incur substantial performance guarantee claims in any period, our reputation, earnings, and ability to obtain future business could be materially adversely affected.

Many of our customers also have safety performance requirements that we must meet to be allowed access to their sites to perform our services, install our products and execute projects. Risks arising from unsafe products or performance by our employees include, among other things, delays in or suspension of site access to service or timely deliver our products. Workplace accidents or near-accidents, product-related accidents, or the failure to follow our own or our customers' safety policies could also damage our reputation or our customers' perception of our safety record, which could have a material adverse impact on demand for our products and services, result in additional costs to our business, the loss of customers or litigation against us, or increase government or regulatory oversight over us.

Failure to retain our existing leadership, engineering, technology, sales, services and other key talents or the inability to attract new qualified and diverse talent could negatively impact our business.

Our success depends to a significant extent on our ability to attract and retain highly qualified and diverse employees in leadership positions, and in strategic or core competencies, including engineering, innovation, digital technologies, commercial excellence, service, and project management, as well as general production-related talent. The market for highly skilled talent, leaders and labor in our industry remains highly competitive. As a result, our success in attracting and retaining employees, particularly in the areas of services, digital technologies, innovation and data science, has depended, and will continue to depend, on our ability to offer attractive career growth opportunities, work arrangements, compensation, and benefits, and also policies and ways of working that support employee well-being. In addition, we continue to evolve our culture, where colleagues are inspired to innovate, empowered to lead and accountable to deliver, and includes advancing diversity, equity and inclusion. These aspects of our culture have been and will remain critical to attracting and retaining talent needed to execute our strategy, while also driving innovation, remaining competitive and creating long-term value. We also need to continue to develop qualified talent to support business growth and robust succession plans, both of which are

critical to our long-term success. A failure to attract or retain highly engaged and skilled talent and labor could adversely affect our ability to meet and exceed the needs of our customers, operate and grow our business and execute our strategy.

Defects, unanticipated or improper use or inadequate disclosures concerning our products could adversely affect our business, reputation and financial condition and results of operations.

Defects, inadequacies or quality issues in the manufacture, design, software, security or service of our products (including finished goods, parts or components that we source from third parties), unanticipated or improper use, or inadequate disclosure of risks relating to the use of our products, could result in product safety, product security, regulatory or environmental risks, including personal injury, death, and property or environmental damage. These events could also lead to product recalls, safety or security alerts, or result in the removal of a product from the market, issuance of credits, warranty or liability claims or contractual damages against us. Although we have liability insurance, we cannot be certain that this insurance coverage will continue to be available to us at a reasonable cost or will be adequate to cover any or all aspects of liability claims. Manufacturing, design, software, security or service defects or inadequacies may therefore result in significant costs, decreased profitability, negative publicity, and reputational damage, that could reduce demand for our products and have material adverse impacts on our business, financial condition and results of operations.

We may not achieve some or all of the expected benefits of our restructuring and realignment plans or our restructuring and realignment may adversely affect our business.

From time to time, we have and may continue to initiate restructuring and realignment actions for various reasons, including to optimize our cost structure, improve our operational efficiency and effectiveness, and enable us to better serve our customers, or in response to impacts from business and economic conditions. We are also engaged in a multi-year effort to transform many of our support functions and related technologies, including Finance, Human Resources and Procurement. Challenges with the enabling technologies and delays in implementing planned restructuring and realignment activities have delayed the realization of some of the expected operational and financial benefits from such actions. We may not be able to obtain all of the cost savings and benefits that were initially anticipated in connection with our restructuring and realignment plans. Additionally, as a result of these plans, we may experience a loss of continuity or accumulated knowledge or inefficiencies during transitional periods and ongoing operations. Realignment and restructuring require a significant amount of management and other employees' time and focus, which may divert attention from operating and growing our business.

The successful implementation and execution of our restructuring and realignment actions are critical to achieving our expected cost savings, as well as effectively competing in the marketplace and positioning us for future growth. Factors that may impede a successful implementation and execution include the retention of key employees, the impact of regulatory matters including tax, matters involving certain third-party service providers selected to assist us, including staffing, technology, and compliance of service providers with our internal controls over financial reporting, and adverse economic market conditions. If our restructuring and realignment actions are not executed successfully, it could have material adverse impacts on the effectiveness of our internal controls over financial reporting, our competitive position, business, financial condition, cash flows and results of operations.

The execution of our strategy includes acquisitions and divestitures, which we may be unable to successfully execute.

To execute our growth strategy, we plan to continue to realign and enhance our portfolio by pursuing the acquisition of companies, assets, technologies, product lines and customer channels that complement or expand our existing business or improve our competitive position, and divesting non-core or less strategic businesses. We may not be able to complete acquisitions or divestitures with favorable terms or timing or at all, or obtain financing that may be needed to consummate acquisitions. In addition, our results of operations may be adversely impacted by: (i) the failure to efficiently, effectively and timely integrate acquired businesses into our operations, technology, financial and other systems, (ii) the failure of acquired businesses to meet or exceed expected returns, which in the past has led to, and in the future may lead to, accounting impairments, (iii) the discovery of unanticipated liabilities, labor relations difficulties, cybersecurity concerns, control or compliance issues, or other issues for which we lack contractual protections, insurance or indemnities. Failure to successfully execute our growth strategy via acquisitions and successfully integrate these acquisitions could adversely affect our competitive position, business, financial condition or results of operations.

Acquisitions involve a number of risks and present financial, managerial and operational challenges, including: diversion of management's time and attention from existing businesses and operations; insufficient internal controls over financial or compliance activities or financial reporting; the failure to realize expected synergies; impact our

ability to achieve our sustainability commitments; the assumption of new material risks associated with the acquired businesses; and the loss of key employees of the acquired businesses. As a result, the anticipated benefits of acquisitions may not be realized fully within the expected timeframe or at all, may take longer to realize, or may cost more than expected, which could materially and adversely affect our business, results of operations or financial condition.

A significant portion of our products and offerings in our Measurement and Control Solutions segment are affected by the availability, regulation of and interference with radio spectrum that we use.

A significant portion of the offerings in our Measurement and Control Solutions segment use radio spectrum, which is subject to government regulation. To the extent we introduce new products designed for use in the U.S. or another country, such products may require significant modification or redesign in order to meet frequency requirements and other regulatory specifications. Limitations on frequency availability or the cost of making necessary modifications may preclude us from selling our products in certain countries. The regulations that govern our use of radio spectrum may change or new products may be allowed under the regulations that cause interference with our products, which may require us to modify our products or seek new partnerships. In addition, we may not be able to secure suitable partners for co-development of products. An inability or delay in modifying our products to meet such requirements, or the cost of completing such modifications, could have material adverse effects on our business, financial condition, and results of operations.

In the U.S., our products are primarily designed to use FCC-licensed spectrum in the 900MHz range. If the FCC does not renew our existing spectrum licenses, or materially changes regulations affecting the use of these licenses, our business, financial condition, and results of operations could be adversely affected. In addition, there may be insufficient available frequencies in some markets to sustain or develop our planned operations at a commercially feasible price or at all.

Outside the U.S., certain of our products require the use of radio frequency and are subject to regulations. In some jurisdictions, radio station licenses may be granted for a fixed term and must be periodically renewed. Our advanced and smart metering systems offerings transmit to (and receive information from, if applicable) handheld, mobile, or fixed network reading devices in licensed bands made available to us through strategic partnerships and are reliant, to some extent, on the licensed spectrum continuing to be available through our partners or our customers. We may be unable to find partners or customers that have access to sufficient frequencies in some markets to sustain or develop our planned operations, or that have access to sufficient frequencies at a commercially feasible price or at all.

Weather conditions, including the effects of climate change as well as associated efforts by governmental or regulatory authorities to mitigate such effects, may cause volatility in our served markets and affect our businesses, operations and financial results.

The unpredictable nature, frequency, severity and changes in weather events, patterns and related conditions, such as heavy flooding, prolonged droughts, wildfires, rainfall amounts and intensity, sea levels, and fluctuations in temperatures, including as a result of climate change, can positively or negatively impact portions of our business and therefore result in volatility in our financial results. For example, certain events may disrupt the operations of our customers, creating customer shutdowns that prevent site access or defer our performance of services or sale of equipment. Heavy flooding and rain events may increase demand for our solutions that help manage water and stormwater overflows or remove and transfer excess or unwanted water. Prolonged drought conditions may increase demand for our pumping technology used in agriculture and turf irrigation applications. Demand for water reuse applications, such as those provided by our treatment business, may also increase as communities look to address water scarcity challenges. Fluctuations in temperatures may result in varying demand for our products used in residential and commercial hydronic applications, where homes and buildings use circulating water to heat and cool living spaces. Severe weather events and other effects of climate change have also caused, and may in the future cause, disruptions to our facilities and operations, and those of our customers and suppliers. In 2021, a physical risk analysis of legacy Xylem facilities using the Task Force on Climate Related Financial Disclosures framework indicated that certain of our facilities are at moderate risk for exposure to water stress, coldwave and wildfire impacts due to the effects of climate change. While we continue to assess these risks, implement mitigation plans and perform business continuity and disaster recovery planning, we cannot be sure that disruptions with material adverse effects will not occur.

In addition, certain of our products, services and solutions assist our customers in meeting increasingly stringent scarcity, efficiency, environmental and safety requirements, including via laws or regulations enacted for the purpose of limiting greenhouse gas emissions or making water supplies more resilient, cleaner and safer. Our future growth is dependent in part on the impact and timing of potential new laws and regulations, as well as potential changes to

existing laws and regulations. If stricter laws or regulations are delayed, not enacted, repealed, amended to be less strict, not enforced or are enacted with prolonged phase-in periods, demand for our products and services may be reduced. We are currently unable to predict whether changes to laws and regulations will affect demand for our products and services. To the extent that such changes increase uncertainty or have a negative impact on us, our business, financial condition, results of operations or prospects may be materially and adversely impacted.

Our sustainability commitments, goals, targets, objectives and initiatives, and our public statements and disclosures regarding them, expose us to numerous risks.

We have and will continue to establish goals, targets, and other objectives related to sustainability matters, including our sustainability goals and commitments to Science-Based Targets aligned to limiting global temperature increase to 1.5°C above pre-industrial level, in line with the Paris Agreement, by 2030 and net zero greenhouse gas ("GHG") emissions (Scope 1, 2 and 3) before 2050. Achieving these goals and commitments will require evolving our business, making capital investments and developing technologies that might not currently exist. We might incur additional expenses or be required to recognize impairment charges in connection with our efforts. These commitments, goals, targets and other objectives reflect our current plans and there is no guarantee that they will be achieved. Our efforts to research, establish, accomplish and accurately report on these commitments, goals, targets and objectives expose us to operational, reputational, financial, legal, and other risks. Our ability to achieve any stated commitment, goal, target, or objective is subject to factors and conditions, many of which are outside of our control, including the extent to which energy generated from renewable resources is available from the grid, the pace of changes in technology, the availability of requisite financing, and the availability of suppliers that can meet our sustainability and other standards.

We may face increased scrutiny from the investment community, regulators, media and other stakeholders related to our sustainability activities, commitments, goals, targets and objectives, and our methodologies and timelines for pursuing them. At the same time, certain governmental representatives and other stakeholders have increasingly expressed or pursued opposing views, legislation and investment expectations around sustainability initiatives, including the enactment or proposal of "anti-ESG" legislation or policies. We are subject to increasing regulatory requirements around sustainability-related disclosures, including significant rulemaking by the EU related to the Corporate Sustainability Reporting Directive and anticipated rulemaking by the SEC, which may continue to evolve. Complying with regulators' disclosure requirements may impose substantial additional costs and will require additional resources, including for third-party attestation, to enable the capture, analysis and audit of appropriate data. Any actual or alleged failure to comply with regulatory requirements around disclosures could result in fines, penalties and civil liabilities, and damage to our reputation. Furthermore, if our sustainability reporting and practices do not meet investors, regulators or other stakeholders' expectations, standards and requirements, or if we are unable to satisfy all stakeholders, our reputation, ability to attract or retain employees, and attractiveness as an investment, business partner or acquiror could be negatively impacted. Similarly, our failure or perceived failure to pursue or fulfill our sustainability commitments, goals, targets, and objectives, to comply with ethical, environmental or other standards, regulations, or expectations, or to comply with reporting and disclosure requirements and standards related to these matters, within the timelines we announce, or at all, could have adverse operational, reputational, financial and legal impacts.

Risks Related to Financial and Tax

Our business is subject to foreign currency exchange rate fluctuations.

Sales outside of the U.S. for the year ended December 31, 2023 accounted for approximately 46% of our net sales. We also have significant operations in various locations outside of the U.S. Our principal currency exposures for which we enter into cash flow hedges relate to the Euro, Swedish Krona, British Pound, Canadian Dollar, Australian Dollar, and Polish Zloty. Changes in the value of currencies of the countries in which we do business relative to the value of the U.S. Dollar or Euro could affect our ability to sell products competitively and control our cost structure, which has had and may continue to have a material adverse effect on our business, financial condition, cash flows and results of operations. Additionally, we are subject to foreign exchange translation risk due to changes in the value of foreign currencies in relation to our reporting currency, the U.S. Dollar. The translation risk is primarily concentrated in the exchange rate between the U.S. Dollar and the Euro, British Pound, Canadian Dollar, Chinese Yuan, Australian Dollar, Indian Rupee, and Swedish Krona. As the U.S. Dollar fluctuates against other currencies in which we transact business, revenue and income may be impacted. Strengthening of the U.S. Dollar relative to the Euro and the currencies of the other countries in which we do business, has materially and adversely affected, and could in the future materially and adversely affect, our sales growth and profitability in future periods. Refer to Item 7A. "Quantitative and Qualitative Disclosures about Market Risk" for additional information on foreign exchange risk.

Our financial results may fluctuate from period to period and can be difficult to predict.

Our businesses, including that of our Applied Water segment, are impacted by a substantial amount of short cycle and book-and-bill business, which we have limited visibility into, particularly for the business that we transact through our significant distribution network. In addition, our businesses, including our Measurement and Control Solutions segment, and our legacy Integrated Services and Solutions segment and the new Water Solutions and Services segment, are impacted by long-cycle business including large projects, which could be unexpectedly canceled, or whose timing can change based upon customer requirements due to a number of factors affecting the project that are beyond our knowledge or control, such as funding, readiness of the project and regulatory approvals. We rely on a complex global supply chain, which has been subject to dynamic conditions, volatility, unexpected changes and disruptions due to macroeconomic and geopolitical conditions, including the ongoing conflicts between Russia and Ukraine and the Middle East, and high inflation. These supply chain challenges have affected, and may continue to affect, our cost structure, production and ability to timely fill customer orders. We cannot predict how, when, or if, these conditions will worsen, ease or subside in the future. Accordingly, our financial results for any given period have been and will continue to be difficult to predict.

We may incur additional impairment charges for our goodwill and other indefinite-lived intangible assets which would negatively impact our operating results.

We have a significant amount of goodwill and purchased intangible assets on our Consolidated Balance Sheets as a result of acquisitions. As of December 31, 2023, the net carrying value of our goodwill and other indefinite-lived intangible assets totaled approximately \$8 billion. In accordance with generally accepted accounting principles, we evaluate these assets for impairment at least annually, or more frequently if changes in events or circumstances indicate it is more likely than not that a potential impairment could exist. Significant negative industry or economic trends, disruptions to our business or our customers' business, inability to effectively integrate or scale acquired businesses, increases in cost of capital, unexpected significant changes or planned changes in use of the assets, failure of the FCC to renew radio spectrum licenses, and divestitures and market capitalization declines may cause impairment of our goodwill and other indefinite-lived intangible assets. For example, in 2020 we recorded goodwill impairment charges of \$58 million within our Measurement and Control Solutions segment primarily related to the performance of the business of the Pure Technologies Ltd. acquisition ("Pure") (as detailed in Note 12, "Goodwill and Other Intangible Assets"). We did not record goodwill impairment charges within our Measurement and Control Solutions segment in 2021, 2022 or 2023. Material impairment charges have in the past and could in the future adversely affect our results of operations and financial condition.

Changes in our effective tax rates and tax expenses may adversely affect our financial results.

We sell our products in approximately 150 countries and 46% of our revenue was generated outside the U.S. for the year ended December 31, 2023. Given the global nature of our business, a number of factors may increase our effective tax rates and tax expense, including:

- the geographic mix of jurisdictions in which profits are earned and taxed;
- the statutory tax rates and tax laws in jurisdictions in which we conduct business;
- the resolution of tax issues arising from tax examinations by various tax authorities; and
- the valuation of our deferred tax assets and liabilities.

Additionally, tax laws, regulations, and administrative practices in various jurisdictions may be subject to significant change, with or without notice, due to economic, political and other conditions. Significant judgment is required in evaluating and estimating our provision and accruals for these taxes. We continue to monitor the developments and tax implications surrounding changes in the global tax environment, including the Organization for Economic Co-operation and Development's model rules that propose a global minimum tax rate of 15%. Certain countries, including EU member states, have enacted or are expected to enact legislation to be effective as early as 2024, with widespread implementation of a global minimum tax expected by 2025. We will continue to monitor pending legislation and implementation by individual countries and evaluate the potential impact on our business in future periods. Based on currently enacted legislation, we do not expect a material impact on our effective tax rate and cash tax liabilities in the near term. However, additional guidance and details regarding implementation of these rules continue to be released. Any implementation of these rules via domestic legislation of countries or via international treaties could have a material impact on our effective tax rate or result in higher cash tax liabilities.

Our businesses are regularly examined by various tax authorities throughout the world and the resolutions of these examinations do not typically have a significant impact on our effective tax rates and tax expenses, but they could. For example, following an examination regarding aspects of the reorganization of our European business that occurred in 2013, the Swedish tax authority issued a tax assessment to Xylem's Swedish subsidiary in 2019, which we are appealing as further described in Note 7, "Income Taxes." This examination as well as other examinations

can result in increased tax assessments, and settlement or litigation about the assessments and final resolution could be unfavorable to Xylem. We regularly assess the likelihood of favorable or unfavorable outcomes resulting from these examinations to determine the adequacy of our provision for income taxes, including unrecognized tax benefits; however, developments in an audit or litigation could materially and adversely affect us. Although we believe our tax estimates and accruals are reasonable, there can be no assurance that any final determination will not be materially different than the treatment reflected in our historical income tax provisions, accruals and unrecognized tax benefits, which could materially and adversely affect our business, operating results, cash flows and financial condition.

Our pension and other defined benefit plans are subject to financial market risks that could adversely impact our earnings, financial condition and cash flows in future periods.

Certain current and retired employees are covered by pension and other defined benefit plans (collectively, "post-retirement benefit plans"). We make contributions to fund our post-retirement benefit plans when it is necessary or we consider it advantageous to do so. Risks to the Company include significant changes in market interest rates and inflation, decreases in fair value of plan assets, changes in discount rates, or changes in minimum funding requirements established by governments, taxing authorities or other agreements, any of which could increase our funding obligations and adversely impact our earnings, financial condition and cash flows in future periods. In addition to cash funding, we attempt to mitigate these risks, including through investments in assets intended to hedge market risk and in insurance solutions to transfer risk. However, the cost of our post-retirement benefit plans is incurred over long periods of time and involves factors that can be volatile and unpredictable, including rates of return on plan assets, discount rates used to calculate liabilities and expenses, changes in laws, regulatory actions, and changes in actuarial experience and assumptions, which could adversely impact our earnings, results of operations, financial condition and cash flows.

Risks Related to Legal and Regulatory

Failure to comply with laws, regulations and policies related to our business conduct, including the U.S. Foreign Corrupt Practices Act, other applicable anti-corruption laws, trade regulations, and data privacy and security laws, could have a material adverse impact on our business, results of operations, financial condition and reputation.

Given our global operations, we are subject to regulation under a wide variety of U.S. and non-U.S. laws, regulations and policies related to anti-bribery and corruption, trade including tariffs, exports and imports, anti-trust and competition, money laundering, and employment. Our policies mandate compliance with these laws and regulations. The U.S. Foreign Corrupt Practices Act (the "FCPA"), the U.K. Bribery Act of 2010 and similar anti-corruption laws in other jurisdictions generally prohibit companies and their intermediaries from making improper payments to government officials or other persons for the purpose of obtaining or retaining business. We operate in many parts of the world that are recognized as having governmental and commercial corruption and in certain circumstances, strict compliance with anti-corruption laws may conflict with local business customs and practices. We cannot guarantee that our internal controls, policies and procedures will always prevent and protect us from improper conduct by our employees or business partners, including distributors. In the event that we believe or have reason to believe that our employees or business partners have or may have violated applicable laws, regulations or policies, including anti-corruption laws, we are required to investigate the relevant facts and circumstances. This can be expensive and require significant time and attention from senior management. Any violation could result in substantial fines, sanctions, civil and/or criminal penalties, termination of relationships with business partners, or curtailment of operations in certain jurisdictions, and as a result might materially and adversely affect our business, results of operations or financial condition. In addition, actual or alleged violations could damage our reputation and ability to do business.

Additionally, to conduct our business and operations, we regularly move data across borders, and consequently we are subject to the continuously evolving legal and regulatory landscape regarding data privacy, data protection and data security, including the California Consumer Protection Act, the EU's General Data Protection Regulation ("GDPR") and the China Personal Information Protection Law ("PIPL"). The scope of these and other laws that may be applicable to us continues to evolve, is often uncertain and may be conflicting, particularly as respects foreign laws. GDPR greatly increases the jurisdictional reach of EU law and adds a broad array of requirements for handling personal data, including the enforcement of data subject rights, enhanced security requirements, obligations to guarantee EU data subject rights are not compromised in countries outside the EU, and public disclosure of significant data breaches. Other countries, such as China with its PIPL, have enacted or are enacting data localization and security laws, as well as various reporting requirements. All of these evolving legal and operational requirements impose significant costs of compliance that are likely to increase over time. We cannot guarantee that we will at all times be in compliance with all requirements. In addition, any violation could result in

substantial fines, sanctions and/or civil penalties, damage to our reputation and could materially and adversely affect our business, results of operations or financial condition.

Failure to comply with, and the cost of complying with, laws, regulations, policies and taxes applicable to our operations, products and services, including those involving the environment, climate change, and health and safety, could have a material adverse impact on our business, results of operations, financial condition and reputation.

Certain of our operations, products and services are governed by various federal, state, and local or foreign environmental, health and safety laws and regulations for the protection of the public, our employees and the environment, including as respects: emissions; potable and non-potable water; wastewater treatment and discharge; the generation, handling, storage, use, transport, treatment and disposal of non-hazardous and hazardous materials and wastes; the use of U.S. FCC-licensed radio spectrum (as detailed above); and our employees' health and safety. Such laws and regulations include the Occupational Health and Safety Act, the federal Safe Drinking Water Act, the Clean Water Act, the Clean Air Act, the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation, and Liability Act, the Toxic Substances Control Act, the Federal Insecticide, Fungicide and Rodenticide Act, the EU's Restriction of Hazardous Substance Directive, and the EU's Registration, Evaluation and Authorization of Chemicals Directive, as well as others enacted in response to environmental and climate change concerns. In addition, certain of our products may be subject to product safety regulations. For example, our Mar Cor product line provides US Food and Drug Administration 510(k) cleared water purification systems to the dialysis industry. The aforementioned laws and regulations establish, among other things, criteria and standards we must comply with and may require licensing, permitting, approval or reporting. We cannot provide assurance that our operations, products or services will at all times be in compliance with all applicable laws, regulations and permits or that we will be able to obtain or renew all required permits.

Increasing public and governmental concern regarding the environment and the effects of climate change has, and may continue to, result in new or increased legal and regulatory requirements, policies and taxes intended to limit environmental damage and GHG emissions, including as respects pollution and discharges, emissions trading schemes, carbon, fuel or other taxes. In addition, as discussed above, we expect to be subject to increasing regulatory requirements around disclosures related to our business' impact on climate change. Compliance with all of these requirements is complex. Applicable requirements change frequently and the timing and substance of future changes is uncertain and difficult to predict. We incur, and expect to continue to incur, costs to comply with applicable requirements, including: i) increased operating and capital expenditures related to our facilities and equipment; ii) increased research and development costs, including with respect to the design or re-design of our products in order to conform to changing emissions and efficiency standards and regulations, and iii) costs for tools, talent and resources to meeting the increasing disclosures requirements (discussed above). Our failure to comply with applicable laws, regulations, policies and taxes may result in substantial litigation and defense costs, fines, penalties and criminal sanctions; facility shutdowns to address violations; and investments in costly pollution control equipment or operational changes to limit emissions or discharges. Developments such as the adoption of new environmental or climate change laws and regulations, enforcement actions or litigation, discovery of previously unknown or more extensive contamination conditions, obsolescence of our products, interruption or suspension of our operations, an inability to recover costs associated with any such developments, or the financial insolvency of other responsible parties, could have material adverse effects on our business, financial condition, cash flows, results of operations, and reputation.

We face risks related to legal and regulatory proceedings.

We are subject to various laws, regulations and other requirements of governmental authorities in the U.S. and foreign countries, any violation of which could potentially create substantial liability and damage our reputation. Changes in laws, ordinances, regulations or other government policies, the nature, timing, and effect of which are uncertain, may significantly increase our expenses and liabilities.

From time to time, we are involved in legal and regulatory proceedings that are incidental to the operation of our businesses (including that of acquired or previously owned entities). These proceedings may seek remedies relating to environmental matters, tax, securities, intellectual property, acquisitions or divestitures, product liability, property damage, personal injury, privacy, employment, labor and pensions, governmental and commercial or contractual issues or disputes. In addition, our continued transition to connected products and services and digital technologies and solutions has increased our exposure to intellectual property litigation and we expect that this risk will continue to increase as we execute on our innovation and technology priorities.

It is not possible to predict with certainty the outcome of claims, investigations, regulatory proceedings and lawsuits, and we could in the future incur judgments, fines or penalties or enter into settlements and claims that could have

an adverse effect on our reputation, our business, results of operations and financial condition. Additionally, we may be required to change or cease operations at one or more facilities if a regulatory agency determines that we have failed to comply with laws, regulations or orders applicable to our business.

The global and diverse nature of our operations, coupled with the increase in regulation and enforcement in many regions of the globe, means that we will continue to face legal and compliance risks. Additional legal and regulatory proceedings and other contingencies, the outcome of which cannot be predicted with certainty, have in the past and may in the future arise from time to time. In addition, subsequent developments in legal and regulatory proceedings may affect our assessments and estimates of loss contingencies recorded as a reserve and require us to make payments in excess of our reserves, which could have an adverse effect on our results of operations and financial condition.

Infringement or expiration of our intellectual property rights, or allegations that we have infringed upon the intellectual property rights of third parties could negatively affect us.

We own numerous patents, trademarks, copyrights, trade secrets and other intellectual property and licenses to intellectual property owned by others, that are important to our business. Our intellectual property rights may provide us with competitive advantage because they may help us differentiate our technologies, products and services, including our growing portfolio of data analytics and digitally enabled offerings. However, our current or future intellectual property rights may not be sufficiently broad or may be challenged, invalidated, circumvented, misappropriated, independently developed, or designed around, particularly given our operations in countries where laws governing intellectual property rights are not highly developed, protected or enforced. Our failure to obtain or maintain intellectual property rights that convey competitive advantage, adequately protect our intellectual property, or detect or prevent circumvention, misappropriation or unauthorized use of such property, as well as the cost of enforcing our intellectual property rights, could adversely impact our business, financial condition and results of operations.

From time to time, we receive notices from third parties alleging intellectual property infringement or misappropriation. Any dispute or litigation regarding intellectual property could be costly and time-consuming to defend due to the complexity and uncertainty of intellectual property litigation. We may not be successful in asserting a counterclaim, or negotiating a license, in response to a claim of infringement or misappropriation. In addition, as a result of such infringement or misappropriation claims, we could lose our rights to use or license critical technology, sell critical products and services, be required to pay substantial damages or license fees with respect to the use of third-party intellectual property rights, or be required to redesign our products at substantial cost, any of which could adversely impact our competitive position, financial condition and results of operations. Even if we successfully defend against claims of infringement or misappropriation, we may incur significant costs and diversion of management attention and resources, which could adversely affect our business, financial condition and results of operations.

ITEM 1B. UNRESOLVED STAFF COMMENTS.

None.

ITEM 1C. CYBER SECURITY.

We have implemented a comprehensive cybersecurity program guided by recognized industry practices and frameworks and we continue to evolve the program in order to be able to assess, identify and manage risks from the continually evolving cybersecurity threat landscape. Our cybersecurity program encompasses our enterprise information technology, including operational technology and technology of third parties on which we rely, and connected products and services. Although we maintain a cybersecurity program that we believe is reasonably designed to protect the Company, cybersecurity threats may result in adverse effects on the confidentiality, integrity, and availability of our information systems or those of third parties on which we rely, and our connected products and services.

Management and Internal Cybersecurity Team

Our Chief Information Officer ("CIO"), who has over 30 years of relevant work experience in information technology, including cybersecurity, is responsible for the Company's information technology systems and cybersecurity and is an integral part of the Company's management of cybersecurity and related risks. The CIO reports to the Senior Vice President, Operations and Supply Chain, who reports directly to the Chief Executive Officer.

Our Chief Information Security Officer ("CISO"), who has extensive cybersecurity knowledge and skills gained from over 25 years of relevant work experience and holds the Certified Information Systems Security Professional certification, reports to the CIO. The CISO is responsible for assessing, monitoring and advising the Company's businesses, management and the Board of Directors ("Board") on the Company's risks from cybersecurity threats; implementing cybersecurity strategy, programs and processes across our enterprise and connected products and services; reviewing the risk management measures implemented by the Company to identify and mitigate cybersecurity risks; and overseeing the maintenance and deployment of the Cybersecurity Incident Response Plan.

The Company's Cybersecurity Team ("Team"), comprised of individuals with a broad range of cybersecurity skills, experiences and certifications, is led by the CISO. The Team is responsible for the implementation, monitoring and maintenance of the Company's cybersecurity practices in coordination with its businesses, operations and functions, and oversees the Company's cybersecurity program, including infrastructure, governance and incident response as detailed below. On a regular basis, the CISO receives reports from the Team on these cybersecurity program matters. In addition, the CISO also receives reports and updates on incident response and cybersecurity threats.

Risk Management and Strategy

The CISO and Team manage a program for enterprise cybersecurity that is guided by the National Institute of Standards and Technology's ("NIST") Cybersecurity Framework. Key areas of responsibility in the program include governance, risk and compliance, threat analysis and response, security architecture and engineering, security operations, and secure manufacturing operations. The CISO and Team also manage a program for connected products and services cybersecurity risk management that is guided by the ISA/IEC 62443 standard to enable protection and resiliency across products and services. Key areas of responsibility include product security, software development, innovation management, threat analysis and incident response. Both the enterprise and connected products and services programs are designed to assess, identify and manage risks from cybersecurity threats in order to protect and preserve the security, integrity and continued availability of the Company's information technology systems and connected products and services, and also to protect the confidentiality and integrity of information owned by, or in the custody and care of, the Company. Elements of the programs include policies, standards, architecture, processes, tools, technology, employee education and training, and incident response. Our risk management processes undergo at least quarterly review to identify potential gaps and areas for additional investment, resources and focus. Our enterprise and product security programs undergo regular testing, including periodic vulnerability scanning and penetration testing. In addition, we also periodically engage third parties to assess our enterprise and product security programs and provide consultation and advice to assist with assessing, identifying, and managing cybersecurity risks. Our Enterprise Risk Management ("ERM") Program annually assesses and, on an ongoing basis, monitors the Company's key risks, including cybersecurity risk.

We maintain a suite of policies – the Cybersecurity Policy, the Product Cybersecurity Policy and the Acceptable Use of Information Technology Resources Policy – that apply globally to all of our employees, businesses and functions, as well as third-party vendors and contractors as required by our legal agreements with them. These policies specify roles and responsibilities, fundamental principles and proper controls required for Xylem's protection. Our policies are reviewed annually to identify potential gaps or areas for improvement, considering changes in the Company, and its connected products and services, as appropriate. Our Code of Conduct, implemented by the Board, requires our employees' adherence with our policies and practices, including with respect to cybersecurity risk management.

Employees receive ongoing annual education and training regarding relevant cybersecurity risks and practices, including how to protect information and systems from cyber threats. We also conduct monthly phishing simulations to increase employees' ability to detect and prevent such threats. Through our internal social media channel, we provide cybersecurity alerts and education. In addition, our policies require the use of a cyber risk management process to onboard new suppliers and other third parties.

The Company's cybersecurity risk mitigation strategy includes the use of risk transfer via insurance that provides protection against certain potential losses arising from certain cybersecurity incidents.

Board of Directors

Our Board recognizes the importance of maintaining the trust and confidence of our customers, suppliers, employees and shareholders. In line with its broader strategic oversight, the Board oversees cybersecurity, including strategy and processes. To assist with oversight of cybersecurity, the Board has delegated to the Audit Committee responsibility to oversee certain aspects of cybersecurity, including controls and reporting. As part of its independent oversight of the key risks facing the Company, the Board and Audit Committee devote considerable time and attention to the oversight of management's approach to cybersecurity and related risk mitigation, including strategy, controls, resources, policies, standards, processes and practices. At least semi-annually, the Audit Committee or full Board receive reports from the CIO and CISO. Such reports include updates on the Company's cybersecurity risk profile, assessments of the Company's enterprise and product security programs, management's strategy for managing risks, measures implemented to identify and mitigate cybersecurity risks, the status of projects to strengthen the Company's cybersecurity posture, the emerging cybersecurity threat landscape, and other relevant topics. We have protocols and processes by which certain cybersecurity incidents, as specified by our Cybersecurity Incident Response Plan, are escalated within the Company and, as appropriate, to the Audit Committee. These escalation protocols are periodically reviewed and updated, as needed.

The Board receives a report on the results of the Company's annual ERM Program risk assessment, as well periodic updates on the ERM Program, including ongoing monitoring of the Company's risks, as appropriate. The ERM Program has identified cybersecurity as one of the Company's primary risks.

Key Internal Governance Bodies

Xylem has a number of committees to bolster business resilience, protect shareholder value and enable compliance with regulatory requirements. The Enterprise Risk Committee ("ERC"), a key component of the Company's ERM Program, is comprised of senior executives and is responsible for reviewing the Company's key risks as identified by the ERM Program, including cybersecurity, and overseeing the Company's identification, assessment, management, mitigation and ongoing monitoring of these risks. As such, the ERC periodically receives reports from the CISO on cybersecurity risk.

The Cyber Risk Committee ("CRC"), comprised of a cross-functional group of senior executives including the CIO, CISO, Chief Financial Officer and General Counsel, provides advice and governance regarding the Company's strategic management of cybersecurity across the Company, including cybersecurity risk posture, projects, issues, threat intelligence and escalations. The CRC meets at least quarterly and receives reports and presentations from the CISO or third parties on internal and external cybersecurity matters; and, as appropriate, briefings from the CISO on cybersecurity incidents, the Company's incident response, recovery and remediation, and actual or potential impacts.

Incident Response

Our Cybersecurity Incident Response Plan ("IRP"), which generally aligns with NIST's guidance, provides management with a standardized framework for responding to an actual or potential cybersecurity threat or incident. The IRP sets out a coordinated approach to investigating, containing, documenting and mitigating incidents, including reporting findings and keeping senior management and other key stakeholders informed and involved as appropriate. The IRP also specifies the use of third-party experts for legal advice, consulting and incident response, as appropriate. The IRP undergoes at least annual tabletop exercises, where the Incident Response Team and relevant business and functions drill our response to a simulated cyber incident. The results of these drills are used to identify areas for improvement in our processes and technologies.

Material Cybersecurity Risks, Threats & Incidents

Due to evolving cybersecurity threats, it has and will continue to be difficult to prevent, detect, mitigate, and remediate cybersecurity incidents. While we have not experienced any material cybersecurity threats or incidents as of the date of this Report, our cybersecurity program might not be able to prevent or mitigate future successful attacks, threats or incidents.

As detailed elsewhere in this Report, we also rely on information technology and other third-party vendors and strategic joint venture partners to support our business and operations, including our secure processing of personal, confidential, financial, sensitive, proprietary and other types of information, and to enable our connected product and service offerings. Despite ongoing efforts to improve our and third parties' ability to protect against cyber threats, we may not be able to protect all information systems or connected products and services. Cybersecurity incidents may lead to reputational harm, revenue and client loss, legal actions, statutory penalties, among other consequences. For a more detailed discussion of these risks see the discussion set forth under "Item 1A. Risk Factors" in this Report.

ITEM 2. PROPERTIES

We have approximately 500 locations in more than 50 countries. These properties total approximately 15 million square feet, of which more than 400 locations, or approximately 8 million square feet, are leased. We consider the offices, plants, warehouses and other properties that we own or lease to be in good condition and generally suitable for the purposes for which they are used. The following table shows our significant locations by segment:

| Location | State or Country | Principal Business Activity | Approx. Square Feet | Owned or Leased |
|---|----------------------|---|---------------------|-----------------|
| <u>Water Infrastructure</u> | | | | |
| Emmaboda | Sweden | Administration and Manufacturing | 1,197,000 | Owned |
| Shenyang | China | Manufacturing | 271,000 | Owned |
| Vadodara | India | Manufacturing and Research & Development | 240,000 | Leased |
| Stockholm | Sweden | Administration and Research & Development | 182,000 | Leased |
| Bridgeport | NJ | Administration and Manufacturing | 136,000 | Leased |
| <u>Applied Water</u> | | | | |
| Morton Grove | IL | Administration and Manufacturing | 530,000 | Owned |
| Montecchio | Italy | Administration and Manufacturing | 379,000 | Owned |
| Nanjing | China | Manufacturing | 363,000 | Owned |
| Auburn | NY | Manufacturing | 273,000 | Owned |
| Abony | Hungary | Manufacturing | 250,000 | Leased |
| Stockerau | Austria | Sales & Service Office | 234,000 | Owned |
| Strzelin | Poland | Manufacturing | 185,000 | Owned |
| Cheektowaga | NY | Manufacturing | 147,000 | Owned |
| <u>Measurement and Control Solutions</u> | | | | |
| Ludwigshafen | Germany | Manufacturing | 318,000 | Owned |
| Texarkana | AR | Manufacturing | 254,000 | Owned |
| Uniontown | PA | Manufacturing | 240,000 | Leased |
| DuBois | PA | Manufacturing | 197,000 | Owned |
| Durham | NC | Administration and Research & Development | 172,000 | Leased |
| Weilheim | Germany | Manufacturing | 160,000 | Leased |
| Dubois | PA | Manufacturing | 137,000 | Leased |
| <u>Integrated Solutions and Services</u> | | | | |
| Thomasville | GA | Manufacturing | 211,000 | Owned |
| Rockford | IL | Manufacturing | 165,000 | Owned |
| Holland | MI | Manufacturing | 132,000 | Owned |
| Houston | TX | Service | 107,000 | Leased |
| <u>Regional Locations</u> | | | | |
| Dubai | United Arab Emirates | Manufacturing | 144,000 | Owned |
| Nottinghamshire | United Kingdom | Administration | 139,000 | Leased |
| Nanterre | France | Sales & Service Office | 139,000 | Leased |
| Langenhagen | Germany | Sales & Service Office | 134,000 | Owned |
| Schaffhausen | Switzerland | Administration | 26,000 | Leased |
| <u>Corporate Headquarters</u> | | | | |
| Washington | DC | Administration | 18,000 | Leased |

ITEM 3. LEGAL PROCEEDINGS

From time to time, we are involved in legal and regulatory proceedings that are incidental to the operation of our businesses (or the business operations of previously-owned entities). These proceedings may seek remedies relating to matters including environmental, tax, intellectual property, acquisitions or divestitures, product liability, property damage, personal injury, privacy, employment, labor and pension, government investigations or contract issues and commercial or contractual disputes.

Evoqua previously disclosed in its public filings that the United States Attorney's Office for the District of Massachusetts was investigating whether financial misstatements were made in Evoqua's public filings and earnings announcements. That investigation has been moved to the United States Attorney's Office for the District of Rhode Island. The Company is cooperating with the investigation. We currently believe that it will not have a material adverse effect on our business, financial condition, results of operations, or prospects.

See Note 20, "Commitments and Contingencies", of the consolidated financial statements included in Item 8 of Part II of this 10-K for information regarding certain legal and regulatory proceedings we are involved in.

ITEM 4. MINE SAFETY DISCLOSURES

Not applicable.

INFORMATION ABOUT OUR EXECUTIVE OFFICERS

The following information is provided regarding the executive officers of Xylem as of February 7, 2024:

| NAME | AGE | CURRENT TITLE | OTHER BUSINESS EXPERIENCE DURING PAST 5 YEARS |
|-----------------------|-----|---|---|
| Matthew F. Pine | 52 | President and Chief Executive Officer (2024) | <ul style="list-style-type: none"> Chief Operating Officer (2023) Senior VP and President, Americas, Applied Water Systems and Measurement and Control Systems (2022) Senior VP and President, Americas and Applied Water Systems (2020) President, Carrier Residential, United Technologies Corporations (2018), a multinational industrial conglomerate |
| William K. Grogan | 45 | Senior VP and Chief Financial Officer (2023) | <ul style="list-style-type: none"> Senior VP and Chief Financial Officer, IDEX Corporation, a diversified manufacturer of highly engineered products (2017) |
| Rodney O. Aulick | 56 | Senior VP and President, Water Solutions and Services (2023) | <ul style="list-style-type: none"> Executive Vice President Integrated Solutions and Services, Evoqua Water Technologies Corp. (2018) |
| Dorothy G. Capers | 62 | Senior VP, General Counsel (2022) | <ul style="list-style-type: none"> Executive Vice President, Global General Counsel and Corporate Secretary, National Express Group, a leading transport provider (2015) |
| Franz W. Cerwinka | 53 | Senior VP and President, Applied Water Systems and Xylem Business Transformation (2023) | <ul style="list-style-type: none"> Senior VP and President, Emerging Markets (2020) Chief Executive Officer, Johnson Controls Hitachi Air Conditioning, a multinational air conditioning manufacturing company (2015) |
| Michael J. McGann | 53 | Senior VP and President, Americas and Measurement and Control Solutions (2023) | <ul style="list-style-type: none"> VP, North America Utilities Commercial Team (2022) VP, Sensus Americas, Global Engineering and Assessment Services (2017) |
| Geri-Michelle McShane | 50 | VP, Controller and Chief Accounting Officer (2019) | <ul style="list-style-type: none"> Controller, Accounting and Reporting (2016) |
| Claudia S. Toussaint | 60 | Senior VP, Chief People and Sustainability Officer (2021) | <ul style="list-style-type: none"> Senior VP, General Counsel and Corporate Secretary (2014) |
| Hayati Yarkadas | 55 | Senior VP and President, Europe, Water Infrastructure and Global Services (2020) | <ul style="list-style-type: none"> Senior VP and President, Performance Materials, Trinseo S.A., a specialty material solutions provider (2015) |

Note: Date in parentheses indicates the year in which the position was assumed.

BOARD OF DIRECTORS

The following information is provided regarding the Board of Directors of Xylem as of February 7, 2024:

| NAME | TITLE |
|----------------------|--|
| Robert F. Friel | Board Chair, Xylem Inc., Former Chairman, President and CEO, PerkinElmer, Inc. |
| Matthew F. Pine | President and Chief Executive Officer, Xylem Inc. |
| Jeanne Beliveau-Dunn | Chief Executive Officer and President of Claridad, LLC |
| Earl R. Ellis | Executive Vice President and Chief Financial Officer, ABM Industries Incorporated |
| Lisa Glatch | Former President, LNG and Net-Zero Solutions and Chief Sustainability Officer, Sempra Infrastructure |
| Victoria D. Harker | Executive Vice President and Chief Financial Officer, TEGNA, Inc. |
| Steven R. Loranger | Former Chairman, President and Chief Executive Officer, ITT Corporation |
| Mark D. Morelli | President and Chief Executive Officer, Vontier Corporation |
| Jerome A. Peribere | Former President and Chief Executive Officer, Sealed Air Corporation |
| Lynn C. Swann | President, Swann Inc. |
| Lila Tretikov | Corporate Vice President & Deputy Chief Technology Officer, Microsoft Corporation |
| Uday Yadav | Chief Executive Officer, TK Elevator |

PART II

ITEM 5. MARKET FOR THE REGISTRANT'S COMMON EQUITY, RELATED STOCKHOLDER MATTERS AND ISSUER PURCHASES OF EQUITY SECURITIES

Market Price and Dividends

Our common stock trades publicly on the New York Stock Exchange under the trading symbol "XYL". As of January 31, 2024, there were 7,833 holders of record of our common stock.

Dividends are declared and paid on the common stock at the discretion of our Board of Directors and depend on our profitability, financial condition, capital needs, future prospects and other factors deemed relevant by our Board. Therefore, there can be no assurance as to what level of dividends, if any, will be paid in the future. In the first quarter of 2024, we declared a dividend of \$0.36 per share to be paid on March 20, 2024 to shareholders of record on February 21, 2024.

There were no unregistered offerings of our common stock during 2023.

Fourth Quarter 2023 Share Repurchase Activity

The following table summarizes our repurchases of our common stock for the quarter ended December 31, 2023:

(in millions, except per share amounts)

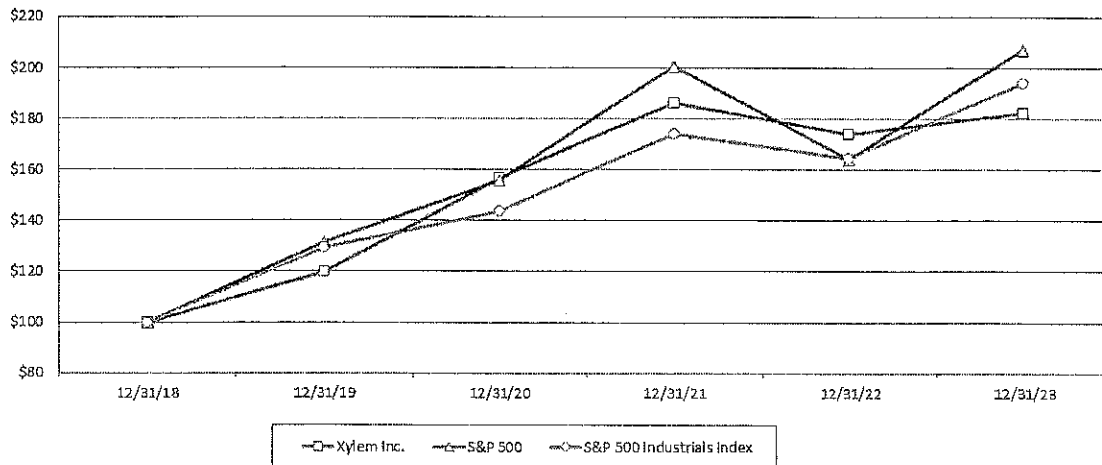
| Period | Total Number of Shares Purchased | Average Price Paid per Share (a) | Total Number of Shares Purchased as Part of Publicly Announced Plans or Programs (b) | Approximate Dollar Value of Shares That May Yet Be Purchased Under the Plans or Programs (b) |
|--------------------|----------------------------------|----------------------------------|--|--|
| 10/1/23 - 10/31/23 | — | — | — | \$182 |
| 11/1/23 - 11/30/23 | — | — | — | \$182 |
| 12/1/23 - 12/31/23 | — | — | — | \$182 |

(a) Average price paid per share is calculated on a settlement basis.

(b) On August 24, 2015, our Board of Directors authorized the repurchase of up to \$500 million in shares with no expiration date. The program's objective is to deploy our capital in a manner that benefits our shareholders and maintains our focus on growth. There were no shares repurchased under this program during the three months ended December 31, 2023. There are up to \$182 million in shares that may still be purchased under this plan as of December 31, 2023.

PERFORMANCE GRAPH
CUMULATIVE TOTAL RETURN

The following graph compares the relative performance of our common stock, the S&P 500 Index and the S&P 500 Industrials Index. This graph covers the period from December 31, 2018 through December 31, 2023 and assumes that \$100 was invested on December 31, 2018 in our common stock, the S&P 500 and the S&P 500 Industrials with the reinvestment of any dividends.



| | XYL | S&P 500 | S&P 500 Industrials Index |
|-------------------|-----|---------|---------------------------|
| December 31, 2019 | 120 | 131 | 129 |
| December 31, 2020 | 157 | 156 | 144 |
| December 31, 2021 | 186 | 200 | 174 |
| December 31, 2022 | 174 | 164 | 164 |
| December 31, 2023 | 182 | 207 | 194 |

The graph is not, and is not intended to be, indicative of future performance of our common stock.

This performance graph shall not be deemed "filed" with the SEC or subject to the liabilities of Section 18 of the Securities Exchange Act of 1934, and should not be deemed incorporated by reference into any of our prior or subsequent filings under the Securities Act of 1933 or the Securities Exchange Act of 1934, except as shall be expressly set forth by specific reference in such filing.

ITEM 6. Reserved

ITEM 7. MANAGEMENT'S DISCUSSION AND ANALYSIS OF FINANCIAL CONDITION AND RESULTS OF OPERATIONS

The following discussion should be read in conjunction with our consolidated financial statements and the notes thereto. This discussion summarizes the significant factors affecting our results of operations and the financial condition of our business. Except as otherwise indicated or unless the context otherwise requires, "Xylem," "we," "us," "our" and "the Company" refer to Xylem Inc. and its subsidiaries.

This section of this Form 10-K generally discusses 2023 and 2022 items and year-to-year comparisons between 2023 and 2022. Discussions of 2021 items and year-to-year comparisons between 2022 and 2021 that are not included in this Form 10-K can be found in "Management's Discussion and Analysis of Financial Condition and Results of Operations" in Part II, Item 7 of the Company's Annual Report on Form 10-K for the fiscal year ended December 31, 2022.

Overview

Xylem is a leading global water technology company. We design, manufacture and service highly engineered products and solutions ranging across a wide variety of critical applications in utility, industrial, residential and commercial building services settings. Our broad portfolio of solutions addresses customer needs across the water cycle, from the delivery, measurement and use of drinking water to the collection, test, treatment and analysis of wastewater to the return of water to the environment. Our product and service offerings are organized into four reportable segments that are aligned around the critical market applications they provide: Water Infrastructure, Applied Water, Measurement and Control Solutions and Integrated Solutions and Services.

- *Water Infrastructure* serves the water infrastructure sector with pump systems that transport water from aquifers, lakes, rivers and seas; with filtration, ultraviolet and ozone systems that provide treatment, making the water fit to use; and pumping solutions that move the wastewater and storm water to treatment facilities where our mixers, biological treatment, monitoring and control systems provide the primary functions in the treatment process. We also provide sales and rental of specialty dewatering pumps and related equipment and services. Additionally, our offerings use monitoring and control, smart and connected technologies to allow for remote monitoring of performance and enable products to self-optimize pump operations maximizing energy efficiency and minimizing unplanned downtime and maintenance for our customers. In the Water Infrastructure segment, we provide the majority of our sales directly to customers along with strong applications expertise, while the remaining amount is through distribution partners. The Water Infrastructure segment also includes legacy-Evoqua's Applied Product Technologies ("APT") segment. APT provides a range of highly differentiated and scalable products and technologies with product offerings in the filtration and separation, disinfection, wastewater solutions, anode and electrochlorination technology, and aquatics technologies and solutions spaces.
- *Applied Water* serves the water usage applications sector with water pressure boosting systems for heating, ventilation and air conditioning, and for fire protection systems to the residential and commercial building services markets. In addition, our pumps, heat exchangers and controls provide cooling to power plants and manufacturing facilities, circulation for food and beverage processing, as well as boosting systems for agricultural irrigation. In the Applied Water segment, we provide the majority of our sales through long-standing relationships with many of the leading independent distributors in the markets we serve, with the remainder going directly to customers.
- *Measurement and Control Solutions* primarily serves the utility infrastructure solutions and services sector by delivering communications, smart metering, measurement and control technologies and critical infrastructure technologies that allow customers to more effectively use their distribution networks for the delivery, monitoring and control of critical resources such as water, electricity and natural gas. We also provide analytical instrumentation used to measure and analyze water quality, flow and level in clean water, wastewater, and outdoor environments. Additionally, we offer software and services including cloud-based analytics, remote monitoring and data management, leak detection, condition assessment, asset management and pressure monitoring solutions. In the Measurement and Control Solutions segment, we generate our sales through a combination of long-standing relationships with leading distributors and dedicated channel partners as well as direct sales depending on the regional availability of distribution channels and the type of product.
- *Integrated Solutions and Services* serves the industrial and municipal sectors with tailored services and solutions in collaboration with the customers backed by life-cycle services including on-demand water, outsourced water, recycle / reuse, and emergency response service alternatives to improve operational reliability, performance, and environmental compliance. Key offerings within this segment also include

equipment systems for industrial needs (influent water, boiler feed water, ultrahigh purity, process water, wastewater treatment, and recycle / reuse), full-scale outsourcing of operations and maintenance, and municipal services, including odor and corrosion control services.

Evoqua Acquisition

On January 22, 2023, Xylem entered into a definitive agreement to acquire Evoqua, a leader in mission-critical water treatment solutions and services, in an all-stock transaction that reflected an implied enterprise value of approximately \$7.5 billion. The transaction closed on May 24, 2023. See Note 3, "Acquisitions and Divestitures," to the consolidated financial statements for further information.

Coinciding with the Evoqua acquisition, Xylem has updated our adjusted operating income and adjusted earnings per share to add back non-cash purchase accounting intangible amortization and recast 2022 amounts to reflect the change on a comparative basis

Evoqua, a leader in North America water treatment, complements Xylem's distinctive portfolio of solutions with advanced water and wastewater treatment capabilities, a powerful and extensive network of service professionals and access to a number of attractive industrial markets with resilient, recurring revenue streams.

Key Performance Indicators and Non-GAAP Measures

Management reviews key performance indicators including revenue, gross margins, segment operating income and operating income margins, orders growth, working capital and backlog, among others. In addition, we consider certain non-GAAP (or "adjusted") measures to be useful to management and investors evaluating our operating performance for the periods presented, and to provide a tool for evaluating our ongoing operations, liquidity and management of assets. This information can assist investors in assessing our financial performance and measures our ability to generate capital for deployment among competing strategic alternatives and initiatives, including, but not limited to, dividends, acquisitions, share repurchases and debt repayment. Excluding revenue, Xylem provides guidance only on a non-GAAP basis due to the inherent difficulty in forecasting certain amounts that would be included in GAAP earnings, such as discrete tax items, without unreasonable effort. These adjusted metrics are consistent with how management views our business and are used to make financial, operating and planning decisions. These metrics, however, are not measures of financial performance under GAAP and should not be considered a substitute for revenue, operating income, net income, earnings per share (basic and diluted) or net cash from operating activities as determined in accordance with GAAP. We consider the following non-GAAP measures to be key performance indicators, as well as the related reconciling items to the most directly comparable measure calculated and presented in accordance with GAAP. The non-GAAP measures may not be comparable to similarly-titled measures reported by other companies.

- "organic revenue" and "organic orders" defined as revenue and orders, respectively, excluding the impact of fluctuations in foreign currency translation and contributions from acquisitions and divestitures. Divestitures include sales or discontinuance of insignificant portions of our business that did not meet the criteria for classification as a discontinued operation. The period-over-period change resulting from foreign currency translation impacts is determined by translating current period and prior period activity using the same currency conversion rate.
- "constant currency" defined as financial results adjusted for foreign currency translation impacts by translating current period and prior period activity using the same currency conversion rate. This approach is used for countries whose functional currency is not the U.S. Dollar.
- "adjusted net income" and "adjusted earnings per share" defined as net income and earnings per share, respectively, adjusted to exclude restructuring and realignment costs, amortization of acquired intangible assets, gain or loss from sale of businesses, special charges and tax-related special items, as applicable. A reconciliation of adjusted net income and adjusted earnings per share is provided below.

(in millions, except per share data)

| | 2023 | | 2022 | |
|--|---------------|----------------|---------------|----------------|
| Net income and Earnings per share | \$ 609 | \$ 2.79 | \$ 355 | \$ 1.96 |
| Restructuring and realignment | 106 | 0.49 | 34 | 0.19 |
| Acquired intangible amortization | 176 | 0.81 | 72 | 0.40 |
| Special charges | 138 (a) | 0.63 | 160 (b) | 0.88 |
| Tax-related special items | (115) | (0.53) | 1 | 0.01 |
| (Gain) loss from sale of business | 1 | — | (1) | (0.01) |
| Tax effects of adjustments (c) | (90) | (0.41) | (51) | (0.28) |
| Adjusted net income and Adjusted earnings per share | \$ 825 | \$ 3.78 | \$ 570 | \$ 3.15 |

(a) The special charges in the year primarily relate to \$126 million of acquisition and integration related costs.

(b) The special charges in the year primarily relate to the U.K. pension settlement expense of \$140 million and asset impairment charges of \$14 million recorded in the period.

(c) The tax effects of adjustments are calculated using the statutory tax rate, taking into consideration the nature of the item and the relevant taxing jurisdiction.

- "adjusted operating expenses" defined as operating expenses adjusted to exclude amortization of acquired intangible assets, restructuring and realignment costs and special charges.
- "adjusted operating income" defined as operating income, adjusted to exclude restructuring and realignment costs and special charges, and "adjusted operating margin" defined as adjusted operating income divided by total revenue.
- "EBITDA" defined as earnings before interest, taxes, depreciation and amortization expense, "EBITDA margin" defined as EBITDA divided by total revenue, "adjusted EBITDA" reflects the adjustment to EBITDA to exclude share-based compensation charges, restructuring and realignment costs, gain or loss from sale of businesses and special charges, and "adjusted EBITDA margin" defined as adjusted EBITDA divided by total revenue.
- "realignment costs" defined as costs not included in restructuring costs that are incurred as part of actions taken to reposition our business, including items such as professional fees, severance, relocation, travel, facility set-up and other costs.
- "special charges" defined as costs incurred by the Company, such as acquisition and integration related costs, non-cash impairment charges, and both operating and non-operating adjustments for costs related to the U.K. pension plan buy-out.
- "tax-related special items" defined as tax items, such as tax return versus tax provision adjustments, tax exam impacts, tax law change impacts, excess tax benefits/losses and other discrete tax adjustments.
- "free cash flow" defined as net cash from operating activities, as reported in the Statement of Cash Flows, less capital expenditures. Our definition of "free cash flow" does not consider certain non-discretionary cash payments, such as debt. The following table provides a reconciliation of free cash flow.

(in millions)

| | 2023 | 2022 |
|---|---------------|---------------|
| Net cash provided by operating activities | \$ 837 | \$ 596 |
| Capital expenditures | (271) | (208) |
| Non-discretionary tax payments (R&D tax law adoption) | 33 | — |
| Free cash flow | \$ 599 | \$ 388 |
| Net cash used in investing activities | \$ (628) | \$ (191) |
| Net cash provided (used) by financing activities | \$ (157) | \$ (790) |

Executive Summary

Xylem reported revenue of \$7,364 million for 2023, an increase of \$1,842 million, or 33.4%, from \$5,522 million reported in 2022. On a constant currency basis, revenue increased by \$1,867 million, or 33.8%, during the year. The increase at constant currency consists of revenue from acquisitions of \$1,177 million and an increase in organic revenue of \$690 million reflecting strong organic growth in all segments as well as across all major geographic regions.

Operating income for 2023 was \$652 million, reflecting an increase of \$30 million, or 4.8%, compared to \$622 million in 2022. Operating margin was 8.9% and 11.3% for 2023 and 2022, respectively. The increase in operating income for 2023 included an increase in special charges of \$122 million, an increase in purchased intangible amortization of \$104 million, and an increase in restructuring and realignment costs of \$72 million as compared to 2022. Excluding the impact of these items, adjusted operating income was \$1,072 million, with an adjusted operating margin of 14.6% in 2023 as compared to adjusted operating income of \$744 million with an adjusted operating margin of 13.5% in 2022, an increase of 110 basis points.

Additional financial highlights for 2023 include the following:

- Net income of \$609 million, or \$2.79 per diluted share, up 42.3% (\$825 million or \$3.78 per diluted share on an adjusted basis, up 20.0% from 2022)
- Net cash provided by operating activities of \$837 million and free cash flow of \$599 million, up 54% from 2022
- Orders of \$7,501 million, up 19.9% from \$6,257 million in 2022 (up 1.0% on an organic basis)
- Dividends paid to shareholders increased 10% in 2023.

Results of Operations

| (in millions) | 2023 | 2022 | 2023 v. 2022 |
|---|----------|----------|--------------|
| Revenue | \$ 7,364 | \$ 5,522 | 33.4 % |
| Gross profit | 2,717 | 2,084 | 30.4 % |
| <i>Gross margin</i> | 36.9 % | 37.7 % | (80)bp |
| Total operating expenses | 2,065 | 1,462 | 41.2 % |
| <i>Expense to revenue ratio</i> | 28.0 % | 26.5 % | 150 bp |
| Restructuring and realignment costs | (102) | (30) | 240.0 % |
| Acquired intangible asset amortization | (176) | (72) | 144.4 % |
| Special charges | (106) | (16) | 562.5 % |
| Adjusted operating expenses | 1,681 | 1,344 | 25.1 % |
| <i>Adjusted operating expenses to revenue ratio</i> | 22.8 % | 24.3 % | (150)bp |
| Operating income | 652 | 622 | 4.8 % |
| <i>Operating margin</i> | 8.9 % | 11.3 % | (240)bp |
| U.K. pension settlement expense | — | 140 | NM |
| Interest and other non-operating expense, net | 16 | 43 | (62.8) % |
| Gain/(loss) from sale of business | (1) | 1 | (200.0) % |
| Income tax expense | 26 | 85 | (69.4) % |
| <i>Tax rate</i> | 4.1 % | 19.2 % | (1,510)bp |
| Net income | \$ 609 | \$ 355 | 71.5 % |

NM Not Meaningful

2023 versus 2022

Revenue

Revenue generated for 2023 was \$7,364 million, an increase of \$1,842 million, or 33.4%, compared to \$5,522 million in 2022. On a constant currency basis, revenue grew 33.8% during 2023. The increase at constant currency consists of revenue from acquisitions of \$1,177 million and an increase in organic revenue of \$690 million, reflecting strong organic growth in all segments as well as across all major geographic regions.

The following table illustrates the impact from organic growth, recent acquisitions and divestitures, and foreign currency translation in relation to revenue during 2023:

| (In millions) | Water Infrastructure | | Applied Water | | Measurement and Control Solutions | | Integrated Solutions and Services | | Total Xylem | |
|----------------------------------|----------------------|----------|-----------------|----------|-----------------------------------|----------|-----------------------------------|----------|-----------------|----------|
| | \$ Change | % Change | \$ Change | % Change | \$ Change | % Change | \$ Change | % Change | \$ Change | % Change |
| 2022 Revenue | \$ 2,364 | | \$ 1,767 | | \$ 1,391 | | \$ — | | \$ 5,522 | |
| Organic Growth | 255 | 10.8 % | 96 | 5.4 % | 339 | 24.4 % | — | NM | 690 | 12.5 % |
| Acquisitions/(Divestitures) | 362 | 15.3 % | — | — % | — | — % | 815 | NM | 1,177 | 21.3 % |
| Constant Currency | 617 | 26.1 % | 96 | 5.4 % | 339 | 24.4 % | 815 | NM | 1,867 | 33.8 % |
| Foreign currency translation (a) | (14) | (0.6)% | (10) | (0.5)% | (1) | (0.1)% | — | NM | (25) | (0.4)% |
| Total change in revenue | 603 | 25.5 % | 86 | 4.9 % | 338 | 24.3 % | 815 | NM | 1,842 | 33.4 % |
| 2023 Revenue | <u>\$ 2,967</u> | | <u>\$ 1,853</u> | | <u>\$ 1,729</u> | | <u>\$ 815</u> | | <u>\$ 7,364</u> | |

(a) Foreign currency translation impact for the year primarily due to the weakening in value of various currencies against the U.S. Dollar, the largest being the Chinese Yuan, the Canadian Dollar and the Norwegian Krone

Water Infrastructure

Water Infrastructure revenue increased \$603 million, or 25.5%, to \$2,967 million in 2023 (26.1% increase on a constant currency basis) compared to 2022. Revenue growth was partially made up of the revenue contributed by acquisitions from APT of \$362 million, with the remainder of the increase coming from organic revenue growth of \$255 million, or 10.8%. Revenue was negatively impacted by \$14 million of foreign currency translation. Organic growth for the year was driven by strength in both the utility and industrial end markets. The utilities end market experienced organic growth of \$150 million led by strength in the U.S. driven by strong price realization, increased sales volume bolstered by backlog execution, and higher rental revenue. Western Europe also experienced strong organic growth due to demand from utility capital projects and strong price realization. The emerging markets grew organically due to increased project revenue. The industrial end market had \$105 million of organic growth across all major geographic regions, due to strong price realization and increased sales volume in the U.S. and timing of capital projects and strong price realization in western Europe.

From an application perspective, excluding the \$362 million contributed by acquisitions, organic revenue growth was driven by our transport applications. Transport experienced \$240 million of revenue growth. All three of our major geographic regions contributed to the organic revenue growth in transport, led by the U.S. due to strong backlog execution and price realization and higher volume in the dewatering business. Western Europe also experienced increases driven by strong price realization and delivery on capital projects. Organic revenue growth for the treatment application was \$15 million for the year due to increased sales volume in the U.S. driven by strong backlog execution.

Applied Water

Applied Water revenue increased \$86 million, or 4.9%, in 2023 (5.4% increase on a constant currency basis) compared to 2022. Revenue was negatively impacted by \$10 million of foreign currency translation, with the change at constant currency coming entirely from organic growth during the year of \$96 million. Organic growth was led by strength in building solutions, with commercial revenue growth of \$97 million, driven by the U.S. with increased sales volume from backlog execution in the first half of the year and strong price realization, partially offset by the residential declines in revenue of \$33 million primarily in the emerging markets, driven by softness in the Middle East, and volume declines in the U.S. The industrial water application had organic growth of \$32 million, led by the emerging markets due to increased sales volume, and western Europe where we benefited from strong price realization.

Measurement and Control Solutions

Measurement and Control Solutions revenue increased \$338 million, or 24.3%, in 2023 (24.4% increase on a constant currency basis) compared to 2022. Revenue was negatively impacted by \$1 million of foreign currency translation during the year, with the change at constant currency coming entirely from organic growth during the year of \$339 million. We experienced organic revenue growth across all three major geographic regions and in both of the segment's end markets for the year, driven by \$327 million of organic growth in the utility end market, primarily in the U.S., driven by increased sales volume and backlog execution, enabled by significant improvement of supply chain constraints, and \$12 million in the industrial end market driven by strong backlog execution in our test business.

From an application perspective, organic revenue growth during the year was led by growth in the water application of \$229 million led by the U.S., where we saw increased sales volume, enabled by recovery on prior year component constraints, and western Europe, due to strong backlog execution. We also had organic revenue growth in the energy application of \$110 million, driven by improved component availability and metrology sales in the U.S.

Integrated Solutions and Services

Integrated Solutions and Services revenue consists entirely of \$815 million for the year ended December 31, 2023 contributed from the Evoqua acquisition.

Orders/Backlog

An order represents a legally enforceable, written document that includes the scope of work or services to be performed or equipment to be supplied to a customer, the corresponding price and the expected delivery date for the applicable products or services to be provided. An order often takes the form of a customer purchase order or a signed quote from a Xylem business. Orders received during 2023 increased by \$1,244 million, or 19.9%, to \$7,501 million (20.5% increase on a constant currency basis). Order intake increased due to \$1,220 million of increased orders related to the Evoqua acquisition. The increase in orders was partially offset by \$41 million of unfavorable foreign currency translation. Organic order growth for the year was \$65 million, or 1.0%.

The following table illustrates the impact from organic growth, recent acquisitions and divestitures, and foreign currency translation in relation to orders during 2023:

| (in millions) | Water Infrastructure | | Applied Water | | Measurement and Control Solutions | | Integrated Solutions and Services | | Total Xylem | |
|----------------------------------|----------------------|----------|-----------------|----------|-----------------------------------|----------|-----------------------------------|----------|-----------------|----------|
| | \$ Change | % Change | \$ Change | % Change | \$ Change | % Change | \$ Change | % Change | \$ Change | % Change |
| 2022 Orders | \$ 2,607 | | \$ 1,794 | | \$ 1,856 | | \$ — | | \$ 6,257 | |
| Organic Impact | 124 | 4.8 % | (6) | (0.3)% | (53) | (2.9)% | — | NM | 65 | 1.0 % |
| Acquisitions/(Divestitures) | 352 | 13.5 % | — | — % | — | — % | 868 | NM | 1,220 | 19.5 % |
| Constant Currency | 476 | 18.3 % | (6) | (0.3)% | (53) | (2.9)% | 868 | NM | 1,285 | 20.5 % |
| Foreign currency translation (a) | (23) | (0.9)% | (18) | (1.0)% | — | — % | — | NM | (41) | (0.7)% |
| Total change in orders | 453 | 17.4 % | (24) | (1.3)% | (53) | (2.9)% | 868 | NM | 1,244 | 19.9 % |
| 2023 Orders | <u>\$ 3,060</u> | | <u>\$ 1,770</u> | | <u>\$ 1,803</u> | | <u>\$ 868</u> | | <u>\$ 7,501</u> | |

(a) Foreign currency translation impact for the year primarily due to the weakening in value of various currencies against the U.S. Dollar, the largest being the Chinese Yuan, the Canadian Dollar and the Norwegian Krone

Water Infrastructure

Water Infrastructure segment orders increased \$453 million, or 17.4%, to \$3,060 million, with \$352 million in contributions from the acquisition of the APT business, and organic order growth of \$124 million or 4.8%. Order intake for the period was negatively impacted by \$23 million of foreign currency translation. Organic orders increased during the year primarily in the transport applications, led by the dewatering business in the U.S., where we benefited from strong price realization and demand, the emerging markets, where we had increased capital project orders, and western Europe where we saw increased demand and capital project orders. The treatment applications also saw organic growth primarily in the U.S. and in the emerging markets where we saw higher capital project orders in these regions.

Applied Water

Applied Water segment orders decreased \$24 million, or 1.3%, to \$1,770 million (flat on a constant currency basis). Order intake during the year was negatively impacted by \$18 million of foreign currency translation, with organic orders being essentially flat. Weakness in the U.S. from lower demand and timing of orders was partially offset by strength in the emerging markets due to strong project orders and recovery from prior year COVID-19 impacts.

Measurement and Control Solutions

Measurement and Control Solutions segment orders decreased \$53 million, or 2.9%, to \$1,803 million, with no impact from foreign currency translation. Organic order weakness for the year was driven by the energy applications, particularly in the U.S., where we saw lower demand in gas metrology. Order declines were marginally offset by growth in the water applications, primarily in the U.S., and western Europe, driven by increased digital and service orders, as well as demand in our pipeline assessment services business.

Integrated Solutions and Services

The Integration Solutions and Services segment contributed total orders of \$868 million for the year ended December 31, 2023 See Note 3, "Acquisitions and Divestitures," to the consolidated financial statements for further information.

Backlog

Backlog includes orders on hand as well as contractual customer agreements at the end of the period. Delivery schedules vary from customer to customer based on their requirements. Annual or multi-year contracts are subject to rescheduling and cancellation by customers due to the long-term nature of the contracts. As such, beginning total backlog, plus orders, minus revenues, will not equal ending total backlog due to contract adjustments, foreign currency fluctuations, and other factors. Typically, large projects require longer lead production cycles and deployment schedules and delays occur from time to time. Total backlog was \$5,088 million at December 31, 2023 and \$3,605 million at December 31, 2022, an increase of 41.1%, with backlog from the acquisition of Evoqua contributing \$1,268 million, or 35.2%, of the increase. We anticipate that more than 50% of our total backlog at December 31, 2023 will be recognized as revenue during 2024.

Gross Margin

Gross margin as a percentage of consolidated revenue decreased 80 basis points to 36.9% in 2023 as compared to 37.7% in 2022. The gross margin decline for the year included 60 basis points from increases in acquired intangible asset amortization and special charges as compared to the prior year. Additionally, the gross margin decline for the year included 530 basis points of negative operating impacts, driven by 230 basis points of inflation, 140 basis points of unfavorable impacts from the Evoqua acquisition, 80 basis points of unfavorable mix, and 30 basis points of increased spending on strategic investments. These impacts were partially offset by favorable impacts of 510 basis points, driven by 270 basis points of price realization and 210 basis points of productivity savings.

Operating Expenses

| (in millions) | 2023 | 2022 | Change |
|--|----------|----------|---------|
| Selling, general and administrative expenses | \$ 1,757 | \$ 1,227 | 43.2 % |
| SG&A as a % of revenue | 23.9 % | 22.2 % | 170 bp |
| Research and development expenses | 232 | 206 | 12.6 % |
| R&D as a % of revenue | 3.2 % | 3.7 % | (50)bp |
| Restructuring and asset impairment charges | 76 | 29 | 162.1 % |
| Operating expenses | \$ 2,065 | \$ 1,462 | 41.2 % |
| Expense to revenue ratio | 28.0 % | 26.5 % | 150 bp |

Selling, General and Administrative ("SG&A") Expenses

SG&A expenses increased by \$530 million (increase of 43.2%) to 23.9% of revenue in 2023, as compared to 22.2% of revenue in 2022. Cost increases were driven by \$188 million of additional operational SG&A from the acquisition of Evoqua, increased special charges (mostly Evoqua acquisition related costs) and realignment costs of \$115 million, increased acquired intangible asset amortization of \$58 million, \$54 million of inflation, and \$51 million in increased spending on strategic investments.

Research and Development ("R&D") Expenses

R&D expense was \$232 million, or 3.2% of revenue, in 2023 which was fairly consistent with the 2022 expense of \$206 million, or 3.7% of revenue.

Restructuring and Asset Impairment Charges

Restructuring

From time to time, the Company will incur costs related to restructuring actions in order to optimize our cost base and more strategically position itself. Restructuring charges were \$72 million in 2023 as compared to \$15 million in 2022.

During 2023, we incurred these charges primarily as a result of our acquisition of Evoqua. Approximately \$27 million of the charges related to stock-based compensation expense due to acceleration clauses in Evoqua's equity compensation agreements. Approximately \$15 million of the charges represented the reduction of headcount related to the integration of Evoqua. Additionally, during 2023 we incurred \$30 million of charges related to our efforts to reposition our businesses to optimize our cost structure, improve our operational efficiency and effectiveness, strengthen our competitive positioning and better serve our customers. The charges were incurred across all of our segments.

During 2022, we incurred restructuring charges primarily as a continuation of our efforts to reposition our European and North American businesses to optimize our cost structure and improve our operational efficiency and effectiveness. The charges included the reduction of headcount across the Water Infrastructure, Applied Water and Measurement and Control Solutions segments

The following is a roll-forward of employee position eliminations associated with restructuring activities for the years ended December 31, 2023 and 2022:

| | 2023 | 2022 |
|----------------------------------|-------|-------|
| Planned reductions - January 1 | 102 | 60 |
| Additional planned reductions | 454 | 203 |
| Actual reductions and reversals | (443) | (161) |
| Planned reductions - December 31 | 113 | 102 |

The following table presents the total costs expected to be incurred, the amount incurred in the period, and the cumulative costs incurred to date for our 2023, 2022 and 2021 restructuring actions:

| (in millions) | Water Infrastructure | Applied Water | Measurement and Control Solutions | Integrated Solutions and Services | Corporate | Total |
|-----------------------------------|----------------------|---------------|-----------------------------------|-----------------------------------|---------------|--------------|
| Actions Commenced in 2023: | | | | | | |
| Total expected costs | \$ 18 | \$ 16 | \$ 12 | \$ 7 | \$ 34 | \$ 87 |
| Costs incurred during 2023 | 15 | 6 | 11 | 4 | 35 | 71 |
| Total expected costs remaining | <u>\$ 3</u> | <u>\$ 10</u> | <u>\$ 1</u> | <u>\$ 3</u> | <u>\$ (1)</u> | <u>\$ 16</u> |
| Actions Commenced in 2022: | | | | | | |
| Total expected costs | \$ 6 | \$ 5 | \$ 4 | \$ — | \$ — | \$ 15 |
| Costs incurred during 2022 | 6 | 4 | 4 | — | — | 14 |
| Costs incurred during 2023 | — | 1 | — | — | — | 1 |
| Total expected costs remaining | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> |
| Actions Commenced in 2021: | | | | | | |
| Total expected costs | \$ 3 | \$ — | \$ — | \$ — | \$ — | \$ 3 |
| Costs incurred during 2021 | 3 | — | — | — | — | 3 |
| Costs incurred during 2022 | — | — | — | — | — | — |
| Costs incurred during 2023 | — | — | — | — | — | — |
| Total expected costs remaining | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> |

The Water Infrastructure, Applied Water, Measurement and Control Solutions, Integrated Solutions and Services and Corporate actions commenced in 2023 consist primarily of severance charges. The actions are expected to continue through the end of 2024.

The Water Infrastructure, Applied Water and Measurement and Control Solutions actions commenced in 2022 consist primarily of severance charges. The actions commenced in 2022 are complete.

The Water Infrastructure actions commenced in 2021 consist primarily of severance charges. The actions commenced in 2021 are complete.

As a result of the actions initiated in 2023, we achieved savings of approximately \$9 million in 2023 and estimate annual future net savings beginning in 2024 of approximately \$51 million, resulting in \$42 million of incremental savings from 2023 actions.

Asset Impairment

During the fourth quarter of 2023, we determined that internally developed in-process software within our Measurement and Control Solutions segment was impaired as a result of actions taken to prioritize strategic investments and we therefore recognized an impairment charge of \$1 million. Refer to Note 12, "Goodwill and Other Intangible Assets," for additional information.

During the third quarter of 2023, we recognized a \$1 million impairment charge for certain fixed assets within our Measurement and Control Solutions segment.

During the first quarter of 2023, we determined that internally developed in-process software within our Measurement and Control Solutions segment was impaired as a result of actions taken to prioritize strategic investments and we therefore recognized an impairment charge of \$2 million. Refer to Note 12, "Goodwill and Other Intangible Assets," for additional information.

During the third quarter of 2022, we determined that certain assets including software and customer relationships within our Measurement and Control Solutions segment were impaired. Accordingly, we recognized an impairment charge of \$14 million. Refer to Note 12, "Goodwill and Other Intangible Assets," for additional information.

Operating Income and Adjusted EBITDA

Operating income was \$652 million (operating margin of 8.9%) during 2023, an increase of \$30 million, or 4.8%, when compared to operating income of \$622 million (operating margin of 11.3%) during the prior year. Operating margin included unfavorable impacts of 350 basis points from increases in special charges, acquired intangible asset amortization, and restructuring and realignment costs as compared to the prior year. Additionally, operating margin included 780 basis points of expansion from favorable operating impacts, consisting of a 370 basis point increase from price realization, 280 basis points from productivity savings and 130 basis points from favorable volume. Margin expansion was offset by 670 basis points of unfavorable impacts driven by 310 basis points of inflation, 110 basis points of increased spending on strategic investments, 80 basis points of unfavorable mix, and 50 basis points of increased employee related costs. Excluding special charges, acquired intangible asset amortization, and restructuring and realignment costs, adjusted operating income was \$1,072 million (adjusted operating margin of 14.6%) for 2023 as compared to adjusted operating income of \$744 million (adjusted operating margin of 13.5%) during the prior year.

Adjusted EBITDA was \$1,392 million (adjusted EBITDA margin of 18.9%) during 2023, an increase of \$452 million, or 48.1%, when compared to adjusted EBITDA of \$940 million (adjusted EBITDA margin of 17.0%) during the prior year. The increase in adjusted EBITDA margin was primarily due to the same factors impacting adjusted operating margin noted above; however, adjusted EBITDA was not negatively impacted by the relative impact of depreciation and software amortization expense.

The table below provides a reconciliation of total and each segment's operating income to adjusted operating income, and a calculation of the corresponding adjusted operating margin:

(In millions)

| | 2023 | 2022 | Change |
|---|----------|---------|-----------|
| Water Infrastructure | | | |
| Operating income | \$ 419 | \$ 418 | 0.2 % |
| Operating margin | 14.1 % | 17.7 % | (360) bp |
| Restructuring and realignment costs | 22 | 11 | 100.0 % |
| Purchase accounting intangible amortization | 49 | 4 | 1,125.0 % |
| Special charges | 29 | — | NM % |
| Adjusted operating income | \$ 519 | \$ 433 | 19.9 % |
| Adjusted operating margin | 17.5 % | 18.3 % | (80) bp |
| Applied Water | | | |
| Operating income | \$ 310 | \$ 258 | 20.2 % |
| Operating margin | 16.7 % | 14.6 % | 210 bp |
| Restructuring and realignment costs | 14 | 13 | 7.7 % |
| Purchase accounting intangible amortization | — | — | NM % |
| Special charges | — | — | NM % |
| Adjusted operating income | \$ 324 | \$ 271 | 19.6 % |
| Adjusted operating margin | 17.5 % | 15.3 % | 220 bp |
| Measurement and Control Solutions | | | |
| Operating income | \$ 113 | \$ 2 | 5,550.0 % |
| Operating margin | 6.5 % | 0.1 % | 640 bp |
| Restructuring and realignment costs | 20 | 10 | 100.0 % |
| Purchase accounting intangible amortization | 66 | 68 | (2.9) % |
| Special charges | 4 | 14 | (71.4) % |
| Adjusted operating income | \$ 203 | \$ 94 | 116.0 % |
| Adjusted operating margin | 11.7 % | 6.8 % | 490 bp |
| Integrated Solutions and Services | | | |
| Operating income | \$ 8 | \$ — | NM % |
| Operating margin | 1.0 % | — % | 100 bp |
| Restructuring and realignment costs | 15 | — | NM % |
| Purchase accounting intangible amortization | 61 | — | NM % |
| Special charges | 21 | — | NM % |
| Adjusted operating income | \$ 105 | \$ — | NM % |
| Adjusted operating margin | 12.9 % | — % | NM |
| Corporate and other | | | |
| Operating loss | \$ (198) | \$ (56) | 253.6 % |
| Restructuring and realignment costs | 35 | — | NM % |
| Special charges | 84 | 2 | 4,100.0 % |
| Adjusted operating loss | \$ (79) | \$ (54) | 46.3 % |
| Total Xylem | | | |
| Operating income | \$ 652 | \$ 622 | 4.8 % |
| Operating margin | 8.9 % | 11.3 % | (240) bp |
| Restructuring and realignment costs | 106 | 34 | 211.8 % |
| Purchase accounting intangible amortization | 176 | 72 | 144.4 % |
| Special charges | 138 | 16 | 762.5 % |
| Adjusted operating income | \$ 1,072 | \$ 744 | 44.1 % |
| Adjusted operating margin | 14.6 % | 13.5 % | 110 bp |

NM Not Meaningful

The table below provides a reconciliation of net income to consolidated EBITDA and adjusted EBITDA:

(In millions)

| | Year Ended December 31, | | |
|---------------------------------|-------------------------|---------------|---------------|
| | 2023 | 2022 | Change |
| Net Income | \$ 609 | \$ 355 | 72 % |
| Net Income margin | 8.3 % | 6.4 % | 190 bp |
| Depreciation | 193 | 111 | 74 % |
| Amortization | 243 | 125 | 94 % |
| Interest expense, net | 21 | 34 | (38) % |
| Income tax expense | 26 | 85 | (69) % |
| EBITDA | \$ 1,092 | \$ 710 | 54 % |
| Share-based compensation | 60 | 37 | 62 % |
| Restructuring and realignment | 103 | 34 | 203 % |
| U.K. pension settlement expense | — | 140 | 100 % |
| Special charges | 136 | 20 | 580 % |
| Gain from sale of business | 1 | (1) | (200) % |
| Adjusted EBITDA | \$ 1,392 | \$ 940 | 48 % |
| Adjusted EBITDA margin | 18.9 % | 17.0 % | 190 bp |

The tables below provide a reconciliation of each segment's operating income (loss) to EBITDA and adjusted EBITDA:

| | Year Ended December 31, 2023 | | | |
|-----------------------------------|------------------------------|-----------------------|-----------------------------------|-----------------------------------|
| | Water Infrastructure | Applied Water Systems | Measurement and Control Solutions | Integrated Solutions and Services |
| (In millions) | | | | |
| Operating Income | \$ 419 | \$ 310 | \$ 113 | \$ 8 |
| Operating margin | 14.1 % | 16.7 % | 6.5 % | 1.0 % |
| Depreciation | 55 | 19 | 32 | 65 |
| Amortization | 55 | 2 | 107 | 65 |
| Other non-operating expense | 3 | (2) | (4) | — |
| EBITDA | \$ 532 | \$ 329 | \$ 248 | \$ 138 |
| Share-based compensation | 15 | 4 | 7 | 7 |
| Restructuring and realignment | 22 | 13 | 18 | 15 |
| Special charges | 29 | — | 4 | 21 |
| Loss/(Gain) from sale of business | — | — | 1 | — |
| Adjusted EBITDA | \$ 598 | \$ 346 | \$ 278 | \$ 181 |
| Adjusted EBITDA margin | 20.2 % | 18.7 % | 16.1 % | 22.2 % |

Year Ended December 31, 2022

| (in millions) | Water Infrastructure | Applied Water Systems | Measurement and Control Solutions | Integrated Solutions Services |
|-----------------------------------|----------------------|-----------------------|-----------------------------------|-------------------------------|
| Operating Income | \$ 418 | \$ 258 | \$ 2 | \$ — |
| Operating margin | 17.7 % | 14.6 % | 0.1 % | NM |
| (Loss)/Gain from sale of business | — | — | 1 | — |
| Depreciation | 44 | 17 | 33 | — |
| Amortization | 9 | 2 | 104 | — |
| Other non-operating expense | (4) | (2) | (2) | — |
| EBITDA | \$ 467 | \$ 275 | \$ 138 | \$ — |
| Share-based compensation | 2 | 4 | 6 | — |
| Restructuring and realignment | 11 | 13 | 10 | — |
| Special charges | — | — | 14 | — |
| Loss/(Gain) from sale of business | — | — | (1) | — |
| Adjusted EBITDA | \$ 480 | \$ 292 | \$ 167 | \$ — |
| Adjusted EBITDA margin | 20.3 % | 16.5 % | 12.0 % | NM |

2023 versus 2022

| (in millions) | Water Infrastructure | Applied Water Systems | Measurement and Control Solutions | Integrated Solutions and Services |
|-----------------------------------|----------------------|-----------------------|-----------------------------------|-----------------------------------|
| Operating Income (Loss) | \$ 1 | \$ 52 | \$ 111 | \$ 8 |
| Operating margin | (360) bps | 210 bps | 640 bps | NM |
| (Loss)/Gain from sale of business | — | — | (1) | — |
| Depreciation | 11 | 2 | (1) | 65 |
| Amortization | 46 | — | 3 | 65 |
| Other non-operating expense | 7 | — | (2) | — |
| EBITDA | \$ 65 | \$ 54 | \$ 110 | \$ 138 |
| Share-based compensation | 13 | — | 1 | 7 |
| Restructuring and realignment | 11 | — | 8 | 15 |
| Special charges | 29 | — | (10) | 21 |
| Loss/(Gain) from sale of business | — | — | 2 | — |
| Adjusted EBITDA | \$ 118 | \$ 54 | \$ 111 | \$ 181 |
| Adjusted EBITDA margin | (0.1) % | 2.2 % | 4.1 % | NM |

Water Infrastructure

Operating income was \$419 million for our Water Infrastructure segment (operating margin of 14.1%) during 2023, an increase of \$1 million, or 0.2%, when compared to operating income of \$418 million (operating margin of 17.7%) during the prior year, or a total decrease of 360 basis points of operating margin. Operating margin declines included unfavorable impacts of 280 basis points from an increase in acquired intangible asset amortization, special charges and restructuring and realignment costs as compared to the prior year. Additionally, operating margin declines included 840 basis points from unfavorable operating impacts, driven by 330 basis points of inflation, 160 basis points of unfavorable mix, 150 basis points of increased spending on strategic investments, 40 basis points of employee-related expenses and 40 basis points of negative operating impact from the impact of the Evoqua acquisition. Operating margin declines were offset by 760 basis points of favorable impacts, consisting of 420 basis points of price realization, 230 basis points from productivity savings and 110 basis points of favorable volume. Excluding acquired intangible asset amortization, special charges and restructuring and realignment costs, adjusted operating income was \$519 million (adjusted operating margin of 17.5%) during 2023 as compared to adjusted operating income of \$433 million (adjusted operating margin of 18.3%) during the prior year.

Adjusted EBITDA was \$598 million (adjusted EBITDA margin of 20.2%) during 2023, an increase of \$118 million, or 24.6%, when compared to adjusted EBITDA of \$480 million (adjusted EBITDA margin of 20.3%) during the prior year. The slight decrease in adjusted EBITDA margin was primarily due to the same factors impacting the decrease in adjusted operating margin; however, adjusted EBITDA was not negatively impacted by the relative impact of the increase in stock based compensation expense.

Applied Water

Operating income was \$310 million for our Applied Water segment (operating margin of 16.7%) during 2023, an increase of \$52 million, or 20.2%, when compared to operating income of \$258 million (operating margin of 14.6%) during the prior year, or a total increase of 210 basis points of operating margin. Operating margin expansion was partially offset by unfavorable impacts of 10 basis points from increases in restructuring and realignment costs as compared to the prior year. Operating margin increases included 820 basis points of favorable operating impacts, consisting of 470 basis points of price realization and 350 basis points from productivity savings. Margin expansion was partially offset by negative operating impacts of 600 basis points, consisting of 320 basis points of inflation, 100 basis points of unfavorable volume, 80 basis points of increased spending on strategic investments and 50 basis points of increased employee related costs. Excluding restructuring and realignment costs, adjusted operating income was \$324 million (adjusted operating margin of 17.5%) during 2023 as compared to adjusted operating income of \$271 million (adjusted operating margin of 15.3%) during the prior year.

Adjusted EBITDA was \$346 million (adjusted EBITDA margin of 18.7%) during 2023, an increase of \$54 million, or 18.5%, when compared to adjusted EBITDA of \$292 million (adjusted EBITDA margin of 16.5%) during the prior year. The increase in adjusted EBITDA margin was due to the same factors impacting the increase in adjusted operating margin.

Measurement and Control Solutions

Operating income was \$113 million for our Measurement and Control Solutions (operating margin of 6.5%) during 2023, an increase of \$111 million, or 5,550.0%, when compared to operating income of \$2 million (operating margin of 0.1%) during the prior year, or a total increase of 640 basis points of operating margin. Operating margin increases included favorable impacts of 150 basis points from a decrease in special charges, acquired intangible asset amortization, and restructuring and realignment costs as compared to the prior year. Additionally, the operating margin increase included 1,310 basis points from favorable operating impacts consisting of 630 basis points from favorable volume, 350 basis points from productivity savings and 330 basis points of price realization. Favorable impacts were partially offset by 820 basis points of unfavorable impacts driven by 370 basis points of inflation, 130 basis points of increased inventory management costs, 70 basis points of unfavorable mix, 70 basis points of increased spending on strategic investments, 40 basis points of increased employee related costs. Excluding special charges, acquired intangible asset amortization, and restructuring and realignment costs, adjusted operating income was \$203 million (adjusted operating margin of 11.7%) during 2023 as compared to adjusted operating income of \$94 million (adjusted operating margin of 6.8%) during the prior year.

Adjusted EBITDA was \$278 million (adjusted EBITDA margin of 16.1%) during 2023, an increase of \$111 million, or 66.5%, when compared to adjusted EBITDA of \$167 million (adjusted EBITDA margin of 12.0%) during the prior year. The increase in adjusted EBITDA margin was due to the same factors as those impacting the increase in adjusted operating margin; however, adjusted EBITDA was not favorably impacted by the relative impact of depreciation and software amortization expense.

Integrated Solutions and Services

Operating income was \$8 million for our Integrated Solutions and Services segment during 2023 (operating margin of 1.0%). Excluding amortization of acquired intangible asset amortization, special charges and restructuring and realignment costs, adjusted operating income was \$105 million (adjusted operating margin of 12.9%).

Adjusted EBITDA was \$181 million for our Integrated Solutions and Services segment during 2023 (adjusted EBITDA margin of 22.2%).

Corporate and other

Operating loss for corporate and other increased \$142 million, or 253.6%, compared to the prior year. The increase in operating loss for the year was primarily due to higher special charges and restructuring and realignment costs as compared to the prior year. Excluding special charges and restructuring and realignment costs, adjusted operating loss increased \$25 million, or 46.3%, compared to the prior year. The increase in adjusted operating loss is primarily related to increased operating expense due to the acquisition of Evoqua, increased employee costs and spending on strategic investments.

Interest Expense

Interest expense was \$49 million and \$50 million for 2023 and 2022, respectively. The decrease in interest expense was primarily driven by a reduction of interest expense incurred during 2022 related to our 2.250% Senior Notes due 2023 that were paid off in December 2022, and reduced expense generated by cross currency swaps. Partially offsetting these items was interest expense on several debt facilities, including a term loan entered into in May 2023 for use in funding the acquisition of Evoqua, securitization and equipment financing facilities assumed as part of our acquisition of Evoqua. See Note 15, "Credit Facilities and Debt", of our consolidated financial statements for a description of our credit facilities and long-term debt and related interest.

Income Tax Expense

The income tax provision for 2023 was \$26 million at an effective tax rate of 4.1% as compared to \$85 million at an effective tax rate of 19.2% in 2022. The 2023 effective tax rate differs from that of 2022 primarily due to the impact of audit settlements and tax rate changes in the current period. See Note 7, "Income Taxes", of our consolidated financial statements for a description of our credit facilities and long-term debt and related interest.

Liquidity and Capital Resources

The following table summarizes our sources and uses of cash:

| (in millions) | Year Ended December 31, | | |
|----------------------|-------------------------|----------|--------|
| | 2023 | 2022 | Change |
| Operating activities | \$ 837 | \$ 596 | \$ 241 |
| Investing activities | (628) | (191) | (437) |
| Financing activities | (157) | (790) | 633 |
| Foreign exchange (a) | 23 | (20) | 43 |
| Total | \$ 75 | \$ (405) | \$ 480 |

(a) The favorable impact of foreign exchange as compared to 2022 is primarily due to strengthening of the Euro, Chinese Yuan and the Canadian Dollar.

Sources and Uses of Liquidity

Operating Activities

During 2023, net cash provided by operating activities was \$837 million, compared to \$596 million in 2022. The \$241 million year-over-year increase was primarily driven by higher cash earnings and improved working capital driven by reduction of safety stock. These increases were partially offset by the payment of transaction costs associated with the acquisition of Evoqua and the investment in a distribution agreement of select technology in 2023, as well as increased payments for taxes and restructuring versus the prior year.

Investing Activities

Cash used in investing activities was \$628 million in 2023, compared to \$191 million in 2022. This increase in cash used of \$437 million reflects the acquisition of Evoqua, increased capital expenditures and cash paid for equity investments. Cash received from the sales of businesses and cash received from the termination of acquired interest rate swaps partially offset these items.

Financing Activities

Cash used in financing activities was \$157 million in 2023, compared to \$790 million in 2022. The year-over-year decrease in cash used was mainly driven by lower debt repayments, with the early payment in December 2022 of the Senior Notes due in March 2023, cash received from a new term loan facility in 2023, as well as an increase cash received from the exercise of employee stock options and a reduction of repurchases of common stock. Higher dividend payments partially offset these items.

Funding and Liquidity Strategy

Our ability to fund our capital needs depends on our ongoing ability to generate cash from operations and access to bank financing and the capital markets. We continually evaluate aspects of our spending, including capital expenditures, strategic investments and dividends. Historically, we have generated operating cash flow sufficient to fund our primary cash needs.

If our cash flows from operations are less than we expect, we may need to incur debt or issue equity. From time to time, we may need to access the long-term and short-term capital markets to obtain financing. Our access to, and the availability of, financing on acceptable terms and conditions in the future will be impacted by many factors, including: (i) our credit ratings or absence of a credit rating, (ii) the liquidity of the overall capital markets, and (iii) the current state of the economy. There can be no assurance that such financing will be available to us on acceptable terms or that such financing will be available at all. Our securities are rated investment grade. A significant change in credit rating could impact our ability to borrow at favorable rates. Refer to Note 15, "Credit Facilities and Debt", of our consolidated financial statements for a description of limitations on obtaining additional funding.

We monitor our global funding requirements and seek to meet our liquidity needs on a cost-effective basis. In addition, our existing committed credit facilities and access to the public debt markets would provide further liquidity if required.

Based on our current global cash positions, cash flows from operations and access to the capital markets, we believe there is sufficient liquidity to meet our funding requirements and service debt and other obligations in both the U.S. and outside of the U.S. over the next twelve months. Currently, we have available liquidity of approximately \$2 billion, consisting of \$1 billion of cash and \$1 billion of available credit facilities as disclosed in Note 15, "Credit Facilities and Debt", of our consolidated financial statements.

Contractual Obligations

Material contractual obligations arising in the normal course of business primarily consist of debt obligations and related interest payments, lease obligations and unconditional purchase obligations. Refer Note 15, "Credit Facilities and Debt" and Note 11, "Leases" of the consolidated financial statements for related to these matters.

The Company has future unconditional purchase commitments which are legally binding and that specify all significant terms including price and/or quantity. Total future commitments within the next twelve months for these obligations is \$438 million, excluding contracts that can be canceled without penalty.

Credit Facilities and Long-Term Contractual Commitments

See Note 15, "Credit Facilities and Debt" of our consolidated financial statements for a description of our credit facilities and long-term debt.

Non-U.S. Operations

As we continue to grow our operations in the emerging markets and elsewhere outside of the U.S., we expect to continue to generate significant revenue from non-U.S. operations and expect that a substantial portion of our cash will be held by our foreign subsidiaries. We expect to manage our worldwide cash requirements considering available funds among the many subsidiaries through which we conduct business and the cost effectiveness with which those funds can be accessed. We may transfer cash from certain international subsidiaries to the U.S. and other international subsidiaries when we believe it is cost effective to do so. We continually review our domestic and foreign cash profile, expected future cash generation and investment opportunities and reassess whether there is a need to repatriate funds held internationally to support our U.S. operations.

Off-Balance Sheet Arrangements

We are a party to certain off-balance sheet arrangements including certain guarantees. For discussion of these arrangements, see Note 20, "Commitments and Contingencies" of the consolidated financial statements.

Critical Accounting Estimates

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, revenue and expenses, and the disclosure of contingent liabilities. Management bases its estimates on historical experience and on various other assumptions that it believes to be reasonable under the circumstances, the results of which form the basis for making judgments about the carrying values of assets and liabilities that are not readily apparent from other sources.

Significant accounting policies used in the preparation of the consolidated financial statements are discussed in Note 1, "Summary of Significant Accounting Policies," of the consolidated financial statements. Accounting estimates and assumptions discussed in this section are those that we consider most critical to an understanding of our financial statements because they are inherently uncertain, involve significant judgments, include areas where different estimates reasonably could have been used, and changes in the estimates that are reasonably possible could materially impact the financial statements. Management believes that the accounting estimates employed and the resulting balances are reasonable; however, actual results in these areas could differ from management's estimates under different assumptions or conditions.

Revenue Recognition. Xylem recognizes revenue in a manner that depicts the transfer of promised goods and services to customers in an amount that reflects the consideration to which it expects to be entitled for providing those goods and services. For each arrangement with a customer, we identify the contract and the associated performance obligations within the contract, determine the transaction price of that contract, allocate the transaction price to each performance obligation and recognize revenue as each performance obligation is satisfied.

The satisfaction of performance obligations in a contract is based upon when the customer obtains control over the asset. Depending on the nature of the performance obligation, control transfers either at a particular point in time, or over time, which determines the pattern of revenue recognition.

For product sales, other than long-term construction-type contracts, we recognize revenue once control has passed at a point in time, which is generally when products are shipped. In instances where contractual terms include a provision for customer acceptance, revenue is recognized when either (i) we have previously demonstrated that the product meets the specified criteria based on either seller or customer-specified objective criteria or (ii) upon formal acceptance received from the customer where the product has not been previously demonstrated to meet customer-specified objective criteria. We recognize revenue on product sales to channel partners, including resellers, distributors or value-added solution providers, at the point in time when the risks and rewards, possession, and title have transferred to the customer, which usually occurs at the point of delivery.

Revenue from performance obligations related to services is primarily recognized over time, as the performance obligations are satisfied. In these instances, the customer consumes the benefit of the service as Xylem performs.

Certain businesses also enter into long-term construction-type sales contracts where revenue is recognized over time. In these instances, revenue is recognized using a measure of progress that applies the input method based on costs incurred in relation to total estimated costs. We also recognize revenue for certain of these arrangements using the output method and measure progress based on shipments of product where control has transferred to the customer.

For all contracts with customers, we determine the transaction price in the arrangement and allocate the transaction price to each performance obligation identified in the contract. Judgment is required to determine the appropriate unit of account, and we separate out the performance obligations if they are capable of being distinct and are distinct within the context of the contract. The transaction price is adjusted for our estimate of variable consideration, which may include a right of return, discounts, rebates, penalties and retainage. To estimate variable consideration, we apply the expected value method or the most likely amount method, based on whichever method most appropriately predicts the amount of consideration we expect to be entitled to. The method applied is typically based on historical experience and known trends. We constrain the amounts of variable consideration that are included in the transaction price, to the extent that it is probable that a significant reversal in the amount of cumulative revenue recognized will not occur or when uncertainties around the variable consideration are resolved.

Income Taxes. Deferred tax assets and liabilities are determined based on temporary differences between the financial reporting and tax bases of assets and liabilities, applying enacted tax rates in effect for the year in which we expect the differences will reverse. Based on the evaluation of available evidence, we recognize future tax benefits, such as net operating loss carryforwards, to the extent that we believe it is more likely than not we will realize these benefits. We periodically assess the likelihood that we will be able to recover our deferred tax assets and reflect any changes to our estimate of the amount we are more likely than not to realize in the valuation allowance, with a corresponding adjustment to earnings or other comprehensive income, as appropriate.

In assessing the need for a valuation allowance, we look to the future reversal of existing taxable temporary differences, taxable income in carryback years and the feasibility of tax planning strategies and estimated future taxable income. The valuation allowance can be affected by changes to tax laws, changes to statutory tax rates and changes to future taxable income estimates.

We have recorded net foreign withholding taxes and state income taxes on earnings that are expected to be repatriated to the U.S. parent. We have not recorded any deferred taxes on the amounts that the Company currently does not intend to repatriate. The determination of deferred taxes on this amount is not practicable.

The calculation of our tax liabilities involves dealing with uncertainties in the application of complex tax laws in a multitude of jurisdictions across our global operations. We recognize potential liabilities and record tax liabilities for anticipated tax audit issues in the U.S. and other tax jurisdictions based on our estimate of whether, and the extent to which, additional taxes will be due. Furthermore, we recognize the tax benefit from an uncertain tax position only if based on the technical merits of the position it is more likely than not that the tax position will be sustained on examination by the taxing authorities or upon completion of the litigation process. The tax benefits recognized in the financial statements from such a position are measured based on the largest benefit that has a greater than 50% likelihood of being realized upon ultimate resolution.

We adjust our liability for uncertain tax positions in light of changing facts and circumstances; however, due to the complexity of some of these uncertainties, the ultimate resolution may result in a payment that is materially different from our current estimate of the tax liabilities. If our estimate of tax liabilities proves to be less than the ultimate assessment, an additional tax expense would result. If a payment of these amounts ultimately proves to be less than the recorded amounts, the reversal of the liabilities would result in tax benefits being recognized in the period when we determine the liabilities are no longer necessary.

Business Combinations. We record acquisitions using the purchase method of accounting. All of the assets acquired, liabilities assumed, contractual contingencies and contingent consideration is recorded at fair value as of the acquisition date. The excess of the purchase price over the estimated fair values of the net tangible and intangible assets acquired is recorded as goodwill. The application of the purchase method of accounting for business combinations requires management to make significant estimates and assumptions in the determination of the fair value of assets acquired and liabilities assumed, in order to properly allocate purchase price consideration between assets that are depreciated and amortized from goodwill. These assumptions and estimates include a market participant's use of the asset and the appropriate discount rates for a market participant. Our estimates are based on historical experience, information obtained from the management of the acquired companies and, when appropriate, includes assistance from independent third-party appraisal firms. Significant assumptions and estimates include, but are not limited to, the cash flows that an asset is expected to generate in the future, the cost to build/recreate certain technology, the appropriate weighted-average cost of capital, and the cost savings expected to be derived from acquiring an asset. These estimates are inherently uncertain and unpredictable. In addition, unanticipated events and circumstances may occur which may affect the accuracy or validity of such estimates.

Goodwill and Intangible Assets. We review goodwill and indefinite-lived intangible assets for impairment annually and whenever events or changes in circumstances indicate the carrying value of an asset may not be recoverable. We also review the carrying value of our finite-lived intangible assets for potential impairment when impairment indicators arise. We conduct our annual impairment test as of the first day of the fourth quarter. For goodwill, the estimated fair value of each reporting unit is compared to the carrying value of the net assets assigned to that reporting unit. If the estimated fair value of the reporting unit exceeds its carrying value, goodwill is not impaired. If the carrying value of the reporting unit exceeds its estimated fair value, then an impairment charge is recognized for that excess up to the amount of recorded goodwill. We estimate the fair value of our reporting units using an income approach based on the discounted value of estimated cash flows. Our projected cash flows are discounted using weighted costs of capital and are derived using revenue growth rates and operating margin estimates, taking into consideration industry and market conditions. In instances where we have completed an acquisition shortly before our annual impairment assessment we perform a qualitative assessment to determine if a quantitative assessment is necessary. We estimate the fair value of our intangible assets with indefinite lives using either the income approach or the market approach. Under the income approach, we calculate fair value based on the present value of estimated future cash flows. Under the market approach, we calculate fair value based on recent sales and selling prices of similar assets.

Determining the fair value of a reporting unit or an indefinite-lived intangible asset is judgmental in nature and involves the use of significant estimates and assumptions, particularly related to future operating results and cash flows. These estimates and assumptions include, but are not limited to, revenue growth rates and operating margins used to calculate projected future cash flows, risk-adjusted discount rates, assumed royalty rates, future economic and market conditions and identification of appropriate market comparable data. In addition, the identification of reporting units and the allocation of assets and liabilities to the reporting units when determining the carrying value of each reporting unit also require judgment. Goodwill is tested for impairment at either the operating segment level identified in Note 21, "Segment and Geographic Data," of the consolidated financial statements, or one level below. The fair values of our reporting units and indefinite-lived intangible assets are based on estimates and assumptions that are believed to be reasonable. Significant changes to these estimates and assumptions could adversely impact our conclusions. Actual future results may differ from those estimates.

The risks around impairment of our assets are included in our risk factor disclosures referenced under "Item 1A. Risk Factors".

During the fourth quarter of 2023, we performed our annual impairment assessment and determined that our goodwill reporting units either did not need to be assessed quantitatively or the estimated fair values of our goodwill reporting units were substantially in excess of each of their carrying values. However, future goodwill impairment tests could result in a charge to earnings. We will continue to evaluate goodwill on an annual basis as of the beginning of our fourth quarter and whenever events and changes in circumstances require us to do so. We determined that no material impairment of the indefinite-lived intangibles existed as of the measurement date in 2023. However, future indefinite-lived intangible impairment tests could result in a charge to earnings. We will continue to evaluate indefinite-lived intangibles on an annual basis as of the beginning of our fourth quarter and whenever events and changes in circumstances indicate there may be a potential impairment.

Post-retirement Benefit Plans. Company employees around the world participate in numerous defined benefit plans. The determination of projected benefit obligations and the recognition of expenses related to these plans are dependent on various assumptions. These assumptions primarily relate to discount rates, expected long-term rates of return on plan assets, rate of future compensation increases, mortality, years of service and other factors (some of which are disclosed in Note 16, "Post-retirement Benefit Plans," of the consolidated financial statements). Actual results that differ from our assumptions are accumulated and amortized on a straight-line basis only to the extent they exceed 10% of the higher of the market-related value or projected benefit obligation, over the average remaining service period of active plan participants, or for plans with all or substantially all inactive participants, over the average remaining life expectancy.

Significant Assumptions

Management develops each assumption using relevant Company experience, in conjunction with market-related data for each individual country in which such plans exist. All assumptions are reviewed annually with third-party consultants and are adjusted as necessary. The table below provides the weighted average assumptions used to estimate our defined benefit pension obligations and costs as of and for the years ended 2023 and 2022.

| | 2023 | | 2022 | |
|--|--------|--------|--------|--------|
| | U.S. | Int'l | U.S. | Int'l |
| Benefit Obligation Assumptions | | | | |
| Discount rate | 5.00 % | 3.55 % | 5.25 % | 4.13 % |
| Rate of future compensation increase | NM | 2.87 % | NM | 2.79 % |
| Net Periodic Benefit Cost Assumptions | | | | |
| Discount rate | 5.25 % | 4.13 % | 3.00 % | 1.55 % |
| Expected long-term return on plan assets | 6.00 % | 5.85 % | 5.50 % | 2.79 % |
| Rate of future compensation increase | NM | 2.79 % | NM | 2.84 % |

NM Not meaningful. The pension benefits for future service for all the U.S. pension plans are based on years of service and not impacted by future compensation increases.

We determine the expected long-term rate of return on plan assets by evaluating both historical returns and estimates of future returns. Specifically, the Company analyzes the estimated future returns based on independent estimates of asset class returns and evaluates historical broad market returns over long-term timeframes based on the strategic asset allocation, which is detailed in Note 16, "Post-retirement Benefit Plans" of the consolidated financial statements.

For the recognition of net periodic pension cost, the calculation of the expected return on plan assets is generally derived by applying the expected long-term rate of return to the market-related value of plan assets. The market-related value of plan assets is based on average asset values at the measurement date over the last five years. The use of fair value, rather than a calculated value, could materially affect net periodic pension cost. The weighted average expected long-term rate of return for all of our plan assets to be used in determining net periodic benefit costs for 2024 is estimated at 5.84%. We estimate that every 25 basis point change in the expected return on plan assets impacts the expense by less than \$1 million.

The discount rate reflects our expectation of the present value of expected future cash payments for benefits at the measurement date. A decrease in the discount rate increases the present value of benefit obligations and increases pension expense. We base the discount rate assumption on current investment yields of high-quality fixed income investments during the retirement benefits maturity period. The pension discount rate was determined by considering an interest rate yield curve comprising AAA/AA bonds, with maturities between zero and 30 years, developed by the plan's actuaries. Annual benefit payments are then discounted to present value using this yield curve to develop a single-point discount rate matching the plan's characteristics. Our weighted average discount rate for all pension plans effective January 1, 2024, is 3.79%. We estimate that every 25 basis point change in the discount rate impacts the expense by less than \$1 million.

The rate of future compensation increase assumption reflects our long-term actual experience and future and near-term outlook. Effective January 1, 2024, our expected rate of future compensation increase is 2.99% for all pension plans. The estimated impact of a 25 basis point change in the expected rate of future compensation is less than \$1 million.

We currently anticipate making contributions to our pension and post-retirement benefit plans in the range of \$31 million to \$37 million during 2024. Approximately \$8 million of contributions are expected to be made in the first quarter.

Funded Status

Funded status is derived by subtracting the respective year-end values of the projected benefit obligations from the fair value of plan assets. We estimate that every 25 basis point change in the discount rate impacts the funded status by approximately \$9 million.

Fair Value of Plan Assets

The plan assets of our pension plans comprise a broad range of investments, including domestic and foreign equity securities, interests in hedge funds, fixed income investments, insurance contracts, and cash and cash equivalents.

A portion of our pension benefit plan assets portfolio comprises investments in hedge funds that are generally measured at net asset value. However, in certain instances, the values reported by the asset managers were not current at the measurement date. Accordingly, we made estimate adjustments to the last reported value where necessary to measure the assets at fair value at the measurement date. These adjustments consider information received from the asset managers, as well as general market information. The adjustment recorded at December 31, 2023 and 2022 for these assets represented less than 1% of total plan assets in each respective year. Asset values for other positions were generally measured using market observable prices. We estimate that a 5.00% change in asset values will impact funded status by approximately \$11 million.

New Accounting Pronouncements

See Note 2, "Recently Issued Accounting Pronouncements," of the consolidated financial statements for a complete discussion of recent accounting pronouncements.

2024 Business Outlook

We anticipate total revenue growth in the range of 14% to 15% in 2024, with organic revenue growth anticipated to be in the range of 3% to 5%. The following is a summary of the 2024 organic revenue outlook by segment.

- In the Water Infrastructure segment, we expect organic revenue growth in the mid-single-digits in 2024, driven by our mission-critical applications, as well as strong capital project demand. We will continue to monitor softness within China.
- In the Applied Water segment, we expect organic revenue declines in the low-single-digits in 2024, due to decreased demand in the industrial and buildings solutions applications and headwinds due to normalizing backlog levels.
- We expect Measurement and Control Solutions segment organic revenue growth in the low-double-digits in 2024, supported by our strong backlog. We expect demand for our AMI solutions to remain strong in 2024. Additionally, we have a positive outlook in our test and measurement businesses.
- We expect organic revenue growth in the mid-single-digits in the Integrated Solutions and Services segment in 2024, driven by growth in our capital and service businesses and our strong backlog.

Effective January 1, 2024, we unified our Integrated Solutions and Services segment, the dewatering business within our Water Infrastructure segment and the assessment services business within our Measurement and Control Solutions segment to form a new segment called Water Solutions and Services. Certain recast financial information for the new reportable segments will be provided in the first quarter of 2024.

The integration of Evoqua is on track with our integration plan, and we will continue to strategically execute restructuring and realignment actions in an effort to optimize our cost structure, improve our operational efficiency and effectiveness, strengthen our competitive positioning and better serve our customers. During 2023, we incurred \$72 million and \$34 million in restructuring and realignment costs, respectively. During 2024, we currently expect to incur between \$50 million and \$70 million in restructuring and realignment costs.

We are strongly positioned to deliver on our 2024 commitments with commercial and operational momentum. Our comprehensive platform provides critical solutions in our largest end markets. Our 2024 commitments are supported by robust backlog, resilient end markets, and recurring service revenue to support growth. Beyond 2024, we remain on track to deliver our longer-term strategic and financial milestones.

ITEM 7A. QUANTITATIVE AND QUALITATIVE DISCLOSURES ABOUT MARKET RISK

We are exposed to market risk, primarily related to foreign currency exchange rates and interest rates. These exposures are actively monitored by management. Our exposure to foreign exchange rate risk is due to certain costs, revenue and borrowings being denominated in currencies other than one of our subsidiaries' functional currency. Similarly, we are exposed to market risk as a result of changes in interest rates which may affect the cost of our financing. It is our policy and practice to use derivative financial instruments only to the extent necessary to manage exposures.

Foreign Currency Exchange Rate Risk

Approximately 46% of our 2023 revenues were from customers in various locations outside the U.S.

Our economic foreign currency risk primarily relates to receipts from customers, payments to suppliers and intercompany transactions denominated in foreign currencies. We may use derivative financial instruments to offset risk related to receipts from customers and payments to suppliers, when it is believed that the exposure will not be limited by our normal operating and financing activities. We enter into currency forward contracts periodically in order to manage the exchange rate fluctuation risk on certain intercompany transactions associated with third-party sales and purchases. These risks are also mitigated by natural hedges including the presence of manufacturing facilities outside the U.S., global sourcing and other spending which occurs in foreign countries. Our principal foreign currency transaction exposures primarily relate to the Euro, Swedish Krona, British Pound, Canadian Dollar, Australian Dollar, and Polish Zloty. We estimate that a hypothetical 10% movement in foreign currency exchange rates would not have a material economic impact to Xylem's financial position and results of operations.

Additionally, we are subject to foreign exchange translation risk due to changes in the value of foreign currencies in relation to our reporting currency, the U.S. Dollar. The translation risk is primarily concentrated in the exchange rate between the U.S. Dollar and the Euro, British Pound, Canadian Dollar, Chinese Yuan, Australian Dollar, Indian Rupee, and Swedish Krona. As the U.S. Dollar strengthens against other currencies in which we transact business, revenue and income will generally be negatively impacted, and if the U.S. Dollar weakens, revenue and income will generally be positively impacted. We expect to continue to generate significant revenue from non-U.S. operations and we expect the cash generated from that revenue to be predominately held by our foreign subsidiaries. We expect to manage our worldwide cash requirements considering available funds among the many subsidiaries through which we conduct business and the cost effectiveness with which those funds can be accessed. We may transfer cash from certain international subsidiaries to the U.S. and other international subsidiaries when it is cost effective to do so, though we continually review our domestic and foreign cash profile, expected future cash generation and investment opportunities and reassess whether there is a need to repatriate funds held internationally to support our U.S. operations. We also hedge our investment in certain foreign subsidiaries via the use of cross-currency swaps. Accordingly, we estimate that a 10% movement of the U.S. Dollar to various foreign currency exchange rates we translate from, in aggregate would not have a material economic impact on our financial position and results of operations.

Interest Rate Risk

As of December 31, 2023, our long-term debt portfolio is primarily comprised of four series of fixed-rate senior notes that total approximately \$1.9 billion. The senior notes are not exposed to interest rate risk as the bonds are at a fixed rate until maturity. In addition to the senior notes, we also have \$75 million in equipment financings with fixed interest rates. Our long-term debt portfolio also includes \$326 million of variable rate debt, primarily comprised of the \$278 million for the Term Facility (as defined in Note 15, "Credit Facilities and Debt" to the consolidated financial statements) and \$48 million of equipment financings with variable interest rates. We estimate that a 1% movement in interest rates would not have a material economic impact on our financial position and results of operations. Based on the current interest rate market we do not anticipate material risk associated with our debt refinancing within the target time frame of maturity.

Commodity Price Exposures

For a discussion of risks relating to commodity prices, refer to "Item 1A. Risk Factors."

ITEM 8. FINANCIAL STATEMENTS AND SUPPLEMENTARY DATA

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REPORT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM

To the Stockholders and the Board of Directors of Xylem Inc.

Opinion on the Financial Statements

We have audited the accompanying consolidated balance sheets of Xylem Inc. and subsidiaries (the "Company") as of December 31, 2023 and 2022, the related consolidated statements of income, comprehensive income, changes in stockholders' equity, and cash flows, for each of the three years in the period ended December 31, 2023, and the related notes (collectively referred to as the "financial statements"). In our opinion, the financial statements present fairly, in all material respects, the financial position of the Company as of December 31, 2023 and 2022, and the results of its operations and its cash flows for each of the three years in the period ended December 31, 2023, in conformity with accounting principles generally accepted in the United States of America.

We have also audited, in accordance with the standards of the Public Company Accounting Oversight Board (United States) (PCAOB), the Company's internal control over financial reporting as of December 31, 2023, based on criteria established in Internal Control — Integrated Framework (2013) issued by the Committee of Sponsoring Organizations of the Treadway Commission and our report dated February 28, 2024, expressed an unqualified opinion on the Company's internal control over financial reporting.

Basis for Opinion

These financial statements are the responsibility of the Company's management. Our responsibility is to express an opinion on the Company's financial statements based on our audits. We are a public accounting firm registered with the PCAOB and are required to be independent with respect to the Company in accordance with the U.S. federal securities laws and the applicable rules and regulations of the Securities and Exchange Commission and the PCAOB.

We conducted our audits in accordance with the standards of the PCAOB. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether due to error or fraud. Our audits included performing procedures to assess the risks of material misstatement of the financial statements, whether due to error or fraud, and performing procedures that respond to those risks. Such procedures included examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements. Our audits also included evaluating the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that our audits provide a reasonable basis for our opinion.

Critical Audit Matters

The critical audit matters communicated below are matters arising from the current-period audit of the financial statements that were communicated or required to be communicated to the audit committee and that (1) relate to accounts or disclosures that are material to the financial statements and (2) involved our especially challenging, subjective, or complex judgments. The communication of critical audit matters does not alter in any way our opinion on the financial statements, taken as a whole, and we are not, by communicating the critical audit matter below, providing a separate opinion on the critical audit matter or on the accounts or disclosures to which it relates.

Goodwill — Measurement and Control Solutions Reporting Units — Refer to Note 12 to the financial statements

Critical Audit Matter Description

The Company's evaluation of goodwill for impairment involves the comparison of the fair value of each reporting unit to its carrying value. The goodwill balance was \$7.6 billion as of December 31, 2023, of which \$1.7 billion is allocated to the Measurement and Control Solutions reporting units. The fair value of the Measurement and Control Solutions reporting units exceeded their carrying value as of the 2023 measurement date and, therefore, no impairment was recognized.

To determine the fair value of the Measurement and Control Solutions reporting units, the Company used the income approach. Under the income approach, the fair value of the Measurement and Control Solutions reporting units was based on the discounted value of the estimated cash flows that the reporting unit is expected to generate. Projections were based on management's estimates of revenue growth rates and the selection of the discount rate, taking into consideration industry and market conditions. The discount rate was based on the weighted average cost of capital appropriate for the Measurement and Control Solutions reporting units.

Given the significant judgments made by management to estimate the fair value of the Measurement and Control Solutions reporting units, performing audit procedures to evaluate the reasonableness of management's estimates and assumptions related to the selection of the discount rate and forecasts of future revenue required a high degree of auditor judgment and an increased extent of effort, including the need to involve our fair value specialists.

How the Critical Audit Matter Was Addressed in the Audit

Our audit procedures related to forecasts of future revenue and selection of the discount rate for the Measurement and Control Solutions reporting units included the following, among others:

- We tested the effectiveness of controls over management's goodwill impairment evaluation, including those over the determination of the fair value of the Measurement and Control Solutions reporting units, such as controls related to management's forecasts of future revenue and the selection of the discount rate.
- We assessed the reasonableness of management's revenue forecasts by comparing the projections to historical results and certain peer companies and information included in industry reports.
- With the assistance of our fair value specialists, we evaluated the reasonableness of the (1) valuation methodology, (2) discount rate, and (3) long-term revenue growth rate, including testing the source information underlying the determination of the discount rate and long-term revenue growth rate, testing the mathematical accuracy of the calculation, and developing a range of independent estimates and comparing those to the discount rate selected by management.
- Our fair value specialists also assisted in evaluating the reasonableness of the Measurement and Control Solutions reporting units' fair value by considering comparable EBITDA multiples of peer companies.

Evoqua Acquisition Intangibles Valuation — Refer to Note 3 to the financial statements

Critical Audit Matter Description

The Company completed the acquisition of Evoqua Water Technologies Corp. ("Evoqua") for \$6.9 billion on May 24, 2023. The Company accounted for the acquisition under the acquisition method of accounting for business combinations. Accordingly, the purchase price was allocated to the assets acquired and liabilities assumed based on their respective fair values, including Customer and Distributor Relationships valued at \$1.4 billion. Management estimated the fair value of the Customer and Distributor Relationships using the multi-period excess earnings method, which is a specific discounted cash flow method. The fair value determination required management to make significant estimates and assumptions related to future cash flows and the selection of the discount rate.

Given the fair value determination of Customer and Distributor Relationships requires management to make significant estimates and assumptions related to the forecasts of future cash flows and the selection of the discount rate, performing audit procedures to evaluate the reasonableness of these estimates and assumptions required a high degree of auditor judgment and an increased extent of effort, including the need to involve our fair value specialists.

How the Critical Audit Matter Was Addressed in the Audit

Our audit procedures related to forecasts of future cash flows and selection of the discount rate for the Evoqua Customer and Distributor Relationships included the following, among others:

- We tested the effectiveness of controls over the valuation of the Customer and Distributor Relationships, including management's controls over forecasts of future cash flows and selection of the discount rate.
- We assessed the reasonableness of management's forecasts of future cash flows by comparing the projections to historical results and certain peer companies.
- With the assistance of our fair value specialists, we evaluated the reasonableness of the (1) valuation methodology, and (2) discount rate by testing the source information underlying the determination of the various assumptions, testing the mathematical accuracy of the calculation, and developing a range of independent estimates and comparing those to the discount rate selected by management.

/s/ Deloitte & Touche LLP

Stamford, Connecticut

February 28, 2024

We have served as the Company's auditor since 2010.

XYLEM INC. AND SUBSIDIARIES
CONSOLIDATED INCOME STATEMENTS
(In Millions, except per share data)

| Year Ended December 31, | 2023 | 2022 | 2021 |
|--|----------|----------|----------|
| Revenue from products | \$ 6,291 | \$ 4,978 | \$ 4,684 |
| Revenue from services | 1,073 | 544 | 511 |
| Revenue | 7,364 | 5,522 | 5,195 |
| Cost of revenue from products | 3,817 | 3,002 | 2,831 |
| Cost of revenue from services | 830 | 436 | 389 |
| Cost of revenue | 4,647 | 3,438 | 3,220 |
| Gross profit | 2,717 | 2,084 | 1,975 |
| Selling, general and administrative expenses | 1,757 | 1,227 | 1,179 |
| Research and development expenses | 232 | 206 | 204 |
| Restructuring and asset impairment charges | 76 | 29 | 7 |
| Operating income | 652 | 622 | 585 |
| Interest expense | 49 | 50 | 76 |
| U.K. pension settlement expense | — | 140 | — |
| Other non-operating income, net | 33 | 7 | — |
| (Loss) Gain on sale of businesses | (1) | 1 | 2 |
| Income before taxes | 635 | 440 | 511 |
| Income tax expense | 26 | 85 | 84 |
| Net income | \$ 609 | \$ 355 | \$ 427 |
| Earnings per share: | | | |
| Basic | \$ 2.81 | \$ 1.97 | \$ 2.37 |
| Diluted | \$ 2.79 | \$ 1.96 | \$ 2.35 |
| Weighted average number of shares: | | | |
| Basic | 217.0 | 180.2 | 180.2 |
| Diluted | 218.2 | 181.0 | 181.5 |

See accompanying notes to consolidated financial statements.

XYLEM INC. AND SUBSIDIARIES
CONSOLIDATED STATEMENTS OF COMPREHENSIVE INCOME
(In Millions)

| Year Ended December 31, | 2023 | 2022 | 2021 |
|--|--------|--------|--------|
| Net income | \$ 609 | \$ 355 | \$ 427 |
| Other comprehensive income (loss), before tax: | | | |
| Foreign currency translation adjustment | (45) | (53) | 20 |
| Net change in derivative hedge agreements: | | | |
| Unrealized gain (loss) | (2) | (24) | (10) |
| Amount of (gain) loss reclassified into net income | 7 | 21 | 4 |
| Net change in post-retirement benefit plans: | | | |
| Net gain (loss) | (35) | 101 | 51 |
| Amortization of prior service credit | (2) | (2) | (3) |
| Amortization of net actuarial (gain) loss into net income | (2) | 12 | 23 |
| U.K. pension settlement | — | 137 | — |
| Foreign currency translation adjustment | (2) | 39 | 11 |
| Other comprehensive income (loss), before tax | (81) | 231 | 96 |
| Income tax (benefit) expense related to other comprehensive loss | (38) | 86 | 54 |
| Other comprehensive income (loss), net of tax | (43) | 145 | 42 |
| Comprehensive income | \$ 566 | \$ 500 | \$ 469 |

See accompanying notes to consolidated financial statements.

XYLEM INC. AND SUBSIDIARIES
CONSOLIDATED BALANCE SHEETS
(In Millions, except per share amounts)

| December 31, | 2023 | 2022 |
|---|------------------|-----------------|
| ASSETS | | |
| Current assets: | | |
| Cash and cash equivalents | \$ 1,019 | \$ 944 |
| Receivables, less allowances for discounts, returns and credit losses of \$56 and \$50 in 2023 and 2022, respectively | 1,617 | 1,096 |
| Inventories | 1,018 | 799 |
| Prepaid and other current assets | 230 | 173 |
| Total current assets | 3,884 | 3,012 |
| Property, plant and equipment, net | 1,169 | 630 |
| Goodwill | 7,587 | 2,719 |
| Other intangible assets, net | 2,529 | 930 |
| Other non-current assets | 943 | 661 |
| Total assets | \$ 16,112 | \$ 7,952 |
| LIABILITIES AND STOCKHOLDERS' EQUITY | | |
| Current liabilities: | | |
| Accounts payable | \$ 968 | \$ 723 |
| Accrued and other current liabilities | 1,221 | 867 |
| Short-term borrowings and current maturities of long-term debt | 16 | — |
| Total current liabilities | 2,205 | 1,590 |
| Long-term debt, net | 2,268 | 1,880 |
| Accrued post-retirement benefit obligations | 344 | 286 |
| Deferred income tax liabilities | 557 | 222 |
| Other non-current accrued liabilities | 562 | 471 |
| Total liabilities | 5,936 | 4,449 |
| Commitment and Contingencies (Note 19) | | |
| Stockholders' equity: | | |
| Common stock — par value \$0.01 per share: | | |
| Authorized 750.0 shares, issued 257.6 and 196.0 shares in 2023 and 2022, respectively | 3 | 2 |
| Capital in excess of par value | 8,564 | 2,134 |
| Retained earnings | 2,601 | 2,292 |
| Treasury stock — at cost 16.0 shares and 15.8 shares in 2023 and 2022, respectively | (733) | (708) |
| Accumulated other comprehensive loss | (269) | (226) |
| Total stockholders' equity | 10,166 | 3,494 |
| Non-controlling interest | 10 | 9 |
| Total equity | 10,176 | 3,503 |
| Total liabilities and stockholders' equity | \$ 16,112 | \$ 7,952 |

See accompanying notes to consolidated financial statements.

XYLEM INC. AND SUBSIDIARIES
CONSOLIDATED STATEMENTS OF CASH FLOWS (In Millions)

| Year Ended December 31, | 2023 | 2022 | 2021 |
|---|-----------------|---------------|-----------------|
| Operating Activities | | | |
| Net income | \$ 609 | \$ 355 | \$ 427 |
| Adjustments to reconcile net income to net cash provided by operating activities: | | | |
| Depreciation | 193 | 111 | 118 |
| Amortization | 243 | 125 | 127 |
| Deferred income taxes | (79) | (64) | 10 |
| Share-based compensation | 60 | 37 | 33 |
| Restructuring and asset impairment charges | 76 | 29 | 7 |
| U.K. pension settlement expense | — | 140 | — |
| Loss (gain) from sale of businesses | 1 | (1) | (2) |
| Other, net | — | (4) | 8 |
| Payments for restructuring | (30) | (11) | (25) |
| Contributions to post-retirement benefit plans | (25) | (19) | (29) |
| Changes in assets and liabilities (net of acquisitions): | | | |
| Changes in receivables | (87) | (192) | (70) |
| Changes in inventories | 41 | (147) | (167) |
| Changes in accounts payable | 22 | 117 | 81 |
| Changes in accrued liabilities | (4) | 57 | 7 |
| Changes in accrued and deferred taxes | (109) | 57 | (9) |
| Net changes in other assets and liabilities | (74) | 6 | 22 |
| Net Cash — Operating activities | 837 | 596 | 538 |
| Investing Activities | | | |
| Capital expenditures | (271) | (208) | (208) |
| Proceeds from the sale of property, plant and equipment | 1 | 4 | 3 |
| Acquisitions of businesses, net of cash acquired | (476) | — | — |
| Proceeds from sale of businesses | 105 | 1 | 10 |
| Cash received from investments | 1 | 5 | — |
| Cash paid for investments | (1) | (11) | — |
| Cash paid for equity investments | (57) | (3) | (5) |
| Cash received from interest rate swaps | 38 | — | — |
| Cash received from cross-currency swaps | 28 | 28 | 14 |
| Settlement of currency forward agreement | — | (10) | — |
| Other, net | 4 | 3 | 3 |
| Net Cash — Investing activities | (628) | (191) | (183) |
| Financing Activities | | | |
| Long-term debt issued, net | 278 | — | — |
| Long-term debt repaid, net | (160) | (527) | (600) |
| Repurchase of common stock | (25) | (52) | (68) |
| Proceeds from exercise of employee stock options | 62 | 8 | 19 |
| Dividends paid | (299) | (217) | (203) |
| Other, net | (13) | (2) | (3) |
| Net Cash — Financing activities | (157) | (790) | (855) |
| Effect of exchange rate changes on cash | 23 | (20) | (26) |
| Net change in cash and cash equivalents | 75 | (405) | (526) |
| Cash and cash equivalents at beginning of year | 944 | 1,349 | 1,875 |
| Cash and cash equivalents at end of year | \$ 1,019 | \$ 944 | \$ 1,349 |
| Supplemental disclosure of cash flow information: | | | |
| Cash paid during the year for: | | | |
| Interest | \$ 69 | \$ 76 | \$ 99 |
| Income taxes (net of refunds received) | \$ 211 | \$ 91 | \$ 83 |

See accompanying notes to consolidated financial statements.

XYLEM INC. AND SUBSIDIARIES
CONSOLIDATED STATEMENTS OF CHANGES IN STOCKHOLDERS' EQUITY
(In Millions, except per share amounts)

| | Common Stock | Capital in Excess of Par Value | Retained Earnings | Accumulated Other Comprehensive Income (Loss) | Treasury Stock | Non-Controlling Interest | Total |
|---------------------------------------|-----------------|--------------------------------------|----------------------|---|-------------------|-----------------------------|-----------|
| Balance at December 31, 2020 | \$ 2 | \$ 2,037 | \$ 1,930 | \$ (413) | \$ (588) | \$ 8 | \$ 2,976 |
| Net income | | | 427 | | | | 427 |
| Other comprehensive income, net | | | | 42 | | | 42 |
| Dividends declared (\$1.12 per share) | | | (203) | | | | (203) |
| Stock incentive plan activity | | 52 | | | (8) | | 44 |
| Repurchase of common stock | | | | | (60) | | (60) |
| Balance at December 31, 2021 | \$ 2 | \$ 2,089 | \$ 2,154 | \$ (371) | \$ (656) | \$ 8 | \$ 3,226 |
| Net income | | | 355 | | | | 355 |
| Other comprehensive income, net | | | | 145 | | | 145 |
| Other activity | | | | | | 1 | 1 |
| Dividends declared (\$1.20 per share) | | | (217) | | | | (217) |
| Stock incentive plan activity | | 45 | | | (6) | | 39 |
| Repurchase of common stock | | | | | (46) | | (46) |
| Balance at December 31, 2022 | \$ 2 | \$ 2,134 | \$ 2,292 | \$ (226) | \$ (708) | \$ 9 | \$ 3,503 |
| Net income | | | 609 | | | | 609 |
| Other comprehensive income, net | | | | (43) | | | (43) |
| Other activity | | | | | | 1 | 1 |
| Issuance of common stock | 1 | 6,120 | | | | | 6,121 |
| Issuance of replacement equity awards | | 160 | | | | | 160 |
| Dividends declared (\$1.32 per share) | | | (300) | | | | (300) |
| Stock incentive plan activity | | 150 | | | (25) | | 125 |
| Repurchase of common stock | | | | | | | |
| Balance at December 31, 2023 | \$ 3 | \$ 8,564 | \$ 2,601 | \$ (269) | \$ (733) | \$ 10 | \$ 10,176 |

See accompanying notes to consolidated financial statements.

XYLEM INC. AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

Note 1. Summary of Significant Accounting Policies

Xylem Inc. ("Xylem" or the "Company") is a leading equipment and service provider for water and wastewater applications with a broad portfolio of products and services addressing the full cycle of water, from collection, distribution and use to the return of water to the environment.

Xylem operates in four segments, Water Infrastructure, Applied Water, Measurement and Control Solutions and Integrated Solutions and Services. See Note 21, "Segment and Geographic Data," for further segment background information.

Hereinafter, except as otherwise indicated or unless the context otherwise requires, "Xylem," "we," "us," "our" and "the Company" refer to Xylem Inc. and its subsidiaries.

Acquisition of Evoqua

On May 24, 2023, Xylem completed the acquisition of Evoqua Water Technologies Corp. ("Evoqua"). Refer to Note 3, "Acquisitions and Divestitures," for additional information.

Basis of Presentation

The consolidated financial statements reflect our financial position and results of operations in conformity with accounting principles generally accepted in the United States of America ("GAAP"). All intercompany transactions between our businesses have been eliminated. Certain prior year amounts have been conformed to the current year presentation.

Use of Estimates

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenue and expenses during the reporting period. Estimates are revised as additional information becomes available. Estimates and assumptions are used for, but not limited to, post-retirement obligations and assets, revenue recognition, income taxes, valuation of intangible assets, goodwill and indefinite-lived intangible impairment testing and contingent liabilities. Actual results could differ from these estimates.

Consolidation Principles

We consolidate companies in which we have a controlling financial interest or when Xylem is considered the primary beneficiary of a variable interest entity. We account for investments under the equity method in companies over which we have the ability to exercise significant influence but do not hold a controlling financial interest, and we record our proportionate share of income or losses in the Consolidated Income Statements. Equity method investments are reviewed for impairment when events or circumstances indicate the investment may be other than temporarily impaired. This requires significant judgment, including an assessment of the investee's financial condition, the possibility of subsequent rounds of financing, and the investee's historical and projected results of operations. If the actual results of operations for the investee are significantly different from projections, we may incur future charges for the impairment of these investments.

Foreign Currency Translation

The national currencies of our foreign companies are generally the functional currencies. Balance sheet accounts are translated at the exchange rate in effect at the end of each period; income statement accounts are translated at the average rates of exchange prevailing during the period. Gains and losses on foreign currency translations are reflected in the cumulative translation adjustments component of stockholders' equity. Net gains or losses from foreign currency transactions are reported currently in selling, general and administrative expenses.

Revenue Recognition

Xylem recognizes revenue in a manner that depicts the transfer of promised goods and services to customers in an amount that reflects the consideration to which it expects to be entitled for providing those goods and services. For each arrangement with a customer, we identify the contract and the associated performance obligations within the contract, determine the transaction price of that contract, allocate the transaction price to each performance obligation and recognize revenue as each performance obligation is satisfied. As a result of the Evoqua acquisition, we assessed our prior definition of service revenue and redefined service revenue for the combined company as revenue resulting from the satisfaction of performance obligations primarily related to outsourced water services, maintenance, repair, preventive and inspection services, software as a service ("SaaS") subscriptions, and spare parts sales related to these service offerings.

The satisfaction of performance obligations in a contract is based upon when the customer obtains control over the asset. Depending on the nature of the performance obligation, control transfers either at a particular point in time, or over time, which determines the pattern of revenue recognition.

For product sales, other than long-term construction-type contracts, we recognize revenue once control has passed at a point in time, which is generally when products are shipped. In instances where contractual terms include a provision for customer acceptance, revenue is recognized when either (i) we have previously demonstrated that the product meets the specified criteria based on either seller or customer-specified objective criteria or (ii) upon formal acceptance received from the customer where the product has not been previously demonstrated to meet customer-specified objective criteria. We recognize revenue on product sales to channel partners, including resellers, distributors or value-added solution providers, at the point in time when control is transferred which is determined based on when the risks and rewards, possession, and title have transferred to the customer, which usually occurs at the point of delivery.

Revenue from performance obligations related to services is primarily recognized over time, as the performance obligations are satisfied. In these instances, the customer consumes the benefit of the service as Xylem performs.

Certain businesses also enter into long-term construction-type sales contracts where revenue is recognized over time. In these instances, revenue is recognized using a measure of progress that applies an input method based on costs incurred in relation to total estimated costs. We also recognize revenue for certain of these arrangements using the output method and measure progress based on shipments of product where control has transferred to the customer.

If shipping and handling activities are performed after a customer obtains control of a good, we account for the shipping and handling activities as activities to fulfill a promise to transfer a good. Shipping and handling related costs are accrued as revenue is recognized.

For all contracts with customers, we determine the transaction price in the arrangement and allocate the transaction price to each performance obligation identified in the contract. Judgment is required to determine the appropriate unit of account, and we separate out the performance obligations if they are capable of being distinct and are distinct within the context of the contract. We base our allocation of the transaction price to the performance obligations on the relative stand-alone selling prices for the goods or services contained in a particular performance obligation. The stand-alone selling prices are determined first by reference to observable prices. In the event observable prices are not available, we estimate the stand-alone selling price by maximizing observable inputs and applying an adjusted market assessment approach, expected cost plus margin approach, or a residual approach in limited situations. Revenue in these instances is recognized on individual performance obligations within the same contract as they are satisfied.

The transaction price is adjusted for our estimate of variable consideration which may include a right of return, discounts, rebates, penalties and retainage. To estimate variable consideration, we apply the expected value or the most likely amount method, based on whichever method most appropriately predicts the amount of consideration we expect to receive. The method applied is typically based on historical experience and known trends. We constrain the amounts of variable consideration that are included in the transaction price, to the extent that it is probable that a significant reversal in the amount of cumulative revenue recognized will not occur or when uncertainties around the variable consideration are resolved.

We exclude from the measurement of the transaction price all taxes assessed by a governmental authority that are both imposed on and concurrent with a specific revenue-producing transaction and collected from a customer, for example sales, use, value added and some excise taxes.

For all contracts with customers, payment received for our products and services may not necessarily follow the same pattern of revenue recognition to which it relates and are dictated by the terms and conditions of our contracts

with customers. Payments received for product sales typically occur following delivery and the satisfaction of the performance obligations based upon the terms outlined in the contracts. Payments received for services typically occur following the services being rendered. For long-term construction-type projects, payments are typically made throughout the contract as progress is made.

In limited situations, contracts with customers include financing components where payment terms exceed one year; however, we believe that the financing effects are not significant to Xylem. In addition, we apply a practical expedient and do not adjust the promised amount of consideration in a contract for the effects of significant financing components when we expect payment terms to be one year or less from the time the goods or services are transferred until ultimate payment.

We offer standard warranties for our products to ensure that our products comply with agreed-upon specifications in our contracts. Standard warranties do not give rise to performance obligations and represent assurance-type warranties. In certain instances, product warranty terms are adjusted to account for the specific nature of the contract. In these instances, we assess the warranties to determine whether they represent service-type warranties, and should be accounted for as a separate performance obligation in the contract.

Costs to obtain a contract include incremental costs that the Company has incurred that it expects to recover. Incremental costs only include costs that the Company would not have incurred had the contract not been obtained. Costs that would have been incurred regardless of whether or not the contract was obtained are expensed as incurred, unless they are explicitly chargeable to the customer whether or not the contract is obtained.

Costs to obtain contracts are capitalized when incurred, and are then amortized in a manner that is consistent with the pattern of transfer of the related goods or services provided in the contract. The Company elects to apply the practical expedient to expense costs to obtain contracts when the associated amortization period of those costs would be one year or less.

Shipping and Handling Costs

Shipping and handling costs are recorded as a component of cost of revenue.

Share-Based Compensation

Share-based awards issued to employees include non-qualified stock options, restricted stock units and performance share units. Share-based awards issued to members of the Board of Directors include restricted stock units. Compensation costs resulting from share-based payment transactions are recognized primarily at fair value over the requisite service period (typically three years), on a straight-line basis, within selling, general and administrative expenses. The calculated compensation cost is adjusted based on an estimate of awards ultimately expected to vest. The fair value of a non-qualified stock option is determined on the date of grant using a binomial lattice pricing model incorporating multiple and variable assumptions over time, including assumptions such as employee exercise patterns, stock price volatility and changes in dividends. The fair value of restricted stock unit awards is determined using the closing price of our common stock on date of grant. The fair value of Return on Invested Capital ("ROIC"), Revenue, and adjusted EBITDA performance share units at 100% target is determined using the closing price of our common stock on date of grant. The calculated compensation cost is adjusted based on an estimate of awards ultimately expected to vest and our assessment of the probable outcome of the performance condition. The fair value of Total Shareholder Return ("TSR") performance share units is calculated on the date of grant using a Monte Carlo simulation model utilizing several key assumptions, including expected Company and peer company share price volatility, correlation coefficients between peers, the risk-free rate of return, the expected dividend yield and other award design features.

Research and Development

We conduct research and development activities, which consist primarily of the development of new products, product applications, and manufacturing processes. To the extent these activities involve developing software that is sold to our customers, we capitalize the applicable development costs. All other research and development costs are charged to expense as incurred.

Exit and Disposal Costs

We periodically initiate management-approved restructuring activities to achieve cost savings through reduced operational redundancies and to position ourselves strategically in the market in response to prevailing economic conditions and associated customer demand. Costs associated with restructuring actions can include severance, acceleration of stock based compensation expense due to "double trigger" change in control provisions, infrastructure charges to vacate facilities or consolidate operations, contract termination costs and other related charges. For involuntary separation plans, a liability is recognized when it is probable and reasonably estimable. For

voluntary separation plans, a liability is recognized when the employee irrevocably accepts the voluntary termination. For one-time termination benefits, such as additional severance pay or benefit payouts and other exit costs, the liability is measured and recognized initially at fair value in the period in which the liability is incurred, with subsequent changes to the liability recognized as adjustments in the period of change.

Deferred Financing Costs

Deferred financing costs represent costs incurred in conjunction with our debt financing activities and are capitalized in long-term debt and amortized over the life of the related financing arrangements. If the debt is retired early, the related unamortized deferred financing costs are recorded within the results of operations under the caption "interest expense" in the period the debt is retired.

Income Taxes

Income taxes are calculated using the asset and liability method. Deferred tax assets and liabilities are determined based on temporary differences between the financial reporting and tax bases of assets and liabilities, applying enacted tax rates in effect for the year in which we expect the differences will reverse.

We maintain valuation allowances when it is more likely than not that all or a portion of a deferred asset will not be realized. In determining whether a valuation allowance is warranted, we consider all positive and negative evidence and all sources of taxable income such as prior earnings history, expected future earnings, carryback and carryforward periods and tax strategies to estimate if sufficient future taxable income will be generated to realize the deferred tax asset. The assessment of the adequacy of our valuation allowance is based on our estimates of taxable income by the jurisdiction in which we operate and the period over which our deferred tax assets will be recoverable. If actual results differ from these estimates, or we adjust these estimates in future periods for current trends or expected changes in our estimating assumptions, we may need to modify the level of valuation allowance that could materially impact our business, financial condition and results of operations.

We have recorded net foreign withholding taxes and state income taxes on earnings that are expected to be repatriated to the U.S. parent. We have not recorded any deferred taxes on the amounts that the Company currently does not intend to repatriate. The determination of deferred taxes on this amount is not practicable.

Tax benefits are recognized for an uncertain tax position when, based on the technical merits of the position it is more likely than not that the position will be sustained upon examination by a taxing authority or upon completion of the litigation process. For a tax position that meets the more-likely-than-not recognition threshold, the tax benefit is measured as the largest amount that is judged to have a greater than 50% likelihood of being realized upon ultimate settlement with a taxing authority. The liability associated with unrecognized tax benefits is adjusted periodically due to changing circumstances and when new information becomes available. Such adjustments are recognized in the period in which they are identified. The effective tax rate includes the net impact of changes in the liability for unrecognized tax benefits and subsequent adjustments as considered appropriate by management. While it is often difficult to predict the final outcome or the timing of resolution of any particular tax matter, we believe our liability for unrecognized tax benefits is adequate. We classify interest relating to unrecognized tax benefits as a component of other non-operating (expense) income, net and tax penalties as a component of income tax expense in our Consolidated Income Statements.

Earnings Per Share

We present two calculations of earnings per share ("EPS"). "Basic" EPS equals net income divided by weighted average shares outstanding during the period. "Diluted" EPS equals net income divided by the sum of weighted average common shares outstanding during the period plus potentially dilutive shares. Potentially dilutive common shares that are anti-dilutive are excluded from diluted EPS.

Cash Equivalents

We consider all liquid investments purchased with an original maturity of three months or less to be cash equivalents.

Receivables and Allowance for Credit Losses and Discounts

Receivables are primarily comprised of uncollected amounts owed to us from transactions with customers and are presented net of allowances for credit losses, returns and early payment discounts.

We determine our allowance for credit losses using a combination of factors to reduce our trade receivable balances to the net amount expected to be collected. We maintain an allowance for credit losses based on a variety of factors, including the length of time receivables were past due, macro-economic trends and conditions, significant one-time events, historical experience, and current and future expectations of economic conditions. In addition, we

record an allowance for individual accounts when we become aware of specific customer circumstances, such as in the case of bankruptcy filings or deterioration in the customer's operating results or financial position. The past due or delinquency status of a receivable is based on the contractual payment terms of the receivable. If circumstances related to the specific customer change, we adjust estimates of the recoverability of receivables as appropriate. We determine our allowance for early payment discounts primarily based on historical experience with customers.

Credit risk with respect to accounts receivable is generally diversified due to the large number of entities comprising our customer base and their dispersion across many different geographical regions. We evaluate the financial condition of our third-party distributors, resellers and other customers and require collateral, such as letters of credit and bank guarantees, in certain circumstances. As of December 31, 2023 and 2022 we do not believe we have any significant concentrations of credit risk.

Inventories

Inventories, which include the costs of material, labor and overhead, are stated at the lower of cost or net realizable value. Estimated losses from obsolete and slow-moving inventories are recorded to reduce inventory values to their estimated net realizable value. Our manufacturing operations recognize costs of sales using standard costs with full overhead absorption, which generally approximates actual cost.

Property, Plant and Equipment

These assets are recorded at historical cost and are depreciated using the straight-line method of depreciation over the estimated useful lives as follows:

| | <u>Estimated Life</u> |
|------------------------------------|-----------------------|
| Buildings and improvements | 5 to 40 years |
| Machinery and equipment | 2 to 10 years |
| Furniture and fixtures | 3 to 7 years |
| Equipment held for lease or rental | 2 to 10 years |

Leasehold improvements are depreciated over the shorter of their estimated useful life or the term of the lease. Costs related to maintenance and repairs that do not prolong the assets' useful lives are expensed as incurred.

Leases

We determine if an arrangement is a lease at inception. We have recorded right of use ("ROU") assets and liabilities for lease arrangements that are reasonably certain to extend beyond 12 months. ROU assets represent our right to use an underlying asset for the lease term and lease liabilities represent our obligation to make lease payments under the lease. ROU assets and liabilities are recognized at lease commencement date based on the present value of lease payments over the lease term. The implicit rate within our leases is generally not determinable, and we use our incremental borrowing rate at the lease commencement date to determine the net present value of lease payments. The determination of the appropriate incremental borrowing rate requires judgment. We determine the appropriate incremental borrowing rate for each lease using our current borrowing rate, adjusted for various factors including geographic region, level of collateralization and term, to align with the term of the underlying lease.

Lease expense for lease payments is recognized on a straight-line basis over the lease term. Many of our leases are subject to payment adjustments to reflect annual changes in price indexes, such as the Consumer Price Index. While associated lease liabilities are not re-measured as a result of changes in the applicable price indexes, changes to required lease payments are treated as variable lease payments and recognized in the period in which the obligation for those payments was incurred.

Leases with a lease term of 12 months or less, including renewal options that are reasonably certain to be exercised, that also do not include an option to purchase the underlying asset that is reasonably certain of exercise, are not recorded on the Consolidated Balance Sheets. Instead, lease payments for these leases are recognized as a lease cost on a straight-line basis over the lease term.

We elected the package of practical expedients, which among other things, does not require reassessment of lease classification. Additionally, we have made an accounting policy election whereby we chose not to separate non-lease components from lease components in agreements in all leases which we are the lessee.

In addition to manufacturing and selling equipment, we also lease equipment to customers in exchange for consideration. These arrangements are generally short term in nature and predominantly involve the rental of pumps and accessories within the Water Infrastructure segment. Short term rental arrangements generally do not provide the customer the right to purchase the equipment as Xylem's strategy is to rent these items over their useful

lives. Customers may be billed based on daily, weekly or monthly rates depending on the expected rental period. We assessed that these arrangements constitute a lease under ASC 842, and have recognized them as operating leases. In situations where arrangements contain both the sale of products and a leasing component, contract consideration is allocated based on relative standalone selling price.

The Company also generates revenue through the lease of its water treatment equipment and systems to customers within the Integrated Solutions and Services segment. In certain instances, the Company enters into a contract with a customer but must construct the underlying asset prior to its lease. At the time of contract inception, the Company determines if an arrangement is or contains a lease. These contracts generally contain both lease and non-lease components, including installation, maintenance, and monitoring services of the Company-owned equipment, in addition to sale of certain constructed assets. In situations where arrangements contain multiple elements, contract consideration is allocated based on relative standalone selling price. Lease components associated with underlying assets that have an alternative use are classified as operating leases with revenue recognized over time throughout the lease term. Lease components associated with underlying assets that have no alternative are classified as sales-type leases, with point in time revenue recognition at the on-set of the lease, or classified as financing transactions, with over time revenue recognition at the on-set of the construction of the underlying assets. In order for a component to be separate, the customer would be able to benefit from the right of use of the component separately or with other resources readily available to the customer and the right of the use is not highly dependent or highly interrelated with the other rights to use the other underlying assets or components.

Goodwill and Intangible Assets

Goodwill represents purchase consideration paid in a business combination that exceeds the values assigned to the net assets of acquired businesses. Intangible assets include customer relationships, proprietary technology, brands and trademarks, patents, software and other intangible assets. Intangible assets with a finite life are amortized on a straight-line basis over an estimated economic useful life which ranges from 1 to 25 years and is included in cost of revenue or selling, general and administrative expenses. Certain of our intangible assets, namely certain brands and trademarks, as well as FCC licenses, have an indefinite life and are not amortized.

Goodwill and indefinite-lived intangible assets are not amortized, but rather are tested for impairment annually (or more frequently if impairment indicators arise, such as changes to the reporting unit structure, significant adverse changes in the business or business climate or an adverse action or assessment by a regulator). We conduct our annual impairment testing as of the beginning of the fourth quarter. For goodwill, the estimated fair value of each reporting unit is compared to the carrying value of the net assets assigned to that reporting unit. If the estimated fair value of the reporting unit exceeds its carrying value, goodwill is not impaired. If the carrying value of the reporting unit exceeds its estimated fair value, then an impairment charge is recognized for that excess up to the amount of recorded goodwill. We estimate the fair value of our reporting units using an income approach. We estimate the fair value of our intangible assets with indefinite lives using either the income approach or the market approach. Under the income approach, we calculate fair value based on the present value of estimated future cash flows. Under the market approach, we calculate fair value based on recent sales and selling prices of similar assets.

Long-Lived Asset Impairment

Long-lived assets, including intangible assets with finite lives, are amortized and tested for impairment whenever events or changes in circumstances indicate their carrying value may not be recoverable. We assess the recoverability of long-lived assets based on the undiscounted future cash flow the assets are expected to generate and recognize an impairment loss when estimated undiscounted future cash flows expected to result from the use of the asset plus net proceeds expected from disposition of the asset, if any, are less than the carrying value of the asset. When an impairment is identified, we reduce the carrying amount of the asset to its estimated fair value based on a discounted cash flow approach or, when available and appropriate, to comparable market values.

Product Warranties

For assurance-type warranties, we accrue for the estimated cost of product warranties at the time revenue is recognized and record it as a component of cost of revenue. Our product warranty liability reflects our best estimate of probable liability under the terms and conditions of our product warranties offered to customers. We estimate the liability based on our standard warranty terms, the historical frequency of claims and the cost to replace or repair our products under warranty. Factors that impact our warranty liability include the number of units sold, the length of warranty term, historical and anticipated rates of warranty claims and cost per claim. We also record a warranty liability for specific matters. We assess the adequacy of our recorded warranty liabilities quarterly and adjust amounts as necessary.

For service-type warranties (i.e. non-standard warranties) costs incurred to fulfill the extended or service warranty are recognized/recorded as the costs are incurred.

Post-retirement Benefit Plans

The determination of defined benefit pension and post-retirement plan obligations and their associated costs requires the use of actuarial computations to estimate participant plan benefits to which the employees will be entitled. The assumptions primarily relate to discount rates, expected long-term rates of return on plan assets, rate of future compensation increases, mortality, years of service and other factors. We develop each assumption using relevant company experience in conjunction with market-related data for each individual country in which such plans exist. All actuarial assumptions are reviewed annually with third-party consultants and adjusted as necessary. For the recognition of net periodic post-retirement cost, the calculation of the expected return on plan assets is generally derived by applying the expected long-term rate of return on the market-related value of plan assets. The market-related value of plan assets is based on average asset values at the measurement date over the last five years. Actual results that differ from our assumptions are accumulated and amortized on a straight-line basis only to the extent they exceed 10% of the higher of the market-related value or the projected benefit obligation, over the average remaining service period of active participants, or for plans with all or substantially all inactive participants, over the average remaining life expectancy. The fair value of plan assets is determined based on market prices or estimated fair value at the measurement date.

We consider changes to a plan's benefit formula that eliminate the accrual for future service but continue to allow for future salary increases (i.e. "soft freeze") to be a curtailment.

Business Combinations

We allocate the purchase price of acquisitions to the tangible and intangible assets acquired, liabilities assumed, and non-controlling interests in the acquiree based on their estimated fair value at the acquisition date. The excess of the acquisition price over those estimated fair values is recorded as goodwill. Changes to the acquisition date provisional fair values prior to the expiration of the measurement period, a period not to exceed 12 months from date of acquisition, are recorded as an adjustment to the associated goodwill. Acquisition-related expenses and restructuring costs, if any, are recognized separately from the business combination and are expensed as incurred.

Derivative Financial Instruments

We record all derivatives on the Consolidated Balance Sheets at fair value. The accounting for changes in the fair value of derivatives depends on whether we have elected to designate a derivative in a hedging relationship and apply hedge accounting and whether the hedging relationship has satisfied the criteria necessary to apply hedge accounting. Derivatives designated and qualifying as a hedge of the exposure to changes in the fair value of an asset, liability, or firm commitment attributable to a particular risk are considered fair value hedges. Derivatives designated and qualifying as a hedge of the exposure to variability in expected future cash flows, including forecasted transactions, are considered cash flow hedges. Derivatives may also be designated as hedges of the foreign currency exposure of a net investment in a foreign operation. Hedge accounting generally provides for the matching of the timing of gain or loss recognition on the hedging instrument with the recognition of the changes in the fair value of the hedged asset or liability that are attributable to the hedged risk in a fair value hedge or the earnings effect of the hedged forecasted transactions in a cash flow hedge. We may enter into derivative contracts that are intended to hedge certain risks economically, even though hedge accounting does not apply or we elect not to apply hedge accounting.

Changes in the fair value of derivatives designated and that qualify as cash flow hedges of foreign exchange risk are recorded in Other Comprehensive Income (Loss) ("OCI/L") and are subsequently reclassified into either revenue or cost of revenue (hedge of sales classified into revenue and hedge of purchases classified into cost of revenue) in the period that the hedged forecasted transaction affects earnings. Our policy is to de-designate cash flow hedges at the time forecasted transactions are recognized as assets or liabilities on a business unit's balance sheet and report subsequent changes in fair value through selling, general and administrative expenses where the gain or loss due to movements in currency rates on the underlying asset or liability is revalued. If it becomes probable that the originally forecasted transaction will not occur, the gain or loss related to the hedge recorded within Accumulated Other Comprehensive Loss ("AOCL") is immediately recognized into net income.

Effectiveness of derivatives designated as net investment hedges is assessed using the spot method. The changes in the fair value of these derivatives due to movements in spot exchange rates are recorded in OCI/L. Amounts in AOCL are reclassified into earnings at the time the hedged net investment is sold or substantially liquidated. Furthermore, we recognize interest income based on the interest rate differential embedded in the derivative instrument.

Commitments and Contingencies

We record accruals for commitments and loss contingencies for those which are both probable and for which the amount can be reasonably estimated. In addition, legal fees are accrued for cases where a loss is probable and the related fees can be reasonably estimated. Significant judgment is required to determine both probability and the estimated amount of loss. We review these accruals quarterly and adjust the accruals to reflect the impact of negotiations, settlements, rulings, advice of legal counsel, and other current information.

Accruals for environmental matters are recorded on a site-by-site basis when it is probable that a liability has been incurred and the amount of the liability can be reasonably estimated, based on current law and existing technologies. Our estimated liability is reduced to reflect the anticipated participation of other potentially responsible parties in those instances where it is probable that such parties are legally responsible and financially capable of paying their respective shares of the relevant costs. These accruals are reviewed quarterly and are adjusted as assessment and remediation efforts progress or as additional technical or legal information becomes available. Actual costs to be incurred at identified sites in future periods may vary from the estimates, given inherent uncertainties in evaluating environmental exposures. Accruals for environmental liabilities are primarily included in other non-current liabilities at undiscounted amounts.

Concentrations of Credit Risk

Financial instruments that potentially subject us to significant concentrations of credit risk consist principally of cash and cash equivalents, derivative contracts and accounts receivable from trade customers. We maintain cash and cash equivalents and derivative contracts with various financial institutions. These financial institutions are located in many different geographical regions, and our policy is designed to limit exposure with any one institution. As part of our cash and risk management processes, we perform periodic evaluations of the relative credit standing of the financial institutions. We have not sustained any material credit losses during the previous three years from instruments held at financial institutions. We may utilize forward contracts to protect against the effects of foreign currency fluctuations. Such contracts involve the risk of non-performance by the counterparty. Credit risk with respect to accounts receivable is generally diversified due to the large number of entities comprising our customer base and their dispersion across many different industries and geographic regions. We perform ongoing credit evaluations of the financial condition of our third-party distributors, resellers and other customers and require collateral, such as letters of credit and bank guarantees, in certain circumstances.

Substantially all of the cash and cash equivalents, including foreign cash balances, at December 31, 2023 and 2022 were uninsured. Foreign cash balances at December 31, 2023 and 2022 were \$955 million and \$813 million, respectively.

Fair Value Measurements

We determine fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. We use a hierarchical structure to prioritize the inputs to valuation techniques used to measure fair value into three broad levels defined as follows:

- Level 1 inputs are quoted prices (unadjusted) in active markets for identical assets or liabilities.
- Level 2 inputs are other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly. Level 2 inputs include quoted prices (in non-active markets or in active markets for similar assets or liabilities), inputs other than quoted prices that are observable, and inputs that are derived principally from or corroborated by observable market data by correlation or other means.
- Level 3 inputs are unobservable inputs for the assets or liabilities.

The fair value hierarchy is based on maximizing the use of observable inputs and minimizing the use of unobservable inputs when measuring fair value. Classification within the fair value hierarchy is based on the lowest level input that is significant to the fair value measurement.

Certain investments which measure fair value using the net asset value ("NAV") per share practical expedient are not classified within the fair value hierarchy and are separately disclosed.

Note 2. Recently Issued Accounting Pronouncements

Pronouncements Not Yet Adopted

In November 2023, the Financial Accounting Standards Board (FASB) issued Accounting Standards Update (ASU) No. 2023-07, "*Segment Reporting (Topic 280) Improvements to Reportable Segment Disclosures*." This guidance requires disclosure information about significant segment expenses. The standard is effective for fiscal years beginning after December 15, 2023, and interim periods within fiscal years beginning after December 15, 2024, with early adoption permitted. The standard is required to be applied on a retrospective basis to all periods presented in the consolidated financial statements. The Company is currently evaluating the impacts of the guidance on our disclosures in future periods.

In December 2023, the FASB issued ASU No. 2023-09, *Improvements to Income Tax Disclosures*. The ASU is intended to improve income tax disclosure requirements, primarily through additional disclosures about a reporting entity's effective tax rate reconciliations as well as information on income taxes paid. The standard is effective for fiscal years beginning after December 15, 2024, and interim periods within fiscal years beginning after December 15, 2025, with early adoption permitted. The amendments are required to be applied on a prospective basis, with the option to apply retrospectively to all prior periods presented in the consolidated financial statements. The Company is currently evaluating the method of adoption and the impacts of the guidance on our disclosures in future periods.

Recently Adopted Pronouncements

In September 2022, the FASB issued ASU 2022-04, "*Liabilities-Supplier Finance Programs (Subtopic 405-50): Disclosure of Supplier Finance Program Obligations*." This guidance requires disclosure of the key terms of outstanding supplier finance programs and a rollforward of the related obligations. The new standard does not affect the recognition, measurement, or financial statement presentation of supplier finance program obligations. The ASU became effective January 1, 2023, except for the rollforward requirement, which becomes effective January 1, 2024. The disclosures related to our adoption of the standard are included below:

The Company facilitates the opportunity for suppliers to participate in voluntary supply chain financing programs with third-party financial institutions. Xylem agrees on commercial terms, including payment terms, with suppliers regardless of program participation. The company does not determine the terms or conditions of the arrangement between suppliers and the third-party financial institutions. Participating suppliers are paid directly by the third-party financial institution. Xylem pays the third-party financial institution the stated amount of confirmed invoices from its designated suppliers at the original invoice amount on the original maturity dates of the invoices, ranging from 45-180 days. Xylem does not pay fees related to these programs. Xylem or the third-party financial institutions may terminate the agreements upon at least 30 days' notice. As of December 31, 2023, the total outstanding balance under these programs is \$176 million presented on our Consolidated Balance Sheets within "Accounts payable."

In October 2021, the FASB issued ASU No. 2021-08, "*Business Combinations (Topic 805) - Accounting for Contract Assets and Contract Liabilities from Contracts with Customers*." This guidance requires an acquirer to apply the guidance in ASC 606, Revenue from Contracts with Customers, to recognize and measure contract assets and contract liabilities in a business combination, rather than using fair value. The ASU is effective for fiscal years beginning after December 15, 2022 and we adopted this guidance as of January 1, 2023. The guidance will be applied prospectively to business combinations after the adoption. The adoption of this guidance did not have a material impact on our financial condition or results of operations.

Note 3. Acquisitions and Divestitures

Evoqua Water Technologies Corp.

On May 24, 2023, the Company completed the acquisition of 100% of the issued and outstanding shares of Evoqua, a leader in providing water and wastewater treatment solutions, offering a broad portfolio of products and services to support industrial, municipal, and recreational customers, pursuant to the Agreement and Plan of Merger dated January 22, 2023 (the "Merger Agreement"). The Merger Agreement provided that Fore Merger Sub, Inc., a wholly owned subsidiary of the Company, merge with and into Evoqua, with Evoqua surviving as a wholly owned subsidiary of Xylem (the "Merger"). Under the terms and conditions of the Merger Agreement, each share of Evoqua common stock issued and outstanding immediately prior to the effective time of the Merger (other than certain excluded shares as described in the Merger Agreement) was converted into the right to receive 0.48 (the "Exchange Ratio") of a share of the common stock of Xylem. Upon the effectiveness of the Merger, legacy Evoqua stockholders owned approximately 25% and legacy Xylem shareholders owned approximately 75% of the combined company. The purchase price for purposes of the Merger consisted of an aggregate of \$6,121 million of the Company's common stock, \$160 million in replacement equity awards, and \$619 million to repay certain indebtedness of Evoqua (refer to Note 15, "Credit Facilities and Debt"). Acquisition costs for the year ended December 31, 2023 of

\$57 million have been recorded within Selling, general and administrative expense in our Consolidated Income Statements.

The acquisition-date fair value of the consideration totaled \$6,900 million, which consisted of the following:

| (In millions) | <u>Fair Value of Purchase Consideration</u> |
|--|---|
| Xylem Common Stock issued to Evoqua stockholders (58,779,096 shares) | \$ 6,121 |
| Estimated replacement equity awards | 160 |
| Payment of certain Evoqua indebtedness | 619 |
| Total | \$ 6,900 |

The Company has applied the acquisition method of accounting in accordance with ASC 805, Business Combinations ("ASC 805") and recognized assets acquired and liabilities assumed at their fair value as of the date of acquisition, with the excess purchase consideration recorded to goodwill. As the Company finalizes the estimation of the fair value of the assets acquired and liabilities assumed, additional adjustments may be recorded during the measurement period (a period not to exceed 12 months from the acquisition date).

We recorded measurement period adjustments as a result of refining certain assumptions that were based on facts and circumstances that existed as of the acquisition date, including customer attrition and discount rates, which affected the underlying cash flows in the valuation. Measurement period adjustments recorded on our Consolidated Balance Sheets at December 31, 2023 primarily include a \$535 million decrease in intangible assets, a \$123 million reduction in long term deferred income tax liabilities, which together with other adjustments, resulted in a corresponding \$449 million increase to goodwill. As a result, we recognized a reduction of expenses of approximately \$5 million related to amortization in our Consolidated Income Statements for the year ended December 31, 2023 that would have been recognized during the nine months ended September, 30, 2023 if the measurement period adjustments would have been made as of the acquisition date.

The following table summarizes the preliminary acquisition date fair value of net tangible and intangible assets acquired, net of liabilities assumed from Evoqua:

| (In millions) | <u>Fair Value</u> |
|--|-------------------|
| Cash and cash equivalents | \$ 143 |
| Receivables (a) | 432 |
| Inventories | 268 |
| Prepaid and other current assets | 78 |
| Assets held for sale | 8 |
| Property, plant and equipment, net | 508 |
| Goodwill | 4,813 |
| Other intangible assets, net | 1,772 |
| Other non-current assets | 181 |
| Non-current assets held for sale | 85 |
| Accounts payable | (210) |
| Accrued and other current liabilities | (349) |
| Short-term borrowings and current maturities of long-term debt | (166) |
| Liabilities held for sale | (1) |
| Long-term debt | (111) |
| Other non-current accrued liabilities | (120) |
| Deferred income tax liabilities | (428) |
| Non-current liabilities held for sale | (3) |
| Total | \$ 6,900 |

(a) Including \$322 million of receivables and \$110 million of contract assets.

The preliminary purchase price allocation is subject to further refinement and may require significant adjustments to arrive at the final purchase price allocation. The above fair values of assets acquired and liabilities assumed are preliminary and are based on the information that was available as of the reporting date. The fair values of the assets acquired and liabilities assumed were preliminarily determined using the income and cost approaches. In many cases, the determination of the fair values required estimates about discount rates, future expected cash flows and other future events that are judgmental and subject to change. The final determination of the fair value of certain assets and liabilities will be completed as soon as the necessary information becomes available but no later than one year from the acquisition date.

The fair value of receivables acquired is \$322 million, with the gross contractual amount being \$329 million. The Company expects \$7 million to be uncollectible.

The amounts of revenue and net loss from continuing operations before income taxes of Evoqua since the acquisition date included in the Consolidated Income Statements for the year ended December 31, 2023 are \$1,177 million and \$66 million, respectively. The \$4,813 million of goodwill recognized, which is not deductible for U.S. income tax purposes, is primarily attributable to synergies and economies of scale expected from combining the operations of Evoqua and Xylem, as well as the assembled workforce of Evoqua.

Identifiable Intangible Assets Acquired

The following table summarizes key information underlying identifiable intangible assets related to the Evoqua acquisition:

| (In millions) | Useful Life (in years) | Useful Life Weighted Average (in years) | Fair Value (in millions) |
|--|------------------------|--|-----------------------------|
| Trademarks | 6 | 6.0 | \$ 50 |
| Proprietary technology and patents | 4 - 9 | 7.1 | 123 |
| Customer and distributor relationships | 6 - 20 | 17.9 | 1,395 |
| Backlog | 1 - 10 | 5.4 | 120 |
| Permits | 8 | 8.0 | 70 |
| Software | 1 - 13 | 2.3 | 14 |
| Total | | 15.4 | \$ 1,772 |

The preliminary estimate of the fair value of Evoqua's identifiable intangible assets was determined primarily using the "income approach," which requires a forecast of all of the expected future cash flows either through the use of the multi-period excess earnings method or the relief-from-royalty method. The fair value measurements were primarily based on significant inputs that are not observable in the market and thus represent a Level 3 measurement of the fair value hierarchy as defined in ASC 820, Fair Value Measurements ("ASC 820"). Intangible assets consisting of the Evoqua tradename, technology, customer relationships, backlog, and permits were valued using the multi-period excess earnings method ("MEEM"), the relief from royalty ("RFR") method, or the with and without method, which are all forms of the income approach. Intangible assets related to Evoqua software were valued using the cost approach.

- Trademarks and proprietary technology intangible assets were valued using the RFR method. The RFR method of valuation suggests that in lieu of ownership, the acquirer can obtain comparable rights to use the subject asset via a license from a hypothetical third-party owner. The asset's Fair Value is the present value of license fees avoided by owning it (i.e., the royalty savings).
- Customer and distributor relationships and backlog intangible assets were valued using the MEEM method. The MEEM method of valuation is an approach where the net earnings attributable to the asset being measured are isolated from other "contributory assets" over the intangible asset's remaining economic life.
- The Permits intangible asset was valued using the with and without method. The with and without method of valuation is an approach that considers the hypothetical impact to the projected cash flows of the business if the intangible asset was not in place.
- The Software intangible asset was valued using the cost approach. The cost approach method of valuation is an approach that relies on estimating the replacement or reproduction costs new of assets, along with

factors of physical deterioration, based on the principle that an asset would not be purchased for a price higher than the cost to replace it with an asset of comparable utility.

- Inventory was estimated using the comparative sales method, which quantifies the fair value of inventory based on the expected sales price of the subject inventory (when complete), reduced for: (i) all costs expected to be incurred in its completion and disposition efforts and (ii) a profit on those value-added completion and disposition costs.

Stock-Based Compensation

In connection with the Merger, each outstanding and issued option, restricted stock unit ("RSU"), performance stock unit ("PSU") and cash-settled stock appreciation right ("SAR") was converted into the Xylem equivalent, with outstanding PSUs being converted into Xylem RSUs. As a result, Xylem issued 2 million replacement equity options and 707 thousand RSU awards (of which 330 thousand were converted PSUs.) The portion of the fair value related to pre-combination services of \$160 million was included in the purchase price, and \$56 million will be recognized over the remaining service periods. As of December 31, 2023, the future unrecognized expense related to the outstanding options and RSUs was approximately \$1 million and \$11 million, respectively. The future unrecognized expense related to options and RSUs will be recognized over a weighted-average service period of 2 years. SARs are immaterial.

Pro Forma Financial Information

The following table summarizes, on an unaudited pro forma basis, the condensed combined results of operations of the Company for the year ended December 31, 2023 and 2022, assuming the acquisition had occurred on January 1, 2022.

| (In millions) | Year Ended December 31, | |
|---------------|----------------------------|----------|
| | 2023 | 2022 |
| Revenue | \$ 8,146 | \$ 7,329 |
| Net income | \$ 668 | \$ 256 |

The foregoing unaudited pro forma results are for informational purposes only and are not necessarily indicative of the actual results of operations that might have occurred had the acquisition occurred on January 1, 2022, nor are they necessarily indicative of future results. The unaudited pro-forma information for all periods presented includes the following adjustments, where applicable, for business combination accounting effects resulting from the acquisition: (i) amortization of the fair value step up in inventory, (ii) additional amortization expense related to finite-lived intangible assets acquired, (iii) repayment of Evoqua's term loan and revolver and the settlement of the related interest rate swap, (iv) additional interest expense related to financing for the acquisition (refer to Note 15, "Credit Facilities and Debt"), (v) depreciation expense on property, plant and equipment, (vi) additional incremental stock-based compensation expense for the replacement of Evoqua's outstanding equity awards with Xylem's replacement equity awards, and (vii) the related tax effects assuming that the business combination occurred on January 1, 2022.

The significant non-recurring adjustments reflected in the unaudited pro-forma consolidated information above include the reclassification of the transaction costs to the earliest period presented and the reversal of the impacts related to the settlement of the interest rate swap, each net of tax.

Divestitures

During the third quarter ended September 30, 2023, Xylem sold the former Evoqua hemodialysis concentrates business for approximately \$12 million.

On June 15, 2023, Xylem sold the former Evoqua carbon reactivation and slurry operations to Desotec US LLC, a subsidiary of Desotec N.V., for approximately \$91 million, a price equal to the fair value less costs to sell the business. ___

Note 4. Revenue

Disaggregation of Revenue

The following table illustrates the sources of revenue:

| (In millions) | Year Ended December 31, | | |
|---------------------------------------|-------------------------|-----------------|-----------------|
| | 2023 | 2022 | 2021 |
| Revenue from contracts with customers | \$ 6,963 | \$ 5,294 | \$ 4,998 |
| Lease Revenue | 401 | 228 | 197 |
| Total | <u>\$ 7,364</u> | <u>\$ 5,522</u> | <u>\$ 5,195</u> |

The following table reflects revenue from contracts with customers by application:

| (In millions) | Year Ended December 31, | | |
|--|-------------------------|-----------------|-----------------|
| | 2023 | 2022 | 2021 |
| <i>Water Infrastructure</i> | | | |
| Transport | \$ 1,889 | \$ 1,715 | \$ 1,619 |
| Treatment | 795 | 421 | 431 |
| <i>Applied Water</i> | | | |
| Building Solutions | 1,025 | 965 | 877 |
| Industrial Water | 828 | 802 | 736 |
| <i>Measurement and Control Solutions</i> | | | |
| Water | 1,354 | 1,126 | 1,055 |
| Energy | 375 | 265 | 280 |
| <i>Integrated Solutions and Services</i> | 697 | — | — |
| Total | <u>\$ 6,963</u> | <u>\$ 5,294</u> | <u>\$ 4,998</u> |

The following table reflects revenue from contracts with customers by geographical region:

| (In millions) | Year Ended December 31, | | |
|--|-------------------------|-----------------|-----------------|
| | 2023 | 2022 | 2021 |
| <i>Water Infrastructure</i> | | | |
| United States | \$ 934 | \$ 664 | \$ 556 |
| Western Europe | 911 | 757 | 753 |
| Emerging Markets (a) | 581 | 495 | 537 |
| Other | 258 | 220 | 204 |
| <i>Applied Water</i> | | | |
| United States | 970 | 914 | 804 |
| Western Europe | 401 | 380 | 370 |
| Emerging Markets (a) | 342 | 349 | 324 |
| Other | 140 | 124 | 115 |
| <i>Measurement and Control Solutions</i> | | | |
| United States | 1,122 | 857 | 796 |
| Western Europe | 290 | 240 | 256 |
| Emerging Markets (a) | 203 | 198 | 189 |
| Other | 114 | 96 | 94 |
| <i>Integrated Solutions and Services</i> | | | |
| United States | 646 | — | — |
| Western Europe | 8 | — | — |
| Emerging Markets (a) | 9 | — | — |
| Other | 34 | — | — |
| Total | <u>\$ 6,963</u> | <u>\$ 5,294</u> | <u>\$ 4,998</u> |

(a) Emerging Markets includes results from the following regions: Eastern Europe, the Middle East and Africa, Latin America and Asia Pacific (excluding Japan, Australia and New Zealand, which are presented in "Other")

Contract Balances

We receive payments from customers based on a billing schedule as established in our contracts. Contract assets relate to costs incurred to perform in advance of scheduled billings. Contract liabilities relate to payments received in advance of performance under the contracts. Changes in contract assets and liabilities are due to our performance under the contract.

The table below provides contract assets, contract liabilities, and significant changes in contract assets and liabilities:

| (in millions) | Contract Assets (a) | | Contract Liabilities | |
|--|---------------------|-------|----------------------|-------|
| Balance at 1/1/2022 | \$ | 125 | \$ | 164 |
| Additions, net | | 115 | | 137 |
| Revenue recognized from opening balance | | — | | (109) |
| Billings transferred to accounts receivable | | (82) | | — |
| Other | | (7) | | (9) |
| Balance at 1/1/2023 | \$ | 151 | \$ | 183 |
| Opening balance from the acquisition of Evoqua | | 110 | | 107 |
| Additions, net | | 121 | | 162 |
| Revenue recognized from opening balance | | — | | (128) |
| Billings transferred to accounts receivable | | (126) | | — |
| Other | | 7 | | (9) |
| Balance at 12/31/2023 | \$ | 263 | \$ | 315 |

(a) Excludes receivable balances that are disclosed on the Consolidated Balance Sheets

Performance obligations

Delivery schedules vary from customer to customer based upon their requirements. Typically, large projects require longer lead production cycles and delays can occur from time to time. As of December 31, 2023, the aggregate amount of the transaction price allocated to performance obligations that are unsatisfied or partially unsatisfied for contracts with performance obligations, amount to \$914 million, of which \$414 million was obtained through the Evoqua acquisition. We expect to recognize the majority of revenue upon the completion of satisfying these performance obligations in the following 60 months. The Company elects to apply the practical expedient to exclude from this disclosure revenue related to performance obligations that are part of a contract whose original expected duration is less than one year.

Note 5. Restructuring and Asset Impairment Charges

From time to time, the Company will incur costs related to restructuring actions in order to optimize our cost base and more strategically position itself. During 2023 we incurred restructuring costs of \$72 million. We incurred these charges primarily as a result of our acquisition of Evoqua. Approximately \$27 million of the charges related to stock-based compensation expense due to acceleration clauses in Evoqua's equity compensation agreements. Approximately \$15 million of the charges represented the reduction of headcount related to the integration of Evoqua. Additionally, during 2023 we incurred \$30 million of charges related to our efforts to reposition our businesses to optimize our cost structure, improve our operational efficiency and effectiveness, strengthen our competitive positioning and better serve our customers. The charges were incurred across all of our segments.

During 2022, we incurred restructuring charges of \$15 million. We incurred these charges primarily as a continuation of our efforts to reposition our European and North American businesses to optimize our cost structure and improve our operational efficiency and effectiveness. The charges included the reduction of headcount across the Water Infrastructure, Applied Water and Measurement and Control Solutions segments.

In response to the changes in business and economic conditions arising as a result of the COVID-19 pandemic, on June 2, 2020 management committed to a restructuring plan that includes actions across our businesses and functions globally. The plan was designed to support our long-term financial resilience and simplify our operations,

strengthen our competitive positioning and better serve our customers.

As a result of this action, during 2021, we recognized restructuring charges of \$4 million and \$2 million in our Water Infrastructure and Applied Water segments, respectively. These charges included reduction of headcount across both segments. Other, less significant, restructuring actions taken in 2021 resulted in \$3 million of charges during 2021 and are included in the information presented below.

The following table presents the components of restructuring expense and asset impairment charges incurred during each of the previous three years:

| (in millions) | Year Ended December 31, | | |
|---|-------------------------|--------------|-------------|
| | 2023 | 2022 | 2021 |
| By component: | | | |
| Severance and other charges | \$ 70 | \$ 15 | \$ 10 |
| Asset impairment | 3 | — | 1 |
| Other restructuring charges | — | — | 1 |
| Reversal of restructuring accruals | (1) | — | (6) |
| Total restructuring costs | 72 | 15 | 6 |
| Asset impairment charges | 4 | 14 | 1 |
| Total restructuring and asset impairment charges | \$ 76 | \$ 29 | \$ 7 |
| By segment: | | | |
| Water Infrastructure | \$ 15 | \$ 6 | \$ 8 |
| Applied Water | 7 | 4 | 2 |
| Measurement and Control Solutions | 15 | 19 | (3) |
| Integrated Solutions and Services | 4 | — | — |
| Corporate and Other | 35 | — | — |

Restructuring

The following table displays a roll-forward of the restructuring accruals, presented on our Consolidated Balance Sheets within "accrued and other current liabilities" and "other non-current accrued liabilities," for the years ended December 31, 2023 and 2022:

| (in millions) | 2023 | 2022 |
|---|--------------|--------------|
| Restructuring accruals - January 1 | \$ 10 | \$ 7 |
| Restructuring costs | 72 | 15 |
| Cash payments | (30) | (11) |
| Asset impairment | (3) | — |
| Stock based compensation included within AOCL | (27) | — |
| Foreign currency and other | 2 | (1) |
| Restructuring accruals - December 31 | \$ 24 | \$ 10 |

| | | |
|-----------------------------------|------|------|
| By segment: | | |
| Water Infrastructure | \$ 3 | \$ 1 |
| Applied Water | 1 | — |
| Measurement and Control Solutions | 8 | 3 |
| Integrated Solutions and Services | 1 | — |
| Regional selling locations (a) | 7 | 4 |
| Corporate and other | 4 | 2 |

(a) Regional selling locations consist primarily of selling and marketing organizations that incurred restructuring expense which was allocated to the segments. The liabilities associated with restructuring expense were not allocated to the segments.

The following table presents the total costs expected to be incurred, the amount incurred in the period, and the cumulative costs incurred to date for our 2021, 2022 and 2023 restructuring actions:

| (in millions) | Water Infrastructure | Applied Water | Measurement and Control Solutions | Integrated Solutions and Services | Corporate | Total |
|-----------------------------------|-------------------------|---------------|---|---|---------------|--------------|
| Actions Commenced in 2023: | | | | | | |
| Total expected costs | \$ 18 | \$ 16 | \$ 12 | \$ 7 | \$ 34 | \$ 87 |
| Costs incurred during 2023 | 15 | 6 | 11 | 4 | 35 | 71 |
| Total expected costs remaining | <u>\$ 3</u> | <u>\$ 10</u> | <u>\$ 1</u> | <u>\$ 3</u> | <u>\$ (1)</u> | <u>\$ 16</u> |
| Actions Commenced in 2022: | | | | | | |
| Total expected costs | \$ 6 | \$ 5 | \$ 4 | \$ — | \$ — | \$ 15 |
| Costs incurred during 2022 | 6 | 4 | 4 | — | — | 14 |
| Costs incurred during 2023 | — | 1 | — | — | — | 1 |
| Total expected costs remaining | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> |
| Actions Commenced in 2021: | | | | | | |
| Total expected costs | \$ 3 | \$ — | \$ — | \$ — | \$ — | \$ 3 |
| Costs incurred during 2021 | 3 | — | — | — | — | 3 |
| Costs incurred during 2022 | — | — | — | — | — | — |
| Costs incurred during 2023 | — | — | — | — | — | — |
| Total expected costs remaining | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> | <u>\$ —</u> |

During 2022, we also incurred charges of \$1 million within the Measurement and Control Solutions segment, related to actions commenced prior to 2020. During 2021, we recorded a reduction of \$3 million within the Measurement and Control Solutions segment, related to actions commenced prior to 2020.

The Water Infrastructure, Applied Water, Measurement and Control Solutions, Integrated Solutions and Services and Corporate actions commenced in 2023 consist primarily of severance charges. The actions are expected to continue through the end of 2024.

The Water Infrastructure, Applied Water and Measurement and Control Solutions actions commenced in 2022 consist primarily of severance charges. The actions commenced in 2022 are complete.

The Water Infrastructure actions commenced in 2021 consist primarily of severance charges. The actions commenced in 2021 are complete.

Asset Impairment

During the first and fourth quarters of 2023, we determined that internally developed in-process software within our Measurement and Control Solutions segment was impaired as a result of actions taken to prioritize strategic investments and we therefore recognized an impairment charge of \$2 million and \$1 million, respectively. Refer to Note 12, "Goodwill and Other Intangible Assets," for additional information.

During the third quarter of 2023, we recognized a \$1 million impairment charge for certain fixed assets within our Measurement and Control Solutions segment.

During the third quarter of 2022, we determined that certain assets including software and customer relationships within our Measurement and Control Solutions segment were impaired. Accordingly, we recognized an impairment charge of \$14 million. Refer to Note 12, "Goodwill and Other Intangible Assets," for additional information.

During the first quarter of 2021, we determined that certain assets within our Applied Water segment were impaired. Accordingly, we recognized an impairment charge of \$1 million. Refer to Note 12, "Goodwill and Other Intangible Assets," for additional information.

Note 6. Other Non-Operating (Expense) Income, Net

The components of other non-operating income, net are as follows:

| (in millions) | Year Ended December 31, | | |
|---|-------------------------|-------|------|
| | 2023 | 2022 | 2021 |
| Interest income | \$ 28 | \$ 16 | \$ 7 |
| Income from equity method investments | — | — | 9 |
| Other (expense) income – net | 5 | (9) | (16) |
| Total other non-operating (expense) income, net | \$ 33 | \$ 7 | \$ — |

Note 7. Income Taxes

The source of pre-tax income and the components of income tax expense are as follows:

| (in millions) | Year Ended December 31, | | |
|--------------------------------|-------------------------|---------|--------|
| | 2023 | 2022 | 2021 |
| Income (loss) components: | | | |
| Domestic | \$ 123 | \$ 90 | \$ 45 |
| Foreign | 512 | 350 | 466 |
| Total pre-tax income | \$ 635 | \$ 440 | \$ 511 |
| Income tax expense components: | | | |
| Current: | | | |
| Domestic – federal | \$ (4) | \$ 77 | \$ 16 |
| Domestic – state and local | 23 | 16 | 5 |
| Foreign | 86 | 56 | 53 |
| Total Current | 105 | 149 | 74 |
| Deferred: | | | |
| Domestic – federal | \$ (49) | \$ (43) | \$ (2) |
| Domestic – state and local | (8) | (12) | — |
| Foreign | (22) | (9) | 12 |
| Total Deferred | (79) | (64) | 10 |
| Total income tax provision | \$ 26 | \$ 85 | \$ 84 |
| Effective income tax rate | 4.1 % | 19.2 % | 16.3 % |

Reconciliations between taxes at the U.S. federal income tax rate and taxes at our effective income tax rate on earnings before income taxes are as follows:

| | Year Ended December 31, | | |
|--|-------------------------|--------|--------|
| | 2023 | 2022 | 2021 |
| Tax provision at U.S. statutory rate | 21.0 % | 21.0 % | 21.0 % |
| Increase (decrease) in tax rate resulting from: | | | |
| State income taxes | 1.7 | 1.2 | 0.8 |
| Uncertain tax positions | (9.9) | (1.2) | (0.1) |
| Net interest deductions | — | (1.8) | (2.4) |
| U.S. tax on foreign earnings | 2.5 | 2.7 | 2.2 |
| Tax incentives | (2.6) | (4.4) | (5.5) |
| Valuation allowance | (5.8) | 0.1 | 0.9 |
| Rate change | (2.0) | (0.6) | 0.9 |
| Federal R&D tax credit | (0.5) | (0.7) | (0.7) |
| Stock compensation | (0.6) | 0.1 | (0.6) |
| U.S. foreign derived intangible income tax benefit | (0.7) | (1.3) | (0.6) |
| Tax on distribution of foreign earnings | — | 2.4 | (0.2) |
| Non-deductible compensation | 1.2 | 0.7 | 0.5 |
| Other tax credits | (1.8) | — | — |
| Other – net | 1.6 | 1.0 | 0.1 |
| Effective income tax rate | 4.1 % | 19.2 % | 16.3 % |

Deferred tax assets and liabilities are determined based on temporary differences between the financial reporting and tax bases of assets and liabilities, applying enacted tax rates in effect for the year in which we expect the differences will reverse.

The following is a summary of the components of the net deferred tax assets and liabilities recognized in the Consolidated Balance Sheets:

| (in millions) | December 31, | |
|---|---------------|---------------|
| | 2023 | 2022 |
| Deferred tax assets: | | |
| Employee benefits | \$ 79 | \$ 58 |
| Accrued expenses | 49 | 36 |
| Loss and other tax credit carryforwards | 241 | 245 |
| R&D capitalization | 40 | 32 |
| Inventory | 5 | 5 |
| Lease Liabilities | 79 | 68 |
| Hedging instruments | 8 | — |
| Other | 12 | 7 |
| | <u>513</u> | <u>451</u> |
| Valuation allowance | (179) | (204) |
| Net deferred tax asset | <u>\$ 334</u> | <u>\$ 247</u> |
| Deferred tax liabilities: | | |
| Intangibles | \$ 500 | \$ 155 |
| Investment in foreign subsidiaries | 11 | 5 |
| Property, plant and equipment | 131 | 65 |
| Lease right-of-use assets | 78 | 67 |
| Hedging Instruments | — | 20 |
| Other | — | 11 |
| Total deferred tax liabilities | <u>\$ 720</u> | <u>\$ 323</u> |

Management assesses all available positive and negative evidence, including prudent and feasible tax planning strategies, and estimates if sufficient future taxable income will be generated to realize existing deferred tax assets. On the basis of this evaluation, as of December 31, 2023, a valuation allowance of \$179 million has been established to reduce the deferred income tax asset related to certain U.S. and foreign net operating losses and U.S. and foreign capital loss carryforwards.

A reconciliation of the change in valuation allowance on deferred tax assets is as follows:

| (in millions) | 2023 | 2022 | 2021 |
|-----------------------------------|---------------|---------------|---------------|
| Valuation allowance — January 1 | \$ 204 | \$ 201 | \$ 217 |
| Change in assessment (a) | (47) | 1 | — |
| Current year operations | 12 | 3 | 4 |
| Other comprehensive income | 1 | — | (4) |
| Foreign currency and other (b) | 5 | (1) | (16) |
| Acquisitions | 4 | — | — |
| Valuation allowance — December 31 | <u>\$ 179</u> | <u>\$ 204</u> | <u>\$ 201</u> |

(a) Decrease in valuation allowance in 2023 is primarily attributable to changes in realization on deferred tax assets in various foreign jurisdictions.

(b) Decrease in valuation allowance in 2021 is primarily attributable to foreign exchange movement impacting foreign balances.

Deferred taxes are classified in the Consolidated Balance Sheets as follows:

| (In millions) | December 31, | |
|------------------------------------|--------------|---------|
| | 2023 | 2022 |
| Non-current assets | \$ 171 | \$ 146 |
| Non-current liabilities | (557) | (222) |
| Total net deferred tax liabilities | \$ (386) | \$ (76) |

Tax attributes available to reduce future taxable income begin to expire as follows:

| (In millions) | December 31, 2023 | First Year of Expiration |
|-------------------------------|-------------------|--------------------------|
| U.S. net operating loss | \$ 4 | December 31, 2025 |
| State net operating loss | 88 | December 31, 2026 |
| U.S. tax credits | 12 | December 31, 2032 |
| State excess interest expense | 21 | Indefinite |
| State tax credits | — | Indefinite |
| Foreign net operating loss | 901 | December 31, 2024 |
| Foreign tax credits | 5 | December 31, 2030 |

As of December 31, 2023, the Company has provided a deferred tax liability of \$6 million for net foreign withholding taxes and state income taxes on \$463 million of foreign earnings expected to be repatriated to the U.S. parent as deemed necessary in the future.

Unrecognized Tax Benefits

We recognize tax benefits from uncertain tax positions only if it is more likely than not that the tax position will be sustained on examination by the taxing authorities or upon the completion of the litigation process, based on the technical merits of the position. The tax benefits recognized in the consolidated financial statements from such positions are measured based on the largest benefit that has a greater than 50% likelihood of being realized upon ultimate resolution.

A reconciliation of the beginning and ending amount of unrecognized tax benefits is as follows:

| (In millions) | 2023 | 2022 | 2021 |
|--|--------|--------|--------|
| Unrecognized tax benefits — January 1 | \$ 102 | \$ 111 | \$ 114 |
| Gross Increases - Current year tax positions | 2 | — | — |
| Gross Increases - Prior year tax positions | 4 | 3 | — |
| Gross Decreases - Prior year tax positions | (75) | (8) | (1) |
| Acquisitions | 2 | — | — |
| Settlements | — | (1) | — |
| Lapse of Statute of Limitations | — | (2) | (1) |
| Currency Translation Adjustment | — | (1) | (1) |
| Unrecognized tax benefits — December 31 | \$ 35 | \$ 102 | \$ 111 |

The amount of unrecognized tax benefits at December 31, 2023 which, if ultimately recognized, will reduce our effective tax rate is \$35 million. Changes in tax laws, regulations, administrative practices, principles, and interpretations may impact our unrecognized tax benefits. The timing of the resolution of income tax controversies is highly uncertain, and the amounts ultimately paid, if any, upon resolution of the issues raised by the taxing authorities may differ from the amounts accrued. It is reasonably possible that within the next twelve months we will receive additional assessments by various tax authorities or possibly reach resolution of income tax controversies in one or more jurisdictions. These assessments or settlements could result in changes to our unrecognized tax benefits related to positions on prior years' tax filings. The actual amount of any change could vary significantly depending on the ultimate timing and nature of any settlements. We cannot currently provide an estimate of the range of possible outcomes. We believe that it is reasonably possible that unrecognized tax benefits will be reduced by approximately \$2 million within the next 12 months as a result of the expiration of certain statute of limitations.

We classify interest relating to unrecognized tax benefits as a component of other non-operating (expense) income, net and tax penalties as a component of income tax expense in our Consolidated Income Statements. The amount of accrued interest relating to unrecognized tax benefits as of December 31, 2023 and 2022 was \$5 million and \$9 million, respectively for both December 31, 2023 and 2022.

During 2019, Xylem's Swedish subsidiary received a tax assessment for the 2013 tax year related to the tax treatment of an intercompany transfer of certain intellectual property that was made in connection with a reorganization of our European businesses. Xylem filed an appeal with the Administrative Court of Växjö, which rendered a decision adverse to Xylem in June 2022 for SEK824 million (approximately \$82 million USD), consisting of the full tax assessment amount plus penalties and interest. Xylem has appealed this decision with the intermediate appellate court, the Administrative Court of Appeal (the "Court"). At this time, management, in consultation with external legal advisors, continues to believe it is more likely than not that Xylem will prevail on the proposed assessment and will continue to vigorously defend our position through the appellate process. Both parties will have the ability to seek appeal of the Court's decision to the Supreme Administrative Court of Sweden. There can be no assurance that the final determination by the authorities will not be materially different than our position. As of December 31, 2023, we have not recorded any unrecognized tax benefits related to this uncertain tax position.

The following table summarizes our earliest open tax years by major jurisdiction:

| Jurisdiction | Earliest Open Year |
|----------------|--------------------|
| Italy | 2017 |
| Luxembourg | 2019 |
| Sweden | 2013 |
| Germany | 2016 |
| United Kingdom | 2016 |
| United States | 2017 |
| Switzerland | 2019 |

Note 8. Earnings Per Share

The following is a reconciliation of the shares used in calculating basic and diluted EPS:

| | Year Ended December 31, | | |
|---|-------------------------|---------|---------|
| | 2023 | 2022 | 2021 |
| Net income (in millions) | \$ 609 | \$ 355 | \$ 427 |
| Shares (in thousands): | | | |
| Weighted average common shares outstanding | 216,982 | 180,189 | 180,225 |
| Add: Participating securities (a) | 30 | 28 | 22 |
| Weighted average common shares outstanding — Basic | 217,012 | 180,217 | 180,247 |
| Plus incremental shares from assumed conversions: (b) | | | |
| Dilutive effect of stock options | 768 | 549 | 871 |
| Dilutive effect of restricted stock units and performance share units | 400 | 213 | 408 |
| Weighted average common shares outstanding — Diluted | 218,180 | 180,979 | 181,526 |
| Basic earnings per share | \$ 2.81 | \$ 1.97 | \$ 2.37 |
| Diluted earnings per share | \$ 2.79 | \$ 1.96 | \$ 2.35 |

- (a) Restricted stock units containing rights to non-forfeitable dividends that participate in undistributed earnings with common shareholders are considered participating securities for purposes of computing EPS.
- (b) Incremental shares from stock options, restricted stock units and performance share units are computed by the treasury stock method. The weighted average shares listed below were not included in the computation of diluted earnings per share because to do so would have been anti-dilutive for the periods presented or were otherwise excluded under the treasury stock method. The treasury stock method calculates dilution assuming the exercise of all in-the-money options and vesting of restricted stock units and performance share units, reduced by the repurchase of shares with the proceeds from the assumed exercises and unrecognized compensation expense for outstanding awards. Performance share units are included in the treasury stock calculation of diluted earnings per share based upon achievement of underlying performance and market conditions at the end of the reporting period, as applicable. See Note 17, "Share-Based Compensation Plans" for further detail on the performance share units.

| (in thousands) | Year Ended December 31, | | |
|-------------------------|-------------------------|-------|-------|
| | 2023 | 2022 | 2021 |
| Stock options | 1,703 | 1,453 | 1,132 |
| Restricted stock units | 566 | 353 | 271 |
| Performance share units | 289 | 284 | 330 |

Note 9. Inventories

The components of total inventories are summarized as follows:

| (in millions) | December 31, | |
|-------------------|--------------|--------|
| | 2023 | 2022 |
| Finished goods | \$ 355 | \$ 286 |
| Work in process | 102 | 58 |
| Raw materials | 561 | 455 |
| Total inventories | \$ 1,018 | \$ 799 |

Note 10. Property, Plant and Equipment

The components of total property, plant and equipment, net are as follows:

| (in millions) | December 31, | |
|--|--------------|--------|
| | 2023 | 2022 |
| Land, buildings and improvements | \$ 480 | \$ 360 |
| Machinery and equipment | 1,124 | 896 |
| Equipment held for lease or rental | 456 | 263 |
| Furniture and fixtures | 143 | 124 |
| Construction work in progress | 217 | 106 |
| Other | 47 | 38 |
| Total property, plant and equipment, gross | 2,467 | 1,787 |
| Less accumulated depreciation | 1,298 | 1,157 |
| Total property, plant and equipment, net | \$ 1,169 | \$ 630 |

Depreciation expense related to property, plant and equipment was \$177 million, \$111 million, and \$118 million for 2023, 2022, and 2021, respectively.

Note 11. Leases

Leasing Arrangements

We lease certain offices, manufacturing buildings, transportation equipment, machinery, computers and other equipment. Our most significant lease liabilities relate to real estate leases. These leases include renewal, termination or purchase options, and we have assessed these to determine whether it is reasonably certain for us to exercise any of the previously mentioned options. All periods relating to options that are reasonably certain to be exercised have been included in the lease term of the respective leases.

We did not identify any events or conditions during the 12 month period ended December 31, 2023 to indicate that a reassessment or re-measurement of our existing leases was required. There also were no impairment indicators identified during the 12 month period ended December 31, 2023 that required an impairment test for the Company's ROU assets.

Our current operating lease liabilities of \$84 million and \$65 million are included in "accrued and other current liabilities" as of December 31, 2023 and 2022, respectively. Our non-current operating lease liabilities of \$272 million and \$228 million are included in "Other non-current accrued liabilities" as of December 31, 2023 and 2022, respectively. Our net operating lease ROU asset balances of \$348 million and \$285 million are included in "other non-current assets" as of December 31, 2023 and 2022, respectively.

Our current finance lease liabilities of \$22 million and \$4 million are included in accrued and other current liabilities as of December 31, 2023 and 2022, respectively. Our non-current finance lease liabilities of \$64 million and \$21 million are included in "other non-current accrued liabilities" as of December 31, 2023 and 2022, respectively. Our net finance lease ROU asset balances of \$85 million and \$25 million are included in "other non-current assets" as of December 31, 2023 and 2022, respectively.

| (in millions) | Year Ended December 31, | | |
|-------------------------------|-------------------------|--------|--------|
| | 2023 | 2022 | 2021 |
| Lease cost | | | |
| Finance lease cost: | | | |
| Depreciation of ROU assets | \$ 16 | \$ 3 | 1 |
| Interest on lease liabilities | 2 | 1 | — |
| Operating lease cost | 96 | 83 | 84 |
| Short-term lease cost | 4 | 2 | 2 |
| Variable lease cost | 23 | 21 | 23 |
| Total lease cost | \$ 141 | \$ 110 | \$ 110 |

The supplemental cash flow information related to leases are as follows:

| (in millions) | Year Ended December 31, | | |
|---|-------------------------|-------|------|
| | 2023 | 2022 | 2021 |
| Cash paid for amounts included in the measurement of lease liabilities: | | | |
| Operating cash flows from finance leases | \$ 2 | \$ — | — |
| Operating cash flows from operating leases | \$ 92 | \$ 82 | 83 |
| Financing cash flows from finance leases | \$ 14 | \$ 3 | 1 |
| Right-of-use assets obtained in exchange for lease obligations: | | | |
| Finance leases | \$ 34 | \$ 24 | 5 |
| Operating leases | \$ 74 | \$ 94 | 109 |

Information relating to the lease term and discount rate are as follows:

| | Year Ended December 31, | |
|---|-------------------------|---------|
| | 2023 | 2022 |
| Weighted-average remaining lease term (years) | | |
| Operating leases | 6 Years | 7 Years |
| Finance leases | 5 Years | 7 Years |
| Weighted-average discount rate | | |
| Operating leases | 3.2% | 2.3% |
| Finance leases | 4.2% | 2.7% |

As of December 31, 2023, the maturities of finance lease liabilities were as follows:

| | | |
|------------------------|----|-----|
| (in millions) | | |
| 2024 | \$ | 22 |
| 2025 | | 23 |
| 2026 | | 19 |
| 2027 | | 14 |
| 2028 | | 8 |
| Thereafter | | 8 |
| Total lease payments | | 94 |
| Less: Imputed interest | | (8) |
| Total | \$ | 86 |

As of December 31, 2023, the maturities of operating lease liabilities were as follows:

| | | |
|------------------------|----|------------|
| (in millions) | | |
| 2024 | \$ | 89 |
| 2025 | | 78 |
| 2026 | | 63 |
| 2027 | | 49 |
| 2028 | | 37 |
| Thereafter | | 68 |
| Total lease payments | | <u>384</u> |
| Less: Imputed interest | | (30) |
| Total | \$ | <u>354</u> |

Lessor arrangements

Our gross assets available for rent were \$457 million and \$263 million as of December 31, 2023 and 2022, respectively. The accumulated amortization related to our gross assets was \$203 million and \$161 million as of December 31, 2023 and 2022, respectively. Depreciation expense for these assets was \$58 million, \$27 million and \$24 million for the 12 month period ended December 31, 2023, 2022 and 2021, respectively.

The components of our lease revenue are as follows:

| | | | |
|----------------------------------|-------------------------|--------------|--------------|
| (in millions) | Year Ended December 31, | | |
| | 2023 | 2022 | 2021 |
| Lease revenue: operating leases | \$395 | \$228 | \$197 |
| Lease revenue: sales-type leases | 6 | — | — |
| Total lease revenue | <u>\$401</u> | <u>\$228</u> | <u>\$197</u> |

As of December 31, 2023, future minimum lease payments under operating leases are as follows:

| | | |
|-------------------------------|----|------------|
| (in millions) | | |
| 2024 | \$ | 122 |
| 2025 | | 74 |
| 2026 | | 59 |
| 2027 | | 50 |
| 2028 | | 34 |
| Thereafter | | 172 |
| Future minimum lease payments | \$ | <u>511</u> |

At December 31, 2023, the Company had current and long-term lease receivables of \$5 million and \$57 million, respectively, recorded in Prepaid and other current assets and Other non-current assets, respectively, in the Consolidated Balance Sheets related to sales-type leases.

As of December 31, 2023, maturities of sales type lease receivables are as follows:

| | | |
|-------------------------------|----|-----------|
| (in millions) | | |
| 2024 | \$ | 5 |
| 2025 | | 5 |
| 2026 | | 5 |
| 2027 | | 5 |
| 2028 | | 4 |
| Thereafter | | 38 |
| Future minimum lease payments | \$ | <u>62</u> |

Note 12. Goodwill and Other Intangible Assets

Changes in the carrying value of goodwill by reportable segment during the years ended December 31, 2023 and 2022 are as follows:

| (In millions) | Water Infrastructure | Applied Water | Measurement and Control Solutions | Integrated Solutions and Services | Total |
|---------------------------------|-------------------------|---------------|--------------------------------------|---|-----------------|
| Balance as of December 31, 2021 | \$ 656 | \$ 515 | \$ 1,621 | \$ — | \$ 2,792 |
| <i>Activity in 2022</i> | | | | | |
| Foreign currency and other | (18) | (13) | (42) | — | (73) |
| Balance as of December 31, 2022 | \$ 638 | \$ 502 | \$ 1,579 | \$ — | \$ 2,719 |
| <i>Activity in 2023</i> | | | | | |
| Acquisitions | 1,779 | 385 | 141 | 2,508 | 4,813 |
| Foreign currency and other | 17 | 8 | 19 | 11 | 55 |
| Balance as of December 31, 2023 | <u>\$ 2,434</u> | <u>\$ 895</u> | <u>\$ 1,739</u> | <u>\$ 2,519</u> | <u>\$ 7,587</u> |

As of December 31, 2023 and 2022, goodwill included accumulated impairment losses \$206 million, within the Measurement and Control Solutions segment.

The Company has applied the acquisition method of accounting in accordance with ASC 805 and recognized assets acquired and liabilities assumed of Evoqua at their fair value as of the date of acquisition, with the excess purchase consideration recorded to goodwill. We have preliminarily allocated goodwill to segments of the Company that are expected to benefit from the synergies of the acquisition. As the Company finalizes the estimation of the fair value of the assets acquired and liabilities assumed, additional adjustments to the amount of goodwill allocated to each segment may be necessary.

During the fourth quarter of 2023, we performed our annual impairment assessment and determined that the estimated fair values of our goodwill reporting units were in excess of each of their carrying values. However, future goodwill impairment tests could result in a charge to earnings. We will continue to evaluate goodwill on an annual basis as of the beginning of our fourth quarter and whenever events and changes in circumstances indicate there may be a potential impairment.

Other Intangible Assets

Information regarding our other intangible assets is as follows:

| (In millions) | December 31, 2023 | | | December 31, 2022 | | |
|--|--------------------|-----------------------------|--------------------|--------------------|-----------------------------|--------------------|
| | Carrying Amount | Accumulated Amortization | Net Intangibles | Carrying Amount | Accumulated Amortization | Net Intangibles |
| Customer and distributor relationships | \$ 2,172 | \$ (475) | \$ 1,697 | \$ 784 | \$ (371) | \$ 413 |
| Proprietary technology and patents | 292 | (141) | 151 | 165 | (118) | 47 |
| Trademarks | 188 | (96) | 92 | 137 | (80) | 57 |
| Software | 598 | (335) | 263 | 514 | (268) | 246 |
| Other | 201 | (41) | 160 | 5 | (3) | 2 |
| Indefinite-lived intangibles | 166 | — | 166 | 165 | — | 165 |
| Other intangibles | <u>\$ 3,617</u> | <u>\$ (1,088)</u> | <u>\$ 2,529</u> | <u>\$ 1,770</u> | <u>\$ (840)</u> | <u>\$ 930</u> |

We determined that no material impairment of the indefinite-lived intangibles existed as of the measurement date of our impairment assessment in 2023. Future impairment tests could result in a charge to earnings. We will continue to evaluate the indefinite-lived intangible assets on an annual basis as of the beginning of our fourth quarter and whenever events and changes in circumstances indicate there may be a potential impairment.

During 2023, the Company assessed whether the carrying amounts of long-lived assets in the Measurement and Control Solutions segment may not be recoverable based on the updated forecast of future cash flows, and therefore impaired. Our assessment resulted in an impairment charge of \$3 million, primarily related to software. The charge was calculated using an income approach, which is considered a Level 3 input for fair value measurement, and is reflected in "Restructuring and asset impairment charges" in our Consolidated Income Statements.

During 2022, the Company assessed whether the carrying amounts of long-lived assets in the Measurement and Control Solutions segment may not be recoverable based on the updated forecast of future cash flows, and therefore impaired. Our assessment resulted in an impairment charge of \$14 million, primarily related to software and customer relationships. The charge was calculated using an income approach, which is considered a Level 3 input for fair value measurement, and is reflected in "Restructuring and asset impairment charges" in our Consolidated Income Statements.

Customer and distributor relationships, proprietary technology and patents, trademarks, software and other are amortized over weighted average lives of approximately 16 years, 12 years, 11 years, 6 years and 4 years, respectively.

Total amortization expense for intangible assets was \$243 million, \$125 million, and \$127 million for 2023, 2022 and 2021, respectively.

Estimated amortization expense for each of the five succeeding years is as follows:

| (in millions) | | |
|---------------|----|-----|
| 2024 | \$ | 312 |
| 2025 | | 282 |
| 2026 | | 252 |
| 2027 | | 226 |
| 2028 | | 206 |

Note 13. Derivative Financial Instruments

Risk Management Objective of Using Derivatives

We are exposed to certain risks arising from both our business operations and economic conditions, and we principally manage our exposures to these risks through management of our core business activities. Certain of our foreign operations expose us to fluctuations of foreign interest rates and exchange rates that may impact revenue, expenses, cash receipts, cash payments, and the value of our stockholders' equity. We enter into derivative financial instruments to protect the value or fix the amount of certain cash flows in terms of the functional currency of the business unit with that exposure and reduce the volatility in stockholders' equity.

As a result of Evoqua terminating their interest rate swaps prior to the Company completing the acquisition, the Company received \$38 million in proceeds during the second quarter of 2023 from the termination of the interest rate swaps.

Cash Flow Hedges of Foreign Exchange Risk

We are exposed to fluctuations in various foreign currencies against our functional currencies. We use foreign currency derivatives, including currency forward agreements, to manage our exposure to fluctuations in the various exchange rates. Currency forward agreements involve fixing the foreign currency exchange rate for delivery of a specified amount of foreign currency on a specified date.

Certain business units with exposure to foreign currency exchange risks have designated certain currency forward agreements as cash flow hedges of forecasted intercompany inventory purchases and sales. Our principal currency exposures relate to the Euro, Swedish Krona, British Pound, Canadian Dollar, Chinese Yuan, Australian Dollar, and Polish Zloty. We had foreign exchange contracts with purchase notional amounts totaling \$29 million and \$255 million as of December 31, 2023 and 2022, respectively. As of December 31, 2023, our most significant foreign currency derivatives included contracts to purchase U.S. Dollar and sell Chinese Yuan and purchase Canadian Dollar and sell U.S. Dollar. The purchased notional amounts associated with these currency derivatives are \$19 million and \$10 million, respectively. As of December 31, 2022, our most significant foreign currency derivatives

included contracts to sell U.S. Dollar and purchase Euro, purchase Swedish Krona and sell Euro, sell British Pound and purchase Euro, purchase U.S. Dollar and sell Canadian Dollar, purchase Polish Zloty and sell Euro, sell Canadian Dollar and purchase Euro and to sell Australian Dollar and purchase Euro. The purchased notional amounts associated with these currency derivatives were \$105 million, \$73 million, \$29 million, \$13 million, \$13 million, \$13 million and \$9 million, respectively.

Hedges of Net Investments in Foreign Operations

We are exposed to changes in foreign currencies impacting our net investments held in foreign subsidiaries.

Cross-Currency Swaps

Beginning in 2015, we entered into cross-currency swaps to manage our exposure to fluctuations in the Euro-U.S. Dollar exchange rate. During the second quarter of 2019, third quarter of 2020, and second quarter of 2022 we entered into additional cross-currency swaps. The total notional amount of derivative instruments designated as net investment hedges was and \$1,691 million and \$1,616 million as of December 31, 2023 and 2022, respectively.

Foreign Currency Denominated Debt

On March 11, 2016, we issued 2.250% Senior Notes of €500 million aggregate principal amount due March 2023. On December 12, 2022, our Senior Notes due March 2023 were settled with cash on hand for a total of \$527 million. Previously, the entirety of the outstanding balance of the 2.250% Senior Notes was designated as a hedge of a net investment in certain foreign subsidiaries. On June 2, 2022, we de-designated the entirety of the outstanding balance of the €500 million 2.250% Senior Notes, or \$533 million from the net investment hedge relationship.

Fair Value Hedges of Foreign Exchange Risk

The de-designation of our 2.250% Senior Notes of €500 million resulted in exposure to fluctuations in the Euro-U.S. Dollar exchange rate. We use currency forward agreements to manage our exposure to fluctuations in the Euro-U.S. Dollar exchange rate. Currency forward agreements involve fixing the foreign currency exchange rate for delivery of a specified amount of foreign currency on a specified date.

On June 2, 2022, we entered into a currency forward agreement with a total notional amount of €500 million, designating the agreement as a fair value hedge of our Euro denominated notes. On December 12, 2022 the currency forward agreement matured.

The effectiveness of derivatives designated as fair value hedges is assessed using the spot method. The changes in the fair value of these derivatives due to movements in spot exchange rates are recorded in Selling, general and administrative expenses. Changes in the fair value of the 2.250% Senior Notes of €500 million related to spot exchange rates are also recorded in Selling, general and administrative expenses. Changes in the spot-forward differential and counterparty non-performance risk of the derivatives are excluded from the assessment of hedge effectiveness and will be recognized in AOCL. Amounts in AOCL are recognized in earnings, specifically Interest expense, using a systematic and rational method over the life of the hedging instrument.

The table below presents the effect of our derivative financial instruments on the Consolidated Income Statements and Consolidated Statements of Comprehensive Income:

| (in millions) | Year Ended December 31, | | |
|---|-------------------------|---------|---------|
| | 2023 | 2022 | 2021 |
| Derivatives in Cash Flow Hedges | | | |
| Foreign Exchange Contracts | | | |
| Amount of gain (loss) recognized in OCI/L | \$ (2) | \$ (24) | \$ (10) |
| Amount of loss reclassified from OCI/L into revenue | 3 | 19 | 4 |
| Amount of loss reclassified from OCI/L into cost of revenue | 4 | 2 | — |
| Derivatives in Net Investment Hedges | | | |
| Cross-Currency Swaps | | | |
| Amount of (loss) gain recognized in OCI/L | \$ (121) | \$ 94 | \$ 94 |
| Amount of income recognized in Interest Expense | 30 | 29 | 21 |
| Foreign Currency Denominated Debt | | | |
| Amount of (loss) gain recognized in OCI/L | \$ — | \$ 31 | \$ 48 |
| Fair Value Hedges | | | |
| Foreign Exchange Contracts | | | |
| Amount of (loss) recognized in Selling, general and administrative expenses | \$ — | \$ (7) | \$ — |
| Amount recognized in Interest expense | — | (3) | — |

As of December 31, 2023, \$1 million of the net losses on cash flow hedges are expected to be reclassified into earnings in the next 12 months.

As of December 31, 2023, no gains or losses on the net investment hedges are expected to be reclassified into earnings over their duration.

The fair values of our derivative assets and liabilities are measured on a recurring basis using Level 2 inputs and are determined through the use of models that consider various assumptions including yield curves, time value and other measurements.

The fair values of our derivative contracts currently included in our hedging program were as follows:

| (in millions) | December 31, | |
|--|--------------|-------|
| | 2023 | 2022 |
| Derivatives designated as hedging instruments | | |
| Assets | | |
| <i>Net Investment Hedges</i> | | |
| Other non-current assets | \$ 9 | \$ 79 |
| Liabilities | | |
| <i>Net Investment Hedges</i> | | |
| Other non-current liabilities | (54) | (6) |

Note 14. Accrued and Other Current Liabilities

The components of total accrued and other current liabilities are as follows:

| (in millions) | December 31, | |
|---|--------------|--------|
| | 2023 | 2022 |
| Compensation and other employee-benefits | \$ 403 | \$ 285 |
| Customer-related liabilities | 370 | 210 |
| Accrued taxes | 170 | 186 |
| Lease liabilities | 106 | 69 |
| Accrued warranty costs | 45 | 37 |
| Other accrued liabilities | 127 | 80 |
| Total accrued and other current liabilities | \$ 1,221 | \$ 867 |

Note 15. Credit Facilities and Debt

Total debt outstanding is summarized as follows:

| (in millions) | December 31, | |
|--|--------------|----------|
| | 2023 | 2022 |
| 3.250% Senior Notes due 2026 (a) | 500 | 500 |
| 1.950% Senior Notes due 2028 (a) | 500 | 500 |
| 2.250% Senior Notes due 2031 (a) | 500 | 500 |
| 4.375% Senior Notes due 2046 (a) | 400 | 400 |
| Equipment Financing due 2024 to 2032 | 123 | — |
| Term loan | 278 | — |
| Debt issuance costs and unamortized discount (b) | (17) | (20) |
| Total debt | \$ 2,284 | \$ 1,880 |
| Less: short-term borrowings and current maturities of long-term debt | 16 | — |
| Total long-term debt | \$ 2,268 | \$ 1,880 |

(a) The fair value of our Senior Notes was determined using quoted prices in active markets for identical securities, which are considered Level 1 inputs. The fair value of our Senior Notes due 2026 was \$482 million and \$470 million as of December 31, 2023 and 2022, respectively. The fair value of our Senior Notes due 2028 was \$453 million and \$430 million as of December 31, 2023 and 2022 respectively. The fair value of our Senior Notes due 2031 was \$429 million and \$406 million as of December 31, 2023 and 2022 respectively. The fair value of our Senior Notes due 2046 was \$349 million and \$333 million as of December 31, 2023 and 2022, respectively.

(b) The debt issuance costs and unamortized discount is recognized as a reduction in the carrying value of the Senior Notes in the Consolidated Balance Sheets and is being amortized to interest expense in our Consolidated Income Statements over the expected remaining terms of the Senior Notes.

Senior Notes

On June 26, 2020, we issued 1.950% Senior Notes of \$500 million aggregate principal amount due January 2028 (the "Senior Notes due 2028") and 2.250% Senior Notes of \$500 million aggregate principal amount due January 2031 (the "Senior Notes due 2031" and, together with the Senior Notes due 2028, the "Green Bond").

The Green Bond includes covenants that restrict our ability, and the ability of our restricted subsidiaries, to incur debt secured by liens on certain property above a threshold, to engage in certain sale and leaseback transactions involving certain property above a threshold, and to consolidate or merge, or convey or transfer all or substantially all of our assets. We may redeem the Green Bond at any time, at our option, subject to certain conditions, at specified redemption prices, plus accrued and unpaid interest to the redemption date.

If a change of control triggering event (as defined in the applicable Green Bond indenture) occurs, we will be required to make an offer to purchase the notes at a price equal to 101% of their principal amount plus accrued and unpaid interest to the date of repurchase.

Interest on the Green Bond is payable on January 30 and July 30 of each year. As of December 31, 2023, we are in compliance with all covenants for the Green Bond.

On March 11, 2016, we issued 2.250% Senior Notes of €500 million aggregate principal amount due March 2023 (the "Senior Notes due 2023"). On October 11, 2016, we issued 3.250% Senior Notes of \$500 million aggregate principal amount due October 2026 (the "Senior Notes due 2026") and 4.375% Senior Notes of \$400 million aggregate principal amount due October 2046 (the "Senior Notes due 2046" and, together with the Senior Notes due 2021, the Senior Notes due 2023 and the Senior Notes due 2026, the "Senior Notes").

The Senior Notes include covenants that restrict our ability, and the ability of our restricted subsidiaries, to incur debt secured by liens on certain property above a threshold, to engage in certain sale and leaseback transactions involving certain property above a threshold, and to consolidate or merge, or convey or transfer all or substantially all of our assets. We may redeem the Senior Notes, as applicable, in whole or in part, at any time at a redemption price equal to the principal amount of the Senior Notes to be redeemed, plus a make-whole premium. We may also redeem the Senior Notes in certain other circumstances, as set forth in the applicable Senior Notes indenture.

If a change of control triggering event (as defined in the applicable Senior Notes indenture) occurs, we will be required to make an offer to purchase the Senior Notes at a price equal to 101% of their principal amount plus accrued and unpaid interest to the date of repurchase.

Interest on the Senior Notes due 2023 is payable on March 11 of each year. Interest on the Senior Notes due 2026 and the Senior Notes due 2046 is payable on May 1 and November 1 of each year. As of December 31, 2023, we are in compliance with all covenants for the Senior Notes.

On December 12th, 2022 our Senior Notes due 2023 were settled with cash on hand for a total of \$527 million.

Credit Facilities

2019 Five-Year Revolving Credit Facility

On March 5, 2019, Xylem entered into a Five-Year Revolving Credit Facility (the "2019 Credit Facility") with Citibank, N.A., as Administrative Agent, and a syndicate of lenders. The 2019 Credit Facility provides for an aggregate principal amount of up to \$800 million (available in U.S. Dollars and in Euros), with increases of up to \$200 million for a maximum aggregate principal amount of \$1 billion at the request of Xylem and with the consent of the institutions providing such increased commitments. On March 1, 2023, Xylem terminated the 2019 Credit Facility among the Company, certain lenders and Citibank, N.A. as Administrative Agent as a result of signing the 2023 Five-Year Revolving Credit Facility.

2023 Five-Year Revolving Credit Facility

On March 1, 2023, Xylem entered into a five-year revolving credit facility (the "2023 Credit Facility") with Citibank, N.A., as Administrative Agent, and a syndicate of lenders. The 2023 Credit Facility provides for an aggregate principal amount of up to \$1 billion (available in U.S. Dollars and in Euros), with increases of up to \$300 million for a maximum aggregate principal amount of \$1.3 billion at the request of Xylem and with the consent of the institutions providing such increased commitments.

Interest on all loans under the 2023 Credit Facility is payable either quarterly or at the expiration of any Term SOFR or EURIBOR interest period applicable thereto. Borrowings accrue interest at a rate equal to, at Xylem's election, a base rate or an adjusted Term SOFR or EURIBOR rate plus an applicable margin. The 2023 Credit Facility includes customary provisions for implementation of replacement rates for Term SOFR-based and EURIBOR-based loans. The 2023 Credit Facility also includes a pricing grid that determines the applicable margin based on Xylem's credit rating, with a further adjustment based on Xylem's achievement of certain Environmental, Social and Governance ("ESG") key performance indicators. Xylem will also pay quarterly fees to each lender for such lender's commitment to lend accruing on such commitment at a rate based on Xylem's credit rating, whether such commitment is used or unused, as well as a quarterly letter of credit fee accruing on the letter of credit exposure of such lender during the preceding quarter at a rate based on the credit rating of Xylem with a further adjustment based on Xylem's achievement of certain ESG key performance indicators.

The 2023 Credit Facility requires that Xylem maintain a consolidated total debt to consolidated EBITDA ratio (or maximum leverage ratio), which will be based on the last four fiscal quarters. In accordance with the terms of the agreement to the 2023 Credit Facility, Xylem may not exceed a maximum leverage ratio of 4.00 to 1.00 for a period of four consecutive fiscal quarters beginning with the fiscal quarter during which a material acquisition is consummated and a maximum leverage ratio of 3.50 to 1.00 thereafter for a minimum of four fiscal quarters before another material acquisition is consummated. In addition, the 2023 Credit Facility contains a number of customary covenants, including limitations on the incurrence of secured debt and debt of subsidiaries, liens, sale and lease-

back transactions, mergers, consolidations, liquidations, dissolutions and sales of assets. The 2023 Credit Facility also contains customary events of default. Finally, Xylem has the ability to designate subsidiaries that can borrow under the 2023 Credit Facility, subject to certain requirements and conditions set forth in the 2023 Credit Facility. As of December 31, 2023, the 2023 Credit Facility was undrawn, and we are in compliance with all revolver covenants. The 2023 Credit Facility has availability of \$1 billion, comprised of the \$1 billion aggregate principal as of December 31, 2023.

Term Loan Facility

On May 9, 2023, the Company's subsidiary, Xylem Europe GmbH (the "borrower") entered into a 24 month €250 million (approximately \$278 million) term loan facility (the "Term Facility") the terms of which are set forth in a term loan agreement, among the borrower, the Company, as parent guarantor and ING Bank. The Company has entered into a parent guarantee in favor of ING Bank also dated May 9, 2023 to secure all present and future obligations of the borrower under the Term Loan Agreement. The net cash proceeds were used to repay a portion of Evoqua's indebtedness pursuant to the Merger Agreement.

Equipment Financings

As a result of the Evoqua acquisition, the Company has secured financing agreements that require providing a security interest in specified equipment and, in some cases, the underlying contract and related receivables. As of December 31, 2023, the gross and net amounts of those assets are included on the Consolidated Balance Sheets as follows:

| (In millions) | December 31, 2023 | |
|-------------------------------------|-------------------|---------------|
| | Gross | Net |
| Property, plant, and equipment, net | \$ 75 | \$ 71 |
| Receivables, net | 1 | 1 |
| Prepaid and other current assets | 5 | 5 |
| Other non-current assets | 58 | 57 |
| | <u>\$ 139</u> | <u>\$ 134</u> |

During the year ended December 31, 2023, the Company entered into the following equipment financings:

| Date entered | Due | Interest Rate at December 31, 2023 | Principal Amount |
|-------------------|---------------|------------------------------------|------------------|
| December 20, 2023 | July 31, 2032 | 6.320 % | 2 |

Commercial Paper

U.S. Dollar Commercial Paper Program

Our U.S. Dollar commercial paper program generally serves as a means of short-term funding with a \$600 million maximum issuing balance and a combined limit of \$1 billion inclusive of the 2023 Credit Facility. As of December 31, 2023 and 2022, none of the Company's \$600 million U.S. Dollar commercial paper program was outstanding, respectively. The net cash proceeds from issuance of commercial paper were used to repay a portion of Evoqua's indebtedness pursuant to the Merger Agreement. We have the ability to continue borrowing under this program going forward in future periods.

Euro Commercial Paper Program

On June 3, 2019, Xylem entered into a Euro commercial paper program with ING Bank N.V., as administrative agent, and a syndicate of dealers. The Euro commercial paper program provides for a maximum issuing balance of up to €500 million (approximately \$556 million) which may be denominated in a variety of currencies. The maximum issuing balance may be increased in accordance with the Dealer Agreement. As of December 31, 2023 and 2022, none of the Company's Euro commercial paper program was outstanding. We have the ability to continue borrowing under this program going forward in future periods.

Receivables Securitization Program

On April 1, 2021, Evoqua Finance LLC ("Evoqua Finance"), now an indirect wholly-owned subsidiary of the Company, entered into an accounts receivable securitization program (the "Receivables Securitization Program") consisting of, among other agreements, (i) a Receivables Financing Agreement (as amended, the "Receivables Financing Agreement") among Evoqua Finance, as the borrower, the lenders from time to time party thereto (the "Receivables Financing Lenders"), PNC Bank, National Association ("PNC"), as administrative agent, EWT LLC, as initial servicer, and PNC Capital Markets LLC, as structuring agent, pursuant to which the lenders have made available to Evoqua Finance a receivables finance facility in an amount up to \$150 million, (ii) a Sale and Contribution Agreement (as amended, the "Sale and Contribution Agreement") among Evoqua Finance, as purchaser, EWT LLC, as initial servicer and as an originator, and Neptune Benson, Inc., an indirectly wholly-owned subsidiary of the Company, as an originator (together with EWT LLC, the "Originators"), and (iii) a Performance Guaranty of Xylem Inc. dated as of May 24, 2023 (the "Performance Guaranty") in favor of PNC and for the benefit of PNC and the other secured parties under the Receivables Financing Agreement that replaced the performance guaranty of EWT Holdings II Corp. and EWT Holdings III Corp dated as of April 1, 2021.

The Receivables Securitization Program contains certain customary representations, warranties, affirmative covenants, and negative covenants, subject to certain cure periods in some cases, including the eligibility of the receivables being sold by the Originators and securing the loans made by the Receivables Financing Lenders, as well as customary reserve requirements, events of default, termination events, and servicer defaults.

On July 20, 2023, the Receivables Financing Agreement, the Sale and Contribution Agreement and the Performance Guaranty and the other transaction documents under the Receivables Financing Program were terminated and all outstanding obligations for principal, interest, and fees under the agreement were paid in full.

Note 16. Post-retirement Benefit Plans

Defined contribution plans – Xylem and certain of our subsidiaries maintain various defined contribution savings plans, which allow employees to contribute a portion of their pre-tax and/or after-tax income in accordance with specified guidelines. Several of the plans require us to match a percentage of the employee contributions up to certain limits, generally between 3.0% – 7.0% of employee eligible pay. Matching obligations, the majority of which were funded in cash in connection with the plans, and other company contributions are as follows:

| (in millions) | Defined Contribution |
|---------------|----------------------|
| 2023 | \$ 74 |
| 2022 | 53 |
| 2021 | 60 |

The Xylem Stock Fund, an investment option under the defined contribution plan in which Company employees participate, is considered an Employee Stock Ownership Plan. As a result, participants in the Xylem Stock Fund may receive dividends in cash or may reinvest such dividends into the Xylem Stock Fund. Company employees held approximately 231 thousand and 245 thousand shares of Xylem Inc. common stock in the Xylem Stock Fund at December 31, 2023 and 2022, respectively.

Defined benefit pension plans and other post-retirement plans – We historically have maintained qualified and non-qualified defined benefit retirement plans covering certain current and former employees, including hourly and union plans as well as salaried plans, which generally require up to 5 years of service to be vested and for which the benefits are determined based on years of credited service and either specified rates, final pay, or final average pay. The other post-retirement benefit plans are all unfunded plans in the U.S. and Canada.

During 2023 and 2022, no plan amendments had a material impact to the Company's financial statements.

The Company initiated the process for a full buy-out of its largest defined benefit plan in the U.K. in 2019. During the first quarter of 2020, the Company purchased a bulk annuity policy as a plan asset to facilitate the termination and buy-out of the plan. The buyout was completed in September 2022, at which point the remaining benefit obligations were transferred to the insurer and we were relieved of any further obligation. As a result, we recorded a pension settlement charge of £123 million (approximately \$140 million), primarily consisting of unrecognized actuarial losses.

Amounts recognized in the Consolidated Balance Sheets for pension and other employee-related benefit plans (collectively, "Post-retirement Plans") reflect the funded status of the post-retirement benefit plans. The following table provides a summary of the funded status of our Post-retirement Plans, the presentation of such balances and a summary of amounts recorded within AOCL:

| (In millions) | December 31, 2023 | | | December 31, 2022 | | |
|--|-------------------|----------------|-----------------|-------------------|----------------|-----------------|
| | Pension | Other | Total | Pension | Other | Total |
| Fair value of plan assets | \$ 296 | \$ — | \$ 296 | \$ 246 | \$ — | \$ 246 |
| Projected benefit obligation | (582) | (31) | (613) | (482) | (31) | (513) |
| Funded status | <u>\$ (286)</u> | <u>\$ (31)</u> | <u>\$ (317)</u> | <u>\$ (236)</u> | <u>\$ (31)</u> | <u>\$ (267)</u> |
| Amounts recognized in the Consolidated Balance Sheets | | | | | | |
| Other non-current assets | \$ 43 | \$ — | \$ 43 | \$ 34 | \$ — | \$ 34 |
| Accrued and other current liabilities | (13) | (3) | (16) | (12) | (3) | (15) |
| Accrued post-retirement benefit obligations | (316) | (28) | (344) | (258) | (28) | (286) |
| Net amount recognized | <u>\$ (286)</u> | <u>\$ (31)</u> | <u>\$ (317)</u> | <u>\$ (236)</u> | <u>\$ (31)</u> | <u>\$ (267)</u> |
| Accumulated other comprehensive loss: | | | | | | |
| Net actuarial losses | \$ (88) | \$ (7) | \$ (95) | \$ (50) | \$ (6) | \$ (56) |
| Prior service credit | (2) | 2 | — | (1) | 4 | 3 |
| Total | <u>\$ (90)</u> | <u>\$ (5)</u> | <u>\$ (95)</u> | <u>\$ (51)</u> | <u>\$ (2)</u> | <u>\$ (53)</u> |

The unrecognized amounts recorded in AOCL will be subsequently recognized as expense on a straight-line basis only to the extent they exceed 10% of the higher of the market-related value or the projected benefit obligation, over the average remaining service period of active participants, or for plans with all or substantially all inactive participants, over the average remaining life expectancy. Actuarial gains and losses incurred in future periods and not recognized as expense in those periods will initially be recognized as increases or decreases in other comprehensive income, net of tax.

The benefit obligation, fair value of plan assets, funded status, and amounts recognized in the consolidated financial statements for our defined benefit domestic and international pension plans were:

| (in millions) | Domestic Plans | | International Plans | |
|---|----------------|---------|---------------------|----------|
| | December 31, | | December 31, | |
| | 2023 | 2022 | 2023 | 2022 |
| Change in benefit obligation: | | | | |
| Benefit obligation at beginning of year | \$ 92 | \$ 117 | \$ 390 | \$ 926 |
| Service cost | 2 | 3 | 7 | 12 |
| Interest cost | 5 | 3 | 16 | 13 |
| Benefits paid | (8) | (7) | (18) | (29) |
| Actuarial loss (gain) (a) | 6 | (24) | 36 | (241) |
| Plan amendments, settlements and curtailments (b) | 2 | — | (2) | (202) |
| Acquisitions | — | — | 31 | — |
| Foreign currency translation and other | — | — | 23 | (89) |
| Benefit obligation at end of year | \$ 99 | \$ 92 | \$ 483 | \$ 390 |
| Change in plan assets: | | | | |
| Fair value of plan assets at beginning of year | \$ 80 | \$ 108 | \$ 166 | \$ 571 |
| Employer contributions | 5 | — | 17 | 16 |
| Actual return on plan assets | 9 | (21) | 16 | (133) |
| Benefits paid | (8) | (7) | (18) | (29) |
| Plan amendments, settlements and curtailments | — | — | (1) | (202) |
| Acquisitions | — | — | 22 | — |
| Foreign currency translation and other | — | — | 8 | (57) |
| Fair value of plan assets at end of year | \$ 86 | \$ 80 | \$ 210 | \$ 166 |
| Unfunded status of the plans | \$ (13) | \$ (12) | \$ (273) | \$ (224) |

- (a) Actuarial losses for our qualified defined benefit pension plans in 2023 primarily reflect a decrease in the discount rate in 2023 as compared to 2022, which increased benefit obligations.
- (b) Qualified defined benefit pension plan settlements in 2022 predominantly related to the transfer of gross benefit obligations and related plan assets to an insurance company upon completion of the U.K. pension buy-out as described above.

The following table provides a roll-forward of the projected benefit obligation for the other post-retirement employee benefit plans:

| (in millions) | 2023 | 2022 |
|---|-------|-------|
| Change in benefit obligation: | | |
| Benefit obligation at beginning of year | \$ 31 | \$ 42 |
| Interest cost | 2 | 1 |
| Benefits paid | (3) | (3) |
| Actuarial gain | 1 | (9) |
| Benefit obligation at the end of year | \$ 31 | \$ 31 |

The accumulated benefit obligation ("ABO") for all the defined benefit pension plans was \$551 million and \$460 million at December 31, 2023 and 2022, respectively.

For defined benefit pension plans in which the ABO was in excess of the fair value of the plans' assets, the projected benefit obligation, ABO and fair value of the plans' assets were as follows:

| (in millions) | December 31, | |
|--------------------------------|--------------|--------|
| | 2023 | 2022 |
| Projected benefit obligation | \$ 474 | \$ 391 |
| Accumulated benefit obligation | 448 | 372 |
| Fair value of plan assets | 146 | 121 |

The components of net periodic benefit cost for our defined benefit pension plans are as follows:

| (in millions) | Year Ended December 31, | | |
|---|-------------------------|---------------|--------------|
| | 2023 | 2022 | 2021 |
| Domestic defined benefit pension plans: | | | |
| Service cost | \$ 2 | \$ 3 | \$ 3 |
| Interest cost | 5 | 3 | 3 |
| Expected return on plan assets | (6) | (6) | (7) |
| Amortization of net actuarial loss | — | 3 | 4 |
| Net periodic benefit cost | \$ 1 | \$ 3 | \$ 3 |
| International defined benefit pension plans: | | | |
| Service cost | \$ 7 | \$ 12 | \$ 14 |
| Interest cost | 16 | 13 | 11 |
| Expected return on plan assets | (11) | (13) | (14) |
| Amortization of net actuarial (gain) loss | (2) | 10 | 17 |
| U.K. pension settlement expense | — | 140 | — |
| Net periodic benefit cost | \$ 10 | \$ 162 | \$ 28 |
| Total net periodic benefit cost | \$ 11 | \$ 165 | \$ 31 |

The components of net periodic benefit cost other than the service cost component are included in the line item "Other non-operating (expense) income, net" in the Consolidated Income Statements.

Other changes in plan assets and benefit obligations recognized in other comprehensive income (loss), as they pertain to our defined benefit pension plans are as follows:

| (in millions) | Year Ended December 31, | | |
|---|-------------------------|-----------------|----------------|
| | 2023 | 2022 | 2021 |
| Domestic defined benefit pension plans: | | | |
| Net (gain) loss | \$ 3 | \$ 3 | \$ — |
| Amortization of net actuarial gain (loss) | — | (3) | (4) |
| (Gains) losses recognized in other comprehensive income (loss) | \$ 3 | \$ — | \$ (4) |
| International defined benefit pension plans: | | | |
| Net (gain) loss | \$ 31 | \$ (95) | \$ (51) |
| Amortization of net actuarial gain (loss) | 2 | (8) | (17) |
| U.K. pension settlement expense | — | (137) | — |
| Foreign Exchange | 2 | (39) | (11) |
| (Gains) losses recognized in other comprehensive income (loss) | \$ 35 | \$ (279) | \$ (79) |
| Total (gains) losses recognized in other comprehensive income (loss) | \$ 38 | \$ (279) | \$ (83) |
| Total (gains) losses recognized in comprehensive income | \$ 49 | \$ (114) | \$ (52) |

The components of net periodic benefit cost for other post-retirement employee benefit plans are as follows:

| (In millions) | Year Ended December 31, | | |
|--------------------------------------|-------------------------|-------------|-------------|
| | 2023 | 2022 | 2021 |
| Interest cost | 2 | 1 | 1 |
| Amortization of prior service credit | (2) | (2) | (2) |
| Amortization of net actuarial loss | — | 1 | 2 |
| Net periodic benefit cost | \$ — | \$ — | \$ 1 |

Other changes in benefit obligations recognized in other comprehensive income (loss), as they pertain to other post-retirement employee benefit plans are as follows:

| (In millions) | Year Ended December 31, | | |
|--|-------------------------|---------------|-------------|
| | 2023 | 2022 | 2021 |
| Net loss (gain) | \$ 1 | \$ (9) | \$ — |
| Prior service credit | — | — | — |
| Amortization of prior service credit | 2 | 2 | 3 |
| Amortization of net actuarial loss | — | (1) | (2) |
| Losses (gains) recognized in other comprehensive income (loss) | \$ 3 | \$ (8) | \$ 1 |
| Total losses (gains) recognized in comprehensive income | \$ 3 | \$ (8) | \$ 2 |

Assumptions

The following table provides the weighted-average assumptions used to determine projected benefit obligations and net periodic benefit cost, as they pertain to our pension plans.

| | 2023 | | 2022 | | 2021 | |
|--|--------|--------|--------|--------|--------|--------|
| | U.S. | Int'l | U.S. | Int'l | U.S. | Int'l |
| Benefit Obligation Assumptions | | | | | | |
| Discount rate | 5.00 % | 3.55 % | 5.25 % | 4.13 % | 3.00 % | 1.55 % |
| Rate of future compensation increase | NM | 2.87 % | NM | 2.79 % | NM | 2.84 % |
| Net Periodic Benefit Cost Assumptions | | | | | | |
| Discount rate | 5.25 % | 4.13 % | 3.00 % | 1.55 % | 2.50 % | 1.06 % |
| Expected long-term return on plan assets | 6.00 % | 5.85 % | 5.50 % | 2.79 % | 6.50 % | 2.60 % |
| Rate of future compensation increase | NM | 2.79 % | NM | 2.84 % | NM | 2.79 % |

NM Not meaningful. The pension benefits for future service for all the U.S. pension plans are based on years of service and not impacted by future compensation increases.

Management develops each assumption using relevant company experience in conjunction with market-related data for each individual country in which plans exist. Assumptions are reviewed annually and adjusted as necessary.

The expected long-term rate of return on assets reflects the expected returns for each major asset class in which the plans hold investments, the weight of each asset class in the target mix, the correlations among asset classes and their expected volatilities. The assets of the pension plans are held by a number of independent trustees, managed by several investment institutions and are accounted for separately in the Company's pension funds.

Our expected return on plan assets is estimated by evaluating both historical returns and estimates of future returns. Specifically, we analyze the plans' actual historical annual return on assets, net of fees, over the past 15, 20 and 25 years; we estimate future returns based on independent estimates of asset class returns; and we evaluate historical broad market returns over long-term timeframes based on our asset allocation range. For the U.S. Master Trust which has existed since 2011, historical returns were estimated using a constructed portfolio that reflects the Company's strategic asset allocation and the historical compound geometric returns of each asset class for the longest time period available. Based on this approach, the weighted average expected long-term rate of return for all of our plan assets to be used in determining net periodic benefit costs for 2024 is estimated at 5.84%.

Investment Policy

The investment strategy for managing worldwide post-retirement benefit plan assets is to seek an optimal rate of return relative to an appropriate level of risk for each plan. Investment strategies vary by plan, depending on the specific characteristics of the plan, such as plan size and design, funded status, liability profile and legal requirements. In general, the plans are managed closely to their strategic allocations.

The following table provides the actual asset allocations of plan assets as of December 31, 2023 and 2022, and the related asset target allocation ranges by asset category:

| | 2023 | 2022 | Target Allocation Ranges |
|-------------------------------------|--------|--------|--------------------------------|
| Equity securities | 43.9 % | 47.1 % | 35-75% |
| Fixed income | 42.9 % | 43.9 % | 45-60% |
| Cash, insurance contracts and other | 13.2 % | 9.0 % | 0-15% |

Fair Value of Plan Assets

In measuring plan assets at fair value, the fair value hierarchy is applied which categorizes and prioritizes the inputs used to estimate fair value into three levels. See Note 1, "Summary of Significant Accounting Policies" for further detail on fair value hierarchy.

In certain instances, fair value is estimated using quoted market prices obtained from external pricing services. In obtaining such data from the pricing service, we have evaluated the methodologies used to develop the estimate of fair value in order to assess whether such valuations are representative of fair value, including NAV.

The following is a description of the valuation methodologies and inputs used to measure fair value for major categories of investments.

- **Equity securities** — Equities (including common and preferred shares, domestic listed and foreign listed and closed end mutual funds) are generally valued at the closing price reported on the major market on which the individual securities are traded at the measurement date. Equity securities and mutual funds held by the Company that are publicly traded in active markets are classified within Level 1 of the fair value hierarchy. Those equities that are held in proprietary funds pooled with other investor accounts and collective trust funds measured at fair value using the NAV per share practical expedient are not classified in the fair value hierarchy.
- **Fixed income** — Government securities are generally valued using quoted prices of securities with similar characteristics. Corporate bonds are generally valued by using pricing models, quoted prices of securities with similar characteristics or broker quotes and are classified in Level 2. Fixed income securities held in proprietary funds pooled with other investor accounts and collective trust funds measured at fair value using the NAV per share practical expedient are not classified in the fair value hierarchy. Hedging instruments are collateralized daily with either cash or government bonds, have daily liquidity and pricing based on observable inputs from over-the-counter markets, and are classified as Level 2.
- **Insurance contracts and other** — Primarily comprised of insurance contracts held by foreign plans. Insurance contracts are valued on an insurer pricing basis calculated at purchase price adjusted for changes in discount rates and other actuarial assumptions or contract value, which approximates fair value. Insurance contracts are generally classified as Level 3.
- **Cash** — Cash and cash equivalents are held in accounts with brokers or custodians, available on demand, for liquidity and investment collateral and are classified as Level 1.

The following table provides the fair value of plan assets held by our pension benefit plans by asset class:

| (in millions) | 2023 | | | | | 2022 | | | | |
|---------------------------------------|---------|---------|---------|-------------------------|--------|---------|---------|---------|-------------------------|--------|
| | Level 1 | Level 2 | Level 3 | NAV Practical Expedient | Total | Level 1 | Level 2 | Level 3 | NAV Practical Expedient | Total |
| Equity securities | | | | | | | | | | |
| Global stock funds/securities | \$ 43 | \$ 56 | \$ — | \$ 13 | \$ 112 | \$ 37 | \$ 51 | \$ — | \$ 9 | \$ 97 |
| Diversified growth and income funds | — | — | — | 18 | 18 | — | — | — | 19 | 19 |
| Fixed income | | | | | | | | | | |
| Corporate bonds | 1 | 64 | — | 12 | 77 | 1 | 67 | — | 5 | 73 |
| Government bonds | — | 22 | — | 23 | 45 | — | 13 | — | 18 | 31 |
| Hedging instruments | — | 5 | — | — | 5 | — | 4 | — | — | 4 |
| Insurance contracts and other | — | — | 26 | 6 | 32 | — | — | 20 | — | 20 |
| Cash and cash equivalents | 7 | — | — | — | 7 | 2 | — | — | — | 2 |
| Total plan assets subject to leveling | \$ 51 | \$ 147 | \$ 26 | \$ 72 | \$ 296 | \$ 40 | \$ 135 | \$ 20 | \$ 51 | \$ 246 |

The following table presents a reconciliation of the beginning and ending balances of fair value measurement within our pension plans using significant unobservable inputs (Level 3):

| (in millions) | Insurance Contracts and Other |
|------------------------------------|-------------------------------|
| Balance, December 31, 2021 | \$ 368 |
| Purchases, sales, settlements, net | (210) |
| Actual return on plan assets | (99) |
| Currency impact | (39) |
| Balance, December 31, 2022 | 20 |
| Purchases, sales, settlements, net | 5 |
| Actual return on plan assets | — |
| Currency impact | 1 |
| Balance, December 31, 2023 | \$ 26 |

Contributions and Estimated Future Benefit Payments

Funding requirements under governmental regulations are a significant consideration in making contributions to our post-retirement plans. We made contributions of \$25 million and \$19 million to our post-retirement plans during 2023 and 2022, respectively. We currently anticipate making contributions to our post-retirement plans in the range of \$31 million to \$37 million during 2024, of which approximately \$8 million is expected to be made in the first quarter.

The following benefit payments, which reflect expected future service, as appropriate, are expected to be paid as follows:

| (in millions) | Pension | Other Benefits |
|-------------------|---------|----------------|
| 2024 | \$ 30 | \$ 3 |
| 2025 | 30 | 3 |
| 2026 | 31 | 3 |
| 2027 | 32 | 3 |
| 2028 | 33 | 3 |
| Years 2029 - 2033 | 166 | 11 |

Note 17. Share-Based Compensation Plans

Our share-based compensation program is a broad-based program designed to attract and retain employees while also aligning employees' interests with the interests of our shareholders. In addition, members of our Board of Directors participate in our share-based compensation program in connection with their service on our board. Share-based awards issued to employees include non-qualified stock options, restricted stock units and performance share units. Under the 2011 Omnibus Incentive Plan, the number of shares initially available for awards was 18 million. On November 18, 2022, there were an additional 3.2 million of shares registered for issuance under this plan, which do not increase the total pool of 18 million. On May 24, 2023, there were an additional 2.7 million shares registered for issuance. As of December 31, 2023, there were approximately 5.6 million shares of common stock available for future awards.

Total share-based compensation expense recognized for 2023, 2022 and 2021 was \$60 million, \$37 million, and \$33 million, respectively. The unamortized compensation expense at December 31, 2023 related to our stock options, restricted share units and performance share units was \$8 million, \$42 million and \$15 million, respectively, and is expected to be recognized over a weighted average period of 1.6, 1.7 and 1.9 years, respectively. See Note 5, "Restructuring and Asset Impairment Charges" of our consolidated financial statements for discussion of certain restructuring charges related to stock-based compensation expense.

The amount of cash received from the exercise of stock options was \$62 million, \$8 million and \$19 million for 2023, 2022 and 2021 with a tax benefit of \$12 million, \$3 million and \$6 million, respectively, realized associated with stock option exercises and vesting of restricted stock units. We classify as an operating activity the cash flows attributable to excess tax benefits arising from stock option exercises and restricted stock unit vestings.

Stock Option Grants

Options are awarded with a contractual term of 10 years, generally vest over a three-year period and are exercisable within the contractual term, except in certain instances of termination due to death, retirement, disability and other limited circumstances in accordance with the terms of the grant agreements. The exercise price per share is the fair market value of the underlying common stock on the date each option is awarded. At December 31, 2023, there were options to purchase an aggregate of 2.1 million shares of common stock. The following is a summary of the changes in outstanding stock options for 2023 (granted amounts include options issued in conjunction with the Evoqua acquisition):

| | Share units (in thousands) | Weighted Average Exercise Price / Share | Weighted Average Remaining Contractual Term (Years) | Aggregate Intrinsic Value (in millions) |
|---|-------------------------------|--|--|---|
| Outstanding at January 1, 2023 | 1,935 | \$ 67.55 | 5.9 | |
| Granted | 2,153 | 38.13 | | |
| Exercised | (1,930) | 32.40 | | |
| Forfeited and expired | (31) | 85.46 | | |
| Other | 23 | 73.16 | | |
| Outstanding at December 31, 2023 | 2,150 | \$ 69.34 | 5.9 | \$ 97 |
| Options exercisable at December 31, 2023 | 1,577 | \$ 62.39 | 5.0 | \$ 82 |
| Vested and non-vested expected to vest as of December 31, 2023 | 2,107 | \$ 68.82 | 5.6 | \$ 96 |

The amount of non-vested options outstanding was 0.6 million, 0.6 million and 0.7 million at a weighted average grant date share price of \$88.48, \$87.62 and \$84.66 as of December 31, 2023, 2022 and 2021, respectively. The total intrinsic value of options exercised (which is the amount by which the stock price exceeded the exercise price of the options on the date of exercise) during 2023, 2022 and 2021 was \$140 million, \$4 million and \$27 million, respectively.

The fair value of each option grant was estimated on the date of grant using the binomial lattice pricing model which incorporates multiple and variable assumptions over time, including assumptions such as employee exercise patterns, stock price volatility and changes in dividends. The following are weighted-average assumptions used for 2023, 2022, and 2021 (excluding the valuation of options granted in conjunction with the Evoqua acquisition):

| | 2023 | 2022 | 2021 |
|--|----------|----------|----------|
| Dividend yield | 1.31 % | 1.37 % | 1.10 % |
| Volatility | 27.30 % | 26.25 % | 26.29 % |
| Risk-free interest rate | 4.25 % | 1.74 % | 0.86 % |
| Expected term (in years) | 5.4 | 5.6 | 5.7 |
| Weighted-average fair value per option | \$ 29.06 | \$ 20.38 | \$ 23.26 |

Expected volatility is calculated based on an analysis of historic volatility measures for Xylem. We use historical data to estimate option exercise and employee termination behavior within the valuation model. The expected term represents an estimate of the period of time options are expected to remain outstanding. The risk-free rate is based on the U.S. Treasury yield curve in effect at the time of option grant.

Restricted Stock Unit Grants

Restricted stock units awarded to employees vest over a three-year period. Prior to the time a restricted stock unit becomes fully vested, the awardees cannot transfer, pledge or encumber such units. Prior to the time a restricted stock unit is fully vested, the awardees do not have certain rights of a stockholder, such as the right to vote and receive dividends; however, dividends accrue during the vesting period and are paid upon vesting. If an employee leaves prior to vesting, whether through resignation or termination for cause, the restricted stock unit and related accrued dividends are forfeited. If an employee retires prior to vesting, a pro-rata portion of the restricted stock unit may vest in accordance with the terms of the applicable grant agreements. Restricted stock units awarded to member of our Board become fully vested upon the day prior to the next annual meeting. The fair value of the restricted stock unit awards is determined using the closing price of our common stock on date of grant.

The following is a summary of the changes in outstanding restricted stock units for 2023 (granted amounts include options issued in conjunction with the Evoqua acquisition):

| | Share Units (in thousands) | Weighted Average Grant Date Fair Value / Share |
|---|-------------------------------|--|
| Outstanding at January 1, 2023 | 553 | \$ 88.88 |
| Granted | 1,049 | 103.08 |
| Vested | (699) | 38.29 |
| Forfeited | (41) | 51.52 |
| Outstanding at December 31, 2023 | 862 | \$ 98.49 |

Performance Share Units

Performance share units awarded under the long-term incentive plan vest based upon performance by the Company over a three-year period against targets approved by the Leadership Development & Compensation Committee of the Company's Board of Directors prior to the grant date. For the performance periods, the performance share units were awarded at a target of 100% with actual payout contingent upon the achievement of a pre-set, three-year adjusted ROIC performance target for ROIC performance share units, a pre-set third year revenue target for Revenue performance share units and a relative TSR performance target for TSR performance share units. The calculated compensation cost for ROIC and Revenue performance share units is adjusted based on an estimate of awards ultimately expected to vest and our assessment of the probable outcome of the performance condition.

ROIC and Adjusted EBITDA Performance Share Unit Grants

As approved by the Leadership Development & Compensation Committee of the Company's Board of Directors, for the 2023-2025 performance period, the completion of the acquisition of Evoqua transitioned one of the performance share unit metrics from a pre-set, three-year adjusted Return on Invested Capital ("ROIC") performance target to a pre-set, third-year adjusted earnings before interest, taxes, depreciation and amortization expense ("EBITDA") performance target for the combined company. The fair value of the adjusted EBITDA performance share unit awards is determined using the closing price of our common stock on date of grant.

The following is a summary of the changes in outstanding ROIC and EBITDA performance share units for 2023:

| | Share units (in thousands) | Weighted Average Grant Date Fair Value / Share |
|---|-------------------------------|--|
| Outstanding at January 1, 2023 | 146 | \$ 88.78 |
| Granted | 36 | 100.69 |
| Forfeited (a) | (68) | 82.40 |
| Outstanding at December 31, 2023 | 114 | \$ 97.70 |

(a) Includes adjusted ROIC performance share unit awards forfeited during the period as a result of the final performance condition not being achieved on vest date.

Revenue Performance Share Unit Grants

The fair value of the Revenue performance share unit awards is determined using the closing price of our common stock on date of grant.

The following is a summary of our Revenue performance share unit grants for 2023:

| | Share units (in thousands) | Weighted Average Grant Date Fair Value / Share |
|---|-------------------------------|---|
| Outstanding at January 1, 2023 | 32 | \$ 86.77 |
| Granted | 36 | 100.69 |
| Forfeited | (2) | 91.12 |
| Outstanding at December 31, 2023 | 66 | \$ 94.19 |

TSR Performance Share Unit Grants

The following is a summary of the changes in outstanding TSR performance share units for 2023:

| | Share units (in thousands) | Weighted Average Grant Date Fair Value / Share |
|--|-------------------------------|--|
| Outstanding at January 1, 2023 | 178 | \$ 100.67 |
| Granted | 72 | 108.54 |
| Adjustment for Market Condition Achieved (a) | 40 | 102.55 |
| Vested | (102) | 102.55 |
| Forfeited | (8) | 100.99 |
| Outstanding at December 31, 2023 | 180 | \$ 103.52 |

(a) Represents an increase in the number of original TSR performance share units awarded based on the final market condition achievement at the end of the performance period of such awards. The fair value of TSR performance share units were calculated on the date of grant using a Monte Carlo simulation model utilizing several key assumptions, including expected Company and peer company share price volatility, correlation coefficients between peers, the risk-free rate of return, the expected dividend yield and other award design features. The following are weighted-average key assumptions for 2023 grants.

| | 2023 | 2022 | 2021 |
|-------------------------|--------|--------|--------|
| Volatility | 35.9 % | 33.3 % | 33.5 % |
| Risk-free interest rate | 4.66 % | 1.44 % | 0.24 % |

Note 18. Capital Stock

The Company has the authority to issue an aggregate of 750 million shares of common stock having a par value of \$0.01 per share. The stockholders of Xylem common stock are entitled to receive dividends as declared by the Xylem Board of Directors. Dividends declared were \$1.32, \$1.20 and \$1.12 during 2023, 2022 and 2021, respectively.

The changes in shares of common stock outstanding for the three years ended December 31 are as follows:

| (share units in thousands) | 2023 | 2022 | 2021 |
|--|----------------|----------------|----------------|
| Beginning Balance, January 1 | 180,253 | 180,392 | 180,354 |
| Shares issued for the Evoqua acquisition (a) | 58,779 | — | — |
| Stock incentive plan net activity | 2,730 | 437 | 716 |
| Repurchase of common stock | (258) | (576) | (678) |
| Ending Balance, December 31 | 241,504 | 180,253 | 180,392 |

(a) See Note 3, "Acquisitions and Divestitures" of our consolidated financial statements for further information.

For the years ended December 31, 2023 and December 31, 2022 the Company repurchased 0.3 million shares of common stock for \$25 million and repurchased 0.6 million shares of common stock for \$52 million, respectively. Repurchases include both share repurchase programs approved by the Board of Directors and repurchases in relation to settlement of employee tax withholding obligations due as a result of the vesting of restricted stock units. The detail of repurchases by each program are as follows:

On August 24, 2015, our Board of Directors authorized the repurchase of up to \$500 million in shares with no expiration date. The program's objective is to deploy our capital in a manner that benefits our stockholders and maintains our focus on growth. For the year ended December 31, 2023, there were no shares repurchased under the program. For the year ended December 31, 2022, we repurchased 0.5 million shares for \$46 million. There are up to \$182 million in shares that may still be purchased under this plan as of December 31, 2023.

Aside from the aforementioned repurchase programs, we repurchased approximately 0.3 million and 0.1 million shares for \$25 million and \$6 million during 2023 and 2022, respectively, in relation to settlement of employee income tax withholding obligations due as a result of the vesting of restricted stock units. These repurchases are included in the stock incentive plan net activity in the above table.

Note 19. Accumulated Other Comprehensive Loss

The following table provides the components of accumulated other comprehensive loss for 2023, 2022 and 2021:

| (In millions) | Foreign Currency Translation | Post-retirement Benefit Plans | Derivative Instruments | Total |
|---|---------------------------------|----------------------------------|------------------------|----------|
| Balance at January 1, 2021 | \$ (86) | \$ (330) | \$ 3 | \$ (413) |
| Foreign currency translation adjustment | 20 | | | 20 |
| Income tax impact on foreign currency translation adjustment | (35) | | | (35) |
| Changes in post-retirement benefit plans | | 51 | | 51 |
| Foreign currency translation adjustment for post-retirement benefit plans | | 11 | | 11 |
| Income tax expense on changes in post-retirement benefit plans, including settlement | | (15) | | (15) |
| Amortization of prior service cost and net actuarial loss on post-retirement benefit plans into other non-operating income (expense), net | | 20 | | 20 |
| Income tax impact on amortization of post-retirement benefit plan items | | (5) | | (5) |
| Unrealized loss on derivative hedge agreements | | | (10) | (10) |
| Reclassification of unrealized loss on foreign exchange agreements into revenue | | | 1 | 1 |
| Reclassification of unrealized (gain) loss on foreign exchange agreements into cost of revenue | | | 4 | 4 |
| Balance at December 31, 2021 | \$ (101) | \$ (268) | \$ (2) | \$ (371) |
| Foreign currency translation adjustment | (53) | | | (53) |
| Income tax impact on foreign currency translation adjustment | (26) | | | (26) |
| Changes in post-retirement benefit plans | | 101 | | 101 |
| U.K. pension settlement | | 137 | | 137 |
| Foreign currency translation adjustment for post-retirement benefit plans | | 39 | | 39 |
| Income tax expense on changes in post-retirement benefit plans | | (58) | | (58) |
| Amortization of prior service cost and net actuarial loss on post-retirement benefit plans into other non-operating income (expense), net | | 10 | | 10 |
| Income tax impact on amortization of post-retirement benefit plan items | | (2) | | (2) |
| Unrealized loss on derivative hedge agreements | | | (24) | (24) |
| Tax on unrealized loss on derivative hedge agreements | | | — | — |
| Reclassification of unrealized loss on foreign exchange agreements into revenue | | | 19 | 19 |
| Reclassification of unrealized loss on foreign exchange agreements into cost of revenue | | | 2 | 2 |

| (in millions) | Foreign Currency Translation | Post-retirement Benefit Plans | Derivative Instruments | Total |
|---|---------------------------------|----------------------------------|------------------------|----------|
| Balance at December 31, 2022 | \$ (180) | \$ (41) | \$ (5) | \$ (226) |
| Foreign currency translation adjustment | (45) | | | (45) |
| Income tax impact on foreign currency translation adjustment | 29 | | | 29 |
| Changes in post-retirement benefit plans | | (35) | | (35) |
| Foreign currency translation adjustment for post-retirement benefit plans | | (2) | | (2) |
| Income tax expense on changes in post-retirement benefit plans, including settlement | | 9 | | 9 |
| Amortization of prior service cost and net actuarial gain on post-retirement benefit plans into other non-operating income (expense), net | | (4) | | (4) |
| Income tax impact on amortization of post-retirement benefit plan items | | 1 | | 1 |
| Unrealized loss on derivative hedge agreements | | | (2) | (2) |
| Tax on unrealized loss on derivative hedge agreements | | | (1) | (1) |
| Reclassification of unrealized loss on foreign exchange agreements into revenue | | | 3 | 3 |
| Reclassification of unrealized loss on foreign exchange agreements into cost of revenue | | | 4 | 4 |
| Balance at December 31, 2023 | \$ (196) | \$ (72) | \$ (1) | \$ (269) |

Note 20. Commitments and Contingencies

Legal Proceedings

From time to time, we are involved in legal and regulatory proceedings that are incidental to the operation of our businesses (or the business operations of previously-owned entities). These proceedings may seek remedies relating to matters including environmental, tax, intellectual property, acquisitions or divestitures, product liability, property damage, personal injury, privacy, employment, labor and pension, government investigations or contract issues and commercial or contractual disputes.

See Note 7, "Income Taxes" of our consolidated financial statements for a description of a pending tax litigation matter.

Although the ultimate outcome of any legal matter cannot be predicted with certainty, based on present information, including our assessment of the merits of the particular claims, we do not believe it is reasonably possible that any asserted or unasserted legal claims or proceedings, individually or in aggregate, will have a material adverse effect on our results of operations, or financial condition.

We have estimated and accrued \$18 million and \$5 million as of December 31, 2023 and 2022, respectively, for these general legal matters.

Guarantees

We obtain certain stand-by letters of credit, bank guarantees, surety bonds and insurance letters of credit from third-party financial institutions in the ordinary course of business when required under contracts or to satisfy insurance related requirements. As of December 31, 2023 and 2022, the amount of surety bonds, bank guarantees, insurance letters of credit and stand-by letters of credit was \$729 million and \$451 million, respectively.

Environmental

In the ordinary course of business, we are subject to federal, state, local, and foreign environmental laws and regulations. We are responsible, or are alleged to be responsible, for ongoing environmental investigation and remediation of sites in various countries. These sites are in various stages of investigation and/or remediation and in many of these proceedings our liability is considered de minimis. We have received notification from the U.S. Environmental Protection Agency, and from similar state and foreign environmental agencies, that a number of sites formerly or currently owned and/or operated by Xylem and other properties or water supplies that may be or have been impacted from those operations, contain disposed or recycled materials or wastes and require environmental investigation and/or remediation. These sites include instances where we have been identified as a potentially responsible party under federal and state environmental laws and regulations.

Accruals for environmental matters are recorded on a site-by-site basis when it is probable that a liability has been incurred and the amount of the liability can be reasonably estimated, based on current law and existing technologies. Our accrued liabilities for these environmental matters represent our best estimates related to the investigation and remediation of environmental media such as water, soil, soil vapor, air and structures, as well as related legal fees. These estimates, and related accruals, are reviewed quarterly and updated for progress of investigation and remediation efforts and changes in facts and legal circumstances. Liabilities for these environmental expenditures are recorded on an undiscounted basis. We have estimated and accrued \$4 million as of both December 31, 2023 and 2022, respectively, for environmental matters.

It is difficult to estimate the final costs of investigation and remediation due to various factors, including incomplete information regarding particular sites and other potentially responsible parties, uncertainty regarding the extent of investigation or remediation and our share, if any, of liability for such conditions, the selection of alternative remedial approaches, and changes in environmental standards and regulatory requirements. We believe the total amount accrued is reasonable based on existing facts and circumstances.

Warranties

We warrant numerous products, the terms of which vary widely. In general, we warrant products against defects and specific non-performance. Warranty expense was \$29 million, \$24 million, and \$27 million for 2023, 2022 and 2021, respectively. The table below provides changes in the combined current and non-current product warranty accruals over each period.

(in millions)

| | 2023 | 2022 | 2021 |
|--|--------------|--------------|--------------|
| Warranty accrual – January 1 | \$ 54 | \$ 57 | \$ 65 |
| Net charges for product warranties in the period | 29 | 24 | 27 |
| Net Evoqua additions from acquisition | 10 | — | — |
| Settlement of warranty claims | (32) | (25) | (32) |
| Foreign currency and other | 2 | (2) | (3) |
| Warranty accrual – December 31 | <u>\$ 63</u> | <u>\$ 54</u> | <u>\$ 57</u> |

Note 21. Segment and Geographic Data

Our business has four reportable segments: Water Infrastructure, Applied Water, Measurement and Control Solutions and Integrated Solutions and Services. When determining the reportable segments, the Company aggregated operating segments based on their similar economic and operating characteristics. The Water Infrastructure segment focuses on the transportation and treatment of water, offering a range of products including water, wastewater and storm water pumps, treatment equipment, and controls and systems. The Water Infrastructure segment also includes Applied Product Technologies ("APT") from the Evoqua acquisition. APT provides highly-differentiated and scalable products that can be used stand-alone or as components in integrated solutions to a diverse set of system integrators and end-users. Key offerings include filtration and separation, disinfection, wastewater treatment, and anodes used across municipal, industrial and aquatics markets. The Applied Water segment serves many of the primary uses of water and focuses on the residential, commercial and industrial markets. The Applied Water segment's major products include pumps, valves, heat exchangers, controls and dispensing equipment. The Measurement and Control Solutions segment focuses on developing advanced technology solutions that enable intelligent use and conservation of critical water and energy resources as well as analytical instrumentation used in the testing of water. The Measurement and Control Solutions segment's major products include smart metering, networked communications, measurement and control technologies, critical infrastructure technologies, software and services including cloud-based analytics, remote monitoring and data management, leak detection and pressure monitoring solutions and testing equipment. The Integrated Solutions and Services segment provides tailored services and solutions in collaboration with the customers backed by life-cycle services including on-demand water, outsourced water, recycle / reuse, and emergency response service alternatives to improve operational reliability, performance, and environmental compliance. The Integrated Solutions and Services segment's major products include equipment systems for industrial needs (influent water, boiler feed water, ultrahigh purity, process water, wastewater treatment and recycle / reuse), full-scale outsourcing of operations and maintenance, and municipal services, including odor and corrosion control services.

Additionally, we have Regional selling locations, which consist primarily of selling and marketing organizations and related support services, that offer products and services across our reportable segments. Corporate and other consists of corporate office expenses including compensation, benefits, occupancy, depreciation, and other administrative costs, as well as charges related to certain matters, such as environmental matters, that are managed at a corporate level and are not included in the business segments in evaluating performance or allocating resources.

The accounting policies of each segment are the same as those described in the summary of significant accounting policies (see Note 1, "Summary of Significant Accounting Policies"). The following tables contain financial information for each reportable segment:

| (in millions) | Year Ended December 31, | | |
|---------------------------------------|-------------------------|-----------------|-----------------|
| | 2023 | 2022 | 2021 |
| Revenue: | | | |
| Water Infrastructure | \$ 2,967 | \$ 2,364 | \$ 2,247 |
| Applied Water | 1,853 | 1,767 | 1,613 |
| Measurement and Control Solutions | 1,729 | 1,391 | 1,335 |
| Integrated Solutions and Services | 815 | — | — |
| Total | <u>\$ 7,364</u> | <u>\$ 5,522</u> | <u>\$ 5,195</u> |
| Operating income: | | | |
| Water Infrastructure | \$ 419 | \$ 418 | \$ 387 |
| Applied Water | 310 | 258 | 240 |
| Measurement and Control Solutions | 113 | 2 | 12 |
| Integrated Solutions and Services | 8 | — | — |
| Corporate and other | (198) | (56) | (54) |
| Total operating income | <u>652</u> | <u>622</u> | <u>585</u> |
| Interest expense | 49 | 50 | 76 |
| U.K. pension settlement expense | — | 140 | — |
| Other non-operating income, net | 33 | 7 | — |
| Gain/(loss) on sale of businesses | (1) | 1 | 2 |
| Income before taxes | <u>\$ 635</u> | <u>\$ 440</u> | <u>\$ 511</u> |
| Depreciation and amortization: | | | |
| Water Infrastructure | \$ 110 | \$ 53 | \$ 51 |
| Applied Water | 21 | 19 | 22 |
| Measurement and Control Solutions | 139 | 137 | 145 |
| Integrated Solutions and Services | 130 | — | — |
| Regional selling locations (a) | 25 | 19 | 20 |
| Corporate and other | 11 | 8 | 7 |
| Total | <u>\$ 436</u> | <u>\$ 236</u> | <u>\$ 245</u> |
| Capital expenditures: | | | |
| Water Infrastructure | \$ 83 | \$ 71 | \$ 74 |
| Applied Water | 32 | 21 | 22 |
| Measurement and Control Solutions | 68 | 77 | 79 |
| Integrated Solutions and Services | 48 | — | — |
| Regional selling locations (b) | 20 | 23 | 25 |
| Corporate and other | 20 | 16 | 8 |
| Total | <u>\$ 271</u> | <u>\$ 208</u> | <u>\$ 208</u> |

(a) Depreciation and amortization expense incurred by the Regional selling locations was included in an overall allocation of Regional selling location costs to the segments; however, a certain portion of that expense was not specifically identified to a segment. That expense is captured in this Regional selling location line.

(b) Represents capital expenditures incurred by the Regional selling locations not allocated to the segments.

Geographical Information

Revenue is attributed to countries based upon the location of the customer. Property, Plant & Equipment is attributed to countries based upon the location of the assets:

| (in millions) | Revenue | | |
|------------------|-------------------------|----------|----------|
| | Year Ended December 31, | | |
| | 2023 | 2022 | 2021 |
| United States | \$ 3,956 | \$ 2,573 | \$ 2,280 |
| Western Europe | 1,655 | 1,411 | 1,414 |
| Emerging Markets | 1,182 | 1,074 | 1,066 |
| Other | 571 | 464 | 435 |
| Total | \$ 7,364 | \$ 5,522 | \$ 5,195 |

| (in millions) | Property, Plant & Equipment | | |
|------------------|-----------------------------|--------|--------|
| | December 31, | | |
| | 2023 | 2022 | 2021 |
| United States | \$ 725 | \$ 239 | \$ 251 |
| Western Europe | 268 | 227 | 231 |
| Emerging Markets | 141 | 133 | 132 |
| Other | 35 | 31 | 30 |
| Total | \$ 1,169 | \$ 630 | \$ 644 |

Note 22. Subsequent Events

On December 13, 2023, the Company announced a change to its reportable segments effective January 1, 2024. As a result, for financial statement periods ending after January 1, 2024, the Company will report the financial position and results of operations of its Integrated Solutions and Services segment together with the dewatering business, currently within our Water Infrastructure segment, and the assessment services business, currently within our Measurement and Control Solutions segment, in a new segment that will be referred to as Water Solutions and Services. The Company's Water Infrastructure reportable segment will no longer include the results of the dewatering business, and the Company's Measurement and Control Solutions reportable segment will no longer include the results of the assessment services business. The Company's Applied Water reportable segment will remain unchanged. The Company will provide certain recast financial information reflecting the new reportable segments in the first quarter of 2024. The recast financial information will reflect depreciation and amortization fully allocated to the segments as specifically identified (no depreciation and amortization reported within Regional selling locations).

ITEM 9. CHANGES IN AND DISAGREEMENTS WITH ACCOUNTANTS ON ACCOUNTING AND FINANCIAL DISCLOSURE

None.

ITEM 9A. CONTROLS AND PROCEDURES

Evaluation of Disclosure Controls and Procedures

Our management, with the Chief Executive Officer ("CEO") and Chief Financial Officer ("CFO") of the Company, has evaluated the effectiveness of the design and operation of our disclosure controls and procedures as of the end of the year ended December 31, 2023 pursuant to Rule 13a-15(b) and 15d-15(e) of the Securities Exchange Act of 1934 ("the Exchange Act"). Based upon that evaluation, our CEO and our CFO concluded that our disclosure controls and procedures as of the year ended December 31, 2023 were effective, in all material respects, and designed to provide reasonable assurance that the information required to be disclosed by us in the reports we file or submit under the Exchange Act is (1) recorded, processed, summarized and reported, within the time periods specified in the SEC's rules and forms and (2) accumulated and communicated to our management, including our CEO and CFO, as appropriate to allow timely decisions regarding required disclosures.

Management's Annual Report on Internal Control Over Financial Reporting

As required by the SEC's rules and regulations for the implementation of Section 404 of the Sarbanes-Oxley Act, the Company's management is responsible for establishing and maintaining adequate internal control over financial reporting as defined in Rules 13a-15(f) and 15d-15(f) under the Exchange Act. The Company's internal control over financial reporting is a process designed to provide reasonable assurance regarding the reliability of financial reporting and the preparation of financial statements for external purposes in accordance with GAAP.

The Company's management, including the CEO and CFO, conducted an assessment of the effectiveness of our internal control over financial reporting as of December 31, 2023 based on the framework established in Internal Control - Integrated Framework issued by the Committee of Sponsoring Organizations of the Treadway Commission (2013). This assessment included an evaluation of the design of our internal control over financial reporting and testing of the operational effectiveness of those controls. Based on our assessment, the Company's management has concluded that our internal control over financial reporting was effective as of December 31, 2023. Management's assessment of the effectiveness of the Company's internal control over financial reporting as of December 31, 2023 excluded Evoqua, which was acquired by the Company on May 24, 2023. Evoqua is a wholly-owned subsidiary of the Company whose total assets (excluding goodwill and intangible assets, net) and total net sales represent 17% of consolidated total assets and 16% of consolidated net sales, respectively, of the Company as of and for the year ended December 31, 2023. As permitted by guidelines established by the Securities and Exchange Commission, companies are allowed to exclude certain acquisitions from their assessments of internal control over financial reporting during the first year following an acquisition while integrating the acquired companies.

The effectiveness of the Company's internal control over financial reporting as of December 31, 2023 has been audited by Deloitte & Touche LLP, an independent registered public accounting firm, as stated in their report which appears following Item 9C of this Annual Report on Form 10-K.

Changes in Internal Control Over Financial Reporting

There have been no changes in our internal control over financial reporting (as defined in Rule 13a-15(f) under the 1934 Act) during the fiscal quarter ended December 31, 2023 that have materially affected, or are reasonably likely to materially affect, our internal control over financial reporting.

ITEM 9B. OTHER INFORMATION

Trading Plans

During the quarter ended December 31, 2023, no director or Section 16 officer adopted or terminated any Rule 10b5-1 trading arrangements or non-Rule 10b5-1 trading arrangements (in each case, as defined in Item 408(a) of Regulation S-K).

ITEM 9C. DISCLOSURE REGARDING FOREIGN JURISDICTIONS THAT PREVENT INSPECTIONS

None.

REPORT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM

To the Stockholders and the Board of Directors of Xylem Inc.

Opinion on Internal Control over Financial Reporting

We have audited the internal control over financial reporting of Xylem Inc. and subsidiaries (the "Company") as of December 31, 2023, based on criteria established in *Internal Control — Integrated Framework (2013)* issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO). In our opinion, the Company maintained, in all material respects, effective internal control over financial reporting as of December 31, 2023, based on criteria established in *Internal Control — Integrated Framework (2013)* issued by COSO.

We have also audited, in accordance with the standards of the Public Company Accounting Oversight Board (United States) (PCAOB), the consolidated financial statements as of and for the year ended December 31, 2023, of the Company and our report dated February 28, 2024, expressed an unqualified opinion on those financial statements.

As described in Management's Annual Report on Internal Control over Financial Reporting, management excluded from its assessment the internal control over financial reporting at Evoqua, which was acquired on May 24, 2023, and whose total assets (excluding goodwill and intangible assets, net) and total net sales represent 17% of consolidated total assets and 16% of consolidated net sales of the consolidated financial statement amounts as of and for the year ended December 31, 2023. Accordingly, our audit did not include the internal control over financial reporting at Evoqua.

Basis for Opinion

The Company's management is responsible for maintaining effective internal control over financial reporting and for its assessment of the effectiveness of internal control over financial reporting, included in the accompanying Management's Annual Report on Internal Control over Financial Reporting. Our responsibility is to express an opinion on the Company's internal control over financial reporting based on our audit. We are a public accounting firm registered with the PCAOB and are required to be independent with respect to the Company in accordance with the U.S. federal securities laws and the applicable rules and regulations of the Securities and Exchange Commission and the PCAOB.

We conducted our audit in accordance with the standards of the PCAOB. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether effective internal control over financial reporting was maintained in all material respects. Our audit included obtaining an understanding of internal control over financial reporting, assessing the risk that a material weakness exists, testing and evaluating the design and operating effectiveness of internal control based on the assessed risk, and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion.

Definition and Limitations of Internal Control over Financial Reporting

A company's internal control over financial reporting is a process designed to provide reasonable assurance regarding the reliability of financial reporting and the preparation of financial statements for external purposes in accordance with generally accepted accounting principles. A company's internal control over financial reporting includes those policies and procedures that (1) pertain to the maintenance of records that, in reasonable detail, accurately and fairly reflect the transactions and dispositions of the assets of the company; (2) provide reasonable assurance that transactions are recorded as necessary to permit preparation of financial statements in accordance with generally accepted accounting principles, and that receipts and expenditures of the company are being made only in accordance with authorizations of management and directors of the company; and (3) provide reasonable assurance regarding prevention or timely detection of unauthorized acquisition, use, or disposition of the company's assets that could have a material effect on the financial statements.

Because of its inherent limitations, internal control over financial reporting may not prevent or detect misstatements. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies or procedures may deteriorate.

/s/ Deloitte & Touche LLP

Stamford, Connecticut

February 28, 2024

PART III

ITEM 10. DIRECTORS, EXECUTIVE OFFICERS AND CORPORATE GOVERNANCE

The information required by this Item is incorporated herein by reference to the information in our Definitive Proxy Statement to be filed with the SEC in connection with our 2024 Annual Meeting of Shareholders (the "2024 Proxy Statement") under the captions "Proposal 1 - Election of Directors," "Board Composition and Refreshment," "Board Committees - Audit Committee," and "Audit Committee Report."

The information called for by Item 10 with respect to executive officers is set forth in Part I of this Report under the caption "Information about our Executive Officers" and is incorporated by reference in this section.

We have adopted Corporate Governance Principles and charters for each of our Board committees. The Corporate Governance Principles address director qualification standards, responsibilities, access to management and independent advisors, compensation, orientation and continuing education, succession planning and board and committee assessment. The Corporate Governance Principles and Board committee charters are available on the Company's website at www.xylem.com/en-us/investors/governance/. A copy of the Corporate Governance Principles and Board committee charters are also available to any shareholder who requests a copy from the Company's Corporate Secretary at our Principal Executive Offices.

We have also adopted a written Code of Conduct that is applicable to all of our directors, officers and employees, including the Company's CEO and CFO and other executive officers identified pursuant to this Item 10. In accordance with the SEC's rules and regulations, a copy of the Code of Conduct has been posted to our website and it is also available to any shareholder who requests a copy from the Company's Corporate Secretary at our Principal Executive Offices. We intend to disclose any amendments to our Code of Conduct and any waivers of the Code of Conduct on our website at www.xylem.com within four business days following the date of the amendment or waiver.

ITEM 11. EXECUTIVE COMPENSATION

The information required by this Item is incorporated herein by reference to the information in our 2024 Proxy Statement set forth under captions "Compensation Discussion and Analysis," "Director Compensation," "Board Committees - Leadership Development and Compensation Committee" and "Leadership Development and Compensation Committee Report."

ITEM 12. SECURITY OWNERSHIP OF CERTAIN BENEFICIAL OWNERS AND MANAGEMENT AND RELATED STOCKHOLDER MATTERS

The information required by this Item is incorporated herein by reference to the information in our 2024 Proxy Statement set forth under the captions "Stock Ownership - Certain Beneficial Owners," "Stock Ownership - Directors and Named Executive Officers" and "Equity Compensation Plan Information."

ITEM 13. CERTAIN RELATIONSHIPS AND RELATED TRANSACTIONS, AND DIRECTOR INDEPENDENCE

The information required by this Item is incorporated herein by reference to the information in our 2024 Proxy Statement set forth under the captions "Corporate Governance - Director Independence" and "Corporate Governance Policies and Practices - Related Party Transactions."

ITEM 14. PRINCIPAL ACCOUNTING FEES AND SERVICES

The information required by this Item is incorporated herein by reference to the information in our 2024 Proxy Statement set forth under the captions "Proposal 2 - Fees of Audit and Other Services" and "Proposal 2 - Pre-Approval of Audit and Non-Audit Services."

PART IV

ITEM 15. EXHIBITS, FINANCIAL STATEMENT SCHEDULES

- (a) (1) The Index to Consolidated Financial Statements of the Registrant under Item 8 of this Report is incorporated herein by reference as the list of Financial Statements required as part of this Report.
- (2) Financial Statement Schedules — All financial statement schedules have been omitted because they are not applicable or the required information is shown in the financial statements or notes thereto.
- (3) Exhibits — See exhibits listed under Part (b) below.

EXHIBIT INDEX

| Exhibit Number | Description | Location |
|----------------|---|--|
| <u>2.1</u> | Distribution Agreement, dated as of October 25, 2011, among ITT Corporation, Exelis inc. and Xylem Inc. | Incorporated by reference to Exhibit 10.1 of ITT Corporation's Form 10-Q Quarterly Report filed on October 28, 2011 (CIK No. 216228, File No. 1-5672). |
| <u>2.2</u> | Agreement and Plan of Merger, dated as of January 22, 2023, among Xylem Inc., Fore Merger Sub, Inc. and Evoqua Water Technologies Corp. | Incorporated by reference to Exhibit 2.1 of Xylem Inc.'s Form 8-K filed on January 23, 2023 (CIK No. 1524472), File No. 1-35229) |
| <u>3.1</u> | Fourth Amended and Restated Articles of Incorporation of Xylem Inc. | Incorporated by reference to Exhibit 3.1 of Xylem Inc.'s Form 8-K filed on May 15, 2017 (CIK No. 1524472, File No. 1-35229). |
| <u>3.2</u> | Fifth Amended and Restated By-laws of Xylem Inc. | Incorporated by reference to Exhibit 3.1 of Xylem Inc.'s Form 8-K filed on November 15, 2022 (CIK No. 1524472, File No. 1-35229). |
| <u>4.1</u> | Description of securities registered under Section 12 of the Exchange Act | Incorporated by reference to Exhibit 4.1 of Xylem Inc.'s Form 10-K Annual report filed on February 24, 2023 (CIK No. 1524472, File No. 1-35229). |
| <u>4.2</u> | Indenture, dated as of September 20, 2011, between Xylem Inc., ITT Corporation, as initial guarantor, and Union Bank, N.A., as trustee. | Incorporated by reference to Exhibit 4.2 of ITT Corporation's Form 8-K filed on September 21, 2011 (CIK No. 216228, File No. 1-5672). |
| <u>4.3</u> | Senior Indenture, dated March 11, 2016, by and between the Company and Deutsche Bank Trust Company Americas, as trustee. | Incorporated by reference to Exhibit 4.1 of Xylem Inc.'s Form 8-K filed on March 11, 2016 (CIK No. 1524472, File No. 1-35229). |
| <u>4.4</u> | First Supplemental Indenture, dated March 11, 2016, by and between the Company and Deutsche Bank Trust Company Americas, as trustee. | Incorporated by reference to Exhibit 4.2 of Xylem Inc.'s Form 8-K filed on March 11, 2016 (CIK No. 1524472, File No. 1-35229) |
| <u>4.5</u> | Third Supplemental Indenture, dated October 11, 2016, by and between the Company and Deutsche Bank Trust Company Americas, as trustee. | Incorporated by reference to Exhibit 4.1 of Xylem Inc.'s Form 8-K filed on October 11, 2016 (CIK No. 1524472, File No. 1-35229). |
| <u>4.6</u> | Fourth Supplemental Indenture, dated June 26, 2020, by and between the Company and Deutsche Bank Trust Company Americas, as trustee. | Incorporated by reference to Exhibit 4.1 of Xylem Inc.'s Form 8-K filed on June 26, 2020 (CIK No. 1524472, File No. 1-35229) |
| <u>4.7</u> | Form of Xylem Inc. 3.250% Senior Notes due 2026. | Incorporated by reference to Exhibit 4.1 of Xylem Inc.'s Form 8-K filed on October 11, 2016 (CIK No. 1524472, File No. 1-35229). |
| <u>4.8</u> | Form of 1.950% Senior Notes due 2028. | Incorporated by reference to Exhibit 4.1 of Xylem Inc.'s Form 8-K filed on June 26, 2020 (CIK 1524472, File No. 1-35229) |

| Exhibit Number | Description | Location |
|----------------|---|---|
| <u>4.9</u> | Form of 2.250% Senior Notes due 2031. | Incorporated by reference to Exhibit 4.1 of Xylem Inc.'s Form 8-K filed on June 26, 2020 (CIK 1524472, File No. 1-35229) |
| <u>4.10</u> | Form of Xylem Inc. 4.375% Senior Notes due 2046. | Incorporated by reference to Exhibit 4.1 of Xylem Inc.'s Form 8-K filed on October 11, 2016 (CIK No. 1524472, File No. 1-35229). |
| <u>10.1</u> | # Xylem 2011 Omnibus Incentive Plan (Amended and Restated as of February 24, 2016). | Incorporated by reference to Exhibit 10.6 of Xylem Inc.'s Form 10-K Annual Report filed on February 26, 2016 (CIK No. 1524472, File No. 1-35229). |
| <u>10.2</u> | # Xylem Retirement Savings Plan. | Incorporated by reference to Exhibit 10.1 of Xylem Inc.'s Form 10-Q Quarterly Report filed on July 30, 2013 (CIK No. 1524472, File No. 1-35229). |
| <u>10.3</u> | # Xylem Supplemental Retirement Savings Plan. | Incorporated by reference to Exhibit 10.11 of Xylem Inc.'s Form 10-Q Quarterly Report filed on November 21, 2011 (CIK No. 1524472, File No. 1-35229). |
| <u>10.4</u> | # Xylem Deferred Compensation Plan. | Incorporated by reference to Exhibit 10.12 of Xylem Inc.'s Form 10-K Annual Report filed on February 23, 2017 (CIK No. 1524472, File No. 1-35229). |
| <u>10.5</u> | # Xylem Annual Incentive Plan for the Senior Leadership Team (formerly "Annual Incentive Plan for Executive Officers") restated, with administrative changes only, on July 11, 2022 | Incorporated by reference to Exhibit 10.1 of Xylem Inc.'s Form 10-Q Quarterly Report filed on August 2, 2022 (CIK No. 1524472, File No. 1-35229). |
| <u>10.6</u> | # Xylem Special Senior Executive Severance Pay Plan, restated, with administrative changes only, on July 11, 2022 | Incorporated by reference to Exhibit 10.15 of Xylem Inc.'s Form 10-Q Quarterly Report filed on August 2, 2022 (CIK No. 1524472, File No. 1-35229). |
| <u>10.7</u> | # Xylem Senior Executive Severance Pay Plan (Amended as of May 10, 2017). | Incorporated by reference to Exhibit 10.1 of Xylem Inc.'s Form 10-Q Quarterly Report filed on August 1, 2017 (CIK No. 1524472, File No. 1-35229). |
| <u>10.8</u> | # Form of Xylem 2011 Omnibus Incentive Plan Non-Qualified Stock Option Award Agreement (2021). | Incorporated by reference to Exhibit 10.3 of Xylem Inc.'s Form 10-Q Quarterly Report filed on May 4, 2021 (CIK No. 1524472, File No. 1-35229). |
| <u>10.9</u> | # Form of 2011 Omnibus Incentive Plan Performance Share Unit Agreement (2021). | Incorporated by reference to Exhibit 10.4 of Xylem Inc.'s Form 10-Q Quarterly Report filed on May 4, 2021 (CIK No. 1524472, File No. 1-35229). |
| <u>10.10</u> | # Form of 2011 Omnibus Incentive Plan Restricted Stock Unit Agreement (2021). | Incorporated by reference to Exhibit 10.5 of Xylem Inc.'s Form 10-Q Quarterly Report filed on May 4, 2021 (CIK No. 1524472, File No. 1-35229). |
| <u>10.11</u> | # Form of 2011 Omnibus Incentive Plan ESG Performance Share Unit Agreement (2021). | Incorporated by reference to Exhibit 10.6 of Xylem Inc.'s Form 10-Q Quarterly Report filed on May 4, 2021 (CIK No. 1524472, File No. 1-35229). |
| <u>10.12</u> | # Form of 2011 Omnibus Incentive Plan Performance Share Unit Agreement (2022) | Incorporated by reference to Exhibit 10.1 of Xylem Inc.'s Form 10-Q Quarterly Report filed on May 4, 2022 (CIK No. 1524472, File No. 1-35229) |
| <u>10.13</u> | # Form of 2011 Omnibus Incentive Plan Restricted Stock Unit Agreement (2022) | Incorporated by reference to Exhibit 10.2 of Xylem Inc.'s Form 10-Q Quarterly Report filed on May 4, 2022 (CIK No. 1524472, File No. 1-35229) |
| <u>10.14</u> | # Xylem Deferred Compensation Plan for Non-Employee Directors. | Incorporated by reference to Exhibit 10.13 of Xylem Inc.'s Form 10-Q Quarterly Report filed on November 21, 2011 (CIK No. 1524472, File No. 1-35229). |
| <u>10.15</u> | # Form of Non-Employee Director Restricted Stock Unit Award Agreement. | Incorporated by reference to Exhibit 10.1 of Xylem Inc.'s Form 10-Q Quarterly Report filed on July 30, 2015 (CIK No. 1524472, File No. 1-35229). |

| Exhibit Number | Description | Location |
|----------------|--|--|
| <u>10.16</u> | # Form of 2011 Omnibus Incentive Plan Non-Qualified Stock Option Award Agreement (2023) | Incorporated by reference to Exhibit 10.3 of Xylem Inc.'s Form 10-Q Quarterly Report filed on May 4, 2023 (CIK No. 1524472, File No. 1-35229) |
| <u>10.17</u> | # Form of 2011 Omnibus Incentive Plan Performance Share Unit Agreement (2023) | Incorporated by reference to Exhibit 10.4 of Xylem Inc.'s Form 10-Q Quarterly Report filed on May 4, 2023 (CIK No. 1524472, File No. 1-35229) |
| <u>10.18</u> | # Form of 2011 Omnibus Incentive Plan Restricted Stock Unit Agreement (2023) | Incorporated by reference to Exhibit 10.5 of Xylem Inc.'s Form 10-Q Quarterly Report filed on May 4, 2023 (CIK No. 1524472, File No. 1-35229) |
| <u>10.19</u> | # EWT Holdings I Corp. Stock Option Plan | Incorporated by reference to Exhibit 10.17 to Amendment No. 2 to EWT Holdings I Corp's Evoqua's Registration Statement on Form S-1 filed on October 17, 2017 (File No. 333-220785) |
| <u>10.20</u> | # Amended and Restated Evoqua Water Technologies Corp. 2017 Equity Incentive Plan | Incorporated by reference to Exhibit 10.1 to the Registrant's Form 10-Q filed on May 6, 2020 (File No. 001-38272) |
| <u>10.21</u> | # Form of Special Restricted Stock Unit Award Agreement under the Evoqua Water Technologies Corp. 2017 Equity Incentive Plan | Incorporated by reference to Exhibit 10.1 to the Registrant's Form 8-K filed on May 19, 2021 (File No. 001-38272) |
| <u>10.22</u> | # Form of Special Performance Share Unit Award Agreement under the Evoqua Water Technologies Corp. 2017 Equity Incentive Plan | Incorporated by reference to Exhibit 10.2 to the Registrant's Form 8-K filed on May 19, 2021 (File No. 001-38272) |
| <u>10.23</u> | # Form of Restricted Stock Unit Award-Notice of Grant under the Amended and Restated Evoqua Water Technologies Corp. 2017 Equity Incentive Plan (for awards made after fiscal 2021) | Incorporated by reference to Exhibit 10.2 to the Registrant's Form 10-Q filed on February 1, 2022 (File No. 001-38272) |
| <u>10.24</u> | # Form of Performance Share Unit Award-Notice of Grant under the Amended and Restated Evoqua Water Technologies Corp. 2017 Equity Incentive Plan (for awards made after fiscal 2021) | Incorporated by reference to Exhibit 10.3 to the Registrant's Form 10-Q filed on February 1, 2022 (File No. 001-38272) |
| <u>10.25</u> | # Form of Director's Indemnification Agreement restated, with administrative changes only, on November 12, 2020. | Incorporated by reference to Exhibit 10.20 of Xylem Inc.'s Form 10-K Annual Report filed on February 26, 2021 (CIK No. 1524472, File No. 1-35229). |
| <u>10.26</u> | # Letter Agreement between Xylem Inc. and Patrick K. Decker. | Incorporated by reference to Exhibit 10.1 of Xylem Inc.'s Form 10-Q Quarterly Report filed on April 29, 2014 (CIK No. 1524472, File No. 1-35229). |
| <u>10.27</u> | # Letter Agreement between Xylem Inc. and Claudia S. Toussaint. | Incorporated by reference to Exhibit 10.23 of Xylem Inc.'s Form 10-K Annual Report filed on February 26, 2021 (CIK No. 1524472, File No. 1-35229). |
| <u>10.28</u> | # Letter Agreement between Xylem Inc. and Sandra E. Rowland. | Incorporated by reference to Exhibit 10.24 of Xylem Inc.'s Form 10-K Annual Report filed on February 26, 2021 (CIK No. 1524472, File No. 1-35229). |
| <u>10.29</u> | # Individual Employment Contract between Xylem Europe GmbH and Hayati Yarkadas. | Incorporated by reference to Exhibit 10.2 of Xylem Inc.'s Form 10-Q Quarterly Report filed on May 4, 2021 (CIK No. 1524472, File No. 1-35229). |
| <u>10.30</u> | # Letter Agreement between Xylem Inc. and Dorothy Capers. | Incorporated by reference to Exhibit 10.1 of Xylem Inc.'s Form 10-Q Quarterly Report filed on May 4, 2023 (CIK No. 1524472, File No. 1-35229) |
| <u>10.31</u> | # Transition Services Agreement entered into between Patrick Decker and Xylem Inc. dated September 1, 2023 | Incorporated by reference to Exhibit 10.1 of Xylem Inc.'s Form 8-K filed on September 5, 2023 (CIK 1524472, File No. 1-35229) |

| Exhibit Number | Description | Location |
|----------------|--|--|
| <u>10.32</u> | # Transition Services Agreement between Sandra Rowland and Xylem Inc. dated September 1, 2023 | Incorporated by reference to Exhibit 10.2 of Xylem Inc.'s Form 8-K filed on September 5, 2023 (CIK 1524472, File No. 1-35229) |
| <u>10.33</u> | # Letter agreement between Xylem Inc. and Matthew Pine dated September 1, 2023 | Filed herewith. |
| <u>10.34</u> | # Letter Agreement between Xylem Inc. and William K. Grogan | Incorporated by reference to Exhibit 10.3 of Xylem Inc.'s Form 10-Q Quarterly Report filed on October 31, 2023 (CIK No. 1524472, File No. 1-35229). |
| <u>10.35</u> | Five-Year Revolving Credit Facility Agreement, dated as of March 1, 2023 among Xylem Inc. and the Lenders party thereto. | Incorporated by reference to Exhibit 10.1 of Xylem Inc.'s Form 8-K filed on March 2, 2023 (CIK No. 1524472, File No. 1-35229). |
| <u>10.36</u> | Term Loan Agreement dated as of May 9, 2023 among Xylem Europe GmbH, as borrower, Xylem Inc. as parent guarantor and ING Bank, N.V. as lender (including Form of Parent Guarantee) | Incorporated by reference to Exhibit 10.2 of Xylem Inc.'s Form 10-Q Quarterly Report filed on August 4, 2023 (CIK No. 1524472, File No. 1-35229). |
| <u>21.0</u> | Subsidiaries of the Registrant. | Filed herewith. |
| <u>23.1</u> | Consent of Independent Registered Public Accounting Firm. | Filed herewith. |
| <u>31.1</u> | Certification pursuant to Rule 13a-14(a)/15d-14(a) of the Securities Exchange Act of 1934, as adopted pursuant to Section 302 of the Sarbanes-Oxley Act of 2002. | Filed herewith. |
| <u>31.2</u> | Certification pursuant to Rule 13a-14(a)/15d-14(a) of the Securities Exchange Act of 1934, as adopted pursuant to Section 302 of the Sarbanes-Oxley Act of 2002. | Filed herewith. |
| <u>32.1</u> | Certification Pursuant to 18 U.S.C. Section 1350, as adopted pursuant to Section 906 of the Sarbanes-Oxley Act of 2002. | This Exhibit is intended to be furnished in accordance with Regulation S-K Item 601(b) (32) (ii) and shall not be deemed to be filed for purposes of Section 18 of the Securities Exchange Act of 1934 or incorporated by reference into any filing under the Securities Act of 1933 or the Securities Exchange Act of 1934, except as shall be expressly set forth by specific reference. |
| <u>32.2</u> | Certification Pursuant to 18 U.S.C. Section 1350, as adopted pursuant to Section 906 of the Sarbanes-Oxley Act of 2002. | This Exhibit is intended to be furnished in accordance with Regulation S-K Item 601(b) (32) (ii) and shall not be deemed to be filed for purposes of Section 18 of the Securities Exchange Act of 1934 or incorporated by reference into any filing under the Securities Act of 1933 or the Securities Exchange Act of 1934, except as shall be expressly set forth by specific reference. |
| <u>97</u> | Recoupment of Incentive-Based Compensation ("Clawback") Policy. | Filed herewith. |

| Exhibit Number | Description | Location |
|----------------|---|--|
| 101.0 | The following materials from Xylem Inc.'s Annual Report on Form 10-K for the year ended December 31, 2023, formatted in Inline Extensible Business Reporting Language (Inline XBRL): (i) Consolidated Income Statements, (ii) Consolidated Statements of Comprehensive Income, (iii) Consolidated Balance Sheets, (iv) Consolidated Statements of Cash Flows, (v) Consolidated Statement of Stockholder's Equity and (vi) Notes to Consolidated Financial Statements. | The instance document does not appear in the interactive data file because its XBRL tags are embedded within the Inline XBRL document. |
| 104.0 | The cover page from Xylem Inc.'s Annual Report on Form 10-K for the year ended December 31, 2023, formatted in Inline XBRL and contained in Exhibit 101.0. | |

#Management contract or compensatory plan or arrangement

ITEM 16. FORM 10-K SUMMARY

None

SIGNATURES

Pursuant to the requirements of Section 13 or 15(d) of the Securities Exchange Act of 1934, the Registrant has duly caused this Report to be signed on its behalf by the undersigned, thereunto duly authorized.

XYLEM INC.
(Registrant)

/s/ Geri-Michelle McShane

Geri-Michelle McShane

Vice President, Controller and Chief Accounting Officer

February 28, 2024

Pursuant to the requirements of the Securities Exchange Act of 1934, this Report has been signed below by the following persons on behalf of the Registrant and in the capacities and on the dates indicated:

February 28, 2024 /s/ Matthew F. Pine
Matthew F. Pine
President and Chief Executive Officer
(Principal Executive Officer)

February 28, 2024 /s/ William K. Grogan
William K. Grogan
Senior Vice President and Chief Financial Officer

February 28, 2024 /s/ Geri-Michelle McShane
Geri-Michelle McShane
Vice President, Controller and Chief Accounting Officer

February 28, 2024 /s/ Robert F. Friel
Robert F. Friel, Board Chair

February 28, 2024 /s/ Jeanne Beliveau-Dunn
Jeanne Beliveau-Dunn, Director

February 28, 2024 /s/ Earl R. Ellis
Earl R. Ellis, Director

February 28, 2024 /s/ Lisa Glatch
Lisa Glatch, Director

February 28, 2024 /s/ Victoria D. Harker
Victoria D. Harker, Director

February 28, 2024 /s/ Steven R. Loranger
Steven R. Loranger, Director

February 28, 2024 /s/ Mark D. Morelli
Mark D. Morelli, Director

February 28, 2024 /s/ Jerome A. Peribere
Jerome A. Peribere, Director

February 28, 2024 /s/ Lynn C. Swann
Lynn C. Swann, Director

February 28, 2024 /s/ Lila Tretikov
Lila Tretikov, Director

February 28, 2024 /s/ Uday Yadav
Uday Yadav, Director



September 1, 2023

Matthew Pine
[Address on file with the Company]

Dear Matthew,

We are pleased to present you with this offer of employment with Xylem for the position of President and Chief Executive Officer, reporting directly to the Xylem Board of Directors, effective January 1, 2024 (the "Commencement Date"). This position is based at our headquarters location in Washington, DC. In addition, effective the Commencement Date, you have been appointed as a director on the Board of Directors of the Company, and thereafter will be nominated for reelection as a director, together with the other members of the Board, by the shareholders. The following terms are effective as of the Commencement Date:

- **Base Salary:** You will be compensated on a bi-weekly basis in the amount of \$42,307.69, which is equivalent to \$1,100,000 annually. Annual merit increases are normally scheduled for March of each year and are at the discretion of the Leadership Development and Compensation Committee (LDCC) of Xylem's Board of Directors. You will be able to participate in the merit increase program beginning in 2025, where any merit increases are typically effective and paid out beginning in March 2025.
- **Annual Incentive Plan:** You will continue to be eligible for participation in the Xylem Senior Leadership Team Annual Incentive Plan (AIP) according to the approved parameters of the plan and provided targets are met and certified by the LDCC. Your 2024 bonus target is 135% of base salary. Approved AIP awards are typically paid in March for performance from the previous calendar year.
- **Annual Long-Term Incentive Plan:** You will continue to be eligible to participate in the Xylem Long-Term Incentive Plan (LTIP). Your 2024 target award will be \$6,500,000 to be provided as 50% Performance Share Units (PSUs), 25% Restricted Stock Units (RSUs) and 25% Stock Options. RSUs and Stock Options vest one-third after each year and the PSUs vest 100% after three years and are payable based on the Company's performance against targets set by the LDCC. This LTIP award will be made effective on/about March 1, 2024 subject to LDCC approval of the 2024 LTIP program and performance criteria in February 2024. Subsequent annual grants may vary based on the discretion of the LDCC with regard to individual performance and market competitiveness, and are subject to approval by the LDCC.
- **Benefit Plans:** There will be no changes to your benefits as part of this new position.

As you are aware, our employment and compensation with Xylem are "at will" in that they can be terminated with or without cause, and with or without notice, at any time, at the option of either the Company or yourself. This offer does not constitute a contract of employment or an agreement for a definite or specified period of employment. Any performance-based amounts payable under this offer letter, including AIP and LTIP, are subject to all policies established by the Company providing for clawback or recovery of amounts that were paid to you. The Company will make any determination for clawback or recovery in accordance with any applicable law or regulation.

Enclosed with this offer is our updated Business Proprietary Information Agreement. Please review this document carefully and return a signed copy with your signed offer letter.

Matthew, congratulations on your new role. We look forward to your continued contributions to our organization. Please acknowledge your acceptance of our offer by signing a copy of this letter and send back to Claudia via email at Claudia.Toussaint@xylem.com no later than September 4, 2023.

Warm regards,

/s/ Robert F. Friel

Rob F. Friel
Board Chair, Xylem Inc.

The above offer is accepted subject to the foregoing conditions.

/s/ Matthew Pine

Matthew Pine

Sept 2, 2023

Date

Cc: Claudia Toussaint, SVP, Chief People and Sustainability Officer

SUBSIDIARIES OF THE REGISTRANT*

| Legal Name | Jurisdiction | Name Under Which Doing Business |
|---|------------------|---------------------------------|
| Aanderaa Data Instruments AS | Norway | |
| Anadolu Flygt Pompa Pazarlama Ve Ticaret A.Ş. | Turkey | |
| AquaTune GmbH | Germany | |
| Arrow Rental Limited | Ireland | |
| ATG Environmental Holdco Limited | England & Wales | |
| ATG Environmental Limited | England & Wales | |
| ATG R&D Limited | England & Wales | |
| ATG UV Technology Limited | England & Wales | |
| Bellingham & Stanley Limited | England & Wales | |
| BS Pumps Limited | Northern Ireland | |
| CMS Research Corporation | Alabama | |
| Evoqua Finance LLC | Delaware | |
| Evoqua Pension Trustees Limited | England & Wales | |
| Evoqua Water Technologies (Shanghai) Co., Ltd. | China | |
| Evoqua Water Technologies Canada Ltd. | Nova Scotia | |
| Evoqua Water Technologies Corp. | Delaware | |
| Evoqua Water Technologies GmbH | Germany | |
| Evoqua Water Technologies India Private Limited | India | |
| Evoqua Water Technologies Ireland Limited | Ireland | |
| Evoqua Water Technologies Limited | England & Wales | |
| Evoqua Water Technologies LLC | Delaware | |
| Evoqua Water Technologies Ltd. | Canada | |
| Evoqua Water Technologies Pte. Ltd. | Singapore | |
| Evoqua Water Technologies Pty Ltd | Australia | |
| EWT Holdings II Corp. | Delaware | |
| EWT Holdings III Corp. | Delaware | |
| Faradyne Motors (Suzhou) Co. Ltd. | China | |
| Faradyne Motors LLC | Delaware | |
| Flow Control LLC | Delaware | |
| Fluid Handling, LLC | Delaware | |
| Godwin Holdings Ltd. | England & Wales | |
| Goulds Water Technology Philippines, Inc | Philippines | |
| Grindex Pumps LLC | Delaware | |
| IMT B.V. | Netherlands | |
| Jabsco Marine Italia s.r.l. | Italy | |
| Jabsco S. de R.L. De C.V. | Mexico | |
| Jason Consultants, LLC | Delaware | |

*Each of the named subsidiaries is not necessarily a "significant subsidiary" as defined in Rule 1-02(w) of Regulation S-X, and the Company has several additional subsidiaries not named above. The unnamed subsidiaries, considered in the aggregate as a single subsidiary, would not constitute a "significant subsidiary" at the end of the year covered by this report.

| Legal Name | Jurisdiction | Name Under Which Doing Business |
|---|----------------------|---------------------------------|
| Lowara s.r.l. Unipersonale | Italy | Lowara |
| Lowara UK Ltd | England & Wales | |
| Lowara Vogel Polska SP.ZO.O. | Poland | |
| MAGNETO (Suzhou) special anodes Co., Ltd. | China | |
| MAGNETO international B.V. | Netherlands | |
| MAGNETO special anodes B.V. | Netherlands | |
| MultiTrode Inc. | Florida | |
| Multitrode Pty Ltd | Queensland | |
| Neptune Benson, Inc. | Delaware | |
| Nova Analytics Europe, LLC | Delaware | |
| O.I. Corporation | Oklahoma | OI Analytical |
| PCI Membrane Systems, Inc. | Delaware | |
| Pension Trustee Management Ltd | England & Wales | |
| Pipeline Technologies Philippines Corp | Philippines | |
| Portacel Inc. | Pennsylvania | |
| PT Xylem Water Solutions Indonesia | Indonesia | |
| Pure Holding Inc. | Delaware | |
| Pure Technologies (China) Ltd. | Hong Kong | |
| Pure Technologies (UK) Ltd. | England & Wales | |
| Pure Technologies Abu Dhabi | United Arab Emirates | |
| Pure Technologies Canada Ltd. | Alberta | |
| Pure Technologies Ltd. | Alberta | |
| Pure Technologies U.S. Inc. | Delaware | Wachs Water Services |
| PureHM Inc. | Alberta | |
| PureHM U.S. Inc. | Delaware | |
| Sensus (UK Holdings) Ltd. | England & Wales | |
| Sensus Canada Inc. | Ontario | |
| Sensus Chile SpA | Chile | |
| Sensus de Mexico, S de RL de CV | Mexico | |
| Sensus France Holdings SAS | France | |
| Sensus France SAS | France | |
| Sensus GmbH Hannover | Germany | |
| Sensus GmbH Ludwigshafen | Germany | |
| Sensus Italia S.R.L. | Italy | |
| Sensus Maroc SA | Morocco | |
| Sensus Metering Systems (LuxCo 2) S.ar.l | Luxembourg | |
| Sensus Metering Systems (LuxCo 3) S.à.r.l | Luxembourg | |
| Sensus Metering Systems do Brasil Ltda | Brazil | |
| Sensus Metering Systems IP Holdings, Inc. | Delaware | |
| Sensus Polska Sp. z o.o. | Poland | |

*Each of the named subsidiaries is not necessarily a "significant subsidiary" as defined in Rule 1-02(w) of Regulation S-X, and the Company has several additional subsidiaries not named above. The unnamed subsidiaries, considered in the aggregate as a single subsidiary, would not constitute a "significant subsidiary" at the end of the year covered by this report.

| Legal Name | Jurisdiction | Name Under Which Doing Business |
|---|-----------------|---------------------------------|
| Sensus Services Deutschland GmbH | Germany | |
| Sensus Slovensko a.s. | Slovak Republic | |
| Sensus South Africa (Proprietary) Ltd. | South Africa | |
| Sensus SPA (Algeria) | Algeria | |
| Sensus Spectrum LLC | Delaware | |
| Sensus UK Systems Limited | England & Wales | |
| Sensus USA Inc. | Delaware | |
| Sentec Limited | England & Wales | |
| Smith-Blair, Inc. | Delaware | |
| Texas Turbine, LLC | Delaware | Xylem Texas Turbine LLC |
| Tideland Signal Corporation | Texas | |
| Tideland Signal Limited | England & Wales | |
| Tideland Signal, LLC | Delaware | |
| UGI Global Ltd | England & Wales | |
| Water Asset Management, Inc. | Delaware | |
| Water Process Ltd | England & Wales | |
| Water Technologies U.K. Ltd | England & Wales | |
| WTG Holdco Australia Pty Ltd | Australia | |
| WTG Holdco I LLC | Delaware | |
| WTG Holdings Cooperatief U.A. | Netherlands | |
| Xylem (Beijing) Technology Co. Ltd | China | |
| Xylem (China) Company Limited | China | |
| Xylem (Hong Kong) Limited | Hong Kong | |
| Xylem (Nanjing) Co., Ltd | China | |
| Xylem Analytics Beijing Co., Ltd. | China | |
| Xylem Analytics France S.A.S. | France | |
| Xylem Analytics Germany GmbH | Germany | |
| Xylem Analytics Germany Sales GmbH & Co. KG | Germany | |
| Xylem Analytics IP GmbH & Co. KG | Germany | |
| Xylem Analytics IP Management GmbH | Germany | |
| Xylem Analytics LLC | Delaware | |
| Xylem Analytics UK Limited | England & Wales | |
| Xylem Australia Holdings PTY LTD | New South Wales | |
| Xylem Brasil Soluções para Água Ltda | Brazil | |
| Xylem Canada GP ULC | Ontario | |
| Xylem Canada LP | Ontario | |
| Xylem Česká republika spol. s r.o. | Czech Republic | |
| Xylem Chihuahua S. de R.L. de C.V. | Mexico | |
| Xylem China LLC | Delaware | |
| Xylem Cote d'Ivoire | Ivory Coast | |

*Each of the named subsidiaries is not necessarily a "significant subsidiary" as defined in Rule 1-02(w) of Regulation S-X, and the Company has several additional subsidiaries not named above. The unnamed subsidiaries, considered in the aggregate as a single subsidiary, would not constitute a "significant subsidiary" at the end of the year covered by this report.

| Legal Name | Jurisdiction | Name Under Which Doing Business |
|--|----------------------|---------------------------------|
| Xylem Delaware, Inc. | Delaware | |
| Xylem Dewatering Solutions UK Ltd | England & Wales | |
| Xylem Dewatering Solutions, Inc. | New Jersey | Godwin Pumps of America |
| Xylem Egypt LLC | Egypt | |
| Xylem Egypt Manufacturing LLC | Egypt | |
| Xylem Europe GmbH | Switzerland | |
| Xylem Global S.à.r.l | Luxembourg | |
| Xylem Holdings Egypt LLC | Egypt | |
| Xylem Industries LLC | Delaware | |
| Xylem Industries Singapore Pte. Ltd. | Singapore | |
| Xylem International S.à.r.l | Luxembourg | |
| Xylem IP Holdings LLC | Delaware | |
| Xylem IP UK S.à.r.l | Luxembourg | |
| Xylem Israel Ltd. | Israel | |
| Xylem Japan K.K. | Japan | |
| Xylem Lowara Ltd | England & Wales | |
| Xylem Luxembourg 1 | Luxembourg | |
| Xylem Manufacturing Middle East Region FZCO | United Arab Emirates | |
| Xylem Middle East Water Equipment Trading & Rental LLC | United Arab Emirates | |
| Xylem Ontario Inc. | Ontario | |
| Xylem Rus LLC | Russian Federation | |
| Xylem Saudi Arabia Limited | Saudi Arabia | |
| Xylem Service Hungary Kft | Hungary | |
| Xylem Service Italia Srl | Italy | |
| Xylem Services GmbH | Germany | |
| Xylem Services USA LLC | Delaware | |
| Xylem South Africa Trust | South Africa | |
| Xylem Switzerland 1 GmbH | Switzerland | |
| Xylem Switzerland 2 GmbH | Switzerland | |
| Xylem Switzerland 3 GmbH | Switzerland | |
| Xylem Switzerland 4 GmbH | Switzerland | |
| Xylem Vue Inc. | Delaware | |
| Xylem Water Holdings Ltd | England & Wales | |
| Xylem Water Ltd | England & Wales | |
| Xylem Water Services Ltd | England & Wales | |
| Xylem Water Solutions (Thailand) Co., Ltd. | Thailand | |
| Xylem Water Solutions Argentina S.R.L. | Argentina | |
| Xylem Water Solutions Australia Limited | New South Wales | |
| Xylem Water Solutions Austria GmbH | Austria | |
| Xylem Water Solutions Belgium BVBA | Belgium | |

*Each of the named subsidiaries is not necessarily a "significant subsidiary" as defined in Rule 1-02(w) of Regulation S-X, and the Company has several additional subsidiaries not named above. The unnamed subsidiaries, considered in the aggregate as a single subsidiary, would not constitute a "significant subsidiary" at the end of the year covered by this report.

| Legal Name | Jurisdiction | Name Under Which Doing Business |
|--|----------------------|---------------------------------|
| Xylem Water Solutions Chile S.A. | Chile | |
| Xylem Water Solutions Colombia S.A.S. | Colombia | |
| Xylem Water Solutions Denmark ApS | Denmark | |
| Xylem Water Solutions Deutschland GmbH | Germany | Flygt |
| Xylem Water Solutions España, S.L.U | Spain | |
| Xylem Water Solutions Florida LLC | Delaware | |
| Xylem Water Solutions France SAS | France | |
| Xylem Water Solutions Global Services AB | Sweden | |
| Xylem Water Solutions Herford GmbH | Germany | |
| Xylem Water Solutions India Pvt. Ltd. | India | |
| Xylem Water Solutions Ireland Ltd. | Ireland | |
| Xylem Water Solutions Italia S.r.l. | Italy | Flygt |
| Xylem Water Solutions Kenya Limited | Kenya | |
| Xylem Water Solutions Korea Co., Ltd. | South Korea | |
| Xylem Water Solutions Magyarorszag KFT | Hungary | |
| Xylem Water Solutions Malaysia SDN. BHD. | Malaysia | |
| Xylem Water Solutions Manufacturing AB | Sweden | |
| Xylem Water Solutions Metz SAS | France | |
| Xylem Water Solutions Mexico S.de R.L. de C.V. | Mexico | |
| Xylem Water Solutions Middle East Region FZCO | United Arab Emirates | |
| Xylem Water Solutions Muscat Co. LLC | Oman | |
| Xylem Water Solutions Nederland BV | Netherlands | Flygt |
| Xylem Water Solutions New Zealand Limited | New Zealand | |
| Xylem Water Solutions Norge AS | Norway | |
| Xylem Water Solutions Panama s.r.l. | Panama | |
| Xylem Water Solutions Peru S.A. | Peru | |
| Xylem Water Solutions Polska Sp.z.o.o. | Poland | |
| Xylem Water Solutions Portugal Unipessoal Lda. | Portugal | |
| Xylem Water Solutions Romania SRL | Romania | |
| Xylem Water Solutions Rugby Ltd | England & Wales | |
| Xylem Water Solutions Singapore PTE Ltd. | Singapore | |
| Xylem Water Solutions South Africa (Pty) Ltd. | South Africa | |
| Xylem Water Solutions Suomi Oy | Finland | |
| Xylem Water Solutions Sweden AB | Sweden | |
| Xylem Water Solutions U.S.A., Inc. | Delaware | |
| Xylem Water Solutions UK Holdings Ltd | England & Wales | |
| Xylem Water Solutions UK Ltd | England & Wales | |
| Xylem Water Solutions Zelenople LLC | Delaware | |
| Xylem Water Solutions(Shenyang) CO., Ltd. | China | |
| Xylem Water Systems (California), Inc. | California | |
| Xylem Water Systems Hungary KFT | Hungary | |
| Xylem Water Systems International, Inc. | Delaware | |
| Xylem Water Systems Philippines Holding, Inc. | Delaware | |

*Each of the named subsidiaries is not necessarily a "significant subsidiary" as defined in Rule 1-02(w) of Regulation S-X, and the Company has several additional subsidiaries not named above. The unnamed subsidiaries, considered in the aggregate as a single subsidiary, would not constitute a "significant subsidiary" at the end of the year covered by this report.

| Legal Name | Jurisdiction | Name Under Which Doing Business |
|--|---------------------|--|
| Xylem Water Systems Texas Holdings LLC | Delaware | |
| Xylem Water Systems U.S.A., LLC | Delaware | |
| YSI (China) Limited | Hong Kong | |
| YSI Incorporated | Ohio | |
| YSI International, Inc. | Ohio | |

*Each of the named subsidiaries is not necessarily a "significant subsidiary" as defined in Rule 1-02(w) of Regulation S-X, and the Company has several additional subsidiaries not named above. The unnamed subsidiaries, considered in the aggregate as a single subsidiary, would not constitute a "significant subsidiary" at the end of the year covered by this report.

CONSENT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM

We consent to the incorporation by reference in Registration Statement No. 333-273653 on Form S-3 and Registration Statement No. 333-272165 and No. 333-268476 on Form S-8 of our reports dated February 28, 2024, relating to the financial statements of Xylem Inc. and the effectiveness of Xylem Inc.'s internal control over financial reporting appearing in this Annual Report on Form 10-K for the year ended December 31, 2023.

/s/ Deloitte & Touche LLP

Stamford, Connecticut
February 28, 2024

CERTIFICATION PURSUANT TO
SECTION 302 OF THE SARBANES-OXLEY ACT OF 2002

I, Matthew F. Pine, certify that:

1. I have reviewed this Annual Report on Form 10-K of Xylem Inc. for the period ended December 31, 2023;
2. Based on my knowledge, this report does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in light of the circumstances under which such statements were made, not misleading with respect to the period covered by this report;
3. Based on my knowledge, the financial statements, and other financial information included in this report, fairly present in all material respects the financial condition, results of operations and cash flows of the registrant as of, and for, the periods presented in this report;
4. The registrant's other certifying officer and I are responsible for establishing and maintaining disclosure controls and procedures (as defined in Exchange Act Rules 13a-15(e) and 15d-15(e)) and internal control over financial reporting (as defined in Exchange Act Rules 13a-15(f) and 15d-15(f)) for the registrant and have:
 - a) designed such disclosure controls and procedures, or caused such disclosure controls and procedures to be designed under our supervision, to ensure that material information relating to the registrant, including its consolidated subsidiaries, is made known to us by others within those entities, particularly during the period in which this report is being prepared;
 - b) designed such internal control over financial reporting, or caused such internal control over financial reporting to be designed under our supervision, to provide reasonable assurance regarding the reliability of financial reporting and the preparation of financial statements for external purposes in accordance with generally accepted accounting principles;
 - c) evaluated the effectiveness of the registrant's disclosure controls and procedures and presented in this report our conclusions about the effectiveness of the disclosure controls and procedures, as of the end of the period covered by this report based on such evaluation; and
 - d) disclosed in this report any change in the registrant's internal control over financial reporting that occurred during the registrant's most recent fiscal quarter (the registrant's fourth fiscal quarter in the case of an annual report) that has materially affected, or is reasonably likely to materially affect, the registrant's internal control over financial reporting; and
5. The registrant's other certifying officer and I have disclosed, based on our most recent evaluation of internal control over financial reporting, to the registrant's auditors and the audit committee of the registrant's board of directors (or persons performing the equivalent functions):
 - a) all significant deficiencies and material weaknesses in the design or operation of internal control over financial reporting which are reasonably likely to adversely affect the registrant's ability to record, process, summarize and report financial information; and
 - b) any fraud, whether or not material, that involves management or other employees who have a significant role in the registrant's internal control over financial reporting.

Date: February 28, 2024

/s/ Matthew F. Pine

Matthew F. Pine

President and Chief Executive Officer

CERTIFICATION PURSUANT TO
SECTION 302 OF THE SARBANES-OXLEY ACT OF 2002

I, William K. Grogan, certify that:

1. I have reviewed this Annual Report on Form 10-K of Xylem Inc. for the period ended December 31, 2023;
2. Based on my knowledge, this report does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in light of the circumstances under which such statements were made, not misleading with respect to the period covered by this report;
3. Based on my knowledge, the financial statements, and other financial information included in this report, fairly present in all material respects the financial condition, results of operations and cash flows of the registrant as of, and for, the periods presented in this report;
4. The registrant's other certifying officer and I are responsible for establishing and maintaining disclosure controls and procedures (as defined in Exchange Act Rules 13a-15(e) and 15d-15(e)) and internal control over financial reporting (as defined in Exchange Act Rules 13a-15(f) and 15d-15(f)) for the registrant and have:
 - a) designed such disclosure controls and procedures, or caused such disclosure controls and procedures to be designed under our supervision, to ensure that material information relating to the registrant, including its consolidated subsidiaries, is made known to us by others within those entities, particularly during the period in which this report is being prepared;
 - b) designed such internal control over financial reporting, or caused such internal control over financial reporting to be designed under our supervision, to provide reasonable assurance regarding the reliability of financial reporting and the preparation of financial statements for external purposes in accordance with generally accepted accounting principles;
 - c) evaluated the effectiveness of the registrant's disclosure controls and procedures and presented in this report our conclusions about the effectiveness of the disclosure controls and procedures, as of the end of the period covered by this report based on such evaluation; and
 - d) disclosed in this report any change in the registrant's internal control over financial reporting that occurred during the registrant's most recent fiscal quarter (the registrant's fourth fiscal quarter in the case of an annual report) that has materially affected, or is reasonably likely to materially affect, the registrant's internal control over financial reporting; and
5. The registrant's other certifying officer and I have disclosed, based on our most recent evaluation of internal control over financial reporting, to the registrant's auditors and the audit committee of the registrant's board of directors (or persons performing the equivalent functions):
 - a) all significant deficiencies and material weaknesses in the design or operation of internal control over financial reporting which are reasonably likely to adversely affect the registrant's ability to record, process, summarize and report financial information; and
 - b) any fraud, whether or not material, that involves management or other employees who have a significant role in the registrant's internal control over financial reporting.

Date: February 28, 2024

/s/ William K. Grogan

William K. Grogan

Senior VP and Chief Financial Officer

CERTIFICATION PURSUANT TO
18 U.S.C. SECTION 1350,
AS ADOPTED PURSUANT TO
SECTION 906 OF THE SARBANES-OXLEY ACT OF 2002

In connection with the Annual Report on Form 10-K of Xylem Inc. (the "Company") for the period ended December 31, 2023 as filed with the Securities and Exchange Commission on the date hereof (the "Report"), I, Matthew F. Pine, President and Chief Executive Officer of the Company, certify, pursuant to 18 U.S.C. 1350, as adopted pursuant to 906 of the Sarbanes-Oxley Act of 2002, to my knowledge, that:

- (1) The Report fully complies with the requirements of Section 13(a) or 15(d) of the Securities Exchange Act of 1934, as amended; and
- (2) The information contained in the Report fairly presents, in all material respects, the financial condition and results of operations of the Company.

/s/ Matthew F. Pine

Matthew F. Pine

President and Chief Executive Officer

February 28, 2024

A signed original of this written statement required by Section 906 has been provided to Xylem Inc. and will be retained by Xylem Inc. and furnished to the Securities and Exchange Commission or its staff upon request.

**CERTIFICATION PURSUANT TO
18 U.S.C. SECTION 1350,
AS ADOPTED PURSUANT TO
SECTION 906 OF THE SARBANES-OXLEY ACT OF 2002**

In connection with the Annual Report on Form 10-K of Xylem Inc. (the "Company") for the period ended December 31, 2023 as filed with the Securities and Exchange Commission on the date hereof (the "Report"), I, William K. Grogan, Senior VP and Chief Financial Officer of the Company, certify, pursuant to 18 U.S.C. 1350, as adopted pursuant to 906 of the Sarbanes-Oxley Act of 2002, to my knowledge, that:

- (1) The Report fully complies with the requirements of Section 13(a) or 15(d) of the Securities Exchange Act of 1934, as amended; and
- (2) The information contained in the Report fairly presents, in all material respects, the financial condition and results of operations of the Company.

/s/ William K. Grogan

William K. Grogan

Senior VP and Chief Financial Officer

February 28, 2024

A signed original of this written statement required by Section 906 has been provided to Xylem Inc. and will be retained by Xylem Inc. and furnished to the Securities and Exchange Commission or its staff upon request.

**Recoupment of Incentive-Based Compensation ("Clawback")****Objectives**

Xylem Inc. ("Xylem") and its Board of Directors (the "Board") believe that it is in the best interests of the Company and its shareholders to foster and maintain a culture that prioritizes integrity and accountability, promotes compliance with applicable accounting rules and securities laws, and reinforces the Company's pay-for-performance philosophy.

This Recoupment of Incentive-Based Compensation policy ("Policy") is intended to comply with and to be administered and interpreted consistent with applicable New York Stock Exchange's Listing Standards, including 303A.14 adopted to implement Rule 10D-1 under the Securities Exchange Act of 1934, as amended (collectively, "Rule 10D-1").

All words or phrases that are capitalized in this Policy are defined in the "Key Terms and Definitions" section, below. Use of the terms "Xylem" or "Company" refer to Xylem Inc. and its subsidiaries.

Scope

This Policy applies to and shall be enforceable with respect to all Covered Executives.

Roles & Responsibilities

Pursuant to its charter approved by the Board, the Leadership Development and Compensation Committee (the "Committee") has approved this Policy. The Committee shall interpret and construe this Policy and make all determinations necessary, appropriate, or advisable for the administration of the Policy, subject to ratification by the independent members of the Board with respect to application of this Policy to the Company's Chief Executive Officer. The Committee may, in its discretion or as required to comply with applicable regulations or laws, amend this Policy at any time. Any determinations made by the Committee under this Policy shall be final and binding on all applicable Covered Executives.

The Company is authorized to take appropriate steps to implement this Policy with respect to Incentive-Based Compensation arrangements with Covered Executives.

Policy

- Recoupment:** In the event the Company is required, due to material non-compliance with any financial reporting requirement under the US federal securities laws, to either a) prepare an accounting restatement of the Company's financial statements or b) make any correction in that is material to the previously issued financial statements, or that would result in a material misstatement if the error were corrected in the current period or left uncorrected in the current period, the Company will recover on a reasonably prompt basis the amount of any Incentive-Based Compensation Received by a Covered Executive during the Recovery Period that exceeds the amount the Covered Executive otherwise would have Received had the Incentive-Based Compensation been determined based on the restated or corrected financial statements.
- Amount Subject to Recoupment:** If the Committee determines the amount of Incentive-Based Compensation Received by a Covered Executive during a Recovery Period exceeds the amount that

**Recoupment of Incentive-Based Compensation ("Clawback")**

would have been Received based on the Company's restated or corrected financial statements, that excess amount of Incentive-Based Compensation shall be subject to recoupment by the Company.

If the Committee cannot determine the amount of excess Incentive-Based Compensation Received by the Covered Executive directly from the information in the accounting restatement—for example, because the amount of erroneously awarded compensation is not subject to mathematical recalculation directly from the information in an accounting restatement—then the Committee will make its determination based on a reasonable estimate of the effect of the accounting restatement.

For Incentive-Based Compensation based on stock price or total shareholder return, the Committee will determine the amount of excess compensation based on a reasonable estimate of the effect of the accounting restatement on the relevant stock price or total shareholder return.

In all cases, calculation of the excess amount of Incentive-Based Compensation to be recovered will be determined on a pre-tax basis.

3. Method of Recoupment: The Committee will determine, in its sole discretion, the method(s) for recouping Incentive-Based Compensation pursuant to this Policy and will direct the Company to effectuate recovery through all appropriate methods, including:
 - a. Requiring payment of such amount(s) to the Company;
 - b. Seeking recovery of any gain realized on the vesting, exercise, settlement, sale, transfer or other disposition of any equity-based awards;
 - c. Offsetting the amount to be recouped from any current or future compensation otherwise payable by the Company to the Covered Executive;
 - d. Cancelling outstanding vested or unvested equity awards; and/or
 - e. Such other means or combination of means as the Committee determines to be appropriate and permitted by law.
4. Impracticability: In accordance with Rule 10D-1, the Committee may elect not to pursue recoupment of excess Incentive-Based Compensation under this Policy if, in its determination, such recovery would be impracticable and not required under Rule 10D-1, including if the Committee determines that the direct expense paid to a third party to assist in enforcing this Policy would exceed the amount to be recovered after making a reasonable attempt to recover such amounts.
5. Other Recoupment Rights.
 - a. This Policy will be applied to the fullest extent of the applicable laws.
 - b. Any right of recoupment pursuant to this Policy is in addition to, and not in lieu of, any other remedies or rights of recoupment that may be available to the Company, including pursuant to the terms of any policy, employment agreement, compensation plan, equity award agreement, and any other legal remedies available to the Company.
 - c. As a condition to any benefit granted under any employment agreement, equity award agreement or similar agreement entered into on or after the effective date of this policy, the Committee may require a Covered Employee to agree to abide by the terms of this Policy.

**Recoupment of Incentive-Based Compensation ("Clawback")**

The Company shall not indemnify any Covered Executive for the loss of any incorrectly awarded Incentive-Based Compensation.

Key Terms & Definitions

Covered Executive means any "executive officer" of the Company as defined under Rule 10D-1, including any individual duly appointed by Xylem's Board as an officer of the Company as "officer" is defined under Rule 16a-1(f) of the Securities Exchange Act of 1934, as amended (commonly referred to as a "Section 16 officer"), for the period the individual serves in such capacity during an applicable Recovery Period. For the avoidance of doubt, Covered Executive includes both current and former Section 16 officers, regardless of an individual's status as a current or former employee of Xylem.

Financial Reporting Measure means (a) any GAAP or non-GAAP measure that is determined and presented in accordance with the accounting principles used in preparing the Company's financial statements, as well as any measure derived wholly or in part from such a measure, and (b) any measure based in whole or in part on the Company's stock price or total shareholder return.

By way of example only, Financial Reporting Measures may include: revenues; net income; earnings before interest, taxes, depreciation and amortization; cash flow; working capital; return measures, such as return on invested capital or return on assets; and earnings per share.

Incentive-Based Compensation means any compensation granted, earned or vested that is contingent upon, in whole or in part, the Company's attainment of a Financial Reporting Measure, which compensation was Received by a person (a) on or after October 2, 2023 and after the person began service as a Covered Executive, and (b) who served as a Covered Executive at any time during the applicable performance period for the Incentive-Based Compensation.

By way of example only, Incentive-Based Compensation may include annual bonuses or other short- and long-term cash incentives; vested or unvested restricted stock units or performance share units and related dividend equivalents and shares of common stock; stock options; stock appreciation rights; and merit increases to base salary if based in whole or in part on attainment of a financial reporting measure.

Received means that the Incentive-Based Compensation is deemed to be "Received" in the fiscal period during which the relevant Financial Reporting Measure is attained, regardless of when the compensation is actually paid, vested or awarded to a Covered Executive. Equity compensation that is subject to both time and performance-based vesting conditions shall be considered Received upon attainment of the relevant performance metric, even if the award continues to be subject to time-based vesting criteria.

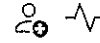
Recovery Period means the three (3) completed fiscal years immediately preceding the date that the Company is required to prepare the accounting restatement described under item 1. of the "Policy" section above, as well as any "transition period," if applicable, under Rule 10D-1.



Recoupment of Incentive-Based Compensation ("Clawback")

Revision History

| <u>Date</u> | <u>Revision</u> | <u>Change Made</u> | <u>Executive Sponsor/Approver</u> |
|---|-----------------|---------------------|-----------------------------------|
| August 10, 2023 approval for effective date October 2, 2023 | A | Policy Modification | Dorothy Capers / LDCC |
| December 12, 2012 | -- | Initial Issuance | Frank Jimenez / LDCC |



Symbol or Keyword(s)

Our Free Content Help you Secure and Increase the Performance of Your Investments

Secure my Investments

X XYLEM INC.



Share ownership Xylem Inc. Equities XYL US98419M1009 Industrial Machinery & Equipment

Real-time Estimate Cboe BZX ▼ 02:59:13 2024-08-20 pm EDT

1st Jan Change

133.74 USD

-0.47%

+16.98%

Summary Quotes Charts ▾ News ▾ Company ▾ Financials ▾ Valuation ▾ Consensus ▾ Ratings (...)

Profile Governance Share ownership Group Connections

Share class: Xylem Inc.

| | Vote | Quantity | Free-Float | Company-owned shares | Total Float |
|---------|------|-------------|------------------------|-----------------------|-------------|
| Stock A | 1 | 259,092,884 | 241,324,637 (93.14 %) | 16,200,000 (6.253 %) | 93.14 % |

Major shareholders: Xylem Inc.

| Name | Equities | % | Valuation |
|------------------------------------|-----------|------------|------------|
| Vanguard Fiduciary Trust Co. | 11.62 % > | 28,176,521 | 3 762 M \$ |
| BlackRock Advisors LLC | 6.086 % > | 14,755,559 | 1 970 M \$ |
| State Street Corp. | 4.182 % > | 10,139,674 | 1 354 M \$ |
| Aristotle Capital Management LLC | 3.420 % > | 8,291,543 | 1 107 M \$ |
| BlackRock Life Ltd. | 3.405 % > | 8,254,675 | 1 102 M \$ |
| Pictet Asset Management Holding SA | 2.662 % > | 6,455,146 | 862 M \$ |
| Geode Capital Management LLC | 2.316 % > | 5,613,878 | 749 M \$ |
| Eaton Vance Management | 1.993 % > | 4,832,305 | 645 M \$ |
| Cramer Rosenthal McGlynn LLC | 1.909 % > | 4,627,370 | 618 M \$ |
| CPR Asset Management SA | 1.846 % > | 4,476,043 | 598 M \$ |

COUNTY OF NASSAU

CONSULTANT'S, CONTRACTOR'S AND VENDOR'S DISCLOSURE FORM

1. Name of the Entity: Xylem Dewatering Solutions, Inc

Address: 84 floodgate RD

City: Bridgeport State/Province/Territory: NJ Zip/Postal Code: 08014

Country: US

2. Entity's Vendor Identification Number: 22-2138498

3. Type of Business: Public Corp (specify) _____

4. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):

1 File(s) uploaded: Xylem Dewatering Officer Appointments 2023-06-09 Fully signed (2).pdf

5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation, include a copy of the 10K in lieu of completing this section.

If none, explain.

10K attached

1 File(s) uploaded: Xylem 10K 2023.pdf

6. List all affiliated and related companies and their relationship to the firm entered on line 1. above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract. Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

None

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). If none, enter "None." The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are

not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

Are there lobbyists involved in this matter?
YES [] NO [X]

(a) Name, title, business address and telephone number of lobbyist(s):

(b) Describe lobbying activity of each lobbyist. See below for a complete description of lobbying activities.

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

8. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Electronically signed and certified at the date and time indicated by:
Thomas Dickson [THOMAS.DICKSON@XYLEM.COM]

Dated: 07/25/2024 08:35:53 am

Title: Outside Sales Representative

The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including by not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/26/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | | |
|--|--|---|--|
| PRODUCER Brown & Brown Insurance Services, Inc. 55 Capital Blvd. Rocky Hill CT 06067 | | CONTACT NAME: Dee Godlewski PHONE (A/C, No, Ext): (860) 739-3322 E-MAIL ADDRESS: Dee.Godlewski@bbrown.com FAX (A/C, No): | |
| INSURED BL Companies, Inc. 355 Research Parkway Meriden CT 06450 | | INSURER(S) AFFORDING COVERAGE INSURER A: The Charter Oak Fire Insurance Company NAIC # 25615 INSURER B: Travelers Property Casualty Company of America 25674 INSURER C: Farmington Casualty Company 41483 INSURER D: INSURER E: INSURER F: | |

COVERAGES CERTIFICATE NUMBER: 24-25 BLC Master REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|-----------|----------|-----------------------|-------------------------|-------------------------|---|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER: | | Y | P-630-5196P353-COF-24 | 01/17/2024 | 01/17/2025 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Employee Benefits \$ 2,000,000 COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| A | AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY | | | 810-2L856447-24 | 01/17/2024 | 01/17/2025 | \$ \$ \$ \$ |
| B | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000 | | | CUP-0K902256-24 | 01/17/2024 | 01/17/2025 | \$ EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$ |
| C | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below | | Y/N N | UB-9J126132-24 | 01/17/2024 | 01/17/2025 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000 |
| A | Valuable Papers | | | P-630-5196P353-COF-24 | 01/17/2024 | 01/17/2025 | Per Location \$500,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Nassau County is included as an additional insured as required per written contract.

CERTIFICATE HOLDER

Nassau County
1 West Street

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



FORMAL BID RECOMMENDATION


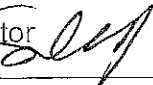
BID NUMBER # 72015-12123-268 OPEN 12/12/23

TITLE: TRASH PUMP

DATE: 04/24/24 TO: BUYER -Anette Sullivan
FROM: ADMINISTRATION

PLEASE REVIEW ATTACHED BID RESULT. NOTE YOUR RECOMMENDATION FOR AWARD.

FORWARD THIS TRANSMITTAL SHEET TOGETHER WITH BID FILE. RETAIN REQUISITION.

| | | |
|--|--|--|
| Date: 04/24/24 To: Supervisor Anette Sullivan From: List of recommended awards in accordance with the attached summary is shown in column at right. The reason for award to other than low bidder is indicated on the reverse side of this page.  Buyer | | Bid Results |
| | Item | Bidder |
| | | Recommendation of an award made to Xylem Dewatering Solutions Inc. as the lowest responsible bidder meeting specs. |
| | | The first lowest bidder Thompson Pump withdrew their bid, see email attached |
| | | The second lowest bidder did not meet DPW's specs, see email attached. (Mersino Dewatering) |
| | | The third lowest bidder was reviewed and approved by DPW, see email attached. Xylem |
| Date: _____ | | |
| To: Director <input type="checkbox"/> | From: Supervisor <input type="checkbox"/> | |
| Concur | Disagree (See Reverse) | |
| Date: 4/29/24 | | |
| To: Buyer <input checked="" type="checkbox"/> | From: Director <input type="checkbox"/> | |
| Approved for Award | | |
| <input type="checkbox"/> | | |
| Hold award pending discussion | | |
| <input checked="" type="checkbox"/> | | |
| Subject to Legislature Approval | | |
| | Director  | |

Sullivan, Anette

From: Robert Lega <rlega@thompsonpump.com>
Sent: Tuesday, December 19, 2023 9:17 AM
To: Sullivan, Anette
Subject: RE: Trash Pumps Bid

Attention: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Yes, confirming that we would like to withdraw our bid.

Thanks,

Robert Lega
Inside Sales Rep I
rlega@thompsonpump.com
(386) 944-4135

-----Original Message-----

From: Sullivan, Anette <asullivan1@nassaucountyny.gov>
Sent: Tuesday, December 19, 2023 9:09 AM
To: Robert Lega <rlega@thompsonpump.com>
Subject: RE: Trash Pumps Bid

The bid is closed, and we cannot accept new bids. If you are withdrawing your bid please confirm it in writing today and we will award it to the next lowest bidder.

Please let me know today, I need to keep this moving.

Thank you

-----Original Message-----

From: Robert Lega <rlega@thompsonpump.com>
Sent: Tuesday, December 19, 2023 8:28 AM
To: Sullivan, Anette <asullivan1@nassaucountyny.gov>
Subject: RE: Trash Pumps Bid

Attention: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good Morning Anette,

Would it be too late to submit a new bid for this? We actually have a distributor we work with in that area that may be already registered with the county. We were thinking about just withdrawing our bid and having them submit a bid instead. Please let me know the closing date for this?

Thanks,

Sullivan, Anette

From: Rivera, John
Sent: Wednesday, February 7, 2024 9:21 AM
To: Sullivan, Anette
Cc: Fedele, Christopher R
Subject: RE: Trash Pumps - 3rd Bidder

Bidder number #2 did not have the pump mounted on a trailer. Our specs require the pump to be placed on a D.O.T. compliant trailer.

PWCSWCSW 00005
98041 000

Thank You,



John Rivera IV



Materials Movement Specialist
NC DPW Road Maintenance
170 Cantiague Rock Rd.
Hicksville, NY 11801
Office: 516-571-6861
Cell: 516-419-1378
Fax: 516-571-6969

From: Sullivan, Anette <asullivan1@nassaucountyny.gov>
Sent: Wednesday, February 7, 2024 9:07 AM
To: Rivera, John <JRivera@nassaucountyny.gov>
Cc: Fedele, Christopher R <cfedele@nassaucountyny.gov>
Subject: RE: Trash Pumps - 3rd Bidder

Please send me a brief email telling me why you could not accept the "equal" item from vendor two. I must attach that to the award recommendation.

Also, for the staff summary I need the budget codes for this requisition. Please provide.

ty

From: Rivera, John <JRivera@nassaucountyny.gov>
Sent: Tuesday, February 6, 2024 2:57 PM
To: Sullivan, Anette <asullivan1@nassaucountyny.gov>; Fedele, Christopher R <cfedele@nassaucountyny.gov>
Subject: RE: Trash Pumps - 3rd Bidder

Sullivan, Anette

From: Rivera, John
Sent: Tuesday, February 6, 2024 2:57 PM
To: Sullivan, Anette; Fedele, Christopher R
Subject: RE: Trash Pumps - 3rd Bidder

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Anette,
Sorry for the delayed response.
The 3rd bidder looks ok to award.

Thank You,

John Rivera IV

John Rivera IV



Materials Movement Specialist
NC DPW Road Maintenance
170 Cantiague Rock Rd.
Hicksville, NY 11801
Office: 516-571-6861
Cell: 516-419-1378
Fax: 516-571-6969

From: Sullivan, Anette <asullivan1@nassaucountyny.gov>
Sent: Friday, January 12, 2024 4:12 PM
To: Fedele, Christopher R <cfedele@nassaucountyny.gov>; Rivera, John <JRivera@nassaucountyny.gov>
Subject: RE: Trash Pumps - 3rd Bidder

Thank you very much! DISREGARD MY EMAIL.


From: Fedele, Christopher R <cfedele@nassaucountyny.gov>
Sent: Friday, January 12, 2024 4:12 PM
To: Sullivan, Anette <asullivan1@nassaucountyny.gov>; Rivera, John <JRivera@nassaucountyny.gov>
Subject: Re: Trash Pumps - 3rd Bidder

No problem. We will use:

PWGEN0320
PWGEN0240
PWGEN0260
PWCAPCAP

Please let us know if you need anything else.

FORMAL SEALED BID PROPOSAL

| | | |
|---|---|---|
|  | STATE OF NEW YORK | BID NUMBER 72015-12123-268 |
| | COUNTY OF NASSAU | Dated: 11/16/23 |
| | BIDS WILL BE RECEIVED AND OPENED AT OFFICE OF PURCHASING, 1 WEST STREET, NORTH ENTRANCE, MINEOLA, NEW YORK 11501 OFFICE HOURS 9 AM - NOON & 1 PM - 4:45 PM | BID OPENING DATE 12/12/23 11:00 A.M. E.D.T. |
| BUYER Anette Sullivan | TELEPHONE 516 571 6103 | REQUISITION NUMBER RQPW220029 |

PREPARE YOUR BID ON THIS FORM USING BLACK INK OR TYPEWRITER

BID TITLE: Trash Pump

DEC 12 2023
 OPENED 11AM

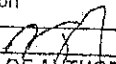
• ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

THE UNDERSIGNED BIDDER AFFIRMS AND DECLARES THAT HE/SHE HAS CAREFULLY EXAMINED THE ADVERTISED INVITATION FOR BIDS, THE BID TERMS AND CONDITIONS, AND DETAILED SPECIFICATIONS, AND CERTIFIES THAT THIS BID IS SIGNED WITH FULL KNOWLEDGE AND ACCEPTANCE OF ALL THE PROVISIONS THEREOF AND OFFERS AND AGREES, IF THIS BID IS ACCEPTED WITHIN NINETY (90) DAYS FROM THE BID OPENING DATE TO FURNISH ANY OR ALL THE ITEMS UPON WHICH PRICES ARE HEREINAFTER QUOTED IN THE QUANTITY AND AT THE PRICES BID.

CASH DISCOUNT OF 1% PERCENT WILL BE ALLOWED FOR PROMPT PAYMENT WITHIN 20 BUSINESS DAYS.

THE BIDDER CERTIFIES THAT: (A) THE BID HAS BEEN ARRIVED AT BY THE BIDDER INDEPENDENTLY AND HAS BEEN SUBMITTED WITHOUT COLLUSION WITH ANY OTHER VENDOR OF MATERIALS, SUPPLIES OR EQUIPMENT OF THE TYPE DESCRIBED IN INVITATION FOR BIDS, AND (B) THE CONTENTS OF THE BID HAVE NOT BEEN COMMUNICATED BY THE BIDDER, NOR, TO ITS BEST KNOWLEDGE AND BELIEF, BY ANY OF ITS EMPLOYEES OR AGENTS, TO ANY PERSON NOT AN EMPLOYEE OR AGENT OF BIDDER OR ITS SURETY ON ANY BOND FURNISHED HERewith PRIOR TO OFFICIAL OPENING OF THE BID.

| | |
|---|--|
| DELIVERY MADE TO: NC DPW 170 Cantlague Rock Road Hicksville NY 11801 J. Rivera 516 571 6861 | GUARANTEED DELIVERY DATE 64 DAYS AFTER RECEIPT OF ORDER |
| TOLL FREE TELEPHONE NUMBER: BIDS MUST BE SIGNED BY PROPRIETOR, PARTNER OR OFFICER AUTHORIZED TO SIGN FOR CORPORATION | EMPLOYERS FEDERAL TAX ID NUMBER 22-2138498 |

| | | | |
|------------------------------------|--|-----------|--------------|
| NAME OF BIDDER | Xylem Dewtaerling Solutions Inc. | | |
| ADDRESS | 20 Truman Dr S. | | |
| CITY | Edison | STATE | NJ |
| ZIP CODE | 08817 | TELEPHONE | 732-917-7701 |
| SIGNATURE OF AUTHORIZED INDIVIDUAL |  Ken Albaugh, Director of Sales and Services | | |
| | PRINT OR TYPE NAME OF SIGNER AND TITLE | | |

IN EXECUTING THIS BID, THE BIDDER WARRANTS THAT THE PRICES SUBMITTED HEREIN ARE NOT HIGHER THAN THOSE OFFERED TO ANY GOVERNMENTAL OR COMMERCIAL CONSUMER FOR LIKE DELIVERIES. THE PRICES HEREIN SHOULD NOT INCLUDE ANY FEDERAL EXCISE TAXES OR SALES TAXES IMPOSED BY ANY STATE OR MUNICIPAL GOVERNMENT. SUCH TAXES, IF INCLUDED, MUST BE DEDUCTED BY THE BIDDER WHEN SUBMITTING BID. BIDDERS ARE REQUESTED TO ALSO READ THE TERMS AND CONDITIONS.

BID TERMS AND CONDITIONS

1. Bids on equipment must be on standard new equipment, latest model, except as otherwise specifically stated in proposal or detailed specification. Where any part of nominal appurtenances of equipment is not described, it shall be understood that all equipment and appurtenances which are usually provided in the manufacturer's stock model shall be furnished.
2. Bids on materials and supplies must be for new items except as otherwise specifically stated in bid or detailed specifications.
3. Bidder declares that the bid is made without any connection with any other Bidder, submitting a bid for the same items, and is in all respects fair and without collusion or fraud.
4. PRICES The provisions of the New York State Fair Trade Law (Fed-Crayford Act) and the federal price discrimination law (Robinson-Patman Act) do not apply to purchases made by the County.
5. SURETY In the event that an award is made hereunder, The Director of Purchase reserves the right to request successful bidders to post, within one week, security for faithful performance, with the understanding that the whole or any part thereof may be used by the County of Nassau to supply any deficiency that may arise from any default on the part of the Bidder. Such security must meet all the requirements of the County Attorney and be approved by the County Attorney.

6. **SAMPLES** Samples, when required, must be submitted strictly in accordance with instructions; otherwise bid may not be considered. If samples are requested subsequent to bid opening they shall be delivered within five (5) days of the request for bid to have consideration. Samples must be furnished free of charge and must be accompanied by descriptive memorandum invoices indicating if the Bidder desires their return; also specifying the address to which they are to be returned, provided they have not been used or made useless by tests. Award samples may be held for comparison with deliveries. Samples will be returned at the Bidders risk and expense.
7. Award The Director, Office of Purchasing reserves the right before making award to make investigations as to whether or not the items, qualifications or facilities offered by the Bidder meet the requirements set forth herein and are sample and sufficient to insure the proper performance in the event of award. The Bidder must be prepared, if requested by the Director, to present evidence of experience, ability and financial standing, as well as a statement as to plant, machinery and capacity of the manufacturer for the production and distribution of the material on which he is bidding. Upon request of the Director, successful bidder shall file certification from the manufacturer relative to authorization, delivery, service and guarantees. If it is found that the conditions of the bids are not complied with or that articles or equipment proposed to be furnished do not meet the requirements called for, or that the qualification, financial standing or facilities are not satisfactory, the Director may reject such bids. It is distinctly understood, however, that nothing in the foregoing shall mean or imply that it is obligatory upon the Director to make any examinations before award, and it is further understood that, if such examination is made, it in no way relieves the Bidder from fulfilling all requirements and conditions of the bid.
8. Awards will be made to the lowest responsible Bidder. Cash discounts will not be a factor in determining awards, except in tie bids. Consideration will be given to the reliability of the Bidder, the quantities of the materials, equipment or supplies to be furnished, their conformity with the specifications, the purpose for which required and the terms of delivery.
9. The Director reserves the right to reject and all bids in whole or in part and to waive technical defects, irregularities and omissions if in his judgment the best interests of the County will be served.
10. Unless otherwise indicated herein, the Director reserves the right to make award by items, by classes, by group of items, or as a whole.
11. **DELIVERIES** Upon failure of the Vendor to deliver within the time specified, or within reasonable time as interpreted by the Director, or failure to make replacement of rejected articles, when so requested immediately or as directed by the Director, the Director may purchase from other sources to take the place of the item rejected or not delivered. The Director reserves the right to authorize immediate purchase from other sources against rejections on any order when necessary. On all such purchases the Vendor agrees to promptly reimburse the County for excess cost occasioned by such purchases. Should the cost be less, the Vendor shall have no claim to the difference. Such purchases will be deducted from order quantity.
12. An order may be canceled at the Vendors expense upon nonperformance. Failure of the Vendor to furnish additional surety within ten (10) days from date of requested shall be sufficient cause for the cancellation of the order.
13. When in the determination of the Director, the articles or equipment delivered fail to meet County specifications or, if in the determination of the Director, the Vendor consistently fails to deliver as ordered, the Director reserves the right, to cancel the order and purchase the balance from other sources at Vendor expense.
14. Delivery must be made as ordered and in accordance with the bid. If delivery instructions do not appear on order. It will be interpreted to mean prompt delivery. The decision of the Director as to reasonable compliance with delivery terms shall be final. Burden of proof of delay in receipt of order shall rest with the Vendor.
15. The County Agencies will not schedule any deliveries for Saturdays, Sundays or Legal Holiday, except commodities required for daily consumption or where the delivery is an emergency, a replacement, or is overdue, in which event the convenience of the Agency will govern.
16. Supplies shall be securely and properly packed for shipment, according to accepted commercial practice, without extra charge for packing cases, reels, bailing or sacks, the containers to remain the property of the agency unless definitely stated otherwise in the bid.
17. The Vendor shall be responsible for delivery of supplies in good condition at point of destination. The Vendor shall file all claims with carrier for breakage, imperfections and other losses, which will be deducted from invoices. The receiving Agency will note for the benefit of Vendor when packages are not received in good conditions.
18. All supplies which are customarily labeled or identified must have securely affixed thereto the original un-mutilated label or marking of the manufacturer.
19. Billings for deliveries must be rendered on County claim forms.
20. Furniture, machines, and other equipment must be delivered, installed and set in place as directed, ready for use unless otherwise specified.
21. Deliveries are subject to reweighing at destination by the County and payment will be made on the basis of materials delivered. Normal shrinkage will be allowed in such instances where shrinkage is possible. Short weight shall be sufficient cause for cancellation of order at Vendors expense.
22. **GUARANTEES BY BIDDER** Bidder hereby guarantees: (a) To save the County, its agents and employees harmless from liability of any nature or kind for the use of any copyrighted or un-copyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in the performance hereof of which the Bidder is not the Patentee, assignee or licensee, and to defend any action brought against the County in the name of the County and under the direction of the County Attorney at the sole cost of the Bidder or in the sole option of the Director to pay the cost of such defense to the County. (b) His products against defective material or workmanship and to repair any damages or marring occasioned in transit.
- (c) To furnish adequate protection from damage for all work and to repair damages of any kind, for which he or his workmen are responsible, to the building or equipment, to this own work or the work of other Vendors, or in the opinion of the Director to pay for the same by deductions in payments due under this contract.
- (d) To pay for all permits, licenses and fees and give all notices and comply with all laws ordinances, rules and regulations of the city, village or town in which the installation his to be made, and of the County of Nassau and the State of New York.
- (e) To carry proper insurance in the opinion of the Director, and approved by the County Attorney to protect the County from loss in case of accident, fire and theft.
- (f) That he will keep himself fully informed, of all municipal ordinances and regulations, state and national laws in any manner affecting the work or goods herein specified, and any extra work contracted for by him, and shall at all times observe and comply with said ordinances, laws and regulations, including all provisions of the Workmen Compensation and Labor Laws, and shall indemnify and save harmless the County of Nassau and the Nassau County Legislature from loss and liability upon any and all Claims on account of any physical injury to persons, including death, or damage to property and from all cost and expenses in suits which may be brought against the same on account of such injuries irrespective of the actual cost of the same and irrespective of whether the same shall have been due to the negligence of the Bidder or his agents.
- (g) That the items furnished shall conform to all the provisions of the bid and this warranty shall survive acceptance, or use of any material so furnished.
- (h) That all deliveries will not be inferior to the accepted bid sample.
23. **LABOR LAWS and ANTIDISCRIMINATION.** Upon the vendor acceptance hereof, the vendor agrees to comply with Article IX, Section 2 C of the Constitution of the State of New York, Section 220 220a, 220b, 220d, 220e and 230 of the Labor Law, Section 5 and 12 of the Lien Law, Article 2 of the Uniform Commercial Code, Sections 108 and 109 as well as Article 18 of the General Municipal Law, Section 2218 of the County Government Law of Nassau County, Section 224.2 of the Nassau County Administrative Code, the provisions of the anti-Discrimination Order of Nassau County, and the vendor shall keep himself fully informed of all additional municipal ordinances and regulations, State and National Laws in any manner affecting this order and the goods or services delivered or rendered or to be delivered or rendered there under, and shall at all times observe and comply with said ordinances, laws and regulations at his sole cost and expense.
24. **ASSIGNMENT.** The contractor is hereby prohibited from assigned, transferring, conveying, subletting or otherwise disposing of this contract or his right, title, or interest therein, or his power to execute such contract, to any other person or corporation without the previous consent in writing of the officer, board or agency awarding the contract.
25. The County of Nassau will not be responsible nor liable for any shipment or delivery of any materials, supplies, or equipment without it's express written instructions or valid Purchase Order.
26. No agreements, changes, modifications or alterations shall be deemed effective nor shall the same be binding upon the County unless in writing and signed by the Director, Office of Purchasing or his duly designated representative.

DISCLOSURE STATEMENT

THE NASSAU COUNTY LEGISLATURE REQUIRES THE FOLLOWING INFORMATION PRIOR TO CONSIDERATION FOR AN AWARD.

Bidders Name: Xylem Dewatering Solutions Inc.

Address: 20 Truman Dr S., Edison, NJ 08817

Telephone No: 732-917-7701

Fax No:

1. State Whether: A Corporation _____
Individual _____
Partnership _____

GUIDELINES FOR DISCLOSURE

THE NASSAU COUNTY LEGISLATURE REQUIRES THE NAMES AND HOME* ADDRESSES OF ALL PRINCIPALS. DISCLOSURE MUST BE PROVIDED AS INDICATED BY TYPE OF OWNERSHIP. (PLEASE LIST ALL REQUIRED INFORMATION ON A SEPARATE SHEET AND ATTACH TO BID.)

- 1) Sole Proprietorship/Individual. The Name and Home Address of the Sole Proprietorship/Individual.
- 2) Closely Held Corporation. The Name and Home Addresses of all Shareholders, Officers and Directors.
- 3) Publicly Traded Corporation. Only the page(s) of the SEC FORM 10-K setting forth the name of all officers and directors.
- 4) Not for Profit Corporation. The Names and Home Addresses of all members, Officer and Directors.
- 5) Partnership. The Names and Home Address of all General and Limited Partners.
- 6) Limited Liability Company. The Names and Home Addresses of all Members.
- 7) Limited Liability Partnership. The Name and Home Addresses of all Members.
- 8) Joint Venture. The Names and Home Addresses of all Joint Ventures.

NOTE: IF ANY ENTITY IS TIERED, YOU MUST ALSO LIST ALL INDIVIDUAL PRINCIPALS OF THE TIERED ENTITY.
*IN THE CASE OF PUBLICLY TRADED CORPORATIONS THE SEC FORM 10K SUFFICES AND HOME ADDRESSES ARE NOT NECESSA

QUALIFICATION STATEMENT

BIDDER'S NAME: Xylem Dewatering Solutions Inc.

ADDRESS: 20 Truman Dr S. Edison, NY 08817

1. STATE WHETHER: CORPORATION INDIVIDUAL _____ PARTNERSHIP _____

2. IF A CORPORATION OR PARTNERSHIP LIST NAME(S) AND ADDRESS(S) OF OFFICER(S) OR MEMBER(S)
PRESIDENT Vincenzo Giovanni Violl

VICE PRESIDENT Ken Albaugh

SECRETARY Robert Bartlett

TREASURER Matthew Latino

3. HAVE YOU FILED A QUALIFICATION STATEMENT WITH THE COUNTY OF NASSAU? No
IF SO WHEN?

4. HOW MANY YEARS HAS YOUR ORGANIZATION BEEN IN BUSINESS UNDER YOUR PRESENT NAME? 47

5. HAVE YOU, OR YOUR FIRM, EVER FAILED TO COMPLETE ANY WORK AWARDED TO YOU? No
IF SO, WHERE AND WHY?

6. IN WHAT OTHER LINES OF BUSINESS ARE YOU OR YOUR FIRM INTERESTED? Water/Wastewater

7. WHAT IS THE EXPERIENCE OF THE PRINCIPAL INDIVIDUALS OF YOUR ORGANIZATION RELATING TO THE SUBJECT OF THIS BID?

| INDIVIDUALS NAME | PRESENT POSITION | YEARS OF EXPERIENCE | MAGNITUDE AND TYPE OF WORK | IN WHAT CAPACITY |
|------------------|----------------------------|---------------------|----------------------------|------------------|
| Ken Albaugh | Director Sales and Service | 36 | Nationwide Pump Sales | Sales-VP |
| Vincenzo Violl | President, XDS | 31 | Nationwide Pump Business | President |

8. IN WHAT MANNER HAVE YOU INSPECTED THIS PROPOSED WORK? EXPLAIN IN DETAIL
Complete

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL

72015-12123-268

9. THE CONTRACT, IF AWARDED TO YOU OR YOUR FIRM, WILL HAVE THE PERSONAL SUPERVISION OF WHOM? GIVE NAME AND PRESENT POSITION
Anuar Romero, Branch Manager, Edison, NJ

10. BIDDERS ARE REQUIRED TO COMPLETE THIS FORM PROVIDING THREE (3) REFERENCES OF PAST PERFORMANCE. REFERENCES SHOULD INVOLVE PROJECTS AND/OR SERVICE SITUATIONS OF SIMILAR SIZE AND SCOPE TO THIS BID. REFERENCES MUST HAVE HAD DEALING WITH THE BIDDER WITHIN THE LAST THIRTY-SIX (36) MONTHS. THE COUNTY RESERVES THE RIGHT TO CONTACT ANY OR ALL OF THE REFERENCES SUPPLIED FOR AN EVALUATION OF PAST PERFORMANCE IN ORDER TO ESTABLISH THE RESPONSIBILITY OF THE BIDDER BEFORE THE ACTUAL AWARD OF THE BID AND/OR CONTRACT. COMPLETION OF THE REFERENCE FORM IS REQUIRED.

NASSAU COUNTY (AND ANY OF ITS AGENCIES) MAY BE LISTED AS AN ADDITIONAL REFERENCE, BUT MAY NOT BE SUBSTITUTED FOR ANY OF THE THREE REQUIRED REFERENCES.

1. REFERENCE'S NAME: J Fletcher Creamer

ADDRESS: 101 E Broadway, Hackensack, NJ 07601

TELEPHONE: 201-488-9809

CONTACT PERSON: Richard Bond

CONTRACT DATE: Dec 2023

2. REFERENCE'S NAME: Joint Regional Sewer Board, Town of Haverstraw

ADDRESS: 1 Ecology Lane, West Haverstraw, NY 10993

TELEPHONE: 845-429-5715

CONTACT PERSON: Patrick Brady, P.E.

CONTRACT DATE: Feb. 2022

3. REFERENCE'S NAME: Saratoga County Sewer District

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL

72015-12123-268

ADDRESS: 1002 Hudson River Rd, Mechanicville, NY 12118

TELEPHONE: 518-664-7396 CONTACT PERSON William Bills

CONTRACT DATE: May 2023

USE SEPARATE PAGE IF ADDITIONAL SPACE IS NEEDED.

I certify that all the statements contained in this document are true, complete and correct to the best of my knowledge and belief and are made in good faith, including data contained in the Organization's Relevant Experience. A false certification or failure to disclose information shall be grounds for disqualification or termination of any award.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

IRAN DIVESTMENT ACT COMPLIANCE CERTIFICATION

Pursuant to General Municipal Law Section 103-g, which generally prohibits the County from entering into contracts with persons engaged in investment activities in the energy sector of Iran, the Bidder submits the following certification:

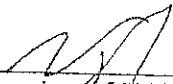
PLEASE CHECK ONE:

By submission of this Bid, I certify, 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 my knowledge and belief, that the Bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law.

OR

I am unable to certify that the Bidder does not appear on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law. I have attached a signed statement setting forth in detail why I cannot so certify.

Dated: 12/5/23



(Signature of Bidder)

Print Name: Ken Albaugh

Print Title: Director Sales and Services

Appendix EE

EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN

The provisions of this Appendix EE are hereby made a part of the document to which it is attached.

The Contractor shall comply with all federal, State and local statutory and constitutional anti-discrimination provisions. In addition, Local Law No. 14-2002, entitled "Participation by Minority Group Members and Women in Nassau County Contracts," governs all County Contracts as defined by such title and solicitations for bids or proposals for County Contracts. In accordance with Local Law 14-2002:

(a) The Contractor shall not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status in recruitment, employment, job assignments, promotions, upgradings, demotions, transfers, layoffs, terminations, and rates of pay or other forms of compensation. The Contractor will undertake or continue existing programs related to recruitment, employment, job assignments, promotions, upgradings, transfers, and rates of pay or other forms of compensation to ensure that minority group members and women are afforded equal employment opportunities without discrimination.

(b) At the request of the County contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, union, or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability, or marital status and that such employment agency, labor union, or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein.

(c) The Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the County Contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

(d) The Contractor shall make Best Efforts to solicit active participation by certified minority or women-owned business enterprises ("Certified M/WBEs") as defined in Section 101 of Local Law No. 14-2002, including the granting of Subcontracts.

(e) The Contractor shall, in its advertisements and solicitations for Subcontractors, indicate its interest in receiving bids from Certified M/WBEs and the requirement that Subcontractors must be equal opportunity employers.

(f) Contractors must notify and receive approval from the respective Department Head prior to issuing any Subcontracts and, at the time of requesting such authorization, must submit a signed Best Efforts Checklist.

(g) Contractors for projects under the supervision of the County's Department of Public Works shall also submit a utilization plan listing all proposed Subcontractors so that, to the greatest extent feasible, all Subcontractors will be approved prior to commencement of work. Any additions or changes to the list of subcontractors under the utilization plan shall be approved by the Commissioner of the Department of Public Works when made. A copy of the utilization plan any additions or changes thereto shall be submitted by the Contractor to the Office of Minority Affairs simultaneously with the submission to the Department of Public Works.

(h) At any time after Subcontractor approval has been requested and prior to being granted, the contracting agency may require the Contractor to submit Documentation Demonstrating Best Efforts to Obtain Certified Minority or Women-owned Business Enterprises. In addition, the contracting agency may require the Contractor to submit such documentation at any time after Subcontractor approval when the contracting agency has reasonable cause to believe that the existing Best Efforts Checklist may be inaccurate. Within ten working days (10) of any such request by the contracting agency, the Contractor must submit Documentation.

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(i) In the case where a request is made by the contracting agency or a Deputy County Executive acting on behalf of the contracting agency, the Contractor must, within two (2) working days of such request, submit evidence to demonstrate that it employed Best Efforts to obtain Certified M/WBE participation through proper documentation.

(j) Award of a County Contract alone shall not be deemed or interpreted as approval of all Contractor's Subcontracts and Contractor's fulfillment of Best Efforts to obtain participation by Certified M/WBEs.

(k) A Contractor shall maintain Documentation Demonstrating Best Efforts to Obtain Certified Minority or Women-owned Business Enterprises for a period of six (6) years. Failure to maintain such records shall be deemed failure to make Best Efforts to comply with this Appendix EE, evidence of false certification as M/WBE compliant or considered breach of the County Contract.

(l) The Contractor shall be bound by the provisions of Section 109 of Local Law No. 14-2002 providing for enforcement of violations as follows:

- a. Upon receipt by the Executive Director of a complaint from a contracting agency that a County Contractor has failed to comply with the provisions of Local Law No. 14-2002, this Appendix EE or any other contractual provisions included in furtherance of Local Law No. 14-2002, the Executive Director will try to resolve the matter.
- b. If efforts to resolve such matter to the satisfaction of all parties are unsuccessful, the Executive Director shall refer the matter, within thirty days (30) of receipt of the complaint, to the American Arbitration Association for proceeding thereon.
- c. Upon conclusion of the arbitration proceedings, the arbitrator shall submit to the Executive Director his recommendations regarding the imposition of sanctions, fines or penalties. The Executive Director shall either (i) adopt the recommendation of the arbitrator (ii) determine that no sanctions, fines or penalties should be imposed or (iii) modify the recommendation of the arbitrator, provided that such modification shall not expand upon any sanction recommended or impose any new sanction, or increase the amount of any recommended fine or penalty. The Executive Director, within ten days (10) of receipt of the arbitrator's award and recommendations, shall file a determination of such matter and shall cause a copy of such determination to be served upon the respondent by personal service or by certified mail return receipt requested. The award of the arbitrator, and the fines and penalties imposed by the Executive Director, shall be final determinations and may only be vacated or modified as provided in the civil practice law and rules ("CPLR").

(m) The contractor shall provide contracting agency with information regarding all subcontracts awarded under any County Contract, including the amount of compensation paid to each Subcontractor and shall complete all forms provided by the Executive Director or the Department Head relating to subcontractor utilization and efforts to obtain M/WBE participation.

Failure to comply with provisions (a) through (m) above, as ultimately determined by the Executive Director, shall be a material breach of the contract constituting grounds for immediate termination. Once a final determination of failure to comply has been reached by the Executive Director, the determination of whether to terminate a contract shall rest with the Deputy County Executive with oversight responsibility for the contracting agency.

Provisions (a), (b) and (c) shall not be binding upon Contractors or Subcontractors in the performance of work or the provision of services or any other activity that are unrelated, separate, or distinct from the County Contract as expressed by its terms.

The requirements of the provisions (a), (b) and (c) shall not apply to any employment or application for employment outside of this County or solicitations or advertisements therefore or any existing programs of affirmative action regarding employment outside of this County and the effect of contract provisions required by these provisions (a), (b) and (c) shall be so limited.

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The Contractor shall include provisions (a), (b) and (c) in every Subcontract in such manner that these provisions shall be binding upon each Subcontractor as to work in connection with the County Contract.

As used in this Appendix EE the term "Best Efforts Checklist" shall mean a list signed by the Contractor, listing the procedures it has undertaken to procure Subcontractors in accordance with this Appendix EE.

As used in this Appendix EE the term "County Contract" shall mean (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of twenty-five thousand dollars (\$25,000), whereby a County contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the County; or (ii) a written agreement in excess of one hundred thousand dollars (\$100,000), whereby a County contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon. However, the term "County Contract" does not include agreements or orders for the following services: banking services, insurance policies or contracts, or contracts with a County contracting agency for the sale of bonds, notes or other securities.

As used in this Appendix EE the term "County Contractor" means an individual, business enterprise, including sole proprietorship, partnership, corporation, not-for-profit corporation, or any other person or entity other than the County, whether a contractor, licensor, licensee or any other party, that is (i) a party to a County Contract, (ii) a bidder in connection with the award of a County Contract, or (iii) a proposed party to a County Contract, but shall not include any Subcontractor.

As used in this Appendix EE the term "County Contractor" shall mean a person or firm who will manage and be responsible for an entire contracted project.

As used in this Appendix EE "Documentation Demonstrating Best Efforts to Obtain Certified Minority or Women-owned Business Enterprises" shall include, but is not limited to the following:

- a. Proof of having advertised for bids, where appropriate, in minority publications, trade newspapers/notices and magazines, trade and union publications, and publications of general circulation in Nassau County and surrounding areas or having verbally solicited M/WBEs whom the County Contractor reasonably believed might have the qualifications to do the work. A copy of the advertisement, if used, shall be included to demonstrate that it contained language indicating that the County Contractor welcomed bids and quotes from M/WBE Subcontractors. In addition, proof of the date(s) any such advertisements appeared must be included in the Best Effort Documentation. If verbal solicitation is used, a County Contractor's affidavit with a notary's signature and stamp shall be required as part of the documentation.
- b. Proof of having provided reasonable time for M/WBE Subcontractors to respond to bid opportunities according to industry norms and standards. A chart outlining the schedule/time frame used to obtain bids from M/WBEs is suggested to be included with the Best Effort Documentation
- c. Proof or affidavit of follow-up of telephone calls with potential M/WBE subcontractors encouraging their participation. Telephone logs indicating such action can be included with the Best Effort Documentation
- d. Proof or affidavit that M/WBE Subcontractors were allowed to review bid specifications, blue prints and all other bid/RFP related items at no charge to the M/WBEs, other than reasonable documentation costs incurred by the County Contractor that are passed onto the M/WBE.
- e. Proof or affidavit that sufficient time prior to making award was allowed for M/WBEs to participate effectively, to the extent practicable given the timeframe of the County Contract.

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- f. Proof or affidavit that negotiations were held in Best Efforts with interested M/WBEs, and that M/WBEs were not rejected as unqualified or unacceptable without sound business reasons based on (1) a thorough investigation of M/WBE qualifications and capabilities reviewed against industry custom and standards and (2) cost of performance. The basis for rejecting any M/WBE deemed unqualified by the County Contractor shall be included in the Best Effort Documentation.
- g. If an M/WBE is rejected based on cost, the County Contractor must submit a list of all sub-bidders for each item of work solicited and their bid prices for the work.
- h. The conditions of performance expected of Subcontractors by the County Contractor must also be included with the Best Effort Documentation.
- i. County Contractors may include any other type of documentation they feel necessary to further demonstrate their Best Efforts regarding their bid documents.

As used in this Appendix EE the term "Executive Director" shall mean the Executive Director of the Nassau County Office of Minority Affairs; provided, however, that Executive Director shall include a designee of the Executive Director except in the case of final determinations issued pursuant to Section (a) through (j) of these rules.

As used in this Appendix EE the term "Subcontract" shall mean an agreement consisting of part or parts of the contracted work of the County Contractor.

As used in this Appendix EE, the term "Subcontractor" shall mean a person or firm who performs part or parts of the contracted work of a prime contractor providing services, including construction services, to the County pursuant to a county contract. Subcontractor shall include a person or firm that provides labor, professional or other services, materials or supplies to a prime contractor that are necessary for the prime contractor to fulfill its obligations to provide services to the County pursuant to a county contract. Subcontractor shall not include a supplier of materials to a contractor who has contracted to provide goods but no services to the County, nor a supplier of incidental materials to a contractor, such as office supplies, tools and other items of nominal cost that are utilized in the performance of a service contract.

Provisions requiring contractors to retain or submit documentation of best efforts to utilize certified subcontractors and requiring Department head approval prior to subcontracting shall not apply to inter-governmental agreements. In addition, the tracking of expenditures of County dollars by not-for-profit corporations, other municipalities, States, or the federal government is not required.

Prohibition of Gifts. In accordance with County Executive Order 2-2018, the Contractor shall not offer, give, or agree to give anything of value to any County employee, agent, consultant, construction manager, or other person or firm representing the County (a "County Representative"), including members of a County Representative's immediate family, in connection with the performance by such County Representative of duties involving transactions with the Contractor on behalf of the County, whether such duties are related to this Agreement or any other County contract or matter. As used herein, "anything of value" shall include, but not be limited to; meals, holiday gifts, holiday baskets, gift cards, tickets to golf outings, tickets to sporting events, currency of any kind, or any other gifts, gratuities, favorable opportunities or preferences. For purposes of this subsection, an immediate family member shall include a spouse, child, parent, or sibling. The Contractor shall include the provisions of this subsection in each subcontract entered into under this Agreement.

Disclosure of Conflicts of Interest. In accordance with County Executive Order 2-2018, the Contractor has disclosed as part of its response to the County's Business History Form, or other disclosure form(s), any and all instances where the Contractor employs any spouse, child, or parent of a County employee of the agency or department that contracted or

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procured the goods and/or services described under this Agreement. The Contractor shall have a continuing obligation, as circumstances arise, to update this disclosure throughout the term of this Agreement.

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INDEMNIFICATION:

Contractor agrees to indemnify and hold harmless County and its agents, officers and employees, from and against any and all losses, costs, expenses (including attorneys' fees and disbursements), damages and liabilities, arising out of or in connection with any acts or omissions of Contractor, its officers, agents or employees, provided, however, that Contractor shall not be responsible for that portion, if any, of a loss that is caused by the negligence of the County; and provided, further, that Contractor shall not be liable for consequential, indirect or special damages. Contractor shall, at County's demand and at County's direction, defend at its own risk and expense any and all suits, actions or legal proceedings which may be brought against County, its agents, officers or employees in connection with a loss for which Contractor is responsible under this paragraph.

DEFINITIONS:

- The term "County" as used herein, shall be deemed as reference to the County of Nassau, State of New York.
- The term "Contractor" as used herein, shall be deemed as reference to the successful bidder, vendor, proprietor, partnership, or corporation receiving an award to perform any or all of the services specified herein in accordance with the terms of this agreement.
- The term "agency" as used herein, shall be deemed as the department, division, bureau, office, agency or other Nassau County establishment authorized to receive the service specified herein.
- The term "Director" as used herein, shall be deemed as reference to the Director of the Office of Purchasing.
- The term "Blanket Order" as used herein, shall be deemed as the multiple use pricing agreement as a result of this bid.
- The term "Purchase Order" as used herein, shall be deemed as the single use pricing agreement as a result of this bid.
- The term "complete" as written in this bid must include all equipment, delivery and installation of same in its entirety, as listed in the contract documents, and is to include all supervision, labor, materials, plant equipment, transportation, testing, (if required) incidentals, and other facilities as necessary and/or required to execute all the work as herein specified, or as incidentally required to provide a complete operating installation.

NOTE: INSERT FEDERAL IDENTIFICATION NUMBER IN SPACE PROVIDED ON PAGE 1.

M/WBE, SDVOB and DBE Participation: The County encourages the participation of certified Service-Disabled Veteran-Owned Businesses ("SDVOB"), Minority or Women-Owned Business Enterprises ("M/WBE"), and Disadvantaged Business Enterprises ("DBE") in the bidding process. A Contractor that is certified by New York State or the County as a SDVOB, M/WBE, and/or DBE should include this information in their bid. For more information regarding the County's SDVOB, M/WBE, or DBE programs, please visit the Nassau County Office of Minority Affairs website

IMPORTANT

PRICE MUST BE INSERTED WITH TYPEWRITER OR INK. BIDS MUST BE SIGNED IN INK. TO ASSURE OFFER REACHING IN TIME, **YOU ARE URGED TO MAIL YOUR FORMAL SEALED BID EARLY. THIS FORMAL SEALED BID MUST REACH OUR OFFICE BY 11:00 A.M.** LATE FORMAL SEALED BIDS WILL NOT BE ACCEPTED.

REQUIRED VENDOR DISCLOSURE FORMS

Prior to the bid opening, the following disclosure forms (the "Disclosure Forms") must be submitted in the Nassau County Vendor Portal at

https://apex5.nassaucountyny.gov/ords/f?p=312:LOGIN_DESKTOP:3445712403627:

- a. A duly completed and verified Business History Form, together with a current certified or verified financial statement and/or other commercially reliable written evidence of the bidder's credit, financial standing and capacity to perform in accordance with the terms of the Contract.
- b. All officers, and any individuals who hold a ten percent (10%) or greater ownership interest in the bidder, shall complete and verify the Principal Questionnaire.
- c. The County of Nassau Consultant's, Contractor's and Vendor's Disclosure Form
- d. Additionally, if the bidder utilizes the services of any individual or organization for the purposes of conducting lobbying activities and is awarded the contract, the successful proposer will be required to provide a copy of the Lobbyist Registration and Disclosure Form, completed and verified by that individual/organization.

PLEASE NOTE:

- If a bidder has previously submitted the Disclosure Forms in the Nassau County Vendor Portal, the bidder must ensure that the forms on file in the Portal are current, accurate, and have been recertified within three (3) months prior to the bid opening date. The bidder must also ensure that their response to question 7, and its subparts, on the Consultant's, Contractor's, and Vendor's Disclosure Form is provided in relation to the specific solicitation under consideration.

**PLEASE FILL OUT THE ABOVE FORMS THEY MUST BE
FILLED OUT IN THE PORTAL PRIOR TO THE BID OPENING.**

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REQUESTS FOR INFORMATION OR CLARIFICATION

Before bidding, bidders must examine all of the Contract documents, including the specifications, any drawings, and all instructions. If the bidder finds any inconsistency, ambiguity, omission or error in the specifications, drawings, instructions or any other Contract document, or if the bidder is in doubt as to the meaning of any term or condition of the Contract, the bidder must promptly so notify the **Office of Purchasing** in writing prior to the bid opening. The failure of the bidder to notify the **Office of Purchasing**, prior to the bid opening of any inconsistency, ambiguity, omission or error that the bidder actually found, or that should have been discovered by a reasonably prudent bidder, will preclude and negate acceptance of the bidder's claim.

If the **Office of Purchasing** receives a notification from a bidder of a differing site condition or an inconsistency, ambiguity, omission or error in the Contract documents, the **Office of Purchasing** will, as it deems necessary or desirable, issue a written interpretation or correction to the Contract documents as an amendment to the Contract documents. Any such amendment will be made available electronically to each person that received a copy of the Contract documents as reflected in the records of the **Office of Purchasing**, and any such amendment will also be available at the place where the Contract documents are available for inspection by prospective bidders.

Upon such mailing or delivery, such amendment shall become part of the Contract documents and shall be binding on all bidders, whether or not they have had actual notice of such addendum.

Please note that all bidder requests for information or clarification must be received by the Authority at least 72 hours prior to the bid opening. Any bidder requests for information or issues with the contract documents presented after that time may not be addressed by the Office of Purchasing.

Ordinance # 153-2018

Pursuant to Ordinance # 153-2018, a bidder that is awarded a contract under this bid is required to pay the County an administrative service charge in accordance with the following schedule:

| <u>Value of Contract</u> | <u>Administrative Fee</u> |
|--------------------------|---------------------------|
| \$0-\$10,000 | \$0 |
| Over \$10,000-\$50,000 | \$160 |
| Over \$50,000-\$100,000 | \$266 |
| Over \$100,000 | \$533 |

After an award, the successful bidder(s) will be notified by the Director of Shared Services, or their designee, when payment of the administrative charge is due. Please note, if you are a religious, charitable, nonprofit, or not-for-profit organization, please include this information in your bid for consideration by the Director of the Shared Services to waive the fee.

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SCOPE: It is the Intent of the County of Nassau to properly describe by these specifications and terms an adequate method of providing : **Trash Pumps.**

AWARD: Award, if any, will be made to the lowest responsible bidder, who in the opinion of the Director of Purchasing, meets the specifications and qualifications stated herein. The Director of Purchasing reserves the right to make an award be items, groups, or classes of items or as a whole. Awards will be made in accordance with the terms and conditions attached hereto and made part hereof.

PURPOSE: The purpose of this bid is to establish a price structure on which items and/or services listed herein will be purchased at once by Purchase Order.

DELIVERY: Bidders are required to state guaranteed delivery date in terms of days after receipt of order in the space provided below and on page one. Bidders are cautioned to post realistic delivery dates. Guaranteed delivery dates will be strictly enforced. Must be made within 15 days A/R/O unless stated otherwise below:

Delivery to be made 84 Days A/R/O.

Delivery shall be made **ONLY** upon receipt of a Purchase Order, or in the case of a Blanket Order, upon receipt of a Direct Purchase Order(s) from a using agency authorized to use the Blanket Order which will be issued to the successful bidder. Purchase Order and Direct Purchase Order shall indicate the destination address. Inside delivery is required on all deliveries.

Bidders agree that all orders shall be effective and binding upon the contractor when PLACED IN THE MAIL addressed to the Contractor at the address shown on the Blanket Order/Purchase Order PRIOR TO MIDNIGHT OF THE FINAL DAY OF CONTRACT.

BILLING: Shall be made on County claim forms or Certified Invoices to the individual using County Agency upon completion of deliveries made against applicable Purchase Order(s) or Direct Purchase Order(s).

NO PARTIAL PAYMENTS WILL BE PAID.

*****VENDOR CLAIM CERTIFICATION*****

IF A CLAIM VOUCHER IS NOT BEING SUBMITTED, THE FOLLOWING CERTIFICATION **MUST** APPEAR ON THE INVOICE:

I HEREBY CERTIFY THAT ALL ITEMS OR SERVICES WERE DELIVERED OR RENDERED AS SET FORTH IN THIS CLAIM; THAT THE PRICES CHARGED ARE IN ACCORDANCE WITH REFERENCED PURCHASE ORDER, DIRECT PURCHASE ORDER OR CONTRACT, THAT THE CLAIM IS JUST, TRUE AND CORRECT; THAT THE BALANCE STATED HEREIN IS ACTUALLY DUE AND OWING AND HAS NOT BEEN PREVIOUSLY CLAIMED; THAT NO TAXES FROM WHICH THE COUNTY IS EXEMPT ARE INCLUDED; AND THAT ANY AMOUNTS CLAIMED FOR DISBURSEMENTS HAVE ACTUALLY AND NECESSARILY BEEN MADE.

Xylem Dewatering Solutions Inc.

| | |
|----------------|-------|
| _____ | _____ |
| CLAIMANT NAME | DATE |
| _____ | _____ |
| BY (SIGNATURE) | TITLE |

*CLAIM VOUCHERS AND CERTIFIED INVOICES NOT PROPERLY COMPLETED WILL BE RETURNED TO YOU UNPAID**

Vendors may download claim form NIFS560 at the following URL:

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<http://www.nassaucountyny.gov/agencies/Comptroller/Docs/PDF/ClaimVoucherFormBlank.pdf>

TOTAL CONSUMPTION: Total consumption of order awarded may be PLUS/MINUS those quantities without any price change.

INSPECTION: Bidders should be aware of Inspection and Delivery requirements as stipulated.

PRICE DISCREPANCY: In the event of a discrepancy between the unit price and the extension price, the unit price will govern.

RETENTION OF BID: Vendor is required to make a copy of his completed bid document and applicable attachments. Any purchase orders issued against this bid will refer to the bid and attachments to designate items awarded.

METHOD OF BIDDING: Please submit unit price in the appropriate column.

ADDITIONAL BIDS: The County reserves the right, for any un-contemplated additional requirements of extraordinary quantities of particular items to call for new bids, therefore, whenever in the opinion of the Director of the Office of Purchase it is in the best interests of the County of Nassau to do so.

TAX PROVISION: Purchases made by the County of Nassau are not subject to State, Local Sales Taxes or Federal Excise Taxes. Federal Exemption #A-109538 State Exemption #EX 7213062C. The County of Nassau is not subject to any Existing "Fair Trade Agreements" and bidders should be governed accordingly.

SPECIFICATIONS: Submit complete specifications and illustrations of products offered with the bid. Acceptance of a bid and designation of a manufacturer's catalog description, brand name or number in any Purchase or Blanket Order resulting there-from shall not be construed as qualification of the specifications of this bid or relief there-from, except as specifically stated in the Purchase or Blanket Order.

PRODUCT IDENTIFICATION: If a product(s) is identified by a BRAND NAME, a substitute of equal quality, construction, finish, composition, size, workmanship and performance characteristics may be acceptable. In submitting a bid, each bidder warrants that the substitute product being offered is an equal. Bid sheets shall be so noted of the manufacturer's name and brand of the product offered as an equal. If as a result of an award, a delivery is made of a brand or product represented as an equal which is subsequently deemed to be unacceptable, the Contractor shall be required, at his expense, to pick up the rejected item and replace it with brand(s) listed in this bid, or an acceptable equal which will have the approval of the Director.

PROTECTION FROM CLAIM AGAINST "OR EQUAL": In the event of any claim by any unsuccessful bidder concerning or relating to the issue of "equal or better" or "or equal", the successful bidder agrees, at his own cost and expense, to defend such claims or claims and agrees to hold the County of Nassau free and harmless from any and all claims for loss or damage arising out of this transaction for any reason whatsoever.

ALTERNATIVE ITEM: In submitting a bid on a commodity other than as specified, bidder shall furnish complete data and identification with respect to the alternate commodity he proposes to furnish. Consideration will be given to proposals submitted on alternate commodities to the extent that such action is deemed to serve the best interests of the

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

BIDDER SIGNATURE

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County. If a bidder does not indicate that the commodity he proposes to furnish is other than as specified, it will be construed to mean that the bidder proposes to furnish the exact commodity as described. Consideration of the alternate shall be at the sole discretion of the Director. **MORE THAN ONE (1) BID ON EACH ITEM WILL NOT BE CONSIDERED, UNLESS OTHERWISE SPECIFIED BY THE COUNTY.**

EQUIVALENT BIDS: Bidders may offer a product of the same capability, but of different manufacture and model than that specified in this bid. The use of the name of a manufacturer, brand, make or catalog designation is specifying items described herein does not restrict or preclude bidders from offering equivalent or better product bids. Such a designation is used only to indicate the character, quality and minimum performance desired. Equal or better product bids are permissible. A bidder submitting an equal or better product shall, at his own cost and expense be responsible for submitting proof and/or a demonstration of equivalence, compatibility and performance. However, acceptance of an equivalent product shall be strictly at the discretion of the Director. Any omission of the term "or equal" in any specific bid item listing should be disregarded by the bidder. All bidders shall have an absolute right to submit "equivalent" bids notwithstanding any other provision of the bid specifications.

WARRANTY: The successful bidder warrants the equipment furnished and all associated equipment against any defects in design, workmanship and materials against failure to operate satisfactorily for one (1) year from the date of acceptance by the using department and/or agency of the equipment, other than defects or failure shown by the Contractor that have arisen solely from accident or abuse occurring after delivery to the Nassau County agency. Contractor agrees to replace any parts, which in the opinion of the user, shall fail from the above reasons.

IMPORTANT NOTES: If a company policy or trade practice requires a different warranty period, the bidder may so state without fear of disqualifications. However, the bidder is cautioned that the length of warranty may, in some cases, be a deciding factor in making an award.

Equipment furnished hereunder shall meet the standards set forth in the Occupational Safety and Health Act of 1970.

BIDDER SHALL STATE WARRANTY

PERIOD: 1 year or 2,000 hours whichever comes first

NOTE: All warranties take effect only upon written acceptance of equipment by using agency and shall run full term from that point.

BIDDER SHALL INDICATE COST AND TERM OF ANY EXTENDED WARRANTY OPTION, IF AVAILABLE:

REDUCTION IN PRICES: If an award is made, the Contractor agrees, should prices be reduced to the general trade during the requirement period, the County shall receive the benefit of such reduction immediately upon effect. It shall be incumbent upon the Contractor to notify the Purchasing Department of such price reductions.

NON-ASSIGNMENT: In accordance with Section 138 of the State Finance Law, the contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of

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without the previous consent, in writing, of Nassau County and any attempts to assign the contract without the County's written consent are null and void.

PRICE PROTECTION: Bidders are required to state period of price protection (in terms of days) after the bid opening.

STATE PRICE PROTECTION PERIOD: 90 **DAYS AFTER BID OPENING**

EXTENSION OF PRICE: It is anticipated that additional quantities of items specified herein may be required in the ensuing year. Accordingly, the County of Nassau requests that the prices bid be protected and be available to the County of Nassau for one (1) year from the date of the award. Economic conditions may not permit the price protection for an entire year. Bidders are requested to state the period for which bid prices will be applicable to potential additional orders.
90 days.

INSURANCE AND WORKERS COMPENSATION: The successful bidder agrees to obtain from an insurance company, authorized to do business in the State of New York, and keep in force during the term of any agreement, a policy of Comprehensive and General Liability Insurance naming the Contractor as an Insured, and naming the County of Nassau as an additional Insured, including but not limited to the torts and negligence of Contractor's personnel, with a combined minimum single limit of three million dollars (\$3,000,000.00) for bodily injury and property damage for any one occurrence at the Contractor's sole cost and expense. Evidence of insurance may be required prior to Notice of Award or Issuance of a Purchase Order.

The Contractor shall comply with all provisions of the Workers' Compensation Law and shall furnish a certificate showing evidence of current coverage.

PRODUCT LIABILITY INSURANCE: The successful bidder agrees to obtain from an insurance company authorized to do business in the State of New York, and keep in force during the term of an agreement, a policy of Product Liability Insurance, including foreign objects, with a combined minimum single limit of one million dollars (\$1,000,000.00) for each occurrence, at the Contractor's sole cost and expense, and shall furnish a certificate showing evidence of current coverage. Evidence of insurance may be required prior to Notice of Award or Issuance of a Purchase Order.

NEW YORK STATE PRICES: Bidders must represent and warrant that if they are under contract with New York State for items specified herein, that the price quoted to the County is not higher than the price per unit quoted to New York State for like quantities.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

VENDOR RESPONSIBILITY CRITERIA: The Director of Purchasing reserves the right before making an award to make investigations as to whether or not the qualifications, services, facilities or items offered by the bidder meet the requirements set forth herein and are ample and sufficient to ensure the proper performance in the event of an award. The bidder must be prepared, if requested by the Director of Purchasing, to present evidence of experience, ability, financial standing, as well as a statement as to plant, machinery, trained personnel and capacity for the rendition of the service on which the vendor is bidding. Upon request of the Director, the successful bidder shall file certification from the manufacturer relative to authorization, delivery, service and guarantees. If it is found that the conditions of the bid are not complied with or that the services or equipment proposed to be furnished do not meet the requirements called for, or that the qualifications, financial standing, or facilities are not satisfactory, the Director may reject such bids. It is distinctly understood, however, that nothing in the foregoing shall mean or imply that it is obligatory upon the Director to make any examinations before an award; and it is further understood that, if such examination is made, it in no way relieves the bidder from fulfilling all requirements and conditions of the bid.

NON-COLLUSIVE BIDDING CERTIFICATION REQUIRED BY SECTION 139-D OF THE STATE FINANCE LAW

BY SUBMISSION OF THIS BID, BIDDER AND EACH PERSON SIGNING ON BEHALF OF BIDDER CERTIFIES, AND IN THE CASE OF A JOINT BID, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGANIZATION, UNDER PENALTY OR PERJURY, THAT TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF:

- [1] The prices of this bid have been arrived at independently, without collusion, consultation, communication, or agreement for the purposes of restricting competition, as to any matter relating to such prices with any other Bidder or with any competitor;
- [2] 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
- [3] 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.

A BID SHALL NOT BE CONSIDERED FOR AWARD NOR SHALL ANY AWARD BE MADE WITH [1], [2], [3] ABOVE HAVE NOT BEEN COMPLETE WITH; PROVIDED HOWEVER, THAT IF IN ANY CASE THE BIDDER(S) CANNOT MAKE THE FOREGOING CERTIFICATION, THE BIDDER SHALL SO STATE AND SHALL FURNISH BELOW A SIGNED STATEMENT WHICH SETS FORTH IN DETAIL THE REASONS THEREFORE:

[AFFIX ADDENDUM TO THIS PAGE IF SPACE IS REQUIRED FOR STATEMENT]

Subscribed to under penalty of perjury under the laws of the State of New York,

this Fifth day of December, 2023 as the act and deed of said Corporation or Partnership.

Identifying Data:

Potential Contractor: Xylem Dewatering Solutions Inc.

Address:

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL

72015-12123-268

Street: 20 Truman Dr S.

City, Town, etc: Edison, NY 08817

Telephone: 732-917-7701 Title: Branch Location

If applicable, responsible Corporate Officer

Name Ken Albaugh Title Director Sales and Services

Signature:  

FAILURE TO COMPLETE THIS FORM AND SIGN IN APPROPRIATE PLACE MAY RESULT IN AUTOMATIC REJECTION OF THE BID.

GENERAL INSTRUCTIONS: All bidders must adhere to the following conditions:

As per New York State Municipal Law 103, no exception can be taken to any material term and/or condition of this bid with the exception of any warranties as presented in this bid for the specific commodity or service required.

Any language in any proposal or document submitted by a bidder as part of their bid that is accepted by the County of Nassau cannot be in conflict with any material term and/or condition relevant to this bid with the exception of any warranties or the specifications of the commodity of service required by this bid. If there is any conflict between the bidder's terms and conditions and the terms and conditions of this bid, the terms and conditions of this bid shall govern.

Bidders must insert **FEDERAL IDENTIFICATION NUMBER** in the space provided on page one of this bid.

Late Formal Sealed Bids will NOT be accepted. Bidders are urged to mail bids early to assure delivery on time. Bids must be received by 11:00 A.M. on the bid opening date.

Prices **MUST** be inserted with **TYPEWRITER OR INK**. Entries with **WHITE OUT, CROSS-OUTS OR LIFT-OFF TAPE** **MUST** BE INITIALED or that entry will be disqualified.

Bidders should submit bid with unit price in the appropriate column on bid pages or forms attached hereto. In the event of a discrepancy between the unit price and the extension, the unit price shall govern. Bidders shall submit one (1) original bid document and all applicable attachments. Any order issued against this bid will refer to the bid and attachments to designate items awarded. Bidders agree that all Direct Purchase Orders and/or Purchase Orders shall be effective and binding upon the Contractor when placed in the mail, addressed to the Contractor at the address shown on the Direct Purchase Order or the Purchase Order.

Bidders **MUST** state manufacturer's name and catalog number of each item bid.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

BIDDER SIGN HERE 

ABSOLUTELY NO MINIMUM ORDERS shall be applied to this bid.

Purchases made by Nassau County are not subject to State or Local Sales Tax or Federal Excise Taxes.

Federal Exemption Number: A-109538

State Exemption Number: EX 7213062C

Inside (receiving dock) delivery is required on all orders.

The rights and obligations of the parties under this agreement shall be governed by the laws of the State of New York.

Bids are hereby solicited for the commodities and/or services specified herein which are to be delivered and/or performed at the locations indicated, and in strict accordance with all specifications, terms and conditions attached hereto and made part hereof.

Bid document must be signed by proprietor, partner or corporate officer.

The clauses contained in these bid forms set forth the wishes of the County of Nassau in regard to the purchase and/or services required. However, the Director reserves the right to waive irregularities, omissions, or other technical defects if, in its judgment, the best interest of the County of Nassau will be served accordingly.

Bidders may take exception to paragraphs of the bid under a separate cover letter to be attached to this bid, indicating the specific bid page, paragraph and the exception(s). In any event, the decision of the Director will be final.

Qualification statement **MUST BE COMPLETED** and submitted with bid. See page 4 for further details

IMPORTANT NOTE: The Director reserves the right to accept or reject any and all bids, or separable portions of offers, and waive technicalities, irregularities, and omissions if the Director determines the best interests of the County of Nassau will be served. The Director, in his sole discretion, may accept or reject illegible, incomplete or vague bids and his decision shall be final. A conditional or revocable bid which clearly communicates the terms or limitations of acceptance may be considered and contract award may be made in compliance with the bidder's conditional or revocable terms in the offer. Prior to award, the Director reserves the right to seek clarifications, request bid revisions, or to request any information deemed necessary for proper evaluation of bids from all bidders deemed to be eligible for contract award. Failure to provide requested information may result in rejection of the bid.

EVALUATION:

The Director of the Office of Purchasing (hereinafter known as the Director) reserves the right before making award to make investigations as to whether or not the items, qualifications, services or facilities offered by the Bidder meet the requirements set forth herein and are ample and sufficient to insure the proper performance in the event of an award. The Bidder must be prepared, if requested by the Director, to present evidence of experience, ability and financial standing, as well as a statement as to plant, machinery, trained personnel and capacity for the rendition of the service on which he is bidding. Upon request of the Director of Purchasing, successful bidder shall file certification from the manufacturer relative to authorization, delivery, service and guarantees. If it is found that the conditions of the bids are not complied with or that the services or equipment proposed to be furnished do not meet the requirements called for, or that the qualifications, financial standing or facilities are not satisfactory, the Director may reject such bids. It is distinctly understood, however, that nothing in the foregoing shall mean or imply that it is obligatory upon the Director to make

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL

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any examinations before award; and it is further understood that, if such examination is made, it in no way relieves the Bidder from fulfilling all requirements and conditions of the bid.

Contractor shall retain complete and accurate records and documents related to this Agreement for six (6) years following the later of termination or final payment. Such records shall at all times be available for audit and inspection by the County.

Governing Law – Consent to Jurisdiction and Venue; Governing Law. Unless otherwise specified in this Agreement or required by Law, exclusive original jurisdiction for all claims or actions with respect to this Agreement shall be in the Supreme Court in Nassau County in New York State and the parties expressly waive any objections to the same on any grounds, including venue and forum non conveniens. This Agreement is intended as a contract under, and shall be governed and construed in accordance with, the Laws of New York State, without regard to the conflict of laws provisions thereof.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

SPECIFICATIONS: Trash Pumps as per specs or Equal

| Item # | Description | Qty | Unit Price | Total Price |
|--------|---|-----|------------|-------------|
| #1 | Trash Pumps as per specs below or equal | 1 | \$120,939 | \$120,939 |
| #2 | Hose Package or equal | 1 | \$29,736 | \$29,736 |

| | |
|---------------------------------|--|
| Model | Trash Flow®TFCC-12M |
| Connection Size | 12" x 12" (300mm x 300mm) |
| Max. GPM | 5500 GPM (1248 m ³ /hr) |
| Max. Suction Lift | 16 ft. |
| Max. Discharge Head | 61 psi (140 Ft 42 m) |
| Max. Liquid Temp. | 160°F (71°C) |
| Pump Casing | Grey Iron, ASTM A48; Class 30 |
| Operating Pressure | 80 psi max. (551kPa) |
| Impeller | Max. 18" OD, Ductile Iron ASTM A536, Grade 60-40-18 (Impeller Trimming: If required). |
| Max. Solids Handling | Semi-Open Type, Two-Vane Impeller, (two plane, computer dynamically balanced) |
| Impeller Shaft | 3" (76 mm) |
| Replaceable Wear Plate | ANSI 4140 steel |
| Removable Cover Plate | SAE 1020 steel |
| Flapper Valve | Grey Iron, ASTM A48; Class 30 |
| Bearing Housing | Neoprene with internal steel weight |
| Seal Plate | Grey Iron, ASTM A48; Class 30 (includes oil sight glass and breather valve) |
| Shaft Sleeve | Grey Iron, ASTM A48; Class 30 |
| Radial/Thrust Bearing | 316 Stainless Steel |
| Bearing/Seal Cavity Lubrication | NSK Open Ball |
| Gaskets | SAE No. 30 Non-Detergent Oil |
| Hardware | Buna-N, Compressed Synthetic Fibers, PTFE, Vegetable Fiber, Cork and Rubber |
| | Standard Plated Steel, Brass Pressure Relief Valve, Bearing and Seal Cavity Oil Level Sight Gauges |

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

BIDDER SIGN HERE 

Mechanical Seal

Double floating cartridge type, titanium tungsten-carbide rotating and stationary faces, 316SS casing and spring, Viton O-Rings.

Trailer
Coupling

Tandem Axle DOT compliant with e-brakes, fenders, lighting, swivel jack, pintle eye coupler
SAE Rubber Disk Drive fly-wheel coupling

Engine & Control Panel

150 HP Deutz Tier 4 final, 6-cylinder, air-cooled diesel engine c/w muffler, control panel, 12V starter & alternator, battery

Hose Package

Suction Hoses

12"X20' HEACY DUTY SUCTION HOSE (2 PIECES) W/ BAUERS

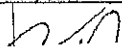
Discharge Hoses

12"X20' HEAVY DUTY DISCHARGE HOSE (10 PIECES) W/ BAUERS

If bidding on equal please list make, model and attach specs

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

BIDDER SIGN HERE





20 Truman Drive South
Edison, NJ 08817
Tel: 732-390-2166
Fax: 732-390-2156
www.godwinpumps.com

December 4, 2023

Anette Sullivan
County of Nassau
Attn: Sewer Maint Cedar Creek
3340 Merrick Road
Wantagh, NY 11793-4341

Phone: 516-571-6103
Email: asullivan1@nassaucountyny.gov

**RE: DPC300 Sale-72015-12123-268
Sale Quotation 123028449**

Dear Anette:

We are pleased to offer the following proposal for the Nassau County trash pumps bid. Attached to this quote is the original package from Nassau County outlining the requested equipment and specs, along with Xylem's equivalent pump and MDS sheet.

Please do not hesitate to contact me directly at 908-421-9053 or at my office at 732-390-2166.

Sincerely,

Megan Lockard
Outside Sales Representative

ML / jsj

December 4, 2023
 County of Nassau
 Attention: Anette Sullivan
 Sale Quotation # 123028449
 Page 2 of 3

20 Truman Drive South
 Edison, NJ 08817
 Tel: 732-390-2166



SALE QUOTATION

| ITEM | QTY | DESCRIPTION |
|------|-----|---|
| A | 1 | Dri-Prime DPC300 Diesel Pump <ul style="list-style-type: none"> • 12" 150# Flange Suction and Discharge • John Deere 4045HFC04-FT4 134HP Diesel • Includes PrimeGuard Engine Controller • Skid-mounted • Pump Options <ul style="list-style-type: none"> • 12" MQD x 150#FL Mounting Kit <ul style="list-style-type: none"> • (1) Mounted on Pump Suction & (1) Mounted on Pump Discharge |
| B | 1 | CD250/DPC300/HL5M GL10 Trailer (5705) |
| C | 2 | 12" x 20' Black Water Suction Hose with Godwin QD Fittings |
| D | 10 | 12" x 20' Black Water Suction Hose with Godwin QD Fittings |

THE PRICE PROVIDED IS BASED UPON XYLEM'S REVIEW OF THE APPLICABLE PLAN DRAWINGS AND RELEVANT TECHNICAL SPECIFICATION SECTIONS BEARING ON THE EQUIPMENT DESCRIBED IN THIS QUOTATION. SUBMISSION OF THIS QUOTATION SHOULD NOT BE MISCONSTRUED AS XYLEM'S ACCEPTANCE OF ANY OTHER PROVISIONS OF THE PRIME CONTRACT BETWEEN CONTRACTOR AND PROJECT OWNER (HOWSOEVER REFERENCED) AND ATTEMPTS IN ANY SUBSEQUENT SUBCONTRACT TO BIND XYLEM TO SUCH OWNER DOCUMENTS ARE HEREBY REJECTED AND SHALL BE OF NO FORCE AND EFFECT, IRRESPECTIVE OF ANYTHING STATED ELSEWHERE TO THE CONTRARY.

Please note all sale pricing is in U.S. Dollars. The price does not include freight, export boxing, duties, taxes, or any other items not specifically mentioned.

This pricing information is for internal use only. We ask that these items and terms be kept confidential. All applicable tax and freight charges will be added to invoices. All quotations are subject to credit approval. All quotations are valid for 30 days. All prices quoted in US dollars.

December 4, 2023
 County of Nassau
 Attention: Anette Sullivan
 Sale Quotation # 123028449
 Page 3 of 3

20 Truman Drive South
 Edison, NJ 08817
 Tel: 732-390-2166



SALE QUOTATION

| ITEM | QTY | DESCRIPTION |
|------|-----|-------------|
|------|-----|-------------|

Our current delivery lead-times associated with this Quotation are best estimates at this time. Due to the outbreak of the COVID-19 virus pandemic and its global effects on commerce, supply chain, and logistics, these lead-times are an estimate only and not a commitment. Xylem is and will continue to use all commercially reasonable efforts to minimize any delivery delay impacts.

A signed copy of this Quotation is acceptable as a binding contract.

| | |
|------------------|-------------------------|
| Signature: | Name: (PLEASE PRINT) |
| Company/Utility: | Reference #: |
| Address: | Date: |
| | Phone: |
| | Email: |
| | Fax: |

| | |
|--------------------------------|----------------------|
| NET LUMP SUM SALE TOTAL | \$ 149,100.00 |
| DELIVERY CHARGE | \$ 1,575.00 |

THE PRICE PROVIDED IS BASED UPON XYLEM'S REVIEW OF THE APPLICABLE PLAN DRAWINGS AND RELEVANT TECHNICAL SPECIFICATION SECTIONS BEARING ON THE EQUIPMENT DESCRIBED IN THIS QUOTATION. SUBMISSION OF THIS QUOTATION SHOULD NOT BE MISCONSTRUED AS XYLEM'S ACCEPTANCE OF ANY OTHER PROVISIONS OF THE PRIME CONTRACT BETWEEN CONTRACTOR AND PROJECT OWNER (HOWSOEVER REFERENCED) AND ATTEMPTS IN ANY SUBSEQUENT SUBCONTRACT TO BIND XYLEM TO SUCH OWNER DOCUMENTS ARE HEREBY REJECTED AND SHALL BE OF NO FORCE AND EFFECT, IRRESPECTIVE OF ANYTHING STATED ELSEWHERE TO THE CONTRARY.

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This order is subject to the Standard Terms and Conditions of Sale - Xylem Americas effective on the date the order is accepted which terms are available at <http://www.xylem.com/en-US/support/xylem-americas-standard-terms-and-conditions/> and incorporated herein by reference and made a part of the agreement between the parties.

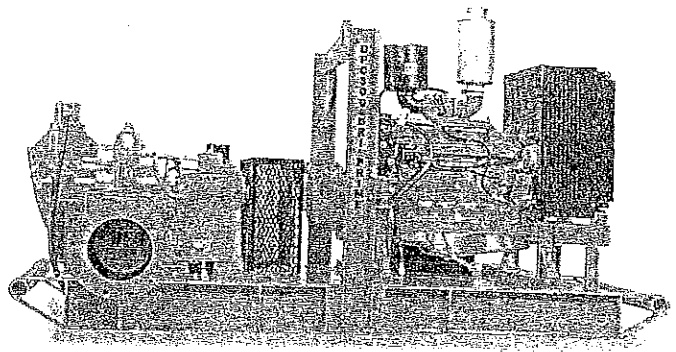
DPC300 Dri-Prime® Pump

WITH FINAL TIER 4 DIESEL ENGINE

The Godwin Dri-Prime DPC300 pump offers flow rates to 4660 USGPM and has the capability of handling solids up to 3.7" in diameter.

The DPC300 is able to automatically prime to 28' of suction lift from dry. Automatic or manual starting/stopping available through integral mounted control panel or optional wireless-remote access.

Solids handling and portability make the DPC300 the perfect choice for dewatering and bypass applications.



Features and Benefits

- Simple maintenance normally limited to checking fluid levels and filters.
- Dri-Prime (continuously operated Venturi air ejector priming device) requiring no periodic adjustment. Venturi has no moving parts for simple, reliable operation.
- Extensive application flexibility handling sewage, slurries, and liquids with solids up to 3.7" in diameter.
- Liquid lubricated mechanical seal with high abrasion resistant solid silicon carbide faces and limited dry-running capabilities.
- Pedestal-mounted centrifugal pump with Dri-Prime system coupled to a diesel engine or electric motor.
- All cast iron construction (stainless steel construction option available) with cast steel impeller.
- Also available in a critically silenced unit which reduces noise levels to less than 70 dBA at 30'.
- Standard engine John Deere 4045HFC04

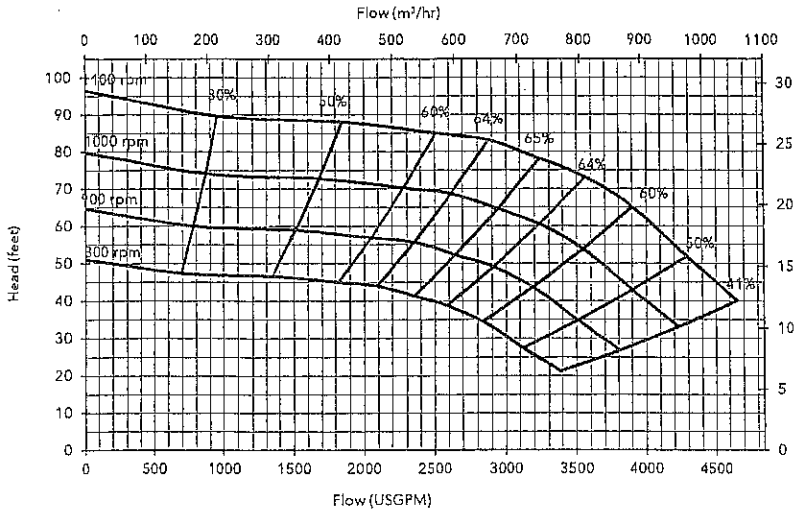
Specifications

| | |
|-----------------------|---------------------|
| Suction connection | 12" 150# ANSI B16.5 |
| Delivery connection | 12" 150# ANSI B16.5 |
| Max capacity | 4660 USGPM † |
| Max solids handling | 3.7" |
| Max impeller diameter | 16.9" |
| Max operating temp | 176°F* |
| Max pressure | 42 psi |
| Max suction pressure | 29 psi |
| Max casing pressure | 76 psi |
| Max operating speed | 1200 rpm |

* Please contact our office for applications in excess of 176°F.

† Larger diameter pipes may be required for maximum flows.

Performance Curve



Materials

| | |
|-----------------------------|--|
| Pump casing & suction cover | Cast iron BS EN 1561 - 1997 |
| Wearplates | Cast iron BS EN 1561 - 1997 |
| Pump Shaft | Carbon steel BS 970 - 1991: 817M40T |
| Impeller | Cast iron BS EN 1561 - 1997 |
| Non-return valve body | Cast iron BS EN 1561 - 1997 |
| Mechanical seal | Silicon carbide face; Viton elastomers; Stainless steel body |

Engine option 1

John Deere 4045HFC04 (FT4), 139 HP @ 2200 rpm

Impeller diameter 16.9"

Pump speed 1100 rpm driven by 2.0:1 gearbox

Suction Lift Table

| Total Suction Head (feet) | Total Delivery Head (feet) | | | | |
|---------------------------|----------------------------|------|------|------|------|
| | 24 | 36 | 47 | 59 | 70 |
| 10 | 4606 | 4321 | 4012 | 3609 | 2849 |
| 15 | 4511 | 4178 | 3799 | 3229 | 950 |
| 20 | 4036 | 3561 | 2849 | 1899 | 712 |
| 25 | 2137 | 1899 | 1424 | 950 | - |

Fuel capacity: 150 US Gal

Max Fuel consumption @ 2200 rpm: 7.3 US Gal/hr

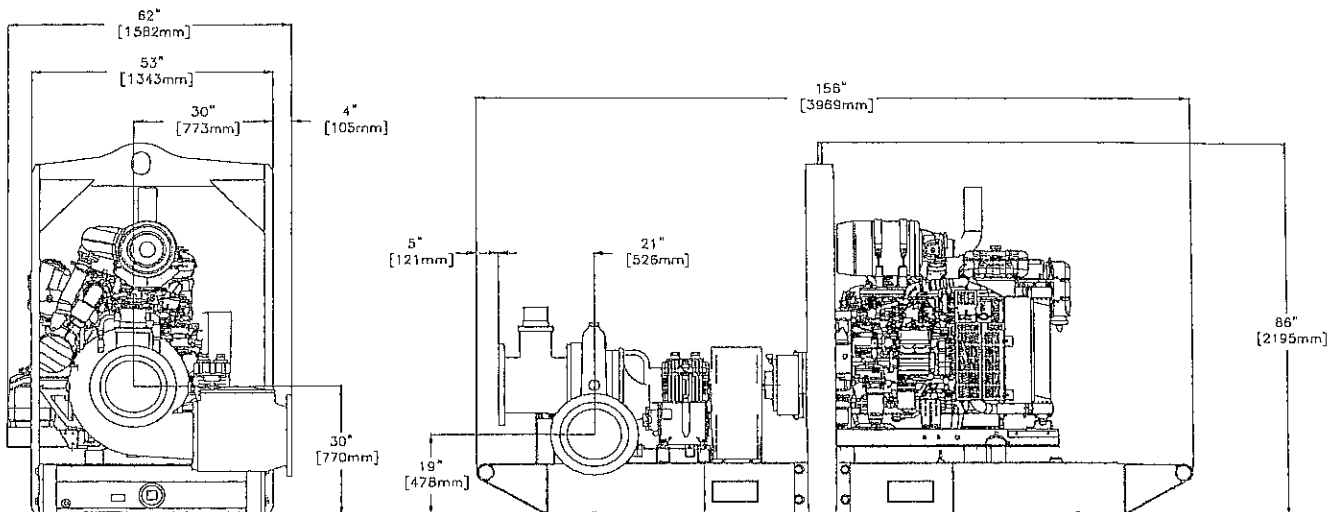
Max Fuel consumption @ 1800 rpm: 6.5 US Gal/hr

Weight (Dry): 7,130 lbs

Weight (Wet): 8,210 lbs

Dim.: (L) 156" x (W) 62" x (H) 86"

Performance data provided in tables is based on water tests at sea level and 20°C ambient. All information is approximate and for general guidance only. Please contact the factory or office for further details.





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/26/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | | |
|---|---|--|--------|
| PRODUCER Brown & Brown Insurance Services, Inc. 55 Capital Blvd. Rocky Hill CT 06067 | CONTACT NAME: Dee Godlewski | FAX (A/C, No): | |
| | PHONE (A/C, No, Ext): (860) 739-3322 | E-MAIL ADDRESS: Dee.Godlewski@bbrown.com | |
| INSURED BL Companies, Inc. 355 Research Parkway Meriden CT 06450 | INSURER(S) AFFORDING COVERAGE | | NAIC # |
| | INSURER A: The Charter Oak Fire Insurance Company | | 25615 |
| | INSURER B: Travelers Property Casualty Company of America | | 25674 |
| | INSURER C: Farmington Casualty Company | | 41483 |
| | INSURER D: | | |
| | INSURER E: | | |

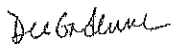
COVERAGES CERTIFICATE NUMBER: 24-25 BLC Master REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|-----------|----------|-----------------------|-------------------------|-------------------------|--|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER: | | Y | P-630-5196P353-COF-24 | 01/17/2024 | 01/17/2025 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Employee Benefits \$ 2,000,000 |
| A | <input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY | | | 810-2L856447-24 | 01/17/2024 | 01/17/2025 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| B | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000 | | | CUP-0K902256-24 | 01/17/2024 | 01/17/2025 | EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$ |
| C | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N | N/A | UB-9J126132-24 | 01/17/2024 | 01/17/2025 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000 |
| A | Valuable Papers | | | P-630-5196P353-COF-24 | 01/17/2024 | 01/17/2025 | Per Location \$500,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Nassau County is included as an additional Insured as required per written contract.

| | |
|--|--|
| CERTIFICATE HOLDER Nassau County 1 West Street Mineola NY 11501 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. |
| | AUTHORIZED REPRESENTATIVE  |

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Staff Summary A-35-2024

Subject: Voting Equipment, Diagramming and Installation Services for FIRECOM ADREAN REPLACEMENT (RQIT24000170)

Department: Department of Shared Services Office of Purchasing
Department Head Name: Melissa Gallucci

Department Head Signature: *Melissa Gallucci*

Date: September 13, 2024

Vendor Name: Eastern Communications LTD

Contract Number: A-35-2024

Contract Manager Name: Timothy Funaro buyer

Internal Approvals

| Approval | Date & Initial | Approval |
|---------------------------|---------------------|------------------------------------|
| Chief Procurement Officer | 9/18/2024 <i>GG</i> | Budget <i>RF</i> |
| County Attorney | 9/17/24 <i>RSS</i> | County Executive <i>9/25/24 MV</i> |

Significant Adverse Information Identified? Yes No (If Yes, attach memo.)

Purpose: To authorize and award a purchase order for voting equipment, diagramming and installation services for Firecomm adtran replacement for Mineola and Westbury Locations for the Nassau County Department of Information Technology.

Discussion: This is a sole source purchase . Eastern Communications is the original system integrator that designed and installed the existing dispatch communications equipment used by the fire communications Division. This upgrade will replace obsolete analog voters that have become unreliable leading to communications issues for the County's fire communications that service the fire service throughout the County. These new digital voters will replace those with greater capabilities and reliability. They will also support the Firecomm's radios as they are upgraded in the coming years.

Impact on Funding/Term: The maximum amount authorized under this purchase order shall be Three Hundred Eighty Five Thousand Six Hundred Sixty Four Dollars and Twenty Cents. (\$385,664.20). from project grant fund PWCAPCAP.

Recommendation:

Department of Shared Services, Office of Purchasing recommends awarding a purchase order to Eastern Communications LTD as a sole source provider.

179 2 37 53 103
2024 SEP 25 2 52
2024 SEP 25 10 50 AM

RULES RESOLUTION

A RESOLUTION AUTHORIZING THE COMMISSIONER OF SHARED SERVICES TO AWARD AND EXECUTE A PURCHASE ORDER BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, AND EASTERN COMMUNICATIONS LTD.

WHEREAS, the NASSAU COUNTY DEPARTMENT OF SHARED SERVICES, OFFICE OF PURCHASING is representing to the Rules Committee that the firm Eastern Communications LTD, is a sole source provider and meet all specifications for the service described in the said contract as determined by the Commissioner of shared Services.

RESOLVED, that the Rules Committee of the Nassau County Legislature authorizes the Commissioner of Shared Services to award and execute the said Purchase Order with Eastern Communications LTD..

COUNTY OF NASSAU
INTER – DEPARTMENTAL MEMO

TO: CLERK OF THE COUNTY LEGISLATURE

A-35-2024


FROM: MELISSA GALLUCCI - COMMISSIONER OF SHARED SERVICES

DATE: August 29, 2024

SUBJECT: RESOLUTION – THE NASSAU COUNTY DEPARTMENT of INFORMATION TECHNOLOGY

THIS RESOLUTION IS RECOMMENDED BY THE COMMISSIONER OF SHARED SERVICES TO AUTHORIZE AN AWARD AND TO EXECUTE A PURCHASE ORDER IN THE AMOUNT OF THREE HUNDRED EIGHTTY FIVE THOUSAND SIX HUNDRED SIXTY FOUR DOLLARS AND TWENTY CENTS (\$385,664.20) ON BEHALF OF THE NASSAU DEPARTMENT OF INFORMATION TECHNOLOGY TO EASTERN COMMUNICATIONS FOR VOTING EQUIPMENT DIAGRAMMING and INSTALLATION SERVICES for FIRECOM ADREAN REPLACEMENT.

THE ABOVE DESCRIBED RESOLUTION AND SUPPORTING DOCUMENTATION ATTACHED HERETO IS FORWARDED FOR YOUR REVIEW, APPROVAL, AND SUBSEQUENT TRANSMITTAL TO THE RULES COMMITTEE FOR INCLUSION IN ITS AGENDA.


MELISSA GALLUCCI
COMMISSIONER OF SHARED SERVICES

MS: br

- ENCL:
- (1) STAFF SUMMARY
 - (2) DISCLOSURE STATEMENT
 - (3) RESOLUTION
 - (4) BID SUMMARY
 - (5) BID PROPOSAL
 - (6) CERTIFICATE OF LIABILITY INSURANCE
 - (7) RECOMMENDATION OF AWARD
 - (8) POLITICAL CONTRIBUTION FORM





COUNTY OF NASSAU

POLITICAL CAMPAIGN CONTRIBUTION DISCLOSURE FORM

1. Has the vendor or any corporate officers of the vendor provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator?

YES NO If yes, to what campaign committee?

Electronically signed and certified at the date and time indicated by:
Gregg Moshensky [GSM@EASTERNCOMMUNICATIONS.COM]

Dated: 07/08/2024 04:55:40 pm

Vendor: Eastern Communications Ltd., LLC

Title: Contracts Manager

Business History Form

The contract shall be awarded to the responsible proposer who, at the discretion of the County, taking into consideration the reliability of the proposer and the capacity of the proposer to perform the services required by the County, offers the best value to the County and who will best promote the public interest.

In addition to the submission of proposals, each proposer shall complete and submit this questionnaire. The questionnaire shall be filled out by the owner of a sole proprietorship or by an authorized representative of the firm, corporation or partnership submitting the Proposal.

NOTE: All questions require a response, even if response is "none" or "not-applicable." No blanks.

(USE ADDITIONAL SHEETS IF NECESSARY TO FULLY ANSWER THE FOLLOWING QUESTIONS).

Date: 07/29/2024

1) Proposer's Legal Name: Eastern Communications Ltd., LLC

2) Address of Place of Business: 4814 36th Street

City: Long Island City State/Province/Territory: NY Zip/Postal Code: 11101

Country: US

3) Mailing Address (if different): _____

City: _____ State/Province/Territory: _____ Zip/Postal Code: _____

Country: _____

Phone: (718) 729-2044

Does the business own or rent its facilities? Rent If other, please provide details:

4) Dun and Bradstreet number: 030730030

5) Federal I.D. Number: 22-2103124

6) The proposer is a: Other (Describe) LLC

7) Does this business share office space, staff, or equipment expenses with any other business?
YES [] NO [X] If yes, please provide details:

8) Does this business control one or more other businesses?

YES NO If yes, please provide details:

9) Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business?

YES NO If yes, please provide details:

Eastern Communications Ltd., LLC is 100% owned by Eastern Communications Guarantor, LLC.

The percentage ownership cited by each principle on their Principal Questionnaire is indirect. Their ownership is in Eastern Communications Holdco, LLC of which Eastern Communications Guarantor, LLC is a subsidiary.

10) Has the proposer ever had a bond or surety cancelled or forfeited, or a contract with Nassau County or any other government entity terminated?

YES NO If yes, state the name of bonding agency, (if a bond), date, amount of bond and reason for such cancellation or forfeiture: or details regarding the termination (if a contract).

11) Has the proposer, during the past seven years, been declared bankrupt?

YES NO If yes, state date, court jurisdiction, amount of liabilities and amount of assets

12) In the past five years, has this business and/or any of its owners and/or officers and/or any affiliated business, been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency? And/or, in the past 5 years, have any owner and/or officer of any affiliated business been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency, where such investigation was related to activities performed at, for, or on behalf of an affiliated business.

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

13) In the past 5 years, has this business and/or any of its owners and/or officers and/or any affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies? And/or, in the past 5 years, has any owner and/or officer of an affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies, for matters pertaining to that individual's position at or relationship to an affiliated business.

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

14) Has any current or former director, owner or officer or managerial employee of this business had, either before or during such person's employment, or since such employment if the charges pertained to events that allegedly occurred during the time of employment by the submitting business, and allegedly related to the conduct of that business:

a) Any felony charge pending?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

b) Any misdemeanor charge pending?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action

taken.

c) In the past 10 years, you been convicted, after trial or by plea, of any felony and/or any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

d) In the past 5 years, been convicted, after trial or by plea, of a misdemeanor?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

e) In the past 5 years, been found in violation of any administrative, statutory, or regulatory provisions?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

15) In the past (5) years, has this business or any of its owners or officers, or any other affiliated business had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

16) For the past (5) tax years, has this business failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?

YES NO If yes, provide details for each such year. Provide a detailed response to all questions checked 'YES'. If you need more space, photocopy the appropriate page and attach it to the questionnaire.

17) Conflict of Interest:

a) Please disclose any conflicts of interest as outlined below. NOTE: If no conflicts exist, please expressly state "No conflict exists."

(i) Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

(ii) Any family relationship that any employee of your firm has with any County public servant that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

(iii) Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

b) Please describe any procedures your firm has, or would adopt, to assure the County that a conflict of interest would not exist for your firm in the future.

If a conflict should arise, Eastern will notify the County as required.

A. Include a resume or detailed description of the Proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified.

Have you previously uploaded the below information under in the Document Vault?

YES [] NO [X]

Is the proposer an individual?

YES [] NO [X] Should the proposer be other than an individual, the Proposal MUST include:

i) Date of formation;

01/29/1976

ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner. If none, explain.

Michael Orzetti 16 Fairlawn St, Rye, NY 10580 CEO
Michael Wolf 10 Quail Run, Old Westbury, NY 11568 President
Scott Tschetter 180 Post Rd, Old Westbury, NY 11568 COO

iii) Name, address and position of all officers and directors of the company. If none, explain.

Michael Orzetti 16 Fairlawn St, Rye, NY 10580 CEO
Ryan Veatch, 4630 Center Blvd., Long Island City, NY 11109 CFO
Michael Wolf 10 Quail Run, Old Westbury, NY 11568 President
Scott Tschetter 180 Post Rd, Old Westbury, NY 11568 COO
Cary Steinbeck 85 Bayview Drive, Manhattan Beach, CA 90266 Board Member

iv) State of incorporation (if applicable);

DE

v) The number of employees in the firm;

51

vi) Annual revenue of firm;

89000000

vii) Summary of relevant accomplishments

System Integrator with broad expertise in two-way radio, microwave and leased line backhaul, and radio dispatch consoles including the requisite Network Engineering capabilities

viii) Copies of all state and local licenses and permits.

B. Indicate number of years in business.

48

C. Provide any other information which would be appropriate and helpful in determining the Proposer's capacity and reliability to perform these services.

Eastern has performed the maintenance services on the existing equipment for many years and has always maintained

the highest excellence in customer service, response time and technical expertise.

- D. Provide names and addresses for no fewer than three references for whom the Proposer has provided similar services or who are qualified to evaluate the Proposer's capability to perform this work.

| | | | |
|----------------|-------------------------|--------------------------|----|
| Company | Township of West Orange | | |
| Contact Person | Nick Allegrino | | |
| Address | 66 Main Street | | |
| City | West Orange | State/Province/Territory | NJ |
| Country | US | | |
| Telephone | (973) 325-4006 | | |
| Fax # | (973) 325-4054 | | |
| E-Mail Address | nickallegrino@wopd.org | | |

| | | | |
|----------------|--|--------------------------|----|
| Company | New York State Police | | |
| Contact Person | Timothy Morris, Director of Communications | | |
| Address | 1220 Washington Ave. | | |
| City | Albany | State/Province/Territory | NY |
| Country | US | | |
| Telephone | (518) 457-9602 | | |
| Fax # | | | |
| E-Mail Address | Timothy.Morris@troopers.ny.gov | | |

| | | | |
|----------------|---|--------------------------|----|
| Company | The Port Authority of NY & NJ | | |
| Contact Person | John Wurtzbacher, Sr. Security Communications Analyst | | |
| Address | 241 Erie Street | | |
| City | Jersey City | State/Province/Territory | NJ |
| Country | US | | |
| Telephone | (201) 595-4663 | | |
| Fax # | | | |
| E-Mail Address | jwurtzbacher@panynj.gov | | |

I, Gregg Moshensky , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Gregg Moshensky , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Name of submitting business: Eastern Communications Ltd., LLC

Electronically signed and certified at the date and time indicated by:
Gregg Moshensky GSM@EASTERNCOMMUNICATIONS.COM

Contracts Manager
Title

07/29/2024
Date

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Michael Wolf
Date of birth: 08/16/1956
Home address: 10 Quail Run
City: old Westbury State/Province/Territory: NY Zip/Postal Code: 11568
Country: US

Business Address: Eastern Communications Ltd.
City: Long Island City State/Province/Territory: NY Zip/Postal Code: 11101
Country: US
Telephone: 17187292044

Other present address(es):
City: long island city State/Province/Territory: NY Zip/Postal Code: 11101
Country: US
Telephone: 7187292044

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------------------|-------------|-------|
| President | <u>02/20/1976</u> | Treasurer | _____ |
| Chairman of Board | _____ | Shareholder | _____ |
| Chief Exec. Officer | _____ | Secretary | _____ |
| Chief Financial Officer | _____ | Partner | _____ |
| Vice President | _____ | | |
| (Other) | | | |

3. Do you have an equity interest in the business submitting the questionnaire?

YES NO If Yes, provide details.

less than 10 percent

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?

YES NO If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?
YES NO If Yes, provide details.

YMS Realty,LLC
Eastern Wireless Corp.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?
YES NO If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

a. Been debarred by any government agency from entering into contracts with that agency?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?
YES NO If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9. a. Is there any felony charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

b. Is there any misdemeanor charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

c. Is there any administrative charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

f. In the past 5 years, have you been found in violation of any administrative or statutory charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

I, Michael Wolf , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Michael Wolf , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Eastern Communications Ltd.,LLC

Name of submitting business

Electronically signed and certified at the date and time indicated by:
Michael Wolf MSW@EASTERNCOMMUNICATIONS.COM

President

Title

08/28/2024 12:03:39 pm

Date

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Michael Orzetti
Date of birth: 09/12/1989
Home address: 26 Fairlawn St

| | | |
|--------------------|---|----------------------------------|
| City: <u>Rye</u> | State/Province/ Territory: <u>NY</u> | Zip/Postal Code: <u>10580</u> |
| Country: <u>US</u> | | |

Business Address: 48-14 36th St

| | | |
|-------------------------------|---|----------------------------------|
| City: <u>Long Island City</u> | State/Province/ Territory: <u>NY</u> | Zip/Postal Code: <u>11101</u> |
| Country: <u>US</u> | | |
| Telephone: <u>7187292044</u> | | |

Other present address(es): _____

| | | |
|------------------|-------------------------------------|---------------------------|
| City: _____ | State/Province/ Territory: _____ | Zip/Postal Code: _____ |
| Country: _____ | | |
| Telephone: _____ | | |

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | |
|---------------------------------------|-------------------|
| President _____ | Treasurer _____ |
| Chairman of Board _____ | Shareholder _____ |
| Chief Exec. Officer <u>08/10/2020</u> | Secretary _____ |
| Chief Financial Officer _____ | Partner _____ |
| Vice President _____ | |
| (Other) _____ | |

3. Do you have an equity interest in the business submitting the questionnaire?
YES NO If Yes, provide details.
20.9%

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES NO If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?
YES NO If Yes, provide details.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?
YES NO If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

a. Been debarred by any government agency from entering into contracts with that agency?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?
YES NO If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9. a. Is there any felony charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- b. Is there any misdemeanor charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- c. Is there any administrative charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- f. In the past 5 years, have you been found in violation of any administrative or statutory charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

I, Michael Orzetti , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Michael Orzetti , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Eastern Communications Ltd., LLC

Name of submitting business

Electronically signed and certified at the date and time indicated by:
Michael Orzetti MEO@EASTERNCOMMUNICATIONS.COM

CEO

Title

08/26/2024 11:13:14 am

Date

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Cary Steinbeck
Date of birth: 12/26/1971
Home address: 85 Bayview Drive
City: Manhattan Beach State/Province/Territory: CA Zip/Postal Code: 90266
Country: US

Business Address: 48-14 36th Street
City: Long Island City State/Province/Territory: NY Zip/Postal Code: 11101
Country: US
Telephone: 9098690818

Other present address(es):
City: _____ State/Province/Territory: _____ Zip/Postal Code: _____
Country: _____
Telephone: _____

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------|-------------|-------|
| President | _____ | Treasurer | _____ |
| Chairman of Board | _____ | Shareholder | _____ |
| Chief Exec. Officer | _____ | Secretary | _____ |
| Chief Financial Officer | _____ | Partner | _____ |
| Vice President | _____ | | |
| (Other) | | | |

Type Other
Description Board Member
Start Date 08/10/2020

3. Do you have an equity interest in the business submitting the questionnaire?
YES [X] NO [] If Yes, provide details.

0.784% ownership

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?

YES NO If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?

YES NO If Yes, provide details.

I am the principal owner of an entity called CDS Capital Management, LLC. CDS Capital Management, LLC is the personal entity I established that provides investment management services to two entities called Willow Road, LLC and Willow Road II, LLC.

Willow Road, LLC and Willow Road II, LLC are both entities that have investments in an energy company called Liberty Resources II, LLC.

The management of Willow Road, LLC and Willow Road II, LLC are the only activities of CDS Capital Management, LLC.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?

YES NO If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

- a. Been debarred by any government agency from entering into contracts with that agency?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?

YES NO If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9.

- a. Is there any felony charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- b. Is there any misdemeanor charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- c. Is there any administrative charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- f. In the past 5 years, have you been found in violation of any administrative or statutory charges?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- 10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- 11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- 12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?
YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

- 13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?
YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

I, Cary Steinbeck , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Cary Steinbeck , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Eastern Communiations, LTD

Name of submitting business

Electronically signed and certified at the date and time indicated by:
Cary Steinbeck CARY.STEINBECK@SHEAVENTURES.COM

Board Member

Title

08/21/2024 09:46:15 am

Date

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Scott Tschetter
Date of birth: 09/30/1970
Home address: 180 Post Road
City: Old Westbury State/Province/Territory: NY Zip/Postal Code: 11568
Country: US

Business Address: 48-14 36th Street
City: Long Island City State/Province/Territory: NY Zip/Postal Code: 11101
Country: US
Telephone: 7187292044

Other present address(es):
City: Long Island City State/Province/Territory: NY Zip/Postal Code: 11101
Country: US
Telephone: 5166691451

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------------------|-------------|-------------------|
| President | _____ | Treasurer | _____ |
| Chairman of Board | _____ | Shareholder | <u>07/12/2010</u> |
| Chief Exec. Officer | _____ | Secretary | _____ |
| Chief Financial Officer | _____ | Partner | _____ |
| Vice President | <u>07/12/2010</u> | | |
| (Other) | | | |

Type Chief Operating Officer
Description _____
Start Date 02/02/2022

3. Do you have an equity interest in the business submitting the questionnaire?
YES [X] NO [] If Yes, provide details.

9% Ownership

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?

YES [] NO [X] If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?

YES [] NO [X] If Yes, provide details.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?

YES [] NO [X] If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

a. Been debarred by any government agency from entering into contracts with that agency?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?

YES [] NO [X] If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9.

a. Is there any felony charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

b. Is there any misdemeanor charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

c. Is there any administrative charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

f. In the past 5 years, have you been found in violation of any administrative or statutory charges?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

| |
|--|
| |
|--|

I, Scott Tschetter , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Scott Tschetter , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Eastern Communications

Name of submitting business

Electronically signed and certified at the date and time indicated by:
Scott Tschetter SWT@EASTERNCOMMUNICATIONS.COM

COO

Title

08/21/2024 07:03:13 am

Date

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Ryan Veatch
Date of birth: 04/19/1989
Home address: 4630 Center Blvd Apt 1102

| | | | | | |
|----------|-------------------------|-------------------------------|-----------|---------------------|--------------|
| City: | <u>Long Island City</u> | State/Province/ Territory: | <u>NY</u> | Zip/Postal Code: | <u>11109</u> |
| Country: | <u>US</u> | | | | |

Business Address: 4814 36th St

| | | | | | |
|------------|-------------------------|-------------------------------|-----------|---------------------|--------------|
| City: | <u>Long Island City</u> | State/Province/ Territory: | <u>NY</u> | Zip/Postal Code: | <u>11109</u> |
| Country: | <u>US</u> | | | | |
| Telephone: | <u>7045196456</u> | | | | |

Other present address(es):

| | | | | | |
|------------|-------------------------|-------------------------------|-----------|---------------------|--------------|
| City: | <u>Long Island City</u> | State/Province/ Territory: | <u>NY</u> | Zip/Postal Code: | <u>11101</u> |
| Country: | <u>US</u> | | | | |
| Telephone: | <u>7045196456</u> | | | | |

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------------------|-------------|-------|
| President | _____ | Treasurer | _____ |
| Chairman of Board | _____ | Shareholder | _____ |
| Chief Exec. Officer | _____ | Secretary | _____ |
| Chief Financial Officer | <u>11/21/2023</u> | Partner | _____ |
| Vice President | _____ | | |
| (Other) | _____ | | |

3. Do you have an equity interest in the business submitting the questionnaire?
YES NO If Yes, provide details.
<1%

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES NO If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?
YES [] NO [X] If Yes, provide details.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?
YES [] NO [X] If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

a. Been debarred by any government agency from entering into contracts with that agency?
YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?
YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?
YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?
YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?
YES [] NO [X] If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9. a. Is there any felony charge pending against you?
YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

- b. Is there any misdemeanor charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- c. Is there any administrative charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.
- f. In the past 5 years, have you been found in violation of any administrative or statutory charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

I, Ryan Veatch , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Ryan Veatch , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

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Eastern Communications Ltd., LLC

Name of submitting business

Electronically signed and certified at the date and time indicated by:
Ryan Veatch RPV@EASTERNCOMMUNICATIONS.COM

CFO

Title

08/20/2024 11:20:12 am

Date

COUNTY OF NASSAU

CONSULTANT'S, CONTRACTOR'S AND VENDOR'S DISCLOSURE FORM

1. Name of the Entity: Eastern Communications Ltd., LLC

Address: 4814 36TH STREET

City: LONG ISLAND CITY State/Province/Territory: NY Zip/Postal Code: 11101

Country: US

2. Entity's Vendor Identification Number: 222103124

3. Type of Business: Ltd. Liability Co (specify) _____

4. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):

1 File(s) uploaded: Eastern Communications Principals 2024 (5).pdf

5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation, include a copy of the 10K in lieu of completing this section.

If none, explain.

1 File(s) uploaded: Eastern Communications Board Members 2024.pdf

6. List all affiliated and related companies and their relationship to the firm entered on line 1. above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract. Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

None

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). If none, enter "None." The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are

not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

Are there lobbyists involved in this matter?
YES [] NO [X]

(a) Name, title, business address and telephone number of lobbyist(s):

(b) Describe lobbying activity of each lobbyist. See below for a complete description of lobbying activities.

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

8. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Electronically signed and certified at the date and time indicated by:
Gregg Moshensky [GSM@EASTERNCOMMUNICATIONS.COM]

Dated: 07/26/2024 12:28:34 pm

Title: Contracts Manager

The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including but not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

Eastern Communications Ltd. LLC - Principals

Michael Orzetti – Board Member/CEO
16 Fairlawn Street
Rye, NY 10580

Mike Wolf – Board Member/President
10 Quail Run
Old Westbury, NY 11568

Scott Tschetter – COO
180 Post Road
Old Westbury, NY 11568

Ryan Veatch – CFO
4630 Center Blvd., Apt 1102
Long Island City, NY 11109

Alex Brown – Board Member
331 W Broadway Fl 3
New York, NY 10013

Cary Steinbeck – Board Member
100 Wilshire Blvd, Suite 1845
Los Angeles, CA 90401

Eastern Communications Ltd. LLC - Board Members

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331 W Broadway Fl 3
New York, NY 10013

Cary Steinbeck
100 Wilshire Blvd, Suite 1845
Los Angeles, CA 90401

Michael Orzetti
16 Fairlawn Street
Rye, NY 10580

Mike Wolf
10 Quail Run
Old Westbury, NY 11568

REQUISITION

RQIT24000170 16/SEP/2024

VENDOR:
EASTERN COMMUNICATIONS LTD.
48-14 36TH STREET

LONG ISLAND CITY NY 11101

TEL: (718)729-2044
FAX: (718)729-2241

REQUISITIONER:
IT DEPARTMENT OF INFORMATION TECH
240 OLD COUNTRY ROAD
6TH FLOOR
MINEOLA NY 11501
S.BARNETT/MICHAEL UTTARO
TEL: (516) 573-9994
FAX: (516) 571-3918

| ITEM | DESCRIPTION | QTY | U/M | UNIT COST | TOTAL |
|-------------|---|------|-----|--------------|------------|
| 001 | 287-82 TRANSMITTERS, EMERGENCY ALARM TYPE, OR RESCUE EQUIPMENT NEEDED FOR THE FIRECOMM JPS VOTER PROJECT: (BILLED AT 100% AT DELIVERY OF EQUIPMENT FOR STAGING) | 1.00 | LOT | 231,379.2000 | 231,379.20 |
| 5951-800000 | SNV-12 SIGNAL TO NOISE VOTER WITH ACCESSORY KIT, QTY: 4 X \$6,183.00 = \$24,732.00 (MINEOLA - VOTER) | | | | |
| 5952-200000 | SVM-3 SITE VOTER MODULE, QTY: 12 X \$1,917.00 = \$23,004.00 (MINEOLA - VOTER MODULES) | | | | |
| 5200-300000 | QMT-1B VOTER REMOTE W/OPERATION MANUAL & ACCESSORY KIT, QTY: 30 X \$1,134.00 = \$34,020.00 (MINEOLA - REMOTES) | | | | |
| 5952-200000 | SVM-3 SITE VOTER MODULE, QTY: 1 X \$1,917.00 = \$1,917.00 (MINEOLA - SPARE MODULES) | | | | |
| 5200-300000 | QMT-1B VOTER REMOTE W/OPERATION MANUAL & ACCESSORY KIT, QTY: 4 X \$1,134.00 = \$4,536.00 (MINEOLA - SPARE REMOTES) | | | | |
| 5952-200000 | SVM-3 SITE VOTER MODULE, QTY: 12 X \$1,917.00 = \$23,004.00 (WESTBURY - VOTER MODULES) | | | | |
| 5200-300000 | QMT-1B VOTER REMOTE W/OPERATION MANUAL & ACCESSORY KIT, CONTINUED, NEXT PAGE | | | | |

REQUISITION

RQIT24000170 16/SEP/2024

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MINEOLA NY 11501
S.BARNETT/MICHAEL UTTARO
TEL: (516) 573-9994
FAX: (516) 571-3918

QTY: 30 X \$1,134.00 = \$34,020.00 (WESTBURY - REMOTES)

.
5952-200000 SVM-3 SITE VOTER MODULE, QTY: 1 X \$1,917.00 = \$1,917.00
(WESTBURY - SPARE MODULES)

.
5200-300000QMT-1B VOTER REMOTE W/OPERATION MANUAL & ACCESSORY KIT,
QTY: 4 X \$1,134.00 = \$4,536.00 (WESTBURY - SPARE REMOTES)
SMART2200RM2U TRIPP-LITE SMARTPRO 120V 2.2KVA 1,92 KW SINE WAVE UPS,
QTY: 15 X \$1,731.98 = \$25,979.70

.
5951-800000 SNV-12 SIGNAL TO NOISE VOTER WITH ACCESSORY KIT,
QTY: 4 X \$6,183.00 = \$24,732.00 (WESTBURY - VOTER)

.
C1111-8P ROUTER,ISR,C1111-8P, QTY: 15 X \$1,765.78 = \$26,486.70

.
WEBCARDLX REPLACEMENT FOR OPTIONAL SNMPWEBCARD NETWORK INTERFACE,
QTY: 15 X \$496.08 = \$7,441.20

.
OUTPOSTPLUS-2R OUTPOSTPLUS RADIO GATEWAY, VOIP, 2 PORT, POE, POWER
SUPPLY NOT INCLUDED, QTY: 1 X \$2,191.50 = \$2,191.50

.
OUTPOSTPLUS-CFG OUTPOSTPLUS CONFIGURATION TOOL. 1 REQUIRED PER SITE.
QTY: 1 X \$192.60 = \$192.60

.
OUTPOSTPLUS-PS-NA OUTPOSTPLUS POWER SUPPLY, NORTH AMERICA,
QTY: 1 X \$96.30 = \$96.30

.
OUTPOSTPLUS-PWR-US OUTPOSTPLUS POWER CORD,US, QTY: 1 X \$14.40 = \$14.40

CONTINUED, NEXT PAGE

REQUISITION

RQIT24000170 16/SEP/2024

VENDOR:
EASTERN COMMUNICATIONS LTD.
48-14 36TH STREET

LONG ISLAND CITY NY 11101

TEL: (718) 729-2044
FAX: (718) 729-2241

REQUISITIONER:
IT DEPARTMENT OF INFORMATION TECH
240 OLD COUNTRY ROAD
6TH FLOOR
MINEOLA NY 11501
S. BARNETT/MICHAEL UTTARO
TEL: (516) 573-9994
FAX: (516) 571-3918

=====
SUB-TOTAL = \$238,820.40

ECL-DISCOUNT 100% DISCOUNT ON THE SNMP CARDS FOR UPS,
QTY: 1 X (\$7,441.20) = (\$7,441.20)
=====
TOTAL = \$231,379.20

| ITEM | DESCRIPTION | QTY | U/M | UNIT COST | TOTAL |
|------|---|------|-----|--------------|------------|
| 002 | 962-86 TRANSPORTATION OF GOODS, DRAYAGE, FREIGHT, SHIPPING AND HANDLING. FREIGHT CHARGES TBD AS PER QUOTE | 1.00 | LOT | | .0001 |
| 003 | 939-72 RADIO/TELECOMMUNICATIONS/FACSIMILE TRANSCEIVERS EQUIP. MAINT/REPAIR | 1.00 | EA | 154,285.0000 | 154,285.00 |

ECL IMPLEMENTATION ASSURANCE
.....

IA-001 ECL TECHNICAL SERVICES TO BE BILLED AND PAID AS PER PAGE 24
OF THE PRESENTATION DOCUMENT:
.....

- 5% DUE AT KICKOFF/CONTRACT SIGNING = \$ 7,714.25
- 10% DUE UPON CUSTOMER APPROVED CUSTOMER DESIGN REVIEW = \$15,428.50
- 10% DUE UPON COMPLETION OF THE FACTORY ACCEPTANCE TEST
PLAN = \$15,428.50
- 5% DUE UPON COMPLETION OF PORT WASHINGTON SITE
ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF SEACLIFF SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF EAST NORWICH SITE ACCEPTANCE = \$ 7,714.25

CONTINUED, NEXT PAGE

REQUISITION

RQIT24000170 16/SEP/2024

VENDOR:
EASTERN COMMUNICATIONS LTD.
48-14 36TH STREET

LONG ISLAND CITY NY 11101

TEL:(718)729-2044

FAX:(718)729-2241

REQUISITIONER:
IT DEPARTMENT OF INFORMATION TECH
240 OLD COUNTRY ROAD
6TH FLOOR

MINEOLA NY 11501

S.BARNETT/MICHAEL UTTARO

TEL:(516)573-9994

FAX:(516)571-3918

- 5% DUE UPON COMPLETION OF BAYVILLE SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF SOUTH FARMINGDALE SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF UNIONDALE SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF FRANKLIN SQUARE SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF FLORAL PARK FD SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF ROCKVILLE CENTRE SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF LAWRENCE/MEADOWMERE PARK SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF LEVITTOWN SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF POINT LOOKOUT SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF JERICHO SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON COMPLETION OF MINEOLA 1 SITE ACCEPTANCE = \$ 7,714.25
- 5% DUE UPON FINAL CUSTOMER ACCEPTANCE = \$ 7,714.25

=====

TOTAL = \$154,285.00

.....
.....
BILL TO: I.T ACCOUNTS PAYABLE
240 OLD COUNTRY ROAD 6TH FLOOR
MINEOLA, NY 11501
EMAIL: ITACCOUNTING@NASSAUCOUNTYNY.GOV
.....

..... * END *

REQUISITION

RQIT24000170 16/SEP/2024

VENDOR:

EASTERN COMMUNICATIONS LTD.
48-14 36TH STREET

LONG ISLAND CITY NY 11101

TEL: (718) 729-2044

FAX: (718) 729-2241

REQUISITIONER:

IT DEPARTMENT OF INFORMATION TECH
240 OLD COUNTRY ROAD

6TH FLOOR

MINEOLA NY 11501

S. BARNETT/MICHAEL UTTARO

TEL: (516) 573-9994

FAX: (516) 571-3918

ESTIMATED TOTAL: 385,664.20

REQUISITION

RQIT24000170 16/SEP/2024

VENDOR:

EASTERN COMMUNICATIONS LTD.
48-14 36TH STREET

LONG ISLAND CITY NY 11101

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FAX: (718) 729-2241

REQUISITIONER:

IT DEPARTMENT OF INFORMATION TECH
240 OLD COUNTRY ROAD
6TH FLOOR

MINEOLA NY 11501

S. BARNETT/MICHAEL UTTARO

TEL: (516) 573-9994

FAX: (516) 571-3918

Quotation

Quote # ECLQ324-0147
 Quote Revision Rev -
 Customer Nassau County Firecom
 Quote Date 1/31/2024
 Provided By Tyler Balkan
 Quote Validity 30 Days
 Estimated Lead Time TBD
 Project/Opportunity



| Contract Item | Part Number | Description | Qty | Unit List | Ext List | Nassau County Firecom List -> Sale | Unit Sale | Ext Sale |
|------------------------|---------------|---|-----|-------------|------------------|------------------------------------|-------------|------------------|
| Mineola_Voter | 5951-800000 | SNV-12 Signal to Noise Voter with Accessory Kit | 4 | \$ 6,870.00 | \$ 27,480.00 | 10.00% | \$ 6,183.00 | \$ 24,732.00 |
| Mineola_Voter Modules | 5952-200000 | SVM-3 Site Voter Module (Up to 12 Per system) | 12 | \$ 2,130.00 | \$ 25,560.00 | 10.00% | \$ 1,917.00 | \$ 23,004.00 |
| Mineola_Remotes | 5200-300000 | QMT-1B; Voter Remote w/Operation Manual & Accessory Kit | 30 | \$ 1,260.00 | \$ 37,800.00 | 10.00% | \$ 1,134.00 | \$ 34,020.00 |
| Mineola_Spare Modules | 5952-200000 | SVM-3 Site Voter Module (Up to 12 Per system) | 1 | \$ 2,130.00 | \$ 2,130.00 | 10.00% | \$ 1,917.00 | \$ 1,917.00 |
| Mineola_Spare Remotes | 5200-300000 | QMT-1B; Voter Remote w/Operation Manual & Accessory Kit | 4 | \$ 1,260.00 | \$ 5,040.00 | 10.00% | \$ 1,134.00 | \$ 4,536.00 |
| | | | | | 98,010.00 | | | 88,209.00 |
| Westbury_Voter Modules | 5952-200000 | SVM-3 Site Voter Module (Up to 12 Per system) | 12 | \$ 2,130.00 | \$ 25,560.00 | 10.00% | \$ 1,917.00 | \$ 23,004.00 |
| Westbury_Remotes | 5200-300000 | QMT-1B; Voter Remote w/Operation Manual & Accessory Kit | 30 | \$ 1,260.00 | \$ 37,800.00 | 10.00% | \$ 1,134.00 | \$ 34,020.00 |
| Westbury_Spare Modules | 5952-200000 | SVM-3 Site Voter Module (Up to 12 Per system) | 1 | \$ 2,130.00 | \$ 2,130.00 | 10.00% | \$ 1,917.00 | \$ 1,917.00 |
| Westbury_Spare Remotes | 5200-300000 | QMT-1B; Voter Remote w/Operation Manual & Accessory Kit | 4 | \$ 1,260.00 | \$ 5,040.00 | 10.00% | \$ 1,134.00 | \$ 4,536.00 |
| | | | | | 70,530.00 | | | 63,477.00 |
| UPS w/o SNMP | SMART2200RM2U | Tripp-Lite SmartPro 120V 2.2kVA 1.92 kW Sine Wave UPS, 2U | 15 | \$ 1,924.42 | \$ 28,866.30 | 10.00% | \$ 1,731.98 | \$ 25,979.70 |
| UPS w/o SNMP | | | | | 28,866.30 | | | 25,979.70 |

Additional Equipment Required based on 1/23/2024 design review at Firecom

| | | | | | | | | |
|--------------------|--------------------|--|----|-------------|------------------|--------|-------------|------------------|
| Westbury_Voter | 5951-800000 | SNV-12 Signal to Noise Voter with Accessory Kit | 4 | \$ 6,870.00 | \$ 27,480.00 | 10.00% | \$ 6,183.00 | \$ 24,732.00 |
| Westbury | | | | | 27,480.00 | | | 24,732.00 |
| Router/Switches | C1111-8P | ROUTER,ISR,C1111-8P | 15 | \$ 2,207.22 | \$ 33,108.30 | 20.00% | \$ 1,765.78 | \$ 26,486.70 |
| Router/Switches | | | | | 33,108.30 | | | 26,486.70 |
| SNMP Card for UPS | WBCARDLX | replacement for optional SNMPWEBCARD network interface | 15 | \$ 551.20 | \$ 8,268.00 | 10.00% | \$ 496.08 | \$ 7,441.20 |
| SNMP Card for UPS | | | | | 8,268.00 | | | 7,441.20 |
| Additional Outpost | OUTPOSTPLUS-2R | OUTPOSTPLUS RADIO GATEWAY, VOIP, 2 PORT, POE, POWER SUPPLY NOT INCLUDED. | 1 | \$ 2,435.00 | \$ 2,435.00 | 10.00% | \$ 2,191.50 | \$ 2,191.50 |
| Additional Outpost | OUTPOSTPLUS-CFG | OUTPOSTPLUS CONFIGURATION TOOL, 1 REQUIRED PER SITE. | 1 | \$ 214.00 | \$ 214.00 | 10.00% | \$ 192.60 | \$ 192.60 |
| Additional Outpost | OUTPOSTPLUS-PS-NA | OUTPOSTPLUS POWER SUPPLY, NORTH AMERICA | 1 | \$ 107.00 | \$ 107.00 | 10.00% | \$ 96.30 | \$ 96.30 |
| Additional Outpost | OUTPOSTPLUS-PWR-US | OUTPOSTPLUS POWER CORD, US | 1 | \$ 16.00 | \$ 16.00 | 10.00% | \$ 14.40 | \$ 14.40 |
| Additional Outpost | | | | | 2,772.00 | | | 2,494.80 |

Equipment Total \$ 269,034.60 \$ 238,820.40

Quotation

Quote # ECLQ324-0147
 Quote Revision Rev -
 Customer Nassau County Firecom
 Quote Date 1/31/2024
 Provided By Tyler Balkan
 Quote Validity 30 Days
 Estimated Lead Time TBD
 Project/Opportunity



| Contract Item | Part Number | Description | Qty | Unit List | Ext List | Nassau County Firecom List -> Sale | Unit Sale | Ext Sale |
|------------------------------|--------------|---|-----|---------------|---------------|---------------------------------------|---------------|---------------|
| ECL Implementation Assurance | IA-001 | ECL technical Services | 1 | \$ 154,285.00 | \$ 154,285.00 | 0.00% | \$ 154,285.00 | \$ 154,285.00 |
| ECL Implementation Assurance | | | | \$ | \$ 154,285.00 | | \$ | \$ 154,285.00 |
| Services Total | | | | \$ | \$ 154,285.00 | | \$ | \$ 154,285.00 |
| Additional System Discount | ECL-DISCOUNT | 100% discount on the SNMP Cards for UPS | 1 | | | | \$ (7,441.20) | \$ (7,441.20) |
| Additional System Discount | | | | | | | \$ | \$ (7,441.20) |
| Project Total | | | | \$ | \$ 423,319.60 | | \$ | \$ 385,664.20 |
| Freight | | | | | | | | TBD |

Notes:

- 1) Nassau County IT Department to supply IP backhaul from each site to each dispatch center.
- 2) This quote supplies JPS equipment for 15 locations to replace EDL ADTRAN MUX Equipment and provide new Voicing equipment.
- 3) The projected project duration is expected to be 12 months after receipt of Purchase Order from Nassau County. This assumes Nassau County provided backhaul is in place.



48-14 36th Street • Long Island City, NY 11101
718.729.2044 • 718.729.2241 fax

4/25/24

Michael Kessler
Nassau County Department of Information
240 Old Country Rd
Mineola, NY 11501

Ref: Sole Source Justification for Eastern Communications projects to upgrade Fire Communications emergency response infrastructure.

This letter provides the Sole Source justification to enable Eastern Communications to provide equipment and services to upgrade critical elements of the Fire Communications Division emergency response infrastructure.

Eastern Communications is the original system integrator that designed and installed the existing Dispatch Communications equipment used by the Fire Communications Division. Further, Eastern is the current maintenance contract holder (and legacy contracts for the past 15+ years) for maintenance services for these systems with Nassau County. Over that time, significant intellectual and proprietary knowledge regarding installation, repair, and operation of the infrastructure have been acquired and applied in various emergency instances. This body of knowledge and experience uniquely qualifies Eastern communications to perform the currently quoted work in the timeliest and most cost-efficient manner.

In addition to the intellectual knowledge stated above, Eastern Communications is the only Distributor and System Integrator on Long Island or Metro NYC which is certified by each of the relevant OEMs with components in the systems (Zetron, Avtec, L3Harris, Tait) to provide these services.

Lastly, each of these OEMs has designated Eastern Communications as their respective account representative for the Nassau County Fire Communications Division for sales and service.

Respectfully,

Philip G. Schram

Philip G. Schram
Business Development Manager – East
Eastern Communications

BRUCE BLAKEMAN
COUNTY EXECUTIVE



Nancy Stanton
COMMISSIONER

DEPARTMENT OF INFORMATION TECHNOLOGY

September 13, 2024

TO: Robert Cleary, Chief Compliance Officer
Nassau County Dept. of Shared Services

Subject: FireComm's JPS Voter Equipment Replacement Justification RQIT24000170

Robert,

Please see document attached in quotes section identified by the above subject for supporting justification email thread.

Please let I.T. know if anything further is needed to approve the creation of the P.O.

Thank you,
Michael

Michael Kessler, IT Project Manager
N.C. Dept. of Information Technology



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/4/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | | |
|--|---|--|------------------------|
| PRODUCER Risk Strategies Company 1330 Lake Robbins Drive, Suite 405 The Woodlands TX 77380 | CONTACT NAME: PHONE (A/C, No., Ext): 212-596-3400 | | FAX (A/C, No.): |
| | E-MAIL ADDRESS: KTRTech@risk-strategies.com | | |
| INSURER(S) AFFORDING COVERAGE | | | NAIC # |
| INSURED Racom Corporation 201 West State Street Marshalltown, IA 50158 | INSURER A: Admiral Insurance Company | | 24856 |
| | INSURER B: Phoenix Insurance Company | | 25623 |
| | INSURER C: Charter Oak Fire Insurance Company | | 25615 |
| | INSURER D: Travelers Indemnity Company | | 25658 |
| | INSURER E: | | |
| | INSURER F: | | |

COVERAGES

CERTIFICATE NUMBER: 738930212

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|-----------|----------|-----------------------|-------------------------|-------------------------|--|
| B | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | Y | Y | H-630-8W195749-PHX-24 | 6/1/2024 | 6/1/2025 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$ |
| C | <input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> Garagekeeper <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY | Y | Y | 810-8W140185-24-I3-G | 6/1/2024 | 6/1/2025 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Garage Keepers \$ included |
| D | <input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$ | Y | Y | CUP-8W23165A-24-I3 | 6/1/2024 | 6/1/2025 | EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$ PER STATUTE OTH-ER |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N | N/A | | | | E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |
| A | E&O | | | EO000057159-03 | 6/1/2024 | 6/1/2025 | Limit 5,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Certificate Holder is included under blanket GL and Auto Additional Insured (except Workers' Compensation) where required by written contract. Blanket Primary and Non-Contributory endorsement included over any existing insurance and limited to liability arising out of the operations of the Named Insured and where required by written contract. Includes Blanket waiver of subrogation endorsements.

CERTIFICATE HOLDER**CANCELLATION**

County of Nassau
 Office of Purchasing
 1 West Street
 Mineola NY 11501

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



Certified: --

B-2-24

FILED WITH THE NASSAU COUNTY CLERK OF THE LEGISLATURE SEPTEMBER 27TH, 2024
2:58 PM

NIFS ID: B90632-03GR

Capital: X

Contract ID #: B90632-03GR

NIFS Entry Date:

Department: Public Works

Service: NC Family & Matrimonial Court-Family Justice Center-B90632-03GR-B02-24

Term: 9 months from NTP

Contract Delayed:

| | | |
|---|--------------|------------|
| Slip Type: New | | |
| CRP: | | |
| Blanket Resolution: | | |
| Revenue: | Federal Aid: | State Aid: |
| Vendor Submitted an Unsolicited Solicitation: | | |

| | |
|---|-----|
| 1) Mandated Program: | No |
| 2) Comptroller Approval Form Attached: | No |
| 3) CSEA Agmt. & 32 Compliance Attached: | Yes |
| 4) Significant Adverse Information Identified? (if yes, attach memo): | No |
| 5) Insurance Required: | No |

| Vendor/Municipality Info: | |
|---|-----------------------|
| Name: E&A RESTORATION INC. DBA: E&A CONSTRUCTION | ID#: 113579414 |
| Main Address: 130 Crossways Park Drive, Suite 101 Woodbury, NY 11797 | |
| Main Contact: Jenny Sakalis | |
| Main Phone: (516) 921-7030 | |

| Department: |
|--|
| Contact Name: Robert Labaw |
| Address: NCDPW 1194 Prospect Avenue Westbury, NY 11590 |
| Phone: (516) 571-6812 |
| Email: rlabaw@nassaucountyny.gov, ldionisio@nassaucountyny.gov, ekobel@nassaucountyny.gov, cpetrucci@nassaucountyny.gov, vyeung@nassaucountyny.gov |

Contract Summary

| |
|---|
| Purpose: To secure a contractor for the build-out of the new Family Justice Center within the Family and Matrimonial Court, 101 County Seat Drive, Mineola, NY. |
| Procurement History: The project was advertised in the New York State Contract Reporter, Newsday, and the County website on September 13, 2023. Bids were opened on October 17, 2023. Bids were received from five (5) firms, one of which was rejected due to insufficient bid bond. The lowest responsible bidder was selected - E&A Restoration Inc. in the amount of Four Million Five Hundred Eighty Thousand Dollars (\$4,580,000.00). |
| Description of General Provisions: General Construction contract (single prime PLA) for the build-out of the Family Justice Center within the Family and Matrimonial Court. |
| Impact on Funding / Price Analysis: Funding is available from capital project 90632 - Family and Matrimonial Court - for \$ |

4,580,000.00.

Change in Contract from Prior Procurement: None

Method of Source Selection:

Formal Sealed Bid awarded to lowest, responsible bidder

Contract #: B90632-03GR

Advertised On: 09/13/2023

Advertised In: Bid Board, Newsday, New York State Contract Reporter

Publicly Opened On: 10/17/2023

Number of bids received: 5

MWBE Participation:

Participation of Minority-owned and Women-owned Business Enterprises in Nassau County Contracts: The selected contractor has agreed that it has an obligation to utilize best efforts to hire MWBE sub-contractors. Proof of the contractual utilization of best efforts as outlined in Exhibit EE may be requested at any time by the Comptroller's Office prior to the approval of claim vouchers. [Note: This box must be checked.]

Department MWBE Responsibilities: To ensure compliance with MWBE requirements as outlined in Exhibit EE, Department will require vendor to submit list of subcontractor requirements prior to submission of the first claim voucher for services under this contract being submitted to the Comptroller.

Contractor is a (check all that apply):

MWBE

SDVOB

Recommendation: Approve as Submitted

Advisement Information

| Fund | Control | Resp. Center | Object | Index Code | Sub Object | Budget Code | Line | Amount |
|----------------|---------|--------------|--------|------------|------------|-----------------------------|------|-----------------------|
| CAP | | | 00 | PWCAPCAP | 00004 | PWCAPCAP 00004 90632 003 | 01 | \$4,580,000.00 |
| Project Number | | 90632 | | | | | | |
| Project Detail | | 003 | | | | | | |
| TOTAL | | | | | | | | \$4,580,000.00 |

| Additional Info | |
|---------------------|-----|
| Blanket Encumbrance | |
| Transaction | 103 |
| Renewal | |
| % Increase | |
| % Decrease | |

| Funding Source | Amount |
|-------------------|-----------------------|
| Revenue Contract: | |
| County | \$0.00 |
| Federal | \$0.00 |
| State | \$0.00 |
| Capital | \$4,580,000.00 |
| Other | \$0.00 |
| Total | \$4,580,000.00 |

Routing Slip

| Department | | | |
|---------------------------------|----------------------|--------------------|----------|
| NIFS Entry | Loretta Dionisio | 03/07/2024 01:14PM | Approved |
| NIFS Final Approval | Ken Arnold | 03/07/2024 03:46PM | Approved |
| Final Approval | Ken Arnold | 03/07/2024 03:46PM | Approved |
| DPW | | | |
| Capital Fund Approval | Ken Arnold | 03/07/2024 03:46PM | Approved |
| Final Approval | Ken Arnold | 03/07/2024 03:46PM | Approved |
| County Attorney | | | |
| RE & Insurance Verification | Andrew Amato | 03/07/2024 03:47PM | Approved |
| Approval as to Form | Salvatore Spezio | 03/07/2024 04:10PM | Approved |
| NIFS Approval | Mary Nori | 03/22/2024 05:24PM | Approved |
| Final Approval | Mary Nori | 03/22/2024 05:24PM | Approved |
| OMB | | | |
| NIFS Approval | Nadiya Gumieniak | 03/07/2024 04:45PM | Approved |
| NIFA Approval | Christopher Nolan | 03/21/2024 05:48PM | Approved |
| Final Approval | Christopher Nolan | 03/21/2024 05:48PM | Approved |
| Compliance & Vertical DCE | | | |
| Procurement Compliance Approval | Andrew Levey | 03/26/2024 09:39AM | Approved |
| DCE Compliance Approval | Robert Cleary | 03/27/2024 02:15PM | Approved |
| Vertical DCE Approval | Arthur Walsh | 09/26/2024 03:54PM | Approved |
| Final Approval | Arthur Walsh | 09/26/2024 03:54PM | Approved |
| Legislative Affairs Review | | | |
| Final Approval | Eleftherios Sempepos | 09/27/2024 02:51PM | Approved |

| | | | |
|-----------------------------|--|--|-------------|
| Legislature | | | |
| Final Approval | | | In Progress |
| DPW NIFS Field Entry | | | |
| Final Approval | | | Pending |
| NIFA | | | |
| NIFA Approval | | | Pending |
| Comptroller | | | |
| Claims Approval | | | Pending |
| Legal Approval | | | Pending |
| Accounting / NIFS Approval | | | Pending |
| Deputy Approval | | | Pending |
| Final Approval | | | Pending |

RULES RESOLUTION NO. -2024

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND E & A RESTORATION, INC.

WHEREAS, in accordance with all Federal, State and Local Law, the County of Nassau on behalf of the NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS [“Department”] has received competitive bids for contract B90632-03GR, for FAMILY & MATRIMONIAL COURT – FAMILY JUSTICE CENTER, NASSAU COUNTY, NY [“Contract”], as more particularly described in the contract documents, a copy of which are on file with the Clerk of the Legislature; and

WHEREAS, the firm of E & A RESTORATION, INC.,

[“Vendor”] has submitted the lowest responsible bid for the work described in the contract in accordance with all Federal, State and Local Law as determined by the Department, and

WHEREAS, the funding for this contract is from capital funds approved by the Nassau County Legislature and included in the current four year capital plan, and

WHEREAS, the Commissioner of the Department is representing that the total contract is estimated to be \$ 4,580,000 now therefore be it

RESOLVED, that the Rules Committee of the Nassau County Legislature, based on the representations of the Department and the recommendation of the Commissioner of the Department, authorizes the County Executive to award and execute the said contract with the vendor.

FORM OF BID BOND

IMPORTANT The bidder shall instruct the Surety Company to USE THIS FORM PROVIDED as the use of ANY OTHER FORM may cause rejection of the bid.

KNOW ALL MEN BY THESE PRESENTS,
E&A Restoration Inc.

that we, the undersigned 130 Crossways Park Drive, Suite 101, Woodbury, NY 11797

as Principal; and Philadelphia Indemnity Insurance Company as surety, who is licensed to do business in the State of New York, are hereby firmly bound unto the County of Nassau in the penal sum of

Ten Percent of the Amount Bid dollars (\$ 10% Amt Bid) for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

Signed, this 12th day of October, 2023

The conditions of the above obligation is such that whereas the Principal has submitted to the County of Nassau a certain Bid attached hereto and hereby made a part hereof, to enter into a contract in writing for the work under Contract No. B90632-03GR for the

Nassau County Family & Matrimonial Court - Family Justice Center

NOW, THEREFORE, the conditions of this obligation are such that if the Principal shall not withdraw said proposal except by mutual consent of the County of Nassau within a period of forty-five (45) days after the opening of bids and in the event of acceptance of the Principal's proposal, if the Principal shall,

- a. when notified by the County, execute all necessary counterparts of the contract as set forth in the contract documents in accordance with the proposal as accepted; and
- b. furnish bonds and other security as specified in the contract documents for the faithful performance and proper fulfillment of such contract, which bonds or other security shall be satisfactory in all respects to the County; and
- c. in all respects, comply with the provisions set forth in the invitation to bid; or if the County of Nassau shall reject the aforesaid proposal for a reason other than the Principal's failure to satisfy the County that he has the necessary skill, experience and liquid assets required for the contract as stated in the documents aforesaid, then this obligation shall be null and void; otherwise to remain in full force and effect.



Nassau County Interim Finance Authority

Contract Approval Request Form (As of January 1, 2015)

1. Vendor: E&A RESTORATION INC.

2. Amount requiring NIFA approval: \$4,580,000.00

Amount to be encumbered: \$4,580,000.00

Slip Type: New

If new contract - \$ amount should be full amount of contract

If advisement - NIFA only needs to review if it is increasing funds above the amount previously approved by NIFA

If amendment - \$ amount should be full amount of amendment only

3. Contract Term: to 9 months from NTP

Has work or services on this contract commenced? No

If yes, please explain:

4. Funding Source:

| | | |
|--------------------------------|-----|------------------|
| General Fund (GEN) | | Grant Fund (GRT) |
| Capital Improvement Fund (CAP) | X | Other |
| Federal % | 0 | |
| State % | 0 | |
| County % | 100 | |

- Is the cash available for the full amount of the contract? No
- If not, will it require a future borrowing? Yes
- Has the County Legislature approved the borrowing? Yes
- Has NIFA approved the borrowing for this contract? No

5. Provide a brief description (4 to 5 sentences) of the item for which this approval is requested:

To secure a contractor for the build-out of the new Family Justice Center within the Family and Matrimonial Court, 101 County Seat Drive, Mineola, NY.

6. Has the item requested herein followed all proper procedures and thereby approved by the:

- Nassau County Attorney as to form Yes
- Nassau County Committee and/or Legislature

Date of approval(s) and citation to the resolution where approval for this item was provided:

7. Identify all contracts (with dollar amounts) with this or an affiliated party within the prior 12 months:

| Contract ID | Posting Date | Amount Added in Prior 12 Months |
|-------------|--------------|---------------------------------|
|-------------|--------------|---------------------------------|

AUTHORIZATION

To the best of my knowledge, I hereby certify that the information contained in this Contract Approval Request Form and any additional information submitted in connection with this request is true and accurate and that all expenditures that will be made in reliance on this authorization are in conformance with the Nassau County Approved Budget and not in conflict with the Nassau County Multi-Year Financial Plan. I understand that NIFA will rely upon this information in its official deliberations.

CNOLAN

03/21/2024

Authenticated User

Date

COMPTROLLER'S OFFICE

To the best of my knowledge, I hereby certify that the information listed is true and accurate and is in conformance with the Nassau County Approved Budget and not in conflict with the Nassau County Multi-Year Financial Plan.

Regarding funding, please check the correct response:

I certify that the funds are available to be encumbered pending NIFA approval of this contract.

If this is a capital project:

I certify that the bonding for this contract has been approved by NIFA.

Budget is available and funds have been encumbered but the project requires NIFA bonding authorization.

Authenticated User

Date

NIFA

Amount being approved by NIFA:

Payment is not guaranteed for any work commenced prior to this approval.

Authenticated User

Date

NOTE: All contract submissions MUST include the County's own routing slip, current NIFS printouts for all relevant accounts and relevant Nassau County Legislature communication documents and relevant supplemental information pertaining to the item requested herein.

NIFA Contract Approval Request Form MUST be filled out in its entirety before being submitted to NIFA for review.

NIFA reserves the right to request additional information as needed.

NO TEXT ON THIS PAGE

Provided, however, that this bond is subject to the following additional conditions and limitations.

a. In the event that the Principal fails to submit a financial statement when required by the County or in the event that an examination of the Principal indicates to the County that the Principal does not meet the financial requirements required by the County, the undersigned will, upon demand, pay to the County of Nassau, as liquidated damages for the Principal's failure to meet such requirements, a sum equal to the amount that would have been required by a certified check if the same were delivered in accordance with the provisions of the contract documents and specifications herein stated.

b. In case the Principal shall default in the performance of any provision the undersigned will upon demand pay to the County of Nassau the full amount of the damages sustained by the County of Nassau by reason of such default, except however, it is expressly understood and agreed that the liability of the surety for any and all claims hereunder shall in no event exceed the amount of this obligation as herein stated.

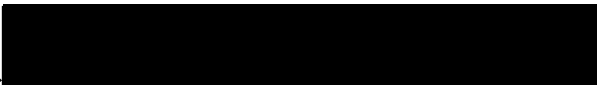
The Surety, for value received, hereby stipulates and agrees that the obligation of said Surety and its bond shall be in no way impaired or affected by any extension of time within which the County of Nassau may accept such Bid; and said Surety does hereby waive notice of any such extension.

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IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

E&A Restoration Inc.

Contractor

by  (Corporate seal of Contractor
Title if a corporation)
Jenny Sakalis, President

by _____ (L.S.) Title

by _____ (L.S.) Title

Philadelphia Indemnity Insurance Company

Surety

by Patricia Von Posch (L.S.)
Title of Officer
Patricia Von Posch, Attorney-in-Fact

Attest: Daniel Mackey (L.S.) (Corporate seal of Surety)
Title of Officer
Daniel Mackey, Account Executive

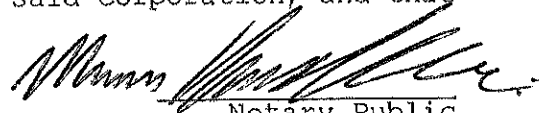
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(Acknowledgment by Contractor if a corporation)

STATE OF New York)

ss.:
COUNTY OF Nassau)

On this 12th day of October, 2023, before me personally came Jenny Sakalis to me known, who, being by me duly sworn, did depose and say for himself, that she resides in [redacted] that she is the President of the StA Restoration Inc. the corporation described in, and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.



Notary Public
MANOLI KALAMOTOUSAKIS
NOTARY PUBLIC-STATE OF NEW YORK
No. 02KA6213500
Qualified In Queens County
My Commission Expires November 09, 2025

(Acknowledgment by Contractor if a partnership)

STATE OF _____)

ss.:
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally came _____ to me to be a member of the firm described in and which executed the foregoing bond or obligation, and he acknowledged to me that he subscribed the name of said firm thereto on behalf of said firm for the purpose therein mentioned.

Notary Public

(Acknowledgment by Contractor if an individual.)

STATE OF _____)

ss.:
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally came _____ to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged that he executed the same.

Notary Public

NO TEXT ON THIS PAGE

(Acknowledgment by Surety Company)


STATE OF New York)

)

ss.:
COUNTY OF Nassau)

On this 12th day of October, 2023, before me personally came Patricia Von Posch to me Known, who being by me duly sworn, did depose and say that she resides in Little Neck, NY

that she is the Attorney-in-Fact of the Philadelphia Indemnity Insurance Company, the corporation described in and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said corporation, and that he signed his name thereto by like order; and that the liabilities of said company do not exceed its assets as ascertained in the manner provided by the laws of the State of New York, and the said Notary Public further said that he is acquainted with Patricia Von Posch and knows her to be the Attorney-in-Fact of said company; that the signature of the said Patricia Von Posch subscribed to the within instrument is in the genuine handwriting of the said Patricia Von Posch and was subscribed thereto by like order of the Board of Directors, and in the presence of him, the said Notary Public


Notary Public

FRED NASH ROE
Notary Public, State of New York
No. 01RO-4815494
Qualified in Nassau County
Commission Expires July 1, 2027

NO TEXT ON THIS PAGE

POWER OF ATTORNEY

ATTENTION: Insert the "Power of Attorney" after this page in with your bid submission.

PHILADELPHIA INDEMNITY INSURANCE COMPANY

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: That PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint John E. Roc Jr., Patricia Von Posch and Richard K. Kaluz of Acrisure LLC, d/b/a City Underwriting Agency, its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$50,000,000.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14th of November, 2016.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 5TH DAY OF MARCH, 2021.



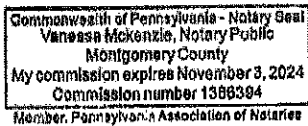
(Seal)

John Glomb, President & CEO
Philadelphia Indemnity Insurance Company

On this 5th day of March, 2021 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

Notary Public:

Vanessa McKenzie



residing at:

Bala Cynwyd, PA

My commission expires:

November 3, 2024

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 5th day March, 2021 are true and correct and are still in full force and effect. I do further certify that John Glomb, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 12th day of October, 2021



Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY

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FINANCIAL STATEMENT

ATTENTION: Insert the "Financial Statement" after this page in with your bid submission.

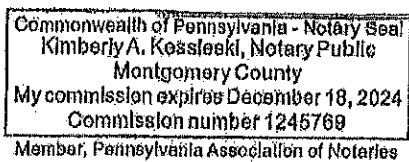
PHILADELPHIA INDEMNITY INSURANCE COMPANY
Statutory Statements of Admitted Assets, Liabilities and Capital and Surplus
 (in thousands, except par value and share amounts)

| <u>Admitted Assets</u> | As of December 31, | |
|---|----------------------|----------------------|
| | 2022 | 2021 |
| Bonds (fair value \$7,902,637 and \$8,447,694) | \$ 8,709,823 | \$ 8,102,442 |
| Preferred stocks (fair value \$14,560 and \$19,262) | 14,560 | 19,262 |
| Common stocks (cost \$24,136 and \$44,923) | 28,395 | 43,194 |
| Mortgage loans | 1,074,734 | 957,986 |
| Real estate | 21,779 | 29,408 |
| Other invested assets (cost \$212,500 and \$194,229) | 234,138 | 218,926 |
| Receivables for securities sold | 476 | 152 |
| Cash, cash equivalents and short-term investments | <u>95,212</u> | <u>128,587</u> |
| Cash and invested assets | 10,179,117 | 9,499,957 |
| Premiums receivable, agents' balances and other receivables | 955,218 | 914,676 |
| Reinsurance recoverable on paid loss and loss adjustment expenses | 64,607 | 45,200 |
| Accrued investment income | 88,001 | 74,000 |
| Receivable from affiliates | 4,406 | 5,171 |
| Federal income taxes receivable | 21,231 | 8,144 |
| Net deferred tax assets | 150,526 | 141,943 |
| Other assets | <u>11,196</u> | <u>9,953</u> |
| Total admitted assets | <u>\$ 11,474,302</u> | <u>\$ 10,699,044</u> |

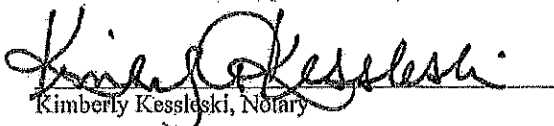
Liabilities and Capital and Surplus

| | | |
|---|----------------------|----------------------|
| <u>Liabilities:</u> | | |
| Unpaid loss and loss adjustment expenses | \$ 5,680,508 | \$ 5,436,808 |
| Unearned premiums | 1,766,050 | 1,658,339 |
| Reinsurance payable on paid loss and loss adjustment expenses | 39,160 | 35,820 |
| Ceded reinsurance premiums payable | 119,157 | 130,474 |
| Commissions payable, contingent commissions and other similar charges | 247,996 | 228,628 |
| Funds held | 82,555 | 77,317 |
| Payable to affiliates | 21,337 | 19,465 |
| Provision for reinsurance | 678 | 471 |
| Payable for securities purchased | 42,426 | 19,045 |
| Accrued expenses and other liabilities | <u>58,292</u> | <u>47,213</u> |
| Total liabilities | <u>8,058,159</u> | <u>7,653,580</u> |
| <u>Capital:</u> | | |
| Common stock, par value of \$10 per share; 1,000,000 shares authorized, 450,000 shares issued and outstanding | 4,500 | 4,500 |
| <u>Surplus:</u> | | |
| Gross paid-in and contributed surplus | 386,071 | 386,071 |
| Unassigned surplus | <u>3,025,572</u> | <u>2,654,893</u> |
| Total surplus | <u>3,411,643</u> | <u>3,040,964</u> |
| Total capital and surplus | <u>3,416,143</u> | <u>3,045,464</u> |
| Total liabilities and capital and surplus | <u>\$ 11,474,302</u> | <u>\$ 10,699,044</u> |

The undersigned, being duly sworn, says: That she is the Executive Vice President and Chief Financial Officer of Philadelphia Indemnity Insurance Company; that said Company is a corporation duly organized in the state of Pennsylvania, and licensed and engaged in the State of Pennsylvania and has duly complied with all the requirements of the laws of the said State applicable of the said Company and is duly qualified to act as Surety under such laws; that said Company has also complied with and is duly qualified to act as Surety under the Act of Congress. And that to the best of her knowledge and belief the above statement is a full, true and correct statement of

Affest: 

Sworn to before me this 6th day of June 2023.

DocuSigned by:
 Karen Gilmer-Panciello
 Karen Gilmer-Panciello, EVP & CFO

 Kimberly Kessleski, Notary

NO TEXT ON THIS PAGE

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CERTIFICATE OF SOLVENCY

ATTENTION; Insert the "Certificate of Solvency" after this page in with your bid submission.

**STATE OF NEW YORK
DEPARTMENT OF FINANCIAL SERVICES**

**CERTIFICATE OF SOLVENCY UNDER SECTION 1111 OF THE NEW YORK INSURANCE
LAW**

It is hereby certified that

**Philadelphia Indemnity Insurance Company
of Bala Cynwyd, Pennsylvania**

a corporation organized under the laws of Pennsylvania and duly authorized to transact the business of insurance in this State, is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guaranties, and other obligations required or permitted by law; and that the said corporation is possessed of a capital and surplus including gross paid-in and contributed surplus and unassigned funds (surplus) aggregating the sum of \$3,553,580,400 (Capital \$4,500,000), as is shown by its sworn financial statement for the quarter ending, March 31, 2023, on file in this Department, prior to audit.

The said corporation cannot lawfully expose itself to loss on any one risk or hazard to an amount exceeding 10% of its surplus to policyholders, unless it shall be protected in excess of that amount in the manner provided in Section 4118 of the Insurance Law of this State.



In Witness Whereof, I have here-
unto set my hand and affixed the
official seal of this Department
at the City of Albany, this 13th
day of July, 2023.

Adrienne A. Harris
Superintendent

By



Rawle Lewis
Acting Special Deputy Superintendent

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PROPOSAL

GENERAL CONSTRUCTION

COUNTY OF NASSAU
STATE OF NEW YORK

PROPOSAL

FOR

NASSAU COUNTY FAMILY & MATRIMONIAL COURT
FAMILY JUSTICE CENTER

CONTRACT NO.: B90632-03GR

TO THE COUNTY OF NASSAU:

Pursuant to and in compliance with your Notice to Bidders and the Instructions to Bidders relating thereto, the undersigned hereby proposes to furnish all plant, labor, materials, supplies, equipment and other facilities necessary or proper for or incidental to the above Contract, as required by and in strict accordance with the Plans and Specifications for the amount named in the Proposal hereinafter described.

In making this Proposal the Bidder hereby declares that all provisions of the Addenda which have been issued by the County of Nassau have been complied with in preparing his Bids.

Name of Bidder: E&A RESTORATION INC
(Individual, Firm or Corporation, as case may be)

Bidder's Address: 130 CROSSWAYS PARK DRIVE SUITE 101 WOODBURY, NY 11797

Telephone: 510-921-7030 Date: 01/27/2023

Fax Tel.: 510-921-0259 E-MAIL: INFO@EARESTORATION.COM

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NOTE: IF BIDDER IS A FIRM, FILL IN THE FOLLOWING BLANKS:

Name of Partners N/A Residence of Partners _____

NOTE: IF BIDDER IS A CORPORATION, FILL IN THE FOLLOWING BLANKS:

Organized under the laws of the State of: NEW YORK

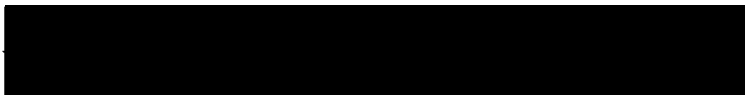
Name of President: JENNY SAKALIS

President's Domicile: 

Name of Vice President: N/A

Vice President's Domicile: N/A

Corporate Officer: ANTONIO S VOURNOU Title: CEO

Corporate Officer's Domicile: 

Corporate Officer: N/A Title: -

Corporate Officer's Domicile: -

NO TEXT ON THIS PAGE

PROPOSAL

GENERAL CONSTRUCTION

THE BIDDER AFFIRMS AND DECLARES:

1. That the above Bidder is of lawful age and the only one interested in this bid; and that no other person, firm or corporation, except those herein named, has any interest in this bid or in the Contract proposed to be entered into.
2. That this bid is made without any understanding, agreement or in connection with any other person, firm or corporation, making a bid for the same Work, and is in all respects fair and without collusion or fraud.
3. That said Bidder is not in arrears to the County of Nassau upon debt or contract, and is not a defaulter, as surety or otherwise, upon any obligation to the County of Nassau.
4. That no officer nor employee of the County of Nassau, or person whose salary is payable in whole or in part from the County Treasury is, shall be, or become interested directly, or indirectly as a contracting party, partner, stockholder, surety or otherwise, in this bid, or in the performance of the contract, or in the supplies, materials, equipment and work or labor to which it relates, or in any portion of the profits thereof.
5. That he has carefully examined the site of the work and that, from his own investigations, has satisfied himself as to the nature and location of the work, the character, quality and quantity of existing materials, all difficulties likely to be encountered, the kind and extent of equipment, other facilities needed for the performance of the work, the general and local conditions, and all other items which may, in any way, affect the work or its performance.
6. The Bidder also declares that he has carefully examined and fully understands all the component parts of this Contract; that he will execute the Contract and will completely perform it in strict accordance with its terms for the following prices.
7. That the Bidder, for allowance items, will make payment to the parties designated by the County when directed by the County in the amount certified by the Engineer for the purposes indicated. It is also understood and agreed that the Final Contract Payment for allowance items will be based upon such actual payments, and not on the approximate amount cited herein.
8. Where the work performed under this Contract involves a trade or occupation licensed in the County of Nassau by the Towns of Hempstead, Oyster Bay, or North Hempstead or by the Cities of Glen Cove or Long Beach, the contractor shall be required to have such a license.

NO TEXT ON THIS PAGE

PROPOSAL

INFORMATION FOR BIDDERS

I. Rejection of Bids.

A. The Commissioner may recommend a reject of bid if:

1. The Bidder fails to furnish any of the information required by the bid documents; or if
2. The bidder misstates or conceals any material fact in the bid, or in the sworn written statement; or if
3. The bid does not strictly conform to law or the requirements of this contract; or if
4. The bid is conditional; or if
5. A determination that the bidder is not responsible is made in accordance with law; or if
6. The bid, in the opinion of the Commissioner, contains unbalanced bid prices, unless the bidder can show that the prices are not unbalanced for the probably required quantity of such items.

B. Rejection of all bids and waiver of informalities.

The Commissioner, however, reserves the right to recommend to reject all bids whenever he deems it in the best interest of the County, and also the right to waive any informalities in a bid.

II. Unit Price Contracts, Comparison of Bids.

Bids on Unit Price Contracts will be compared on the basis of a total bid price, arrived at by taking the sum of the Approximate Quantities of such item multiplied by the corresponding Unit Price, and including any Lump Sum Bid on individual items, in accordance with the items set forth in the bid proposal.

Bidders are warned that the Approximate Quantities of the various items of work and material is estimated only, and is given solely to be used as a uniform basis for the comparison of bids. The quantities actually required to complete the contract work may be more or less than estimated.

III. Lump Sum Contracts, Comparison of Bids.

Bids on lump Sum Contracts will be compared on the basis of the Lump Sum Price bid adjusted for alternate prices bid, if, any.

IV. Apprenticeship Training Program

For all contracts in excess of \$500,000 attach here verification letter regarding your firm's having an approved State of New York Apprenticeship Training Program.

NO TEXT ON THIS PAGE

FORM OF PROPOSAL

Family Justice Center
Family and Matrimonial Court
Garden City, NY

GENERAL CONSTRUCTION
CONTRACT NO.: B90632-03GR

This project shall be administered under a Project Labor Agreement

| Item No. | Type | Description | Amount Bid | |
|----------|-----------|---|-------------|-------|
| | | | Dollars | Cents |
| 01 | LUMP SUM | LUMP SUM for furnishing all labor, materials and equipment required for all General Construction work associated with construction involving the interior fit-out of approximately 13,400 square feet of floor area on a portion of two (2) levels within the new Family and Matrimonial Court building, located at 101 County Seat Drive, Mineola, NY, make complete and ready for operation. The Family and Matrimonial Court project is being completed in phases, and Phase 2 of the project will create a "gray box" space for the new Family Justice Center. The Scope of Work for this project must be performed in conjunction with on-going Phase 2 construction activities and conclude simultaneously with the Phase 2 contract. Both projects shall be administered under a Project Labor Agreement. | \$2,683,000 | 00 |
| 02 | LUMP SUM | LUMP SUM for furnishing all labor, materials and equipment required for Mechanical Construction work, make complete and ready for operation. | \$448,000 | 00 |
| 03 | LUMP SUM | LUMP SUM for furnishing all labor, materials and equipment required for Electrical Construction work, including standby generator, make complete and ready for operation | \$719,000 | 00 |
| 04 | LUMP SUM | LUMP SUM for furnishing all labor, materials and equipment required for Plumbing Construction work, make complete and ready for operation | \$130,000 | 00 |
| 05 | LUMP SUM | LUMP SUM for furnishing all labor, materials and equipment required for preparation and updating of CPM (Critical Path Method) Progress Schedule for the duration of the Project. Note: The Lump Sum bid amount shall not be less than One Hundred Thousand Dollars and Zero Cents (\$100,000.00). | \$100,000 | 00 |
| 06 | ALLOWANCE | Include in bid an allowance of Two Hundred Thousand Dollars (\$200,000.00) for modifications to the existing building façade or existing sitework, to accommodate the FJC design intent, as directed by the County. | \$200,000 | 00 |
| 07 | ALLOWANCE | Include in bid an allowance of Three Hundred Thousand Dollars (\$300,000.00) for items unforeseen or not specifically characterized in the contract documents encountered during construction, or for items considered coordination with the Phase 2 work as directed by the County. | \$300,000 | 00 |

NO TEXT ON THIS PAGE

FORM OF PROPOSAL

Family Justice Center
Family and Matrimonial Court
Garden City, NY

GENERAL CONSTRUCTION
CONTRACT NO.: B90632-03GR

This project shall be administered under a Project Labor Agreement

TOTAL AMOUNT BID (Items number 01 thru 07): \$ 4,580,000.⁰⁰/₁₀₀

TOTAL AMOUNT BID (MUST BE WRITTEN IN WORDS): FOUR MILLION FIVE HUNDRED EIGHTY THOUSAND DOLLARS & ZERO CENTS.

BASIS OF AWARD: Bids on Lump Sum Contracts will be compared on the basis of the total bid price, arrived at by taking the Sum of each Bid Item, including Allowance Item(s), if any, and plus or minus the cost difference of the Alternate(s), if any, as may be selected by the Architect and/or Owner. The sum of all "Amounts Bid" will determine the low bid and the subsequent award of this Contract.

BID SECURITY: Prospective bidders are cautioned to carefully review the requirements of Paragraph H, Bid Security, of The Instructions to Bidders.

NO TEXT ON THIS PAGE

PROPOSAL

DETERMINATION OF LOW BID. Determination of low Bid will be made by comparing the total Bid which shall include the lump sum Base Bid price, unit price totals and allowances, plus the Add Alternate(s), minus the Deduct Alternate(s) where applicable, taken in order, or none of them, whichever amount(s) shall be judged by the Commissioner of Public Works to be in the best interest of the County.

NO TEXT ON THIS PAGE

PROPOSAL

MAJOR EQUIPMENT ITEMS: The Bidder shall fill the name and address of the proposed system suppliers for the major equipment items tabulated hereinafter. It is expressly understood that the furnishing of this information will not relieve the Bidder of any requirements of the Contract Documents and failure to fill out properly is grounds for rejection.

| <u>Specification Number</u> | <u>Description</u> | <u>Manufacturer and/or Supplier</u> |
|---------------------------------|---------------------------|---|
| | AS PER CONTRACT DOCUMENTS | |
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PROPOSAL


GENERAL CONSTRUCTION

PROPOSAL: For all work in accordance with the drawings and specifications:

EPA RESTORATION INC

(Individual, Firm or Corporation, as case may be)

Individual's Social Security Number: N/A

Firm or Corporation's Federal ID Number: 

Firm or Corporation's Municipal License ID Number: _____

Municipal Licensing Agency: _____

By: Jenny Sakalis Date: 09/27/2023

(Print): JENNY SAKALIS Title: PRESIDENT

WHERE BIDDER IS A CORPORATION, ADD

ATTEST:

ds
Secretary

(CORPORATE)
(SEAL)

NO TEXT ON THIS PAGE

PROPOSAL

GENERAL CONSTRUCTION

Note: The Bids shall be sworn to by the person signing them, in one of the following forms:

(Form of Affidavit where Bidder is an Individual)

STATE OF NEW YORK)

) ss.:

N/A

COUNTY OF NASSAU)

_____ Being duly sworn, deposes and says: That he is the person described in and who executed the foregoing Bid and that the several matters therein stated are in all respects true.

Subscribed and sworn to before me

This _____ day of _____ 20_____.

Notary Public

(Form of Affidavit where Bidder is a Firm)

STATE OF NEW YORK)

) ss.:

N/A

COUNTY OF NASSAU)

_____ Being duly sworn, deposes and says: That he is a member of _____, the firm described in and which executed the foregoing Bid; that he duly subscribed the name of the firm thereunto on behalf of the firm; and that the several matters therein stated are in all respects true.

Subscribed and sworn to before me

This _____ day of _____ 20_____.

Notary Public

NO TEXT ON THIS PAGE

PROPOSAL

GENERAL CONSTRUCTION

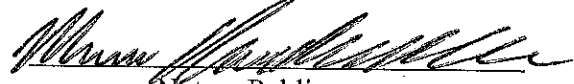
(Form of Affidavit where Bidder is a Corporation)

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

JENNY SAKALIS Being duly sworn, deposes and says: That he resides at _____, that ~~she~~ is the **PRESIDENT** EPA RESTORATION INC of the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal and was affixed by order of the Board of Directors of said corporation; that he affixed his name thereto by like order; and that he has knowledge of the several matters therein stated and they are in all respects true.

Subscribed and sworn to before me

This 27th day of Sept. 2023.


Notary Public

MANOLI KALAMOTOUSAKIS
NOTARY PUBLIC-STATE OF NEW YORK
No. 02KA6213500
Qualified In Queens County
My Commission Expires November 09, 2025

NO TEXT ON THIS PAGE



NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS

WICKS EXEMPT LIST OF SUBCONTRACTORS

CONTRACT NO. **B90632-03GR**

NOTE: This form is required for "Single-Contract" projects exempt from the Wicks law. Failure to submit this form correctly may render the bidder non responsive.

| | | | |
|--|--|--------------------------------|---|
| Contractor's Name and Address E&A RESTORATION INC 130 CROSSWAYS PARK DR SUITE 101 WOODBURY, NY 11797 | Project Description (Project Title, Facility Name and Address): FAMILY & MATRIMONIAL COURT FAMILY JUSTICE CENTER | Bid Date: 10/17/2023 | Total Contract Amt: \$4,580,000.⁰⁰ |
| Federal ID No. [REDACTED] | | | |

Indicate ANY work to be self-performed by the contractor in the following categories (check all that apply):

Plumbing and Gas Fitting

Steam Heating, Hot Water Heating, Ventilating and AC Apparatus

Electric Wiring and Standard Illuminating Fixtures

If ALL contract work is to be self-performed, i.e. no subcontractors will be used, please check this box [] , skip to bottom of form, and sign it as required.

| Subcontractor's Name, Address and Federal ID No. | Check (✓) only one. | | | General Description of Work | Subcontractor's Contract Amt. |
|--|-------------------------------------|--|--|-----------------------------|--------------------------------|
| | Plumbing and Gas Fitting | Steam Heating, Hot Water Heating, Ventilating and AC Apparatus | Electric Wiring and Standard Illuminating Fixtures | | |
| INTRICATE TECH SOLUTIONS 98 MAHAN ST WEST BABYLON NY 11704 Federal ID No. [REDACTED] | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | HVAC | \$448,000 |
| ARA PLUMBING CORP 2182 JACKSON AVE -SUITE 1 SEAFORD, NY 11783 Federal ID No. [REDACTED] | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | PLUMBING | \$130,000 |
| ROLANDS ELECTRIC 307 SUBURBAN AVE DEEK PARK, NY 11789 Federal ID No. [REDACTED] | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | ELECTRICAL | \$719,000.⁰⁰ |

This form must be filled out completely and legibly, signed by a company authorized representative and included in a separate, sealed envelope within the bid envelope. Use and additional page if needed.

Failure to complete this form accurately and in its entirety, may result in a non responsive bid determination.

Company Authorized Signatur: *[Signature]* Title: **PRESIDENT** Date: **09/27/2023**

NO TEXT ON THIS PAGE

PROPOSAL


IRAN DIVESTMENT ACT – CERTIFICATION

Pursuant to New York State Finance Law §165-a, Iran Divestment Act of 2012, the Office of General Services is required to post on its web site <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> a list of persons who have been determined to engage in investment activities in Iran (“the List”), as defined in that Act. Under Public Authorities Law § 2879-c, Iranian Energy Sector Divestment, the Authority, may not enter into or award a Contract unless it obtains a certification from a Bidder, who shall check the box and make the certification in Subparagraph a, below, that they are not on the List. If that certification cannot be made, the Authority may consider entering into a Contract, on a case by case basis if the Bidder checks the box and makes the certification in Subparagraph b, below, that their Iran investment is ceasing.

For purposes of this provision, a person engages in investment activities in Iran if: (A) the person provides goods or services of twenty million dollars or more in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or (B) the person is a financial institution that extends twenty million dollars or more in credit to another person, for forty-five days or more, if that person will use the credit to provide goods or services in the energy sector in Iran.

The Certification is as follows:

- a. **Certification that the Bidder is not on the List:** Each person, where person means natural person, corporation, company, limited liability company, business association, partnership society, trust, or any other nongovernmental entity, organization, or group, and each person signing on behalf of any other party, certifies, and in the case of a joint bid or proposal or partnership each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each person is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law, or,
- b. **Certification that the Bidder’s investment in Iran is ceasing:** The person cannot make the certification in Subparagraph a, above, but asks the Authority to consider them for award of the Contract by certifying, under penalty of perjury, that the person’s investment activities in Iran were made before April 12, 2012; the person’s investment activities in Iran have not been expanded or renewed after April 12, 2012; and the person has adopted, publicized and is implementing a formal plan to cease its investment activities in Iran and to refrain from engaging in any new investments in Iran.


Signature/Date

10/16/23

JENNY SAKALIS, PRESIDENT

Print Name and Position

NO TEXT ON THIS PAGE

MacBride Fair Employment Principles

NONDISCRIMINATION IN EMPLOYMENT IN NORTHERN IRELAND:

MACBRIDE FAIR EMPLOYMENT PRINCIPLES

In accordance with Chapter 807 of the Laws of 1992 the bidder, by submission of this bid, certifies that it or any individual or legal entity in which the bidder holds a 10% or greater ownership interest, or any individual or legal entity that holds a 10% or greater ownership interest in the bidder, either: (answer yes or no to one or both of the following, as applicable),

(1) have business operations in Northern Ireland,

Yes ___ No

if yes:

(2) shall take lawful steps in good faith to conduct any business operations they have in Northern Ireland in accordance with the MacBride Fair Employment Principles relating to nondiscrimination in employment and freedom of workplace opportunity regarding such operations in Northern Ireland, and shall permit independent monitoring of their compliance with such Principles.

Yes ___ No ___


(Contractor's Signature)

ETA RESTORATION INC
(Name of Business)

NO TEXT ON THIS PAGE

QUALIFICATION STATEMENT

Note: All blanks in the form are to be filled in. Where blanks are not applicable to your firm, so indicate in each instance.

1. How many years has your firm been in the business under your present business name? 23

2. How many years experience in the construction work of a similar type as this contract has your firm had;

a. as a Prime Contractor 23

b. as a Subcontractor 23

3. List below the construction projects your firm has under way as of this date:

| Contract Amount | Class of work | Percent Completed | Name and Address of Owner or Contracting Officer |
|-----------------|---------------|-------------------|--|
|-----------------|---------------|-------------------|--|

SEE ATTACHED

(use additional blank sheets if additional space is necessary)

4. List the projects which your firm as a firm has performed in the past few years which you feel will qualify you for this work:

| Contract Amount | Class of work | Percent Completed | Name and Address of Owner or Contracting Officer |
|-----------------|---------------|-------------------|--|
|-----------------|---------------|-------------------|--|

SEE ATTACHED

(use additional blank sheets if additional space is necessary)

5. Have you:

a. ever failed to complete any work awarded to You? NO
If so; identify the project, the owner, the contract amount, the circumstances and date of all such failures to complete.

b. ever been defaulted on a contract? NO
If so; identify the project, the owner, the contract amount, the circumstances and the date of all default actions

NO TEXT ON THIS PAGE

c. ever been declared a non-responsible bidder by any municipality or public agency? NO
If so; identify the project, the owner, the contract amount, the circumstances and the date of all such declarations

d. ever been barred from bidding municipal or public contracts? NO
If so; identify the municipality or public agency, the circumstances, date and term of disbarment for all debarments.

(use additional blank sheets if additional space is necessary)

6. Has any officer, partner or principal of your firm ever been on officer, partner or principal of some other firm:

a. that failed to complete a construction contract? NO
If so, state name of individual and identify the name of firm, the project, the owner, the contract amount, the circumstances and the date of all such failures to complete for all principals of the firm.

b. that has ever been defaulted on a contract? NO
If so; state the name of the individual and identify the name of the firm, the project, the owner, the contract amount, the circumstances and the date of all default actions for all principals of the firm.

c. that has ever been declared a non-responsible bidder by any municipality or public agency? NO
If so; state the name of the individual and identify the name of the firm, the project, the owner, the contract amount, the circumstances and the date of all such declarations for all principals of the firm.

NO TEXT ON THIS PAGE

- d. that has ever been barred from bidding municipal or public contracts? NO
If so; state the name of the individual and identify the name of the firm, the municipality or public agency, the circumstances, date and term of debarment for all debarments for all principals of the firm.

(use additional blank sheets if additional space is necessary)

7. Has any officer or partner of your firm ever failed to complete a construction contract handled in his name? NO
If so, state name of individual, name of owner and reason therefor:

8. Disclose any and all violations of the Prevailing Wage and Supplemental Payment Requirements of the Labor Law of New York State. **NONE**

9. Disclose any and all other Labor Law Violations, including, but not limited to, child labor violations, failure to pay wages, or unemployment insurance tax delinquencies within the past five years.

NONE

10. In what other lines of business are you financially interested?

REAL ESTATE

NO TEXT ON THIS PAGE

11. What is the construction experience of the principal individuals of your firm?

| Individual's Name | Present Position or Office | Years of Construction Experience | Magnitude and type of work | In what Capacity |
|-------------------|----------------------------|----------------------------------|----------------------------|------------------|
|-------------------|----------------------------|----------------------------------|----------------------------|------------------|

SEE ATTACHED

(use additional blank sheets if additional space is necessary)

12. List below the equipment that you own that is available for the proposed work, giving present location where it may be inspected:

| Item | Description, Size Capacity, Year, etc. | Years of Service | Present Location |
|------|--|------------------|------------------|
|------|--|------------------|------------------|

SEE ATTACHED

(use additional blank sheets if additional space is necessary)

NOTE: Should the equipment be moved from the above mentioned location, the submitted hereby agrees upon request of the County to state the new location where same may be found. **AGREED**

13. If any of the above equipment is covered by chattel mortgage, conditional bill of sale, lien, or like encumbrance, state the complete details as to nature and amount of encumbrance, the name and address of the holder, etc.

NONE MORTGAGED AT THIS TIME

(use additional blank sheets if additional space is necessary)

NO TEXT ON THIS PAGE

14. In what manner have you inspected this proposed work?
Explain in detail.

**STUDIED CONTRACT DOCUMENTS, REVIEWED SITE LOGISTICS
VISITED SITE**

(use additional blank sheets if additional space is necessary)

15. Explain your plan and lay-out for performing the proposed work.

AS PER THE CONTRACT DOCUMENTS

16. If a contract is awarded or a permit is issued, to your firm, who will have the personal supervision of the work? Attach resume.

SEE ATTACHED

17. Insurance carried by your firm:

| Type | Company | Limits of Coverage | Term |
|------|---------|--------------------|------|
|------|---------|--------------------|------|

SEE ATTACHED

NO TEXT ON THIS PAGE

18. The undersigned hereby declares: That the foregoing information contained in this bid is a true statement, including, but not limited to, the financial condition of the individual firm herein first named as of the date herein given; the undersigned has read that portion of the Instructions to the Bidders entitled **"Qualifications and Responsibility of Bidders"** and that the bidder acknowledges its affirmative obligation to transmit with this statement any matters relevant and material to those contractor qualifications and responsibility standards; that this statement is for the express purpose of inducing the party to whom it is submitted to award the submitted a contract or issuance of a permit; that any depository, vendor or other agency herein named is authorized to supply such party with any information necessary to verify this statement; and that it understands and agrees that any material misrepresentation or omission of material fact may be deemed grounds for disqualification of the bidder as "not responsible," and may also subject the bidder to future debarment, penalties, and sanctions, to the extent permitted by law.

NO TEXT ON THIS PAGE

NOTE: The bids shall be sworn to by the person signing them, in one of the following forms:


(Form of affidavit where Bidder is a corporation)

STATE OF NEW YORK)
)ss.:
COUNTY OF NASSAU)

JENNY SAKALIS Being duly sworn, deposes and says:
That he resides [redacted] Street,
in the City of [redacted] that he is the **PRESIDENT** of

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal and was affixed by order of the Board of Directors of said corporation; that he signed his name thereto by like order; and that he has knowledge of the several matters therein stated and they are in all respects true.

Subscribed and sworn to before me
this 17th day of Sept., 2023.


MANOLI KALAMOTOUSAKIS
NOTARY PUBLIC-STATE OF NEW YORK
No. 02KA6213500
Qualified in Queens County
My Commission Expires November 09, 2024

(Form of Affidavit where Bidder is a firm) **N/A**

STATE OF NEW YORK)
)ss.:
COUNTY OF NASSAU)

_____ Being duly sworn, deposes and says:
That he is a member of
the firm described in and which executed the foregoing bid; that he
duly subscribed the name of the firm hereunto on behalf of the firm;
and that the several matters therein stated are in all respects true.
Subscribed and sworn to before me
this _____ day of _____, 20 _____.

Notary

(Form of Affidavit where Bidder is an individual) **N/A**

STATE OF NEW YORK)
)ss.:
COUNTY OF NASSAU)

_____ Being duly sworn, deposes and says:
That he is the person described in and who executed the foregoing bid
and that the several matters therein stated are in all respects true.
Subscribed and sworn to before me
this _____ day of _____, 20 _____.

Notary

NO TEXT ON THIS PAGE

CONTRACTOR CERTIFICATION STATEMENT REGARDING
STORM WATER POLLUTION AT THE WORK SITE

I certify under penalty of the law that I understand and agree to comply with the terms and conditions of the pollution prevention plan for the construction site identified in such plans as a condition of authorization to discharge storm water. I also understand the operator (Nassau County) must comply with the terms and conditions of the New York State Pollution Discharge Elimination System ("SPDES") general permit for storm water discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Finally, I understand my contractual obligations in the matter as outlined in the contract documents.

CONTRACTOR'S NAME: E&A RESTORATION INC

TELEPHONE NUMBER: 516-921-7030

WORK SITE OR FACILITY NAME: NASSAUCOUNTY MATRIMONIAL COURTS
JUSTICE CENTER

WORK SITE OR FACILITY ADDRESS OR
OTHER IDENTIFYING DESCRIPTION: 101 COUNTY SEAT DR

MINEOLA NY 11501

Signature



09/27/2023
Date

JENNY SAKALIS, PRESIDENT
Print Name and Title of Signer

NO TEXT ON THIS PAGE

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions
(Sub-Recipient)**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department of agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

JENNY SKALIS

09/27/23

Name and Title of Authorized Representative

m/d/yy

Jenny Skalis

Signature

09/27/23

Date

E&A RESTORATION INC

Name of Organization

130 CROSSWAYS PARK DRWE, SUITE 101 WOODBURY, NY 11797

Address of Organization

UJP FORM 4061/1 (REV. 2/89) Previous editions are obsolete

Instructions for Certification

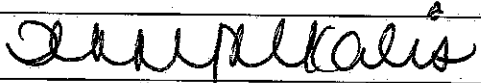
1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposes," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of reports in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

APPENDIX U

NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS

CONSULTANT/ CONTRACTOR DETAILED MBE/WBE/SDVOB UTILIZATION PLAN

Part 1- General Information:

| | |
|---|--|
| Consultant/Contractor Name: | E&A RESTORATION INC |
| Address (street/city/state/zip code): | 130 CROSSWAYS PARK DRIVE SUITE 101 WOODBURY NY 11797 |
| Authorized Representative (name/title): | JENNY SAKALIS |
| Authorized Signature: |  |
| Contract Number: | B90632-03GR |
| Contract/Project Name: | FAMILY + MATRIMONIAL COURT FAMILY JUSTICE CENTER |
| Contract/Project Description: | 13,000 SF FIT OUT AT NCFMCJC |

Part 2- Projected MBE/WBE/SDVOB Contract Summary:

| | Amount (\$) | | Percentage (%) |
|--|----------------------------|--|----------------|
| Total Dollar Value of the Prime Contract | \$4,580,000. ⁰⁰ | | 4.69% |
| Total MBE Dollar Amount | \$115,000. ⁰⁰ | MBE Contract Percentage | 2.51% |
| Total WBE Dollar Amount | \$100,000. ⁰⁰ | WBE Contract Percentage | 2.18% |
| Total SDVOB Dollar Amount | \$ 0. ⁰⁰ | SDVOB Contract Percentage | 0.00% |
| Total Combined M/WBE/SDVOB Dollar Amount | \$215,000. ⁰⁰ | Combined M/WBE/SDVOB Contract Percentage | 4.69%. |

NO TEXT ON THIS PAGE

Part 3- MBE Information (use additional blank sheets as necessary):

| MBE Firm | Description of Work (MBE) | Projected MBE Contract Amount (\$) and Award Date | MBE Contract Scheduled Start Date and Completion |
|---|---------------------------|--|--|
| Name: BAYBRENT CONSTRUCTION CORP Address: 1637 SYCAMORE AVE City: BOHEMIA State/Zip Code: NY 11716 Authorized Representative: NOAH Telephone No. 631-563-4500 | CERAMIC TILE | Amount (\$): 45,000 <hr/> Award Date: TBD | Start Date: TBD <hr/> Completion Date: TBD. |
| Name: CHAMPION SPECIALTY SERVICES Address: 65 CORPORATE DRIVE City: HOLTSVILLE State/Zip Code: NY 11742 Authorized Representative: JOHN BURNS Telephone No. 845-444-5260 | PAINTING | Amount (\$): 70,000 <hr/> Award Date: TBD | Start Date: TBD <hr/> Completion Date: TBD. |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |

Nassau County DPW

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Contract No: E9063Z-03GR
Family & Matrimonial Ct-Family Justice Center

E&A WILL CONTINUE TO SEARCH FOR MBE PARTICIPATION IF APPARENT LOW BIDDER.

NO TEXT ON THIS PAGE

Part 4- WBE Information (use additional blank sheets as necessary):

| WBE Firm | Description of Work (WBE) | Projected WBE Contract Amount (\$) and Award Date | WBE Contract Scheduled Start Date and Completion Date |
|---|-----------------------------------|---|---|
| Name: JC RYAN Address: 1800 NEW HIGHWAY City: FARMINGDALE State/Zip Code: NY 11735 Authorized Representative: ED AVILES Telephone No. 631-694-0008 | DOOR, FRAMES, HARDWARE | Amount (\$): <u>\$100,000</u> Award Date: <u>TBD</u> | Start Date: <u>TBD</u> Completion Date: <u>TBD</u> |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): Award Date: | Start Date: Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): Award Date: | Start Date: Completion Date: |

E&A WILL CONTINUE TO LOOK FOR WBE PARTICIPATION IF APPARENT LOW BIDDER

Nassau County DPW

ST-011019

Contract No. B90632703GR
Family & Matrimonial Ct-Family Justice Center

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Part 5- SDVOB Information (use additional blank sheets as necessary):

Nassau County DPW

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Family & Marital/CJ-Family Justice Center
Contract No. B90632-03GR

| SDVOB | Description of Work (SDVOB) | Projected SDVOB Contract Amount (\$) and Award Date | SDVOB Contract Scheduled Start Date and Completion |
|--|-----------------------------|---|--|
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |

E&A WILL CONTINUE TO SEARCH FOR SDVOB PARTICIPATION IF APPARENT LOW BIDDER.

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APPENDIX V

VENDOR PORTAL ACKNOWLEDGMENT

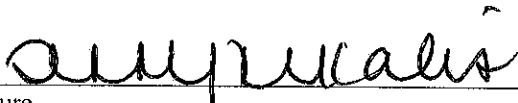
Vendor Name: E&A RESTORATION INC

Contract Title: FAMILY 1 MATRIMONIAL COURT FAMILY JUSTICE CENTER

Contract Number: B90632-03GR

Vendors doing business with Nassau County, including those responding to this solicitation, must register with the County's Vendor Portal in order to submit the mandatory vendor disclosure forms required for an award pursuant to this solicitation. Vendors may register at www.nassaucountyny.gov by clicking the "Vendor Portal Registration" button at the bottom of the webpage. Failure to do so may result in a delay of contract award.

The undersigned hereby acknowledges that he/she has registered and has submitted the required disclosures on the Nassau County Vendor Portal.



Signature

09/27/2023

Date

JENNY SAKALIS, PRESIDENT

Print Name

If you attempted to register via the Portal but were unable to do so, please explain here:

NO TEXT ON THIS PAGE

APPENDIX X

BRUCE A. BLAKEMAN

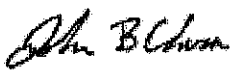

NASSAU COUNTY EXECUTIVE

NASSAU COUNTY



Vendor Code of Ethics



| | |
|---|---|
| POLICY/PROCEDURE TITLE: Nassau County Vendor Code of Ethics | DATE ISSUED: June 5 th , 2019 |
| DEPARTMENT ISSUING: Executive – Compliance | AUTHORIZED and SIGNED BY:  Deputy County Executive For Compliance  County Executive |

- POLICY:** The Office of the Nassau County Executive recognizes the importance of the vendor community in helping the County provide necessary services for the residents of Nassau County. It is the policy of the County Executive to ensure that all vendors doing business with Nassau County operate under the highest standards of legal and ethical conduct.
- PURPOSE:** To set forth a Code of Conduct for vendors to ensure that Nassau County Vendors are conducting their business with integrity, ethics, and compliance with all applicable laws and regulations.
- SCOPE:** All vendors doing business or seeking to do business with Nassau County as specified in the Code.



Vendor Code of Ethics

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Section 9.02 Civil/Criminal Penalties

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Section 10.01 Reporting Gift Requests

Section 10.02 Reporting Material Changes



Vendor Code of Ethics

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Vendor Code of Ethics

Chapter 1: DEFINITIONS

As used in this Code, the following terms have the following meanings:

Adverse Job-Related Action includes any material alteration to existing terms, conditions, and privileges of employment, such as dismissal, demotion, suspension, compulsory leave, disciplinary action, creation of a hostile work environment, negative performance evaluation, any action resulting in loss of staff, office space or equipment or other benefit, reduction in compensation, failure to appoint, failure to promote, or any transfer or assignment or failure to transfer or assign against the wishes of the affected employee.

Contact means any oral or written communication with any Nassau County Employee, other than the Designated Point(s) of Contact, where it could be reasonably inferred that such contact was intended to influence, or could reasonably be expected to influence, the subject of a County procurement.

Designated Point(s) of Contact means the individual(s) designated by the County to be a Vendor's only contact with Nassau County following the public advertisement of a solicitation or the issuance of a request for a bid, proposal, or quote for small purchase, until the award of a resulting contract and, where applicable, approval by the County Legislature. This timeframe, further defined in the State Procurement Lobbying Law, is also known as the Restricted Period.

Nassau County Employee means any officer, official or employee of Nassau County.

Family Member means (i) a Nassau County Employee's Spouse, Domestic Partner, Child, Sibling or Parent; (ii) a person who is a direct descendant (or the spouse of a direct descendant) of a Sibling of the Nassau County Employee or a Sibling of the Nassau County Employee's Spouse or Domestic Partner; or (iii) a person living in the same household as a Nassau County Employee.

Gift means the transfer, without equivalent consideration, of anything of benefit, tangible or intangible, having more than nominal value, including, but not limited to, cash, loans, forbearance,



Vendor Code of Ethics

services, travel, gratuities of any kind, favors, money, meals, refreshments, entertainment, hospitality, admittance to private clubs, use of time-shares, personal use of the Vendor's facilities, promises, tickets to entertainment or sporting events, weekend trips, golf outings, loans of equipment, or other thing or benefit. A Gift need not be intended to influence or reward any individual or entity.

Nassau County Code of Ethics means Nassau County Charter Section 2218, and the rules and regulations promulgated thereunder as may be amended or modified.

Participating Employee means any Vendor employee who engages in any written or oral communication of a non-clerical or non-administrative nature with Nassau County or with a Nassau County Employee(s) as part of or in connection with the procurement.

Participating Nassau County Employee means any Nassau County Employee who the Vendor knows, has reason to know, or can reasonably anticipate is involved in a specific procurement, in either a direct or decision-making capacity, but not in a clerical capacity. This includes but is not limited to the Designated Point of Contact, the project manager, the project manager's staff to the extent that they are involved in the procurement, members of selection committees, technical experts and negotiating teams.

Primary Contracting Party means a Vendor who intends to directly enter into or has a contract with Nassau County.

Retaliatory Action is defined as any Adverse Job-Related Action taken by, or at the direction or request of, a Vendor or a Vendors' Employees as a result of any individual's (i) good-faith report with respect to a violation or potential violation of this Code or the law; or (ii) cooperation in any investigation of unlawful conduct or misconduct conducted by Nassau County or by federal, state, or local law enforcement officials.

State Procurement Lobbying Law means New York State Finance Law Sections 139-j and 139-k, and the rules and regulations promulgated thereunder as may be amended or modified.

Vendor means any individual or entity seeking to or doing business



Vendor Code of Ethics

with Nassau County within the scope of this Code, including, without limitation, contractors, consultants, suppliers, manufacturers seeking to act as the primary contracting party, officers and employees of the foregoing, as well as any subcontractors, subconsultants and suppliers at all lower tiers.

Chapter 2: LIMITATIONS AND REPORTING OF CONTACTS WITH NASSAU COUNTY

Section 2.01 Designated Point(s) of Contact

Each procurement solicitation issued by Nassau County will identify the Designated Point(s) of Contact for that solicitation as required by the State Procurement Lobbying Law. Once the Designated Point(s) of Contact is/are established, the Vendor and any person or entity acting on the Vendor's behalf, including without limitation, those providing compensated or uncompensated lobbying, advocacy, consulting or other services should ensure that its contacts with Nassau County are in compliance with the requirements of the State Procurement Lobbying Law.

Chapter 3: GIFTS OR CONTINGENT FEES

Section 3.01 Zero Tolerance

No Vendor may offer or give any Gift, directly or indirectly, to a Nassau County Employee. Similarly, no Vendor may offer or give any Gift, directly or indirectly, to any Family Member of a Nassau County employee where such Gift is made because of the Vendor's relationship with the Nassau County Employee. Additionally, no Vendor may accept a gift from a Nassau County Employee.

This Zero-Tolerance Policy applies regardless of actual intentions. In other words, even if a Gift does not, or is not intended to, influence an action or decision by a Nassau County Employee, it is prohibited by this Code.

Section 3.02 Personal Relationships

Notwithstanding the foregoing, if a Vendor has a pre-existing family or personal relationship with the Employee, a Gift that is wholly unconnected with the Employee's duties on behalf of Nassau County is



Vendor Code of Ethics

not necessarily prohibited.

In determining whether the giving of an item was motivated by personal rather than business concerns, the following factors are considered:

- (a) the history of the relationship between the donor and the recipient, including but not limited to the mutuality of gift giving;
- (b) whether the item was paid for by the donor.

The giving of an item shall not be considered to be motivated by a family or personal relationship if the donor seeks to charge or deduct the value of the item as a business expense or seeks reimbursement from a client.

However, regardless of the family or personal relationship between a Vendor and an employee, a Gift is strictly forbidden where it is being given under circumstances where it can reasonably be inferred that it was intended to influence the employee in the performance of his or her official duties.

Section 3.03 Contingent Fees

The Vendor will not employ or retain any individual or entity for the purpose of soliciting or securing a Nassau County contract upon any agreement or understanding for a commission, percentage, brokerage, or fee that is contingent or dependent upon the outcome of the procurement.

Chapter 4: NEGOTIATIONS FOR FUTURE EMPLOYMENT

Section 4.01 Restrictions During the Procurement Process

Vendors shall not discuss future employment with Participating Nassau County Employees or their Family Members from the date the procurement is advertised or solicited through 30 days following the date that the procurement is awarded, even if a Participating Nassau County Employee contacts the Vendor regarding employment. Questions regarding whether a particular Nassau County employee is a Participating Nassau County Employee for a specific



Vendor Code of Ethics

procurement should be directed to the Designated Point of Contact for the procurement.

Section 4.02 Restrictions Post Award

Vendors are prohibited from offering or discussing an employment opportunity with a Nassau County Employee or his or her Family Members before whom the Vendor has or expects to have a pending specific matter including, but not limited to, negotiations, performance evaluation, task order selection, approval of a voucher or invoice, or approval of or agreement to a contract amendment, change order, or deviation or waiver until:

- (i) 30 days from the time the matter before the Employee is closed, or
- (ii) 30 days from the time the Employee has no further involvement with the matter because of recusal or reassignment.

Chapter 5: CONFLICT OF INTEREST

Section 5.01 Financial Interest

Neither the Vendor, nor any director, officer, principal, owner, or partner thereof, as the case may be, may have a 10% or greater interest, nor shall the Vendor, nor any director, officer, principal, owner, or partner thereof, acquire a 10% or greater interest, either directly or indirectly, in any company or firm that would conflict in any manner or degree with the performance of the Nassau County contract.

The Vendor will not permit an employee having a 10% or greater interest, either directly or indirectly, in any company or firm that would conflict in any manner or degree with the performance of the Nassau County contract to be employed in the performance of the Nassau County contract.

Section 5.02 Personal Business Dealings

Neither the Vendor, nor any director, officer, principal, owner, or partner thereof, may have a non-County business dealing with a



Vendor Code of Ethics

Participating Nassau County Employee where it can be reasonably inferred that the purpose of the business dealing, at least in part, is to influence the Participating Nassau County Employee's action on a pending County matter.

Section 5.03 Disclosure and Cooperation

The Vendor shall disclose immediately to the County any real or potential conflict of interest of which it becomes aware. This obligation is ongoing and shall last through the completion of performance of the contract. The Vendor shall provide to Nassau County, at the County's request and upon such forms as may be furnished by Nassau County, a disclosure of organizational, financial, contractual or other affiliations with any organization or entity that has interests that may be substantially affected by the procurement solicitation or award. The Vendor shall fully cooperate in any inquiry or investigation undertaken by Nassau County to determine whether any such affiliations present a conflict of interest, or whether any other provision of this Code has been violated. The Vendor shall fully cooperate with audits, investigations, examinations and reviews by the Nassau County Inspector General conducted pursuant to section 187 of the Nassau County Charter.

Section 5.04 Confidential Information

At no time shall any Vendor who obtains confidential or proprietary Nassau County information in the course of doing or seeking to do business with the County disclose any such information to any person not authorized by Nassau County to receive such information or use such information for any personal gain except as necessary to fulfill its contractual obligations to Nassau County.

If the Vendor receives from any source confidential or proprietary Nassau County information prior to the award of a resulting contract and, where applicable, approval by the County Legislature, without the explicit approval of the Designated Point of Contact, the Vendor shall immediately so notify the Designated Point of Contact.

Nassau County confidential or proprietary information includes, but is not limited to, internal cost estimates and proposals submitted by other Vendors.



Vendor Code of Ethics

Section 5.05 Prohibition Regarding Bidding by Participants in Procurement Development

No Vendor who participates in the development of a scope of work, solicitation documents, assessment criteria, contractual instruments or technical specifications may participate as a bidder, sub-bidder, proposer or sub-proposer on that particular procurement or perform any work on that particular procurement or any other procurement that would constitute an organizational conflict of interest or would give that Vendor an unfair advantage over other bidders or proposers on that procurement. This prohibition may be waived in writing by the County Chief Procurement Officer upon a showing of good cause.

Chapter 6: FORMER NASSAU COUNTY EMPLOYEES

Section 6.01 Appearance Before Former Agency-Two Year Bar

Except as provided for in Section 2218(8) of the Nassau County Code of Ethics, the Vendor will not permit a former Nassau County Employee to appear or practice before any Nassau County agency, either prior to award or in the performance of a Nassau County contract, for a period of two years after termination of the Nassau County Employee's services with the County.

Section 6.02 Appearance Before Former Agency-Life Time Bar

Except as provided for in Section 2218(8) of the Nassau County Code of Ethics, the Vendor will not permit a former Nassau County Employee to appear, practice, communicate or otherwise render services before the agency that employed the officer or employee or any other agency of Nassau County, either prior to award or in the performance of an agency's contract in relation to any case, proceeding, application or transaction with respect to which such former officer or employee was directly concerned and in which he or she personally participated, or which was under his or her active consideration during the period of his or her employment. This provision is a lifetime bar on projects that the former Nassau County Employee previously worked on while employed by the County.



Vendor Code of Ethics

Chapter 7: NON-COLLUSION

Section 7.01 Independent Bid Assessment

The Vendor will calculate the price(s) contained in any bid or proposal independently, without collusion, consultation, communication, or agreement with any competing Vendor for the purpose of restricting competition.

Section 7.02 Non-Communication of Bid

Unless otherwise required by law, the price(s) which the Vendor quotes in its bid or proposal will not knowingly be disclosed by the Vendor, directly or indirectly, to any competing Vendor prior to the closing date for bids or proposals.

Section 7.03 Bid Submission

The Vendor will not make any attempt to induce any other individual or entity to submit or not to submit a bid or proposal.

Chapter 8: DISTRIBUTION AND CERTIFICATION

Section 8.01 Distribution of Vendor Code of Ethics and Vendor's Participating Employee Acknowledgements

As a condition of being considered for the award of any contract above the County's small purchase threshold of \$10,000, the Vendor will be required to distribute copies of the Nassau County Vendor Code of Ethics to all Participating Employees prior to any of those employee's participation in the procurement. The Code may be distributed either in hard copy or electronically as a separate PDF.

Additionally, as a condition of being considered for the award of any contract above the County's small purchase threshold, the Vendor will be required to obtain an acknowledgement from each of its Participating Employees ("Participating Employee Acknowledgements") that they have received, read, understand, and will comply with the Nassau County Vendor Code of Ethics.



Vendor Code of Ethics

The Vendor's responsibility for distributing copies of the Nassau County Vendor Code of Ethics and obtaining such signed Participating Employee Acknowledgements is ongoing until completion of performance of the contract and shall be retained for the same period as the Vendor is required to retain other contract documents in accordance with their contract with the County.

Receipt and retention of Participating Employee Acknowledgments by the Vendor shall be subject to audit by Nassau County.

Section 8.02 Vendor Certifications

The vendor by signing the final contract thereby certifies and attests to the following:

- (a) The Vendor has been provided with a copy of the Nassau County Vendor Code of Ethics and will comply with all of the provisions of the Code;
- (b) All of its Participating Employees during the course of procurement or contract have been provided with a copy of the Nassau County Vendor Code of Ethics prior to any of those employees' participation in the procurement;
- (c) All Participating Employees have completed the acknowledgement required by Section 8.01 of this Code;
- (d) The Vendor will retain all of the signed Participating Employee Acknowledgements for the same period as the Vendor is required to retain other contract documents in accordance with their contract with the County;
- (e) The Vendor will continue to distribute the Nassau County Vendor Code of Ethics, obtain signed Participating Employee Acknowledgements as new Participating Employees are added or changed during the contract period, and retain all of the signed acknowledgements for the same period as the Vendor is required to retain other contract documents in accordance with their contract with the County.



Vendor Code of Ethics

Section 8.03 Subcontractor Certifications

As a condition of being considered for the award of any contract above the County's small purchase threshold, the Vendor will obtain certifications executed by authorized officials from all of its lower tier subcontractors, subconsultants and suppliers (as well as from any other subcontractors, subconsultants and suppliers from whom that Vendor is soliciting or has received proposals for work on a Nassau County contract) whose employees have communicated or may communicate with Nassau County Employees. This obligation is ongoing and shall last through the completion of performance of the contract. Receipt and retention of lower tier certifications by the Vendor shall be subject to audit by Nassau County.



Vendor Code of Ethics

Chapter 9: PENALTIES

Section 9.01 Responsibility Determination

For violation of any provision of the Nassau County Vendor Code of Ethics, Nassau County may avail itself of every remedy in law or equity, or as agreed to by parties in any contract, including but not limited to declaring the Vendor non-responsible or in material breach of the contract.

Section 9.02 Civil/Criminal Penalties

Additionally, violation of the Nassau County Vendor Code of Ethics or a provision thereof may subject the Vendor to criminal or civil penalties under State or Federal law.

Chapter 10: REPORTING OBLIGATION

Section 10.01 Reporting Gift Requests

Notwithstanding the provisions of Chapter 4 above, the Vendor is obligated to immediately report to Nassau County's Inspector General and the County Chief Procurement Officer, any and all requests made to the Vendor by any Nassau County Employee for a Gift.

Section 10.02 Reporting Material Changes

The Vendor is under a continuing obligation to report any change in circumstances that materially affects any prior report to Nassau County to Department of Chief Contracting Officer, including but not limited to disclosure of conflicts of interest and representations made in the Contractor Responsibility Form.

Section 10.03 Reporting Violations and Overpayments

The Vendor is obligated to timely report in writing to Nassau County's Inspector General, in connection with the award, performance or closeout of the Nassau County contract or subcontract, any credible evidence of significant overpayments on the contract or that a principal, employee, agent or subcontractor has committed a



Vendor Code of Ethics

violation of law involving fraud, conflict of interest, bribery or gratuities.

Chapter 11: PROHIBITION ON RETALIATION

Section 11.01 Prohibition

To facilitate the reporting obligations under Chapter 10, this code strictly forbids all Vendors and Vendors' Employees from taking any Retaliatory Action against individuals who make such reports.



Vendor Code of Ethics

PARTICIPATING EMPLOYEE
ACKNOWLEDGEMENT REGARDING NASSAU
COUNTY VENDOR CODE OF ETHICS

Company: E&A RESTORATION INC

Bid/Proposal No.: B90632-03GR

I, JENNY SAKALIS, acknowledge that I have received and read the Nassau County Vendor Code of Ethics on 09/27/2023 and that I understand it and will comply with this Code in my participation in procurements between E&A RESTORATION INC (Vendor name) and Nassau County.

Executed this 27 day of September, 2023

By Jenny Sakalis Signature of Employee

JENNY SAKALIS, PRESIDENT Name and Title of Employee



Vendor Code of Ethics

CERTIFICATION REGARDING
DISTRIBUTION OF
NASSAU COUNTY VENDOR CODE OF
ETHICS

Bid/Proposal No.: B90032-03GR

Project Description: FAMILY / MATRIMONIAL COURT FAMILY JUSTICE CENTER

The prospective lower tier participant E&A RESTORATION INC (subcontractor, subconsultant, or supplier name) hereby certifies, by submission of this bid or proposal to E&A [prime contractor] in connection with the Nassau County bid or proposal number referenced above, to the best of its knowledge and belief, that all officers and personnel who have communicated or may communicate with Nassau County employees during the course of the procurement and through the completion of performance of the contract have been provided with a copy of the Nassau County Vendor Code of Ethics prior to each of these employee's participating in the procurement.

Executed this 27th day of September, 2023

By Jenny Sakalis Signature of Authorized Official

JENNY SAKALIS, PRESIDENT Name and Title of Authorized Official

Notice of Award

NO TEXT ON THIS PAGE



E & A CONSTRUCTION

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

JENNY SAKALIS
PRESIDENT OF E&A CONSTRUCTION

Education

*Long Island University/CW
Post, MS, 2000-2002*

*Hofstra University, BA, 1996-
2000*

Years With This Firm: 23

Professional Profile

Jenny Sakalis has been working for E & A since its inception in 2000. She is the backbone of the organization, serving in every administrative managerial position over the years. Often many roles at one time.

Her extensive management and construction experience, coupled with her hard work, effort, dedication, and courage over the years has led to the success of the company and her current position of President.

Experience

E&A Construction

2000 – 2023 - E&A Construction - PRESIDENT

- Company leader responsible for strategic planning
- Oversees efficiency and performance
- Oversees business development and human resources
- Maintains the Company's vision, values, and ethics
- Manages the company's finances and budget
- Leads and directs the executive team
- Leads and evaluates all other officers, managers, and employees
- Negotiates purchase agreements for equipment and supplies
- Reviews all contracts, subcontracts, insurances, bonds, employee medical benefits and fringes, profit-sharing plans, and vendor purchase orders for accuracy and efficacy

Over the years Jenny has served as a senior in the following positions for E&A:

- Owner's Representative
- Office Manager
- Human Resources Manager
- Finance Manager
- Office Administrator



E & A CONSTRUCTION

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

ANTONIOS VOURNOU CEO OF E&A CONSTRUCTION

Education

NYIT, BS, Architectural
Technology

Years With This Firm: 23

Professional Profile

Antonios has over 20 years' experience in aspects of general construction and construction management. He has served at every level of construction work from an early age to recently becoming the CEO of E&A. He is an energetic, highly motivated individual, who leads by example.

Experience

E&A Construction, CEO

E&A Construction, Project Executive

E&A Construction, Project Manager

E&A Construction, Carpenter

Antonios has been working for E & A Construction since its inception in 2000. He has served in numerous positions and has excelled in ascending to his current position. During his tenure he has completed projects ahead of schedule and within budget.

On all Nassau and Suffolk County projects the client and County Executive have specifically asked for his involvement. This is a direct testament to his dedication and commitment to excellence on all projects E&A performs.

His industrious manner and ability to get a job done in a timely, accurate manner inspires great trust and confidence in others, which motivates all involved to succeed. He has personally managed projects over \$100M in his term as the Project Executive for this firm. Previous projects completed include:

1. Nassau County Police Training & Intelligence Center
2. Nassau County Emergency Requirements Contracts
3. Nassau County Public Safety Center
4. Suffolk County Community College
5. National Parks Landmark Theodore Roosevelt Residence
6. MTA (Metropolitan Transportation Authority) Long Island Bus Depot

Currently wrapping up:

1. 253 Broadway, NYC DDC project
2. Nassau County Matrimonial Courthouse, NCDPW project
3. PSEG LI 10 Story Building Demolition

Additionally, Mr. Vournou has managed numerous projects on Schools, Landmark Facilities, Municipalities, Fire Houses and Police Stations, and every conceivable Institutional type of facility from Court Houses to Libraries.



James W. Sorge, P.E.
Project Executive

E&A RESTORATION INC.

Education

*Manhattan College, Civil
Engineering*

Licenses/Registrations

*Professional Engineer-State
of New York*

*Licensed Superintendent-
NYC Dept. of Buildings*

*Years With This Firm: 3
Years with Other Firms: 33*

Professional Profile

James is a New York State Professional Engineer and licensed superintendent with over 36 years of experience in construction project management, supervision, and safety. James has a strong background in building and heavy construction, site work and construction logistics. His project experience includes many notable structures throughout the New York Metropolitan Area and Long Island. He is an exceptional leader with strong leadership skills, an incomparable coaching trait which make him asset to any setting.

Experience

E&A Restoration Inc., Project Executive

Supervision of all construction activities.

Direction and coordination of subcontractors and field crews.

- 253 Broadway, New York, NY LPC Office Space Retrofit, NYCDDC
- Nassau County Police Department Center for Training & Intelligence
- Nassau County Family Matrimonial Courthouse

Petracca and Sons Inc., Vice President/General Superintendent

Supervised/Managed the pricing, scheduling, and construction of the following projects:

Projects include:

NYCSCA - P.S 335

Queens, New York

Contract #C000013929

Contract Amount: \$70,858,000

NYCSCA - P.S 798

Brooklyn, New York

Contract #C000010300

Contract Amount: \$50,850,000

New York City School Construction Authority

800 Bed Addition Rikers RMSC

Long Island City, New York

Contract #20050016107

Contract Amount: \$73,430,000

NYCSCA - P.S. 253

Queens, New York

Contract #C000008909

Contract Amount: \$42,490,000

NYCSCA - P.S. 234

Queens, New York

Contract #C000008654



Contract Amount: \$41,619,000
New York City School Construction Authority

James Sorge, P.E. ...cont'd

E&A RESTORATION INC.

NYCSCA - P.S. 69
Brooklyn, New York
Contract #C000008083
Contract Amount: \$34,800,000
New York City School Construction Authority

NYCSCA - P.S. 340
Bronx, New York
Contract #C000007666
Contract Amount: \$18,395,000

Richmond Hill Yard & Shop Improvements
Contract #5631
Contract Amount: \$22,750,000
Long Island Rail Road – MTA (Owner)

Morse Diesel International – Construction Manager
Terminal One: Elevated Roadway
Contract #2172901
Contract Amount: \$10,750,000
Terminal One Group Associates (T.O.G.A) – Owner

New Queens Civil Courthouse
Jamaica, New York
Contract Amount: \$41,830,000
Dormitory Authority – New York State

Reconstruction on the LIE at Sagtikos Parkway
Contract Amount: \$26,900,000
Department of Transportation – New York State

Construction of a Communicable Disease Unit, Phase II
Rikers Island, New York
Contract #072930001 CBP
Contract Amount: \$41,750,000
Department of Correction – New York City

Construction of a Communicable Disease Unit, Phase I
Rikers Island, New York
Contract #072920116 CBP
Contract Amount: \$15,000,000
Department of Correction – New York City



James Sorge, P.E. ...cont'd

E&A RESTORATION INC.

Sprung Structures

Rikers Island, New York

Contract Amount: \$72,400,000

Department of Correction – New York City

Construct twenty-three Emergency Sprung Structures, Chain Link Security Fence, Office Trailer, Toilet/Shower Trailer, Support Modular Trailer and Sitework for the Sprung Structures Complex.

All Work Completed on Time – 75 Days

(July 30th to October 13th, 1991)

Sprung Structures

Rikers Island, New York

Contract Amount: \$35,700,000

Department of Correction – New York City

Supervised site and utility work for construction of 20 emergency inmate housing and support structures.

All work completed on time – 60 to 90 days

(January to Mid-March 1991)

Reconstruction on the LIE at Route 106

Contract Amount: \$35,000,000

Department of Transportation – New York State

Construct five bridges, 400,000 C.Y. of Embankment, Sheet piling, Drainage, Rehabilitation of four bridges, Sitework, Paving.

Reconstruction on the LIE

Contract Amount: \$10,000,000

Department of Transportation – New York State

Construct two Pedestrian Bridges, Widen Expressway, Drainage, Sitework, Concrete Barrier



E & A CONSTRUCTION

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KEN EADS

PROJECT SUPERINTENDENT

Education

*Long Island University/CW Post,
Numerous Continuing
Education Classes*

*Empire State Carpenters Local 7
Trade School*

Licenses/Registrations

1-hour Asbestos & Lead

Awareness

1-hour Hoisting & Rigging

1-hour First Aid & CPR

1-hour Flag Person

2-hour Drug & Alcohol

Awareness

2-hour Pre-Task Safety

Meetings Training

2-hour Site Safety Plan Training

2-hour Toolbox Talks

4-hour Mast Climber User

4-hour Pipe Scaffold User

8-hour Fall Prevention

*8-hour Site Safety Manager
Renewal*

10-hour Hazard Awareness

OSHA 30-hour

Years With This Firm: 15

Years with Other Firms: 15

Professional Profile

Ken has 30 years of construction experience. He has worked as a carpenter since high school and within 5 years was running complex projects as a foreperson. Ken started coordinating other trades while acting as a carpenter foreman and was eventually elevated to a project superintendent. He has a strong fundamental knowledge and construction insight and has saved numerous hours of work on several projects, coordinating all the trades to minimize "hits" amongst the trades. His determination and relentless pursuit of excellence has paved the way to the repeated success of completing projects ahead of schedule.

Experience

2005-2023 E&A Construction - Project Superintendent

Since coming to work for E&A Restoration in 2004, Ken has handled an increased amount of responsibility on the projects assigned to him. He has displayed an ease at handling projects with little interference from the management team and/or the design team. He is a loyal, energetic, and conscientious individual; always putting the needs of the project first. Ken was the Site Superintendent for the Rehabilitation of Sagamore Hill, home of President Theodore Roosevelt and was instrumental in its success.

Projects include:

Rudin Management – Façade Over-Cladding 211 East 70th Street

Rudin Management – Base of Buildings and Gardens 211 East 70th Street

Contract Amount: \$70,000,000.00

Supervision of a \$70 million renovation project, which includes both work on the façade and base of building garden rehabilitation at a fully occupied residential building. Managed multiple trades, coordinated daily operations, guided layout operations, and worked closely with the entire project team to deliver this project on time without disruption to existing tenants.

Rehabilitation of Sagamore Hill National Historic Site

Contract Amount: \$8,600,000.00

Oversaw and directed all construction operations for an \$8.6 million interior and exterior rehabilitation of the Icehouse and surrounding site, the home of President Theodore Roosevelt.

Nassau County Public Safety Center Forensic Laboratory Phase II & III

Contract Amounts: Phase 1 - \$20,246,460.00 Phase 2 - \$24,320,608.00

Monitored all trades on a \$20.2 million exterior and interior construction of the Nassau County facility serving as the Nassau County Crime Investigation Unit. The project included offices, laboratories, an automotive unit and firing range including all the MEP supporting these spaces, masonry restoration, exterior curtainwall systems, masonry façade repair, window replacement and metal panel scope. Took care to coordinate activities so that the facility operations were not affected.

MTA LI Bus Paratransit Facility Modifications

Contract Amount: \$8,000,000.00

Supervision of an \$8,000,000.00 modification of a para-transit bus facility.

Nunley's Carousel Building

Managed all daily operations for the construction of the new Nunley's Carousel and its enclosure. Worked hands in hand with the design and construction teams to ensure the historic artifact was kept undamaged and professionally installed when moving locations and being rebuilt.

Ken was also the Project Superintendent on numerous schools, firehouse, office building, libraries, and mall projects.

2000-2005 Godsell Construction Corporation, Carpenter Foreman

During his employment, Ken worked on numerous public works projects, but concentrated on public school work in Nassau and Suffolk Counties. While assigned to work at William Paca Middle School, Ken distinguished himself as someone who could manage multiple tasks of enormous responsibility with limited supervision. Immediately after finishing this project, where E&A Restoration was the CM, he was hired to work with E&A. During his tenure at Godsell, Ken completed work on several schools that were all completed on time. He also ran all the complex carpentry work, millwork fabrication/installation and wood floor installation at the Cold Spring Harbor Library.

1995-2000 Aurora Contractors/Expressway Acoustics, Carpenter Foreman

While employed here, Ken worked as the lead Carpenter Foreman in a setting where there were several other carpenter forepersons, working under his supervision. Here he completed school projects where the casework was more than \$3M. He displayed an acute understanding of coordinating skilled carpenters as they related to tasks within the trade. During his employment, he completed projects over \$5M on libraries, hospitals, firehouses, and police stations. Additionally, he was instrumental in the successful build outs of several strip malls in Nassau and Suffolk Counties.



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Projects In Progress

Nassau County Matrimonial Court

Location: Nassau County, NY
Owner: Nassau County Dept of Public Works

Contract No. B90632-02G
Contact: Joseph Amerigo
(516) 571-6804

Contract Amount: \$108,600,000.00
Contract Award: 3/30/20

% Completed: 80
Est. Completion: 01/2025

253 Broadway Landmark's Space Renovation

Location: New York, NY
Owner: NYC Department of Design & Construction

Contract No. 20161423374
Contact: Mark Forrester
(917)-417-4133

Contract Amount: \$33,869,779.33
Contract Award: 3/30/16

% Completed: 98
Est. Completion: 10/2023

Nassau County Building Construction Requirements, General Construction

Location: Nassau County, NY
Owner: Nassau County Dept. Of Public Works

Contract No. B9040003GR
Contact: Michael Puleo
(516) 571-6917

Contract Amount: TNE \$10,000,000
Contract Award: 11/17/17

% Completed: 20
Est. Completion: 4/2022



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Projects Completed

Nassau County Police Center for Training and Intelligence

Location: Garden City, NY Contract No. B90230P03G
Owner: Nassau County Dept. Of Public Works, Joseph Amerigo 516-571-6804
Construction Cost: \$45,109,421.89
Contract Award: 8/1/19 Completed: 12/1/2022

Secure Detention for HORIZONS Juvenile Interim Facility

Location: Bronx, NY Contract No. JJFACREN
Owner: NYC Department of Design & Construction, Anton Dolce 917-559-8286
Construction Cost: \$55,000,000
Contract Award: 2/2/18 Completed: 10/31/19

211 E.70th Street

Location: Manhattan, NY Contract No. 321702+321601
Owner: Rudin Management, Paul Mandel 212-407-2504
Construction Cost: \$70,000,000.00
Contract Award: 11/04/16 Completed: 8/30/2019

Dormitory Renovations to Yaphank Correctional Facility

Location: Yaphank, NY Contract No. N/A
Owner: Suffolk County Department of Public Works, Jay Abbott 631-852-4242
Construction Cost: \$12,720,970.00
Contract Award: 1/20/15 Completed: 5/2018

Nassau County Public Safety Center Phase III, Forensics Lab

Location: Westbury, NY Contract No. B90230P03G
Owner: Nassau County Dept. Of Public Works, Joseph Amerigo 516-571-6804
Construction Cost: \$24,320,608.54
Contract Award: 12/16/13 Completed: 10/1/2018

Nassau Community College, Student Services Center

Location: Garden City, NY Contract No. B7008901G
Owner: Nassau Community College, Scott Brugge 516-572-9786 x28330
Construction Cost: \$11,712,215.22
Contract Award: 11/3/14 Completed: 9/1/17

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Nassau Community College, On Call General Contractor

Location: Garden City, NY
113010-0946
Contract No. CY98-
Owner: Nassau Community College, Scott Brugge 516-572-9786 x28330
Construction Cost: \$5,154,221.07
Contract Award: 2/17/11
Completed: 3/31/16

Building Construction Requirements Contract, General Contractor

Location: Various Locations, Nassau County, NY
Contract No. B9040002G
Owner: County of Nassau, Michael Puleo 516-571-6917
Construction Cost: \$10,000,000.00
Contract Award: 8/1/12
Completed: 12/31/16

Hempstead House Lintel Replacement & Window Rehabilitation

Sands Point, NY
Contract No. B9E100016G
Owner: County of Nassau
Architect: Beatty Harvey Coco Architects, LLP (631) 300-1010
Construction Cost: \$1,307,787.89
Contract Award: 11/25/13
Completed: 11/30/15

Rehabilitation of Sagamore Hill, National Historic Site

Oyster Bay, NY
Contract No. SAHI-077375
Owner: National Park Service (303) 969-2344
Architect: John G. Waite Associates, Architects
Construction Cost: \$8,554,579.39
Contract Award: 8/29/12
Completed: 7/31/14

Riverhead Building Renovation, Suffolk Community College

Ammerman Campus, Selden, NY
Contract No. CP2149, 2138, 2127
Owner: Suffolk County Community College
Paul Cooper (631) 451-4445
Architect: William F. Collins, AIA (631) 689-8450
Construction Cost: \$12,750,000.00
Contract Award: 3/21/13
Completed: 12/31/14

Alterations to Criminal Court Building

Riverhead, NY
Capital Project No. 1124
Architect: David Swift Architects (631) 351-5700
Construction Cost: \$1,808,419.00
Contract Award: 8/26/13
Completed: 12/1/14

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Plaza Deck Restoration, Phase II, Nassau Community College

Garden City, NY

Contract No. B7006501G

Owner: Nassau Community College (516) 572-9786

Architect: RBA Group (973) 946-5634

Construction Cost: \$3,136,380.10

Contract Award: 6/13/11

Completed: 10/30/14

Installation of Fire Sprinkler, Deepwells Mansion

Saint James, NY

Capital Project No. 7510/7184

Owner: Suffolk County Dept. of Public Works (631)852.4391

Architect: Bladykas Engineering (516) 364-8700

Construction Cost: \$405,327.00

Contract Award: 11/29/12

Completed: 6/2014

Locker Room Rehabilitation, Long Beach Recreation Center

Long Beach, NY

Contract No. 00082907-00

Owner: City of Long Beach (516) 431-1011

Architect: LK McLean Assoc, P.C. (631) 286-8668

Construction Cost: \$549,939.85

Contract Award: 3/21/13

Completed: 12/31/13

Masonry Restoration for Exterior of City Hall

Long Beach, NY

Contract No.00082347-00

Owner: City of Long Beach (516) 431-1011

Architect: LK McLean Assoc, P.C. (631) 286-8668

Construction Cost: 376,937.57

Contract Award: 3/19/13

Completed: 10/2013

North Bellmore UFSD, Bond Issue Related Capital Improvement Program, Phase II

North Bellmore, NY

Contract No. Contract No. 2

Owner: North Bellmore Union Free School District

Architect: John A. Grillo, Architect PC

Construction Cost: 1,209,000.00

Completed: 06/2012

Wastewater Facilities, Requirements Contract

Various Locations, Nassau County, NY

Contract No. S35900G

Owner: County of Nassau

Construction Cost: 1,163,144.66

Completed: 04/2012

Public Safety Center

Nassau County, NY

Contract No. B90230PG

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Owner: County of Nassau

Architect: Paul DeSilva

Construction Cost: 19,456,867.90

Completed: 08/2011

Rehabilitation of New York Ave. Pump Station

Long Beach, NY

Contract No. G-01

Owner: City of Long Beach

Architect: Dvirka & Bartilucci

Construction Cost: 1,421,234.74

Completed: 07/2011

Nassau BOCES, Vertical ADA Lifts

Westbury, NY

Contract No. SED No. 28-90-00-00-0-030-021

Owner: Nassau BOCES

Architect: H2M Group

Construction Cost: 85,000.00

Completed: 01/2012

Nassau County Requirements Contract

Nassau County, NY

Contract No. B9040001G

Owner: County of Nassau

Completed: 11/2011

Architect: In-House Nassau County

Construction Cost: 2,500,000.00

Nassau County Requirements Contract

Nassau County, NY

Contract No. B90965G

Owner: County of Nassau

Completed: 7/2011

Architect: In-House Nassau County

Construction Cost: 3,000,000.00

Copiague Memorial Public Library 2009/2010 Capital Improvement Program

Copiague, NY

SED No.: 58-01-05-03-6-007-005

Owner: Copiague Memorial Public Library

Completed: 6/2011

Architect: John A. Grillo, Architect, P.C.

Construction Cost: 1,053,697.00

TOBAY Beach Ocean Pavilion Improvements

Massapequa, NY

Contract No. DP-10-040 PHASE I

Owner: Town of Oyster Bay

Completed: 5/2011

Architect: David Swift, LLC

Construction Cost: 508,392.67

Renovation to Hose Co. No. 2

Contract No. 10-005

Owner: Baldwin Fire District

Completed: 3/2011

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Architect: H2M Group

Construction Cost: 53,374.06

Emergency Repair of Existing Stucco Wall Contract No. 10-022

Owner: South Hempstead Fire District

Completed: 3/2011

Architect: Frank G. Relf

Construction Cost: 54,888.00

HVAC Replacement & Ceiling System Replacement Contract No. 1

Owner: East Meadow Fire District

Completed: 3/2011

Architect: Frank G. Relf

Construction Cost: 176,575.48

**Main Facility Additions & Alterations to Main Fire House Facility
Brentwood Fire District (Ceramic Tile)**

Owner: Brentwood Fire District

Contract No. 0515.10B

Architect: Martin F. Sendlewski

Completed: 6/2010

Construction Cost: 42,000.00

Nassau County Requirements Contract

Nassau County, NY

Contract No. B90964G

Owner: County of Nassau

Architect: In-House Nassau County

Construction Cost: 1,750,000.00

Trafelet Residence for J.E. O'Donnell Construction

Old Brookville, NY

Owner: Mr. & Mrs. Trafelet

Completed: 9/2009

Architect: Ferguson & Shamamian Architects

Construction Cost: 593,520.73

Elevator Installation

Holocaust Museum & Tolerance Center

Contract No. B9098102R

Owner: County of Nassau

Completed: 6/2009

Architect: David Swift, Architect

Construction Cost: 851,000.00

Holocaust Museum and Tolerance Center

Welwyn Preserve

Contract No. B4186101G

Construction Cost: 142,000.00

Completed: 01/2009

Owner: County of Nassau/ Marlene Osroff (516) 639-2111

Architect: David Swift



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Para Transit Facility Modifications, Phase II

Stewart Ave., Garden City, NY

Contract No. E-3565/PO#M02794

Construction Cost: 7,621,092.65

Completed: 01/2009

Owner: MTA/LI Bus (516) 542-0100

Architect: Stone Webster

Police and Fire Communications Center, Phase I Structural Modification

Prospect Ave., Westbury, NY

Contract No. B90230201G

Construction Cost: 8,146,718.01

Completed: 11/2008

Owner: County of Nassau

Architect: Swanke Hayden Connell Architects/Paul DeSilva (212) 219-6670

Wantagh Middle and High Schools Masonry Reconstruction

Wantagh Union Free School District

Contract No. 2

Construction Cost: 97,000.00

Completed: 12/2008

Owner: Wantagh Union Free School District

Architect: John A. Grillo, Architect (631) 476-2161

Rehabilitation of Roofs

Various Nassau County Buildings

Contract No. B9061803G

Construction Cost: 2,201,000.00

Completed: 3/2008

Owner: County of Nassau/Michael Puleo (516) 571-6917

Architect: In-House Nassau County

ADA Title II Compliance

Various Nassau County Buildings

Contract No. B90918015G

Construction Cost: 638,549.00

Completed: 3/2008

Owner: County of Nassau/Rabinder Bhamra (516) 571-6972

Architect: David Swift (631) 351-5700

Inspector: Andy Filardo (516) 817-4374

Nassau County Requirements Contract

Nassau County, NY

Contract No. B90963G

Construction Cost: 1,500,000.00

Completed: 12/2007

Owner: County of Nassau/ Michael Puleo (516) 571-6917

Architect: In-House Nassau County

Inspector: Andy Filardo (516) 817-4374

HVAC and Electrical Improvements for the Vanderbilt Museum, Phase II

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Centerport, NY

Capital Project No. 7443/7445, Contract 1G

Construction Cost: 363,508.03 Completed: 11/2007

Owner: Suffolk County Dept. of Public Works/ James Ingenito (631) 852-4690

Architect: In-House Suffolk County

Notre Dame Parish Misc. Work to Rectory

Construction Cost: 28,010.00 Completed: 8/2007

Owner: Diocese of Rockville Center/ Tom DeFrancisci (516) 352-7203

Sterling Glen of Roslyn

Roslyn, NY

Construction Cost: 1,548,422.14 Completed: 7/2007

Owner: Sterling Glen

General Contractor: Kajima Building Corp./ Pat Caputti (914) 906-7583

West Babylon Public Library

Construction Cost: 158,153.08 Completed: 7/2007

Architect: Beatty, Harvey & Associates / J. Kent Howie (631) 208-9655

Owner: West Babylon Public Library (631) 669-6539

Masonry & Roof Repairs to Church of Notre Dame

New Hyde Park, NY

Construction Cost: 240,400.00 Completed: 7/2007

Architect: LAS Associates, Architects/ Lee Sagistano/Doris Armitage (516) 364-8150

Owner: Diocese of Rockville Centre (516) 678-5800

Interior Alterations and Renovation to Headquarters

Huntington Manor Fire District

Construction Cost: 924,102.25 Completed: 5/2007

Architect: Frank G. Relf, Architect P.C./Frank Relf/Will Quintanilla (631) 271-4432

Owner: Huntington Manor Fire District

Owner's Representative: Vincent Bifano (631) 427-1629

Portico Restoration, Old County Courthouse

Nassau County, NY

Contract No. B90230102G

Construction Cost: 1,635,914.00 Completed: 2/2007

Architect: John G. Waitte Associates

Owner: County of Nassau

Owner's Representative: Frank Stabile (516) 571-6812



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CM: Greyhawk/Jacobs Carter Burgess/ Nick Pappas (516)639-2607/ Gus Xenakis
(516)281-4246

Nassau County Requirements Contract

Nassau County, NY Contract No. B90962G
Construction Cost: 975,000.00 Completed: 9/2005
Architect: In-House Nassau County
Owner's Representative: Andy Filardo (516) 817-4374

Nassau County Requirements Contract

Nassau County, NY Contract No. B90961G
Construction Cost: 750,000.00 Completed: 2/2005
Architect: In-House Nassau County
Owner's Representative: Andy Filardo (516) 817-4374

Roof Rehabilitation

Various Nassau County Buildings, NY Contract No. B9061802G
Construction Cost: 1,282,350.00 Completed: 3/2006
Architect: In-House Nassau County
Owner: County of Nassau
Owner's Representative: Michael Puleo (516) 571-6917
CM: Hirani/ Lawson Christian (516) 850-0620

Additions & Alterations to Substation

Centereach Fire District

No. Howell Ave., Centereach, NY Contract No. CRFD-0401
Construction Cost: 1,004,903.64 Completed: 4/2006
Architect: H2M Group, Jennifer Curtin/Dan Tanzi (631) 756-8000
Owner: Centereach Fire District
Owner's Representative: Commissioner D'Onforio (631) 588-8652

The New Cold Spring Harbor Library and Environmental Center

Rte.25A, Cold Spring Harbor, NY Contract No. 9273
Construction Cost: 90,412.00 Completed: 4/2006
Architect: Beatty, Harvey & Associates, LLP
Owner: Cold Spring Harbor Library
Owner's Representative: Sullivan & Nickel Construction (631) 738-7750
John McCort cell (516) 330-9373

Kitchen Renovations at Headquarters

Copiague Fire District Contract No. G-G.C.- CFPD 05-02



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Construction Cost: 78,270.87 Completed: 4/2006
Architect: H2M Group, Joe Mottola (631) 756-8000
Owner: Copiague Fire District
Owner's Representative: Bobby (516) 852-2524

Art/Technology Classroom Renovation

Baldwin Middle School SED No.28-02-10-03-0-012-018
Construction Cost: 197,300.00 Completed: 9/2006
Architect: H2M Group, Saverio Belfiore (631) 756-8000
Owner: Baldwin Union Free School District

**2005/2006 Capital Improvements, Hicksville Union Free School District
Burns Ave. Elementary School and Hicksville Middle School**

Construction Cost: 131,455.00 Completed: 9/2006
Architect: John A. Grillo Architect P.C. (631) 476-2161
Owner: Hicksville Union Free School District
Construction Manager: School Construction Consultants, Mike Carteli (917) 270-8712

Addition to Park House

259 Front St., Massapequa Park, NY
Construction Cost: 292,800.00 Completed: 1/2005
Architect: H2M Group, Veronica Byrnes (631) 756-8000
Owner: Massapequa Fire District
Owner's Representative: Richard Paul (516) 798-2648

Nassau County Campus Construction

T. Roosevelt Government Offices (890230101G)
101 Grumman Road, Bethpage, NY 11714
Construction Cost: 1,126,605.00 Completed: 9/2004
Architect: In-House Nassau County
Owner: County of Nassau
Owner's Representative: Nick Pappas (516) 680-5693

**Addition and Alterations to Chatterton Elementary School and Levy-Lakeside
Elementary School**

Merrick, NY
Construction Cost: 2,900,000.00 Completed: 9/2003
Architect: Burton, Behrendt & Smith (631) 475-0349
Owner: Merrick Union Free School District
Owner's Representative: Sydney Freifelder (516) 992-7200



E & A RESTORATION INC.

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

Interior Renovation to Bethpage High School (2000-200-7)

Cherry Ave. & Stewart Ave., Bethpage, NY 11714

Construction Cost: 1,462,550.00 Completed: 10/2005

Owner: Bethpage Union Free School District

Owner's Representative: Vince Russo (631) 567-0200

Renovation & Addition to Merrick Hook & Ladder (PW8-03)

One Oakwood Ave., Merrick, NY

Construction Cost: 2,384,677.98 Completed: 10/2005

Owner: Town of Hempstead

Owner's Representative: John Gibilaro (516) 812-3065

Additions & Alteration to Sea Cliff Elementary School

Carpenter Ave., Sea Cliff, NY

Construction Cost: 7,300,000.00 Completed: 10/2001

Owner: North Shore Union Free School District

Owner's Representative: Richard Kavanaugh (516) 705-0383



E & A RESTORATION INC.
130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

EQUIPMENT LIST

THE FOLLOWING EQUIPMENT IS LOCATED AT:

E & A RESTORATION INC.
130 CROSSWAYS PARK DRIVE
WOODBURY, NY 11797

VANS, DUMPTRUCKS, PICKUP TRUCKS SCAFFOLDING, BOB CAT
GAS SAWS, GENERATORS, WELDING MACHINES, COMPACTOR, CHIP GUNS,
GRINDERS
CONCRETE CHUTE, LIGHTING, KETTLES, TRAILERS, KICKERS, VIBRATOR, CONEX
CONTAINERS, COMPRESSORS



E & A RESTORATION INC.

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

Insurance Information

General Liability:

The Phoenix Insurance Company

Policy Duration:

Policy Number:

Workers Compensation:

The Phoenix Insurance Company

Policy Duration:

Policy Number:

Umbrella:

The Travelers Indemnity Company

Policy Duration:

Policy Number:

Philadelphia Indemnity Insurance Co.

Policy Duration:

Policy Number:

Automobile Liability:

The Travelers Indemnity Company

Policy Duration:

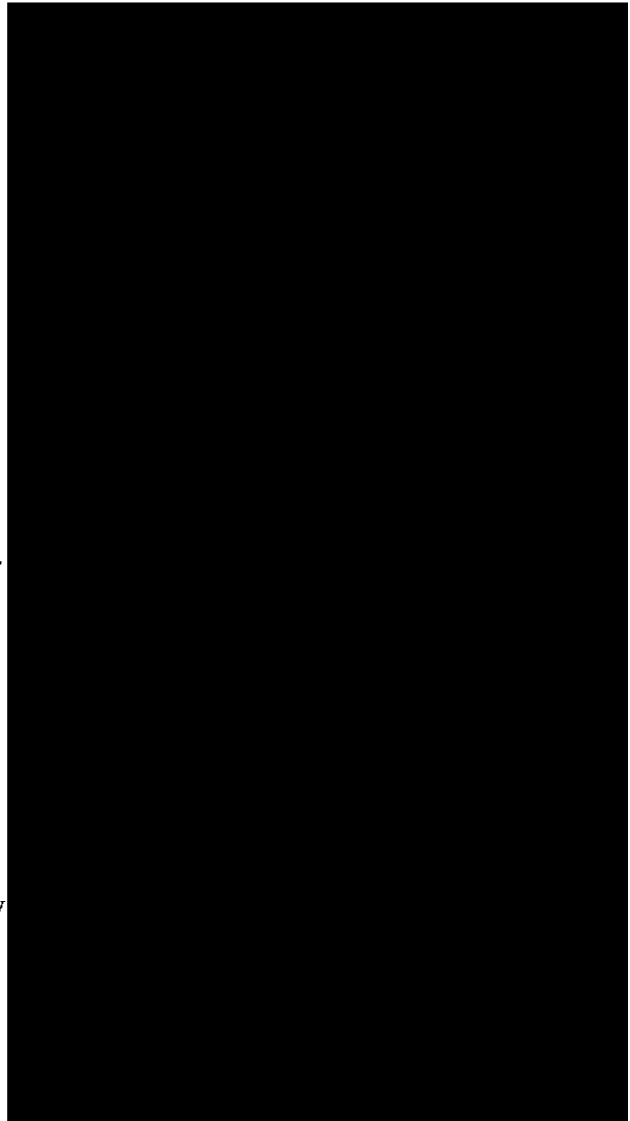
Policy Number:

Disability:

Shelter Point Life Insurance Company

Policy Duration:

Policy Number:





COUNTY OF NASSAU

POLITICAL CAMPAIGN CONTRIBUTION DISCLOSURE FORM

1. Has the vendor or any corporate officers of the vendor provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator?

YES NO If yes, to what campaign committee?

2021 [REDACTED] from E&A to Laura Curran, County Exec for Nassau
2021 [REDACTED] Laura Curran, County Exec for Nassau
2021 [REDACTED] Josh Lafazan, County Legislator for Nassau Dist 18
2021 [REDACTED] Josh Lafazan for Congress
2022 [REDACTED] Josh Lafazan for Congress
2022 [REDACTED] Suozzi for NY
2022 [REDACTED] Josh Lafazan for Congress
2023 [REDACTED] Friends of Jon Kaiman
2023 [REDACTED] to Josh Lafazan for County Legislator
2024 [REDACTED] from E&A to Blakeman for Nassau
2024 [REDACTED] Lafazan Hometown Fundraiser

10 File(s) uploaded: 20211015_LAURA CURRAN.pdf, 20211018_laura curran (1).pdf, 20211027_Josh Lafazan.pdf, 20211227_contribution to Joshua Lafazan!.pdf, 20220310_lafazanforcongress_receipt.pdf, 20220614_SUOZZI_for ny.pdf, 20230710_friends of jon kaiman.pdf, 20230918_lafazan_ActBlue – Your receipt.pdf, 20240307_lafazan_fundraiser.pdf, doc06734720240226144610.pdf

Electronically signed and certified at the date and time indicated by:

Jenny Sakalis [JSAKALIS@EARESTORATION.COM]

Dated: 09/16/2024 01:35:07 pm

Vendor: E&A RESTORATION INC.

Title: President

Contact the Campaign

We look forward to hearing from you.

You can reach us by postal mail at:

PO Box 1743

North Baldwin, NY 11510

Or use the form below to send us a message:

Name

First

Last

Email*

Subject*

Message*

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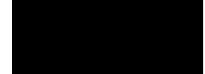
[Contact us](#) | [Privacy Policy](#)

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PO Box 1743, North Baldwin, NY 11510



E & A RESTORATION INC.
 130 CROSSWAYS PARK DRIVE, SUITE 101
 WOODBURY, NY 11797

SIGNATURE BANK 1-1357
 260



DATE
 October 18, 2021

AMOUNT



Pay: *****

PAY
 TO THE
 ORDER
 OF
 Curran for Nassau
 PO BOX 1743
 North Baldwin, NY 11510



Curran for Nassau

E & A RESTORATION INC.
 WOODBURY, NY 11797



| DATE | INVOICE NO. | INVOICE AMOUNT | RETAINAGE | DEDUCTION | BALANCE |
|------------|-------------|----------------|-----------|-----------|---------|
| 10-18-21 | 20211018 | | | | |
| CHECK DATE | 10-18-21 | | | | |

Curran for Nassau

E & A RESTORATION INC.
 WOODBURY, NY 11797



| DATE | INVOICE NO. | INVOICE AMOUNT | RETAINAGE | DEDUCTION | BALANCE |
|------------|-------------|----------------|-----------|-----------|---------|
| 10-18-21 | 20211018 | | | | |
| CHECK DATE | 10-18-21 | 110010 | | | |

JENNY SAKALIS

1-2/210

DATE 7/10/2023

PAY TO THE
ORDER OF

FRIENDS OF JON KAIMAN

 Security Features
Included.
Details on Back

CHASE 

JPMorgan Chase Bank, N.A.
www.Chase.com

MEMO

LAURA
CURRAN
COUNTY EXECUTIVE



Dear Jenny,

Thank you for your generous contribution.

Please print out this contribution confirmation page for your records.

Contribution Information:

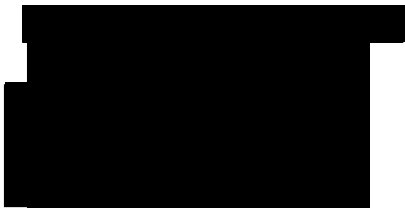
Contribution Confirmation ID: 86195733

Contribution Date: 10/15/2021 3:46 PM Eastern Daylight Time

Contribution Amount: [REDACTED]


Contact Information:

Jenny Sakalis



Credit Card Type: [REDACTED]

Credit Card Number Ending: [REDACTED]

 Powered by NGP VAN

Curran for Nassau

Thank you for your contribution to Joshua Lafazan!

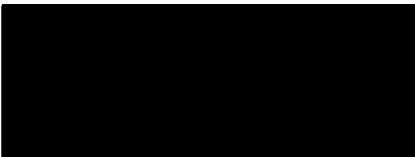
1 message

ActBlue Receipt info: AB211253696@actblue.com>

Mon, Dec 27, 2021 at 2:35 PM

Here's a receipt for your \$1,000.00 contribution. Did you know you can make contributions in seconds with ActBlue Express? See details below.

Your contribution receipt



Thank you for your contribution in support of Joshua Lafazan!

Joshua Lafazan



Total charged

Name Jenny Sakalis

Order # AB211253696

Order Date 12/27/2021

Payment Type 

Billing ZIP 

This transaction will appear as one or more charges to ACTBLUE*Joshua.Lafazan on your credit card statement.

- Unsure about this charge?

Tired of entering your payment information every time?

[Create an ActBlue Express account](#)

And save time while contributing more effectively to the candidates and causes you support. Plus, review your full giving history at any time.

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Need help? Reply to this email or drop us a line at info@actblue.com.

Thank you for your contribution to Joshua Lafazan!

1 message

ActBlue Receipts <info+AB277896294@actblue.com>

Thu, Mar 7, 2024 at 2:44 PM

Here's a receipt for your \$500.00 contribution. Please complete the ticket information.

ActBlue

**Thank you for your one-time contribution to
Joshua Lafazan!**

Together we're changing our country.

A message from Joshua Lafazan

Thank you for your RSVP!

Please join us on March 7th at:

Chris & Tony's

352 Jericho Tpke,


Syosset, NY

One-time Contribution

 2 - Bronze Sponsorship tickets

Please join us for a Hometown Fundraiser in support of our next State Senator
Josh Lafazan

Total Charged

 Ticket(s) will be sent separately. To receive your tickets, please complete your ticket information.

Complete your ticket information

Name: Jenny Sakalis

Order Date: 3/7/2024

Order Number: [AB277896294](#)

Payment Type:

Billing

This transaction will appear as one or more charges to ACTBLUE*JOSH.LAFAZAN on your credit card statement.

[Unsure about this charge?](#)

Keep the momentum going, Jenny!

Share with friends and family to spread awareness and help us build
the movement.

[Share on Facebook](#)

[Share on Twitter](#)

ActBlue **EXPRESS**

Create an account to save your payment details and easily donate with 1-click, track your contribution history and more!

Sign up now →

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Contributions or gifts to ActBlue are not tax deductible as charitable contributions for federal income tax purposes.

Need help? Reply to this email or contact us at info@actblue.com.

Thank you for your donation to Joshua Lafazan

Sign Up Now!

Take the next step. Join ActBlue Express today!

Entering your payment information with each contribution? Save your information in our secure system, so you can give more effectively to the candidates and causes you support. Each time you make a contribution, you'll save time, and you'll be certain your funds are in safe hands. You can always review your full giving history in one central location.

It just takes a moment. Why not sign up now?

Your Receipt

One-time contribution
Order #AB216662407



This contribution was made on March 10, 2022 at 2:35 PM.

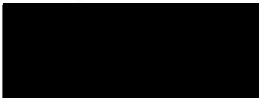
Please note that on your credit card statement this contribution **will appear as one or more charges to ACTBLUE*Joshua.Lafazan**

Recipients

via [Join Josh Lafazan To Support His Campaign For Congress!](#)

| Date | Recipient | Amount |
|------------|----------------|--------|
| 2022-03-10 | Joshua Lafazan | |

Billing Address

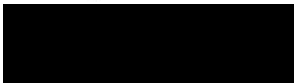


Employment Info

Construction
E&A Restoration Inc.

Contact info

Jenny Sakalis



Payment info



Contribution info

Order Number: AB216662407

Please complete your ticket information

To ensure your guests can easily attend, please provide the names and emails of your guests, and any additional details that might be helpful.

If you don't know the names of all attendees, please just fill in those you know.

Supporter

Jenny

Sakalis



George Sakalis

Save and email ticket

[Resend receipt](#)

[Unsure about this charge?](#)

JENNY SAKALIS

50-6080/2214

DATE 6/14/22

PAY TO
THE ORDER OF

SUOZZI For NY

\$

Jovia
Financial Credit Union

Westbury NY 11590
jovianancial.com

MEMO



Thank you for your donation to Josh Lafazan

Maximize your impact with **ActBlue** EXPRESS ×

Securely make 1-click donations by saving your info.

[Sign up now](#)

Your Receipt

One-time contribution
Order #AB264877469

This contribution was made on September 18, 2023 at 2:15 PM.

Please note that on your credit card statement this contribution **will appear as one or more charges to ACTBLUE**

Recipients

via [Support Josh Lafazan's re-election campaign](#)

| Date | Recipient | Amount |
|------------|--------------|--------|
| 2023-09-18 | Josh Lafazan | |

Billing Address



Employment Info

business owner
E&A Restoration Inc.

Contact info

Jenny Sakalis



Payment info



Contribution info

Order Number: AB264877469

[Resend receipt](#)

[Unsure about this charge?](#)



E & A CONSTRUCTION
 130 CROSSWAYS PARK DR., SUITE 101
 WOODBURY, NY 11797

J.P. MORGAN CHASE BANK 1-1357
260



DATE

February 27, 2024

AMOUNT

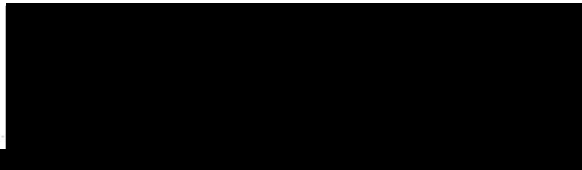


Pay: *****



PAY
TO THE
ORDER
OF

Blakeman for Nassau



E & A CONSTRUCTION
WOODBURY, NY 11797

Blakeman for Nassau

| DATE | INVOICE NO. | INVOICE AMOUNT | RETAINAGE | DEDUCTION | BALANCE |
|------------|-------------|------------------|------------|------------|------------|
| 2-26-24 | 2024/0227 | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| CHECK DATE | 2-27-24 | TOTAL [REDACTED] | | | |

E & A CONSTRUCTION
WOODBURY, NY 11797

Blakeman for Nassau

| DATE | INVOICE NO. | INVOICE AMOUNT | RETAINAGE | DEDUCTION | BALANCE |
|------------|-------------|------------------|------------|------------|------------|
| 2-26-24 | 2024/0227 | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| CHECK DATE | 2-27-24 | TOTAL [REDACTED] | | | |

Join us for an Exclusive
Mid-Term Celebratory Dinner Reception
supporting

Nassau County Executive
BRUCE BLAKEMAN

at

OPUS STEAKHOUSE

4 Old Jericho Turnpike, Jericho, NY

on

Wednesday, February 28, 2024

6:00pm – 8:00pm

\$1,000 per person

Seating is Limited

Reserve Your Spot Today

SPONSORSHIPS AVAILABLE

- \$10,000 Event Sponsor (includes 6 tickets)
- \$7,500 Dinner Sponsor (includes 4 tickets)
- \$5,000 Cocktail Sponsor (includes 2 tickets)
- \$2,500 Friendship Sponsor (includes 1 tickets)

Paid for by Blakeman for Nassau

**OR BECOME
A SPONSOR**

**\$10,000
EVENT SPONSOR**
(includes 6 tickets)

**\$7,500
DINNER SPONSOR**
(includes 4 tickets)

**\$5,000
COCKTAIL SPONSOR**
(includes 2 tickets)

**\$2,500
FRIENDSHIP SPONSOR**
(includes 1 ticket)

For more information, please contact Bruce@BruceBlakeman.com

Name: ANTONIOS VOURNOU

Company: E&A Restoration Inc.

Address: 130 Crossways Park Dr, Suite 101, Woodbury, NY 11797

Phone: 516-921-7030 Ema [REDACTED]

Checks are payable to
BLAKEMAN FOR NASSAU
and mail to:
P.O. Box 157
Merrick, NY 11566

Credit card contributions welcome at www.BruceBlakeman.com and are always welcome at the door on day of event.

Thank you for your contribution to Josh Lafazan!

1 message

ActBlue Receipts <info+AB207608835@actblue.com>

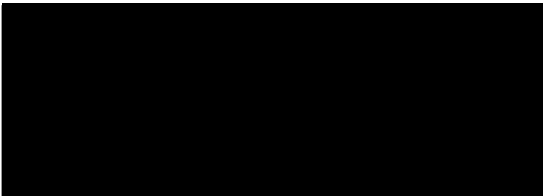
Wed, Oct 27, 2021 at 1:11 PM

Here's a receipt for your \$500.00 contribution. The tickets have been emailed to your guests.

Thank you for supporting Josh Lafazan's Re-Election Campaign!

Please feel free to reach out to Chase Serota at chase.serota@gmail.com with any questions.

Your contribution receipt



Thank you for your contribution in support of Josh Lafazan!

1 Family Ticket ticket

Additional Donation

Total charged



Name JENNY SAKALIS

Order # AB207608835

Order Date 10/27/2021

Payment Type

Billing ZIP



This transaction will appear as one or more charges to ACTBLUE on your credit card statement.

- Unsure about this charge?

Tired of entering your payment information every time?

Create an ActBlue Express account

And save time while contributing more effectively to the candidates and causes you support. Plus, review your full giving history at any time.

Your ticket summary

Fundraising Page Join us to support Legislator Josh Lafazan's re-election!

Ticket Count 1 Family Ticket

Guests Jenny Sakalis

Tickets have been emailed to your guests individually.

- Update or resend tickets

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Contributions or gifts to ActBlue are not tax deductible as charitable contributions for federal income tax purposes.

Need help? Reply to this email or drop us a line at info@actblue.com.

Business History Form

The contract shall be awarded to the responsible proposer who, at the discretion of the County, taking into consideration the reliability of the proposer and the capacity of the proposer to perform the services required by the County, offers the best value to the County and who will best promote the public interest.

In addition to the submission of proposals, each proposer shall complete and submit this questionnaire. The questionnaire shall be filled out by the owner of a sole proprietorship or by an authorized representative of the firm, corporation or partnership submitting the Proposal.

NOTE: All questions require a response, even if response is "none" or "not-applicable." No blanks.

(USE ADDITIONAL SHEETS IF NECESSARY TO FULLY ANSWER THE FOLLOWING QUESTIONS).

Date: 07/31/2023

1) Proposer's Legal Name: E&A RESTORATION INC.

2) Address of Place of Business: 130 CROSSWAYS PARK DRIVE, SUITE 101

City: WOODBURY State/Province/Territory: NY Zip/Postal Code: 11797

Country: US

Address: 40 WILLIS AVE

City: SYOSSET State/Province/Territory: NY Zip/Postal Code: 11791

Country: US

Start Date: _____ End Date: 08/03/2020

3) Mailing Address (if different): _____

City: _____ State/Province/Territory: _____ Zip/Postal Code: _____

Country: _____

Phone: _____

Does the business own or rent its facilities? Rent If other, please provide details:

4) Dun and Bradstreet number: ██████████

5) Federal I.D. Number: ██████████

- 6) The proposer is a: Corporation (Describe) _____
- 7) Does this business share office space, staff, or equipment expenses with any other business?
 YES NO If yes, please provide details:
 We share office space with a construction management company, E&A Construction Management Group, that our firm purchased earlier this year.
- 8) Does this business control one or more other businesses?
 YES NO If yes, please provide details:
 E&A Construction Management Group LLC
- 9) Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business?
 YES NO If yes, please provide details:

- 10) Has the proposer ever had a bond or surety cancelled or forfeited, or a contract with Nassau County or any other government entity terminated?
 YES NO If yes, state the name of bonding agency, (if a bond), date, amount of bond and reason for such cancellation or forfeiture: or details regarding the termination (if a contract).

- 11) Has the proposer, during the past seven years, been declared bankrupt?
 YES NO If yes, state date, court jurisdiction, amount of liabilities and amount of assets

- 12) In the past five years, has this business and/or any of its owners and/or officers and/or any affiliated business, been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency? And/or, in the past 5 years, have any owner and/or officer of any affiliated business been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency, where such investigation was related to activities performed at, for, or on behalf of an affiliated business.
 YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

- 13) In the past 5 years, has this business and/or any of its owners and/or officers and/or any affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies? And/or, in the past 5 years, has any owner and/or officer of an affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies, for matters pertaining to that individual's position at or relationship to an affiliated business.
 YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.
 On or about September 2019, E&A Restoration Inc. was the vendor selected by NCDPW for an award of the Family & Matrimonial Court Phase II contract (Contract B90632-02G). The Nassau County Office of Inspector General (OIG) conducted a review of E&A's contract package and vendor disclosure forms, as well as conducted certain interviews of E&A Owner, Key Employees and others. On or about March 2020, the OIG informed the Nassau County Legislature that E&A had cleared any concerns and the Legislature voted to approve the contract.

14) Has any current or former director, owner or officer or managerial employee of this business had, either before or during such person's employment, or since such employment if the charges pertained to events that allegedly occurred during the time of employment by the submitting business, and allegedly related to the conduct of that business:

a) Any felony charge pending?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

b) Any misdemeanor charge pending?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

c) In the past 10 years, you been convicted, after trial or by plea, of any felony and/or any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

d) In the past 5 years, been convicted, after trial or by plea, of a misdemeanor?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

e) In the past 5 years, been found in violation of any administrative, statutory, or regulatory provisions?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

15) In the past (5) years, has this business or any of its owners or officers, or any other affiliated business had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

16) For the past (5) tax years, has this business failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?

YES NO If yes, provide details for each such year. Provide a detailed response to all questions checked 'YES'. If you need more space, photocopy the appropriate page and attach it to the questionnaire.

17) Conflict of Interest:

a) Please disclose any conflicts of interest as outlined below. NOTE: If no conflicts exist, please expressly state "No conflict exists."

(i) Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

(ii) Any family relationship that any employee of your firm has with any County public servant that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

(iii) Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

b) Please describe any procedures your firm has, or would adopt, to assure the County that a conflict of interest would not exist for your firm in the future.

Any employee would need to disclose any conflict of interest.

A. Include a resume or detailed description of the Proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified.

Have you previously uploaded the below information under in the Document Vault?

YES NO

Is the proposer an individual?

YES NO Should the proposer be other than an individual, the Proposal MUST include:

i) Date of formation;

11/01/2000

ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner. If none, explain.

Jenny Sakalis, [REDACTED]
Antonios Vournou, [REDACTED]

iii) Name, address and position of all officers and directors of the company. If none, explain.

Jenny Sakalis, [REDACTED]
Antonios Vournou, [REDACTED]

iv) State of incorporation (if applicable);

NY

v) The number of employees in the firm;

29

vi) Annual revenue of firm;

51000000

vii) Summary of relevant accomplishments

[REDACTED]

viii) Copies of all state and local licenses and permits.

B. Indicate number of years in business.

24

C. Provide any other information which would be appropriate and helpful in determining the Proposer's capacity and reliability to perform these services.

Over two decades of general construction experience. Our team has worked on and completed many police and correctional facilities. Recently completed the Nassau County Police Academy for Nassau County.

D. Provide names and addresses for no fewer than three references for whom the Proposer has provided similar services or who are qualified to evaluate the Proposer's capability to perform this work.

| | | | |
|----------------|---------------------------|--------------------------|----|
| Company | Nassau County DPW | | |
| Contact Person | Mike Puleo | | |
| Address | 1194 Prospect Ave | | |
| City | Westbury | State/Province/Territory | NY |
| Country | US | | |
| Telephone | (516) 571-6917 | | |
| Fax # | | | |
| E-Mail Address | mpuleo@nassaucountyny.gov | | |

| | | | |
|----------------|------------------------------|--------------------------|----|
| Company | NCPD Foundation | | |
| Contact Person | Alexandra Nigolian | | |
| Address | 734 Franklin Ave, #189 | | |
| City | Garden City | State/Province/Territory | NY |
| Country | US | | |
| Telephone | (516) 220-3428 | | |
| Fax # | | | |
| E-Mail Address | alexandra@ncpdfoundation.org | | |

| | | | |
|----------------|---------------------|--------------------------|----|
| Company | Urbahn Architect | | |
| Contact Person | Dan Zbarsky | | |
| Address | 306 W 37 St #9 | | |
| City | New York | State/Province/Territory | NY |
| Country | US | | |
| Telephone | (212) 857-9074 | | |
| Fax # | | | |
| E-Mail Address | zbarskyd@urbahn.com | | |

I, jenny sakalis , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, jenny sakalis , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Name of submitting business: E&A RESTORATION INC.

Electronically signed and certified at the date and time indicated by:
Jenny Sakalis JSAKALIS@EARESTORATION.COM

President

Title

07/18/2024

Date

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: ANTONIOS VOURNOU
Date of birth: [REDACTED]
Home address: [REDACTED]
City: [REDACTED] State/Province/Territory: [REDACTED] Zip/Postal Code: [REDACTED]
Country: US

Business Address: 130 Crossways Park Drive SUITE 101
City: Woodbury State/Province/Territory: NY Zip/Postal Code: 11797
Country: US
Telephone: 5169217030

Other present address(es):
City: _____ State/Province/Territory: _____ Zip/Postal Code: _____
Country: _____
Telephone: _____

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------------------|-------------|-------------------|
| President | _____ | Treasurer | _____ |
| Chairman of Board | _____ | Shareholder | <u>01/01/2022</u> |
| Chief Exec. Officer | <u>01/01/2022</u> | Secretary | <u>01/01/2022</u> |
| Chief Financial Officer | _____ | Partner | _____ |
| Vice President | _____ | | |
| (Other) | _____ | | |

Type Other
Description Project Manager
Start Date 01/01/2006

3. Do you have an equity interest in the business submitting the questionnaire?
YES [X] NO [] If Yes, provide details.

49% shareholder

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?

YES [] NO [X] If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?

YES [X] NO [] If Yes, provide details.

ENT Jamaica Realty LLC, 50%
Spea Contracting Inc., 100%
MKS Realty LLC, 50%
Afrodisia Development LLC, 100%
6500 Jericho Tpke LLC, 50%
50 Jericho LLC, 25%
ENT Realty LLC, 50%
Big Top Innovations LLC, 99%
TMV Realty LLC, 50%
Horafi LLC, 50%
Vouno Partners, 50%
Crossways Insurance, 33.3%
E&A Construction Management Group, 49%
29 Willis LLC, 50%

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?

YES [X] NO [] If Yes, provide details.

Nassau Community College On Call CM Services contract with AVournou Construction mgmt Group LLC, which was purchased by E&A Restoration Inc 1/1/2023

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

a. Been debarred by any government agency from entering into contracts with that agency?
YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?

YES [] NO [X] If yes, provide an explanation of the circumstances and corrective action taken.

- d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?
YES NO If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9. a. Is there any felony charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- b. Is there any misdemeanor charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- c. Is there any administrative charge pending against you?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- f. In the past 5 years, have you been found in violation of any administrative or statutory charges?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

10. In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- 11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- 12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- 13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

I, Antonios Vournou , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Antonios Vournou , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

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E&A RESTORATION INC.

Name of submitting business

Electronically signed and certified at the date and time indicated by:
Antonios Vournou AVOURNOU@EARESTORATION.COM

Secretary/ceo

Title

09/16/2024 02:50:33 pm

Date

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: JENNY SAKALIS
Date of birth: [REDACTED]
Home address: [REDACTED]
City: [REDACTED] State/Province/Territory: [REDACTED] Zip/Postal Code: [REDACTED]
Country: US

Business Address: 130 Crossways Park Drive, Suite 101
City: Woodbury State/Province/Territory: NY Zip/Postal Code: 11797
Country: US
Telephone: (516) 921-7030

Other present address(es):
City: _____ State/Province/Territory: _____ Zip/Postal Code: _____
Country: US
Telephone: _____

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------------------|-------------|-------------------|
| President | <u>01/01/2022</u> | Treasurer | _____ |
| Chairman of Board | _____ | Shareholder | <u>01/01/2022</u> |
| Chief Exec. Officer | _____ | Secretary | _____ |
| Chief Financial Officer | _____ | Partner | _____ |
| Vice President | _____ | | |
| (Other) | _____ | | |

3. Do you have an equity interest in the business submitting the questionnaire?
YES NO If Yes, provide details.
51% SHAREHOLDER

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES NO If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?
YES NO If Yes, provide details.

ENT REALTY LLC
ENT JAMAICA REALTY LLC
CROSSWAYS INSURANCE LLC
VOUNO REALTY LLC
E&A CONSTRUCTION MANAGEMENT GROUP
29 WILLIS LLC

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?
YES NO If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

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- a. Been debarred by any government agency from entering into contracts with that agency?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?
YES NO If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9.

a. Is there any felony charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

b. Is there any misdemeanor charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

c. Is there any administrative charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?

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e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

f. In the past 5 years, have you been found in violation of any administrative or statutory charges?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.



I, , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

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E&A Restoration Inc.

Name of submitting business

Electronically signed and certified at the date and time indicated by:

Jenny Sakalis JSAKALIS@EARESTORATION.COM

President

Title

09/16/2024 01:14:57 pm

Date

COUNTY OF NASSAU

CONSULTANT'S, CONTRACTOR'S AND VENDOR'S DISCLOSURE FORM

1. Name of the Entity: E&A RESTORATION INC.

Address: 130 CROSSWAYS PARK DRIVE, SUITE 101

City: WOODBURY State/Province/Territory: NY Zip/Postal Code: 11797

Country: US

2. Entity's Vendor Identification Number: 11-3579414

3. Type of Business: Closely Held Corp (specify) _____

4. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):

First Name Antonios
Last Name Vournou
MI _____ Suffix _____
Address 130 Crossways Park Drive, Suite 101
City Woodbury State/Province/Territory: NY Zip/Postal Code: 11797
Country US
Position Secretary

First Name Jenny
Last Name Sakalis
MI _____ Suffix _____
Address 130 Crossways Park Drive, Suite 101
City Woodbury State/Province/Territory: NY Zip/Postal Code: 11797
Country US
Position President

5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation, include a copy of the 10K in lieu of completing

this section.

If none, explain.

JENNY SAKALIS, 51% SHAREHOLDER

ANTONIOS VOURNOU, 49% SHAREHOLDER

6. List all affiliated and related companies and their relationship to the firm entered on line 1. above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract. Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

E&A RESTORATION INC. has purchased E&A Construction Management Group, formerly AVCMG LLC

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). If none, enter "None." The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

Are there lobbyists involved in this matter?

YES [] NO [X]

(a) Name, title, business address and telephone number of lobbyist(s):

NONE

(b) Describe lobbying activity of each lobbyist. See below for a complete description of lobbying activities.

NONE

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

NONE

8. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Electronically signed and certified at the date and time indicated by:

Jenny Sakalis [JSKALIS@EARESTORATION.COM]

Dated: 09/16/2024 01:50:12 pm

Title:

President

The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including by not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo

TO: Office of the County Executive
Att: Arthur T. Walsh, Chief Deputy County Executive

FROM: Department of Public Works

DATE: January 24, 2024

SUBJECT: RECOMMENDATION OF AWARD

Contract Number: B90632-03GR (Single Prime - PLA)

Title: Family Justice Center
Mineola, New York

Engineer's Estimate: \$4,125,000

Bids Received On: October 17, 2023

The bids received for the above referenced contract have been examined and "**E&A Restoration Inc.**" is the lowest **responsible** bidder in the amount as follows:

| | |
|---|------------------------|
| General Construction (Lump Sum Base Bid): | \$ 2,683,000.00 |
| Mechanical Construction (Lump Sum Base Bid): | \$ 448,000.00 |
| Electrical Construction (Lump Sum Base Bid): | \$ 719,000.00 |
| Plumbing Construction (Lump Sum Base Bid): | \$ 130,000.00 |
| CPM Progress Schedule: | \$ 100,000.00 |
| Allowance (Façade modification and sitework): | \$ 200,000.00 |
| <u>Allowance (Unforeseen Conditions):</u> | <u>\$ 300,000.00</u> |
| Bid Total: | \$ 4,580,000.00 |

The bids were analyzed by DPW staff. Attached, please refer to the Summary of Bid Opening. The low bid received of the actual Work, not including Allowance items for unforeseen conditions and modification is \$4,080,000. It is approximately 1.10% below the Engineer's Estimate. DPW believes that this accurately reflects the current market conditions. E&A provided the Department with a Bid Bond in the amount of Ten (10%) Percent bid by Philadelphia Indemnity Insurance Company as surety. Funding is available under Capital Project Number 90632.

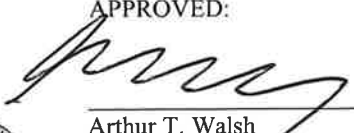


Kenneth G Arnold
Commissioner

KGA:DT:jd

c: Christopher Fusco, Commissioner of Labor
Douglas Tuman, Deputy Commissioner
Jane Houdek, Attorney, Public Works
Loretta Dionisio, Assistant to Deputy Commissioner
Robert LaBaw, Chief Architect
Joseph Amerigo, Project Manager IV
Valiant Yeung, Architect III

APPROVED:



1/25/24
Date

Arthur T. Walsh
Chief Deputy County Executive

DISAPPROVED:

Arthur T. Walsh Date
Chief Deputy County Executive



Bid Opening: 10/17/2023**Engineer:** Valiant Yeung **Phone:** (516) 571-6881

| Contractor | Address | Insurance | Payment | Bid Amount | Alternate Bid |
|---------------------------|---|---------------------------------|-------------------|-------------------|----------------------|
| Atlantic Specialty, Inc. | 727 Richmond Road East Meadow, NY 11554 | Berkley Insurance Co. | 5% of Bid Amount | * Rejected | \$0.00 |
| E & A Restoration Inc. | 130 Crossways Park Drive Suite 101 Woodbury, NY 11797 | Philadelphia Indemnity Insuranc | 10% of Bid Amount | \$4,580,000.00 | \$0.00 |
| Stalco Construction, Inc. | 1316 Motor Parkway Islandia, NY 11749-5225 | Endurance Assurance Corp. | 10% of Bid Amount | \$4,730,000.00 | \$0.00 |
| CLS Project Solutions | 630 Hudson St Hoboken, NJ 07030 | Philadelphia Indemnity Insuranc | 10% of Bid Amount | \$5,364,999.00 | \$0.00 |
| Sweet Group LLC | 5 Hanover Square 17th Floor New York, NY 10004 | Travelers Casualty & Surety Co. | 10% of Bid Amount | \$7,139,245.00 | \$0.00 |

The above is a review of the bids and subsequent list of all the bids that were read aloud at the public bid opening. Listed bids may be subsequently withdrawn or disqualified. The list does not reflect the Department's determination of the lowest responsible bidder.

* Bid was rejected due to an insufficient Bid Bond (5%)

REQUEST TO INITIATE

RTI Number 22-0235
revised 19-297

REQUEST FOR QUALIFICATIONS/REQUEST FOR PROPOSAL/REQUEST FOR BID CONTRACT

PART I: Approval by the Deputy County Executive for Operations must be obtained prior to ANY RFQ/RFP/RFBC

RFQ RFP RFBC In-House or Requirements Work Order

Project Title: Family & Matrimonial Court – Family Justice Center

Department: Public Works Project Manager: Robert LaBaw Date: September 13, 2022

Service Requested: Re-Bid

Justification: Contractor withdrew their bid due to delay in award process and cost increases due to COVID-19.
This new County agency requires office space (interior build-out) within the new Family & Matrimonial Court building.

Requested by: DPW / Buildings Department/Agency/Office

Project Cost for this Phase/Contract: (Plan/Design Construction/CM/Equipment) \$4,125,000.00
Circle appropriate phase

Total Project Cost: \$4,625,000.00 Date Start Work: 9/23 Duration: 9 Months
Includes, design, construction and CM Phase being requested Phase being requested

Capital Funding Approval: YES NO Roseann Dalleva 09-13-22
SIGNATURE DATE

Funding Allocation (Capital Project): _____ **REQUIRES Cap Amendment**
See Attached Sheet if multiyear

NIFS Entered: _____ AIM Entered: _____
SIGNATURE DATE SIGNATURE DATE

Funding Code: 90632-000 Timesheet Code: _____
use this on all encumbrances use this on timesheets

State Environmental Quality Review Act (SEQRA):
Type II Action or, Environmental Assessment Form Required
Supplemental Environmental Documentation _____

Department Head Approval: YES NO [Signature]
SIGNATURE

DCE/Ops Approval: YES NO _____
SIGNATURE

PART II: To be submitted to Chief Deputy County Executive after Qualifications/Proposals/Contracts are received from Responding vendors.

| Vendor | Quote | Comment | See Attached Sheet <input type="checkbox"/> |
|----------|-------|---------|---|
| 1. _____ | _____ | _____ | |
| 2. _____ | _____ | _____ | |
| 3. _____ | _____ | _____ | |
| 4. _____ | _____ | _____ | |

DCE/Ops Approval: YES NO Signature _____

COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo

TO: Robert LaBaw, Architect IV

FROM: Office of the Commissioner

DATE: June 21, 2023

SUBJECT: CSEA Sub-Contracting Approval
C22-0235 Contract Number: B90632-03GR
General Construction Services
Nassau County Family and Matrimonial Court – Family Justice Center
101 County Seat Drive / Mineola, New York

Please be aware in accordance with Section 32-3 of the CSEA/County CBA, the Department has met with CSEA representatives to discuss your proposed DPW contract referenced above. Pursuant to Section 32-3 of the CSEA/County CBA, CSEA has withdrawn its objection to the above-referenced contract known as **C22-0235**.

Please prepare the necessary documentation to proceed with your work. Once the advisement is certified you may issue the contractor a Notice to Proceed.

Roseann D'Alleva

Roseann D'Alleva
Deputy Commissioner

RD:jd

c: Kenneth G. Arnold, Commissioner
Douglas Tuman, Deputy Commissioner
Loretta Dionisio, Assistant to Deputy Commissioner



COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo

C22-0235

TO: Civil Service Employees Association, Nassau Local 830
Att: Ronald Gurrieri, President

FROM: Department of Public Works

DATE: June 13, 2023

SUBJECT: CSEA Notification of a Proposed DPW Contract
General Construction Services
Nassau County Family and Matrimonial Court – Family Justice Center
101 County Seat Drive/Mineola, New York
Proposed Contract No: **B90632-03GR**

The following notification is to comply with the spirit and intent of Section 32 of the County/CSEA contract. It should not be implied that the proposed DPW authorization is for work, which has "historically and exclusively been performed by bargaining unit members."

1. DPW plans to recommend a contract/agreement for the following services:
General Construction Services
2. The work involves the following:
The project involves the interior fit-out of approximately 13,400 square feet of floor area on a portion of two (2) levels within the new Family and Matrimonial Court building, located at 101 County Seat Drive, Mineola, New York. The Family and Matrimonial Court project is being completed in phases, and Phase 2 of the project will create the space for the new Family Justice Center. Work includes construction of a new staircase, partitions, ceilings, and all mechanical, electrical, plumbing, HVAC, and Life Safety systems within this area. Work must be performed in conjunction with on-going Phase 2 construction activities, and conclude simultaneously with the Phase 2 contract, which is administered under a Project Labor Agreement.
3. An estimate of the cost is: \$4,125,000.00
4. An estimate of the duration is: Nine (9) Months

Should you wish to propose an alternative to the proposed contract/agreement, please respond within ten (10) days to: Department of Public Works, Att: Roseann D'Alleva, Deputy Commissioner, telephone 1-0525, fax 571-9657.

Roseann D'Alleva

Roseann D'Alleva
Deputy Commissioner

RD:DT:jd

c: Jose Lopez, Director, Office of Labor Relations
Seth Blau, Deputy Director, Office of Labor Relations
Douglas Tuman, Deputy Commissioner
Loretta Dionisio, Assistant to Deputy Commissioner
Christopher Yansick, Unit Head, Financial Services Unit
Tracy Ritchie, Unit Head, Human Resources Unit
Robert LaBaw, Architect IV
Elizabeth Cotton, Special Assistant, Office of Labor Relations



FORM OF PROPOSAL

Family Justice Center
Family and Matrimonial Court
Garden City, NY

GENERAL CONSTRUCTION
CONTRACT NO.: B90632-03GR

This project shall be administered under a Project Labor Agreement

| Item No. | Type | Description | Amount Bid | |
|----------|-----------|---|--------------|-------|
| | | | Dollars | Cents |
| 01 | LUMP SUM | LUMP SUM for furnishing all labor, materials and equipment required for all General Construction work associated with construction involving the interior fit-out of approximately 13,400 square feet of floor area on a portion of two (2) levels within the new Family and Matrimonial Court building, located at 101 County Seat Drive, Mineola, NY, make complete and ready for operation. The Family and Matrimonial Court project is being completed in phases, and Phase 2 of the project will create a "gray box" space for the new Family Justice Center. The Scope of Work for this project must be performed in conjunction with on-going Phase 2 construction activities and conclude simultaneously with the Phase 2 contract. Both projects shall be administered under a Project Labor Agreement. | \$ 2,683,000 | 00 |
| 02 | LUMP SUM | LUMP SUM for furnishing all labor, materials and equipment required for Mechanical Construction work, make complete and ready for operation. | \$ 448,000 | 00 |
| 03 | LUMP SUM | LUMP SUM for furnishing all labor, materials and equipment required for Electrical Construction work, including standby generator, make complete and ready for operation | \$ 719,000 | 00 |
| 04 | LUMP SUM | LUMP SUM for furnishing all labor, materials and equipment required for Plumbing Construction work, make complete and ready for operation | \$ 130,000 | 00 |
| 05 | LUMP SUM | LUMP SUM for furnishing all labor, materials and equipment required for preparation and updating of CPM (Critical Path Method) Progress Schedule for the duration of the Project. Note: The Lump Sum bid amount shall not be less than One Hundred Thousand Dollars and Zero Cents (\$100,000.00). | \$ 100,000 | 00 |
| 06 | ALLOWANCE | Include in bid an allowance of Two Hundred Thousand Dollars (\$200,000.00) for modifications to the existing building façade or existing sitework, to accommodate the FJC design intent, as directed by the County. | \$200,000 | 00 |
| 07 | ALLOWANCE | Include in bid an allowance of Three Hundred Thousand Dollars (\$300,000.00) for items unforeseen or not specifically characterized in the contract documents encountered during construction, or for items considered coordination with the Phase 2 work as directed by the County. | \$300,000 | 00 |

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FORM OF PROPOSAL

Family Justice Center
Family and Matrimonial Court
Garden City, NY

GENERAL CONSTRUCTION
CONTRACT NO.: B90632-03GR

This project shall be administered under a Project Labor Agreement

TOTAL AMOUNT BID (Items number 01 thru 07): \$ 4,580,000.⁰⁰/₁₀₀

TOTAL AMOUNT BID (MUST BE WRITTEN IN WORDS): FOUR MILLION FIVE HUNDRED EIGHTY THOUSAND DOLLARS & ZERO CENTS.

BASIS OF AWARD: Bids on Lump Sum Contracts will be compared on the basis of the total bid price, arrived at by taking the Sum of each Bid Item, including Allowance Item(s), if any, and plus or minus the cost difference of the Alternate(s), if any, as may be selected by the Architect and/or Owner. The sum of all "Amounts Bid" will determine the low bid and the subsequent award of this Contract.

BID SECURITY: Prospective bidders are cautioned to carefully review the requirements of Paragraph H, Bid Security, of The Instructions to Bidders.

QUALIFICATION STATEMENT

Note: All blanks in the form are to be filled in. Where blanks are not applicable to your firm, so indicate in each instance.

1. How many years has your firm been in the business under your present business name? 23

2. How many years experience in the construction work of a similar type as this contract has your firm had;

a. as a Prime Contractor 23

b. as a Subcontractor 23

3. List below the construction projects your firm has under way as of this date:

| Contract Amount | Class of work | Percent Completed | Name and Address of Owner or Contracting Officer |
|-----------------|---------------|-------------------|--|
|-----------------|---------------|-------------------|--|

SEE ATTACHED

(use additional blank sheets if additional space is necessary)

4. List the projects which your firm as a firm has performed in the past few years which you feel will qualify you for this work:

| Contract Amount | Class of work | Percent Completed | Name and Address of Owner or Contracting Officer |
|-----------------|---------------|-------------------|--|
|-----------------|---------------|-------------------|--|

SEE ATTACHED

(use additional blank sheets if additional space is necessary)

5. Have you:

a. ever failed to complete any work awarded to You? NO
If so; identify the project, the owner, the contract amount, the circumstances and date of all such failures to complete.

b. ever been defaulted on a contract? NO
If so; identify the project, the owner, the contract amount, the circumstances and the date of all default actions

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c. ever been declared a non-responsible bidder by any municipality or public agency? NO
If so; identify the project, the owner, the contract amount, the circumstances and the date of all such declarations

d. ever been barred from bidding municipal or public contracts? NO
If so; identify the municipality or public agency, the circumstances, date and term of disbarment for all debarments.

(use additional blank sheets if additional space is necessary)

6. Has any officer, partner or principal of your firm ever been on officer, partner or principal of some other firm:

a. that failed to complete a construction contract? NO
If so, state name of individual and identify the name of firm, the project, the owner, the contract amount, the circumstances and the date of all such failures to complete for all principals of the firm.

b. that has ever been defaulted on a contract? NO
If so; state the name of the individual and identify the name of the firm, the project, the owner, the contract amount, the circumstances and the date of all default actions for all principals of the firm.

c. that has ever been declared a non-responsible bidder by any municipality or public agency? NO
If so; state the name of the individual and identify the name of the firm, the project, the owner, the contract amount, the circumstances and the date of all such declarations for all principals of the firm.

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- d. that has ever been barred from bidding municipal or public contracts? NO
If so; state the name of the individual and identify the name of the firm, the municipality or public agency, the circumstances, date and term of debarment for all debarments for all principals of the firm.

(use additional blank sheets if additional space is necessary)

7. Has any officer or partner of your firm ever failed to complete a construction contract handled in his name? NO
If so, state name of individual, name of owner and reason therefor:

8. Disclose any and all violations of the Prevailing Wage and Supplemental Payment Requirements of the Labor Law of New York State. **NONE**

9. Disclose any and all other Labor Law Violations, including, but not limited to, child labor violations, failure to pay wages, or unemployment insurance tax delinquencies within the past five years.

NONE

10. In what other lines of business are you financially interested?

REAL ESTATE

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11. What is the construction experience of the principal individuals of your firm?

| Individual's Name | Present Position or Office | Years of Construction Experience | Magnitude and type of work | In what Capacity |
|-------------------|----------------------------|----------------------------------|----------------------------|------------------|
|-------------------|----------------------------|----------------------------------|----------------------------|------------------|

SEE ATTACHED

(use additional blank sheets if additional space is necessary)

12. List below the equipment that you own that is available for the proposed work, giving present location where it may be inspected:

| Item | Description, Size Capacity, Year, etc. | Years of Service | Present Location |
|------|--|------------------|------------------|
|------|--|------------------|------------------|

SEE ATTACHED

(use additional blank sheets if additional space is necessary)

NOTE: Should the equipment be moved from the above mentioned location, the submitted hereby agrees upon request of the County to state the new location where same may be found. **AGREED**

13. If any of the above equipment is covered by chattel mortgage, conditional bill of sale, lien, or like encumbrance, state the complete details as to nature and amount of encumbrance, the name and address of the holder, etc.

NONE MORTGAGED AT THIS TIME

(use additional blank sheets if additional space is necessary)

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14. In what manner have you inspected this proposed work?
Explain in detail.

**STUDIED CONTRACT DOCUMENTS, REVIEWED SITE LOGISTICS
VISITED SITE**

(use additional blank sheets if additional space is necessary)

15. Explain your plan and lay-out for performing the proposed work.

AS PER THE CONTRACT DOCUMENTS

16. If a contract is awarded or a permit is issued, to your firm, who will have the personal supervision of the work? Attach resume.

SEE ATTACHED

17. Insurance carried by your firm:

| Type | Company | Limits of Coverage | Term |
|------|---------|--------------------|------|
|------|---------|--------------------|------|

SEE ATTACHED

NO TEXT ON THIS PAGE

18. The undersigned hereby declares: That the foregoing information contained in this bid is a true statement, including, but not limited to, the financial condition of the individual firm herein first named as of the date herein given; the undersigned has read that portion of the Instructions to the Bidders entitled **"Qualifications and Responsibility of Bidders"** and that the bidder acknowledges its affirmative obligation to transmit with this statement any matters relevant and material to those contractor qualifications and responsibility standards; that this statement is for the express purpose of inducing the party to whom it is submitted to award the submitted a contract or issuance of a permit; that any depository, vendor or other agency herein named is authorized to supply such party with any information necessary to verify this statement; and that it understands and agrees that any material misrepresentation or omission of material fact may be deemed grounds for disqualification of the bidder as "not responsible," and may also subject the bidder to future debarment, penalties, and sanctions, to the extent permitted by law.

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NOTE: The bids shall be sworn to by the person signing them, in one of the following forms:


(Form of affidavit where Bidder is a corporation)

STATE OF NEW YORK)
)ss.:
COUNTY OF NASSAU)

JENNY SAKALIS Being duly sworn, deposes and says:
That he resides [redacted] Street,
in the City of [redacted] that he is the **PRESIDENT** of

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal and was affixed by order of the Board of Directors of said corporation; that he signed his name thereto by like order; and that he has knowledge of the several matters therein stated and they are in all respects true.

Subscribed and sworn to before me
this 17th day of Sept., 2023.


MANOLI KALAMOTOUSAKIS
NOTARY PUBLIC-STATE OF NEW YORK
No. 02KA6213500
Qualified in Queens County
My Commission Expires November 09, 2024

(Form of Affidavit where Bidder is a firm) **N/A**

STATE OF NEW YORK)
)ss.:
COUNTY OF NASSAU)

_____ Being duly sworn, deposes and says:
That he is a member of
the firm described in and which executed the foregoing bid; that he
duly subscribed the name of the firm hereunto on behalf of the firm;
and that the several matters therein stated are in all respects true.
Subscribed and sworn to before me
this _____ day of _____, 20 _____.

Notary

(Form of Affidavit where Bidder is an individual) **N/A**

STATE OF NEW YORK)
)ss.:
COUNTY OF NASSAU)

_____ Being duly sworn, deposes and says:
That he is the person described in and who executed the foregoing bid
and that the several matters therein stated are in all respects true.
Subscribed and sworn to before me
this _____ day of _____, 20 _____.

Notary

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E & A CONSTRUCTION

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

JENNY SAKALIS
PRESIDENT OF E&A CONSTRUCTION

Education

*Long Island University/CW
Post, MS, 2000-2002*

*Hofstra University, BA, 1996-
2000*

Years With This Firm: 23

Professional Profile

Jenny Sakalis has been working for E & A since its inception in 2000. She is the backbone of the organization, serving in every administrative managerial position over the years. Often many roles at one time.

Her extensive management and construction experience, coupled with her hard work, effort, dedication, and courage over the years has led to the success of the company and her current position of President.

Experience

E&A Construction

2000 – 2023 - E&A Construction - PRESIDENT

- Company leader responsible for strategic planning
- Oversees efficiency and performance
- Oversees business development and human resources
- Maintains the Company's vision, values, and ethics
- Manages the company's finances and budget
- Leads and directs the executive team
- Leads and evaluates all other officers, managers, and employees
- Negotiates purchase agreements for equipment and supplies
- Reviews all contracts, subcontracts, insurances, bonds, employee medical benefits and fringes, profit-sharing plans, and vendor purchase orders for accuracy and efficacy

Over the years Jenny has served as a senior in the following positions for E&A:

- Owner's Representative
- Office Manager
- Human Resources Manager
- Finance Manager
- Office Administrator



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ANTONIOS VOURNOU CEO OF E&A CONSTRUCTION

Education

NYIT, BS, Architectural
Technology

Years With This Firm: 23

Professional Profile

Antonios has over 20 years' experience in aspects of general construction and construction management. He has served at every level of construction work from an early age to recently becoming the CEO of E&A. He is an energetic, highly motivated individual, who leads by example.

Experience

E&A Construction, CEO

E&A Construction, Project Executive

E&A Construction, Project Manager

E&A Construction, Carpenter

Antonios has been working for E & A Construction since its inception in 2000. He has served in numerous positions and has excelled in ascending to his current position. During his tenure he has completed projects ahead of schedule and within budget.

On all Nassau and Suffolk County projects the client and County Executive have specifically asked for his involvement. This is a direct testament to his dedication and commitment to excellence on all projects E&A performs.

His industrious manner and ability to get a job done in a timely, accurate manner inspires great trust and confidence in others, which motivates all involved to succeed. He has personally managed projects over \$100M in his term as the Project Executive for this firm. Previous projects completed include:

1. Nassau County Police Training & Intelligence Center
2. Nassau County Emergency Requirements Contracts
3. Nassau County Public Safety Center
4. Suffolk County Community College
5. National Parks Landmark Theodore Roosevelt Residence
6. MTA (Metropolitan Transportation Authority) Long Island Bus Depot

Currently wrapping up:

1. 253 Broadway, NYC DDC project
2. Nassau County Matrimonial Courthouse, NCDPW project
3. PSEG LI 10 Story Building Demolition

Additionally, Mr. Vournou has managed numerous projects on Schools, Landmark Facilities, Municipalities, Fire Houses and Police Stations, and every conceivable Institutional type of facility from Court Houses to Libraries.



James W. Sorge, P.E.
Project Executive

E&A RESTORATION INC.

Education

*Manhattan College, Civil
Engineering*

Licenses/Registrations

*Professional Engineer-State
of New York*

*Licensed Superintendent-
NYC Dept. of Buildings*

*Years With This Firm: 3
Years with Other Firms: 33*

Professional Profile

James is a New York State Professional Engineer and licensed superintendent with over 36 years of experience in construction project management, supervision, and safety. James has a strong background in building and heavy construction, site work and construction logistics. His project experience includes many notable structures throughout the New York Metropolitan Area and Long Island. He is an exceptional leader with strong leadership skills, an incomparable coaching trait which make him asset to any setting.

Experience

E&A Restoration Inc., Project Executive

Supervision of all construction activities.

Direction and coordination of subcontractors and field crews.

- 253 Broadway, New York, NY LPC Office Space Retrofit, NYCDDC
- Nassau County Police Department Center for Training & Intelligence
- Nassau County Family Matrimonial Courthouse

Petracca and Sons Inc., Vice President/General Superintendent

Supervised/Managed the pricing, scheduling, and construction of the following projects:

Projects include:

NYCSCA - P.S 335

Queens, New York

Contract #C000013929

Contract Amount: \$70,858,000

NYCSCA - P.S 798

Brooklyn, New York

Contract #C000010300

Contract Amount: \$50,850,000

New York City School Construction Authority

800 Bed Addition Rikers RMSC

Long Island City, New York

Contract #20050016107

Contract Amount: \$73,430,000

NYCSCA - P.S. 253

Queens, New York

Contract #C000008909

Contract Amount: \$42,490,000

NYCSCA - P.S. 234

Queens, New York

Contract #C000008654



Contract Amount: \$41,619,000
New York City School Construction Authority

James Sorge, P.E. ...cont'd

E&A RESTORATION INC.

NYCSCA - P.S. 69
Brooklyn, New York
Contract #C000008083
Contract Amount: \$34,800,000
New York City School Construction Authority

NYCSCA - P.S. 340
Bronx, New York
Contract #C000007666
Contract Amount: \$18,395,000

Richmond Hill Yard & Shop Improvements
Contract #5631
Contract Amount: \$22,750,000
Long Island Rail Road – MTA (Owner)

Morse Diesel International – Construction Manager
Terminal One: Elevated Roadway
Contract #2172901
Contract Amount: \$10,750,000
Terminal One Group Associates (T.O.G.A) – Owner

New Queens Civil Courthouse
Jamaica, New York
Contract Amount: \$41,830,000
Dormitory Authority – New York State

Reconstruction on the LIE at Sagtikos Parkway
Contract Amount: \$26,900,000
Department of Transportation – New York State

Construction of a Communicable Disease Unit, Phase II
Rikers Island, New York
Contract #072930001 CBP
Contract Amount: \$41,750,000
Department of Correction – New York City

Construction of a Communicable Disease Unit, Phase I
Rikers Island, New York
Contract #072920116 CBP
Contract Amount: \$15,000,000
Department of Correction – New York City



James Sorge, P.E. ...cont'd

E&A RESTORATION INC.

Sprung Structures

Rikers Island, New York

Contract Amount: \$72,400,000

Department of Correction – New York City

Construct twenty-three Emergency Sprung Structures, Chain Link Security Fence, Office Trailer, Toilet/Shower Trailer, Support Modular Trailer and Sitework for the Sprung Structures Complex.

All Work Completed on Time – 75 Days

(July 30th to October 13th, 1991)

Sprung Structures

Rikers Island, New York

Contract Amount: \$35,700,000

Department of Correction – New York City

Supervised site and utility work for construction of 20 emergency inmate housing and support structures.

All work completed on time – 60 to 90 days

(January to Mid-March 1991)

Reconstruction on the LIE at Route 106

Contract Amount: \$35,000,000

Department of Transportation – New York State

Construct five bridges, 400,000 C.Y. of Embankment, Sheet piling, Drainage, Rehabilitation of four bridges, Sitework, Paving.

Reconstruction on the LIE

Contract Amount: \$10,000,000

Department of Transportation – New York State

Construct two Pedestrian Bridges, Widen Expressway, Drainage, Sitework, Concrete Barrier



E & A CONSTRUCTION

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

KEN EADS

PROJECT SUPERINTENDENT

Education

*Long Island University/CW Post,
Numerous Continuing
Education Classes*

*Empire State Carpenters Local 7
Trade School*

Licenses/Registrations

1-hour Asbestos & Lead

Awareness

1-hour Hoisting & Rigging

1-hour First Aid & CPR

1-hour Flag Person

2-hour Drug & Alcohol

Awareness

2-hour Pre-Task Safety

Meetings Training

2-hour Site Safety Plan Training

2-hour Toolbox Talks

4-hour Mast Climber User

4-hour Pipe Scaffold User

8-hour Fall Prevention

*8-hour Site Safety Manager
Renewal*

10-hour Hazard Awareness

OSHA 30-hour

Years With This Firm: 15

Years with Other Firms: 15

Professional Profile

Ken has 30 years of construction experience. He has worked as a carpenter since high school and within 5 years was running complex projects as a foreperson. Ken started coordinating other trades while acting as a carpenter foreman and was eventually elevated to a project superintendent. He has a strong fundamental knowledge and construction insight and has saved numerous hours of work on several projects, coordinating all the trades to minimize "hits" amongst the trades. His determination and relentless pursuit of excellence has paved the way to the repeated success of completing projects ahead of schedule.

Experience

2005-2023 E&A Construction - Project Superintendent

Since coming to work for E&A Restoration in 2004, Ken has handled an increased amount of responsibility on the projects assigned to him. He has displayed an ease at handling projects with little interference from the management team and/or the design team. He is a loyal, energetic, and conscientious individual; always putting the needs of the project first. Ken was the Site Superintendent for the Rehabilitation of Sagamore Hill, home of President Theodore Roosevelt and was instrumental in its success.

Projects include:

Rudin Management – Façade Over-Cladding 211 East 70th Street

Rudin Management – Base of Buildings and Gardens 211 East 70th Street

Contract Amount: \$70,000,000.00

Supervision of a \$70 million renovation project, which includes both work on the façade and base of building garden rehabilitation at a fully occupied residential building. Managed multiple trades, coordinated daily operations, guided layout operations, and worked closely with the entire project team to deliver this project on time without disruption to existing tenants.

Rehabilitation of Sagamore Hill National Historic Site

Contract Amount: \$8,600,000.00

Oversaw and directed all construction operations for an \$8.6 million interior and exterior rehabilitation of the Icehouse and surrounding site, the home of President Theodore Roosevelt.

Nassau County Public Safety Center Forensic Laboratory Phase II & III

Contract Amounts: Phase 1 - \$20,246,460.00 Phase 2 - \$24,320,608.00

Monitored all trades on a \$20.2 million exterior and interior construction of the Nassau County facility serving as the Nassau County Crime Investigation Unit. The project included offices, laboratories, an automotive unit and firing range including all the MEP supporting these spaces, masonry restoration, exterior curtainwall systems, masonry façade repair, window replacement and metal panel scope. Took care to coordinate activities so that the facility operations were not affected.

MTA LI Bus Paratransit Facility Modifications

Contract Amount: \$8,000,000.00

Supervision of an \$8,000,000.00 modification of a para-transit bus facility.

Nunley's Carousel Building

Managed all daily operations for the construction of the new Nunley's Carousel and its enclosure. Worked hands in hand with the design and construction teams to ensure the historic artifact was kept undamaged and professionally installed when moving locations and being rebuilt.

Ken was also the Project Superintendent on numerous schools, firehouse, office building, libraries, and mall projects.

2000-2005 Godsell Construction Corporation, Carpenter Foreman

During his employment, Ken worked on numerous public works projects, but concentrated on public school work in Nassau and Suffolk Counties. While assigned to work at William Paca Middle School, Ken distinguished himself as someone who could manage multiple tasks of enormous responsibility with limited supervision. Immediately after finishing this project, where E&A Restoration was the CM, he was hired to work with E&A. During his tenure at Godsell, Ken completed work on several schools that were all completed on time. He also ran all the complex carpentry work, millwork fabrication/installation and wood floor installation at the Cold Spring Harbor Library.

1995-2000 Aurora Contractors/Expressway Acoustics, Carpenter Foreman

While employed here, Ken worked as the lead Carpenter Foreman in a setting where there were several other carpenter forepersons, working under his supervision. Here he completed school projects where the casework was more than \$3M. He displayed an acute understanding of coordinating skilled carpenters as they related to tasks within the trade. During his employment, he completed projects over \$5M on libraries, hospitals, firehouses, and police stations. Additionally, he was instrumental in the successful build outs of several strip malls in Nassau and Suffolk Counties.



E & A RESTORATION INC.

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

Projects In Progress

Nassau County Matrimonial Court

Location: Nassau County, NY
Owner: Nassau County Dept of Public Works

Contract No. B90632-02G
Contact: Joseph Amerigo
(516) 571-6804

Contract Amount: \$108,600,000.00
Contract Award: 3/30/20

% Completed: 80
Est. Completion: 01/2025

253 Broadway Landmark's Space Renovation

Location: New York, NY
Owner: NYC Department of Design & Construction

Contract No. 20161423374
Contact: Mark Forrester
(917)-417-4133

Contract Amount: \$33,869,779.33
Contract Award: 3/30/16

% Completed: 98
Est. Completion: 10/2023

Nassau County Building Construction Requirements, General Construction

Location: Nassau County, NY
Owner: Nassau County Dept. Of Public Works

Contract No. B9040003GR
Contact: Michael Puleo
(516) 571-6917

Contract Amount: TNE \$10,000,000
Contract Award: 11/17/17

% Completed: 20
Est. Completion: 4/2022



E & A RESTORATION INC.

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

Projects Completed

Nassau County Police Center for Training and Intelligence

Location: Garden City, NY Contract No. B90230P03G
Owner: Nassau County Dept. Of Public Works, Joseph Amerigo 516-571-6804
Construction Cost: \$45,109,421.89
Contract Award: 8/1/19 Completed: 12/1/2022

Secure Detention for HORIZONS Juvenile Interim Facility

Location: Bronx, NY Contract No. JJFACREN
Owner: NYC Department of Design & Construction, Anton Dolce 917-559-8286
Construction Cost: \$55,000,000
Contract Award: 2/2/18 Completed: 10/31/19

211 E.70th Street

Location: Manhattan, NY Contract No. 321702+321601
Owner: Rudin Management, Paul Mandel 212-407-2504
Construction Cost: \$70,000,000.00
Contract Award: 11/04/16 Completed: 8/30/2019

Dormitory Renovations to Yaphank Correctional Facility

Location: Yaphank, NY Contract No. N/A
Owner: Suffolk County Department of Public Works, Jay Abbott 631-852-4242
Construction Cost: \$12,720,970.00
Contract Award: 1/20/15 Completed: 5/2018

Nassau County Public Safety Center Phase III, Forensics Lab

Location: Westbury, NY Contract No. B90230P03G
Owner: Nassau County Dept. Of Public Works, Joseph Amerigo 516-571-6804
Construction Cost: \$24,320,608.54
Contract Award: 12/16/13 Completed: 10/1/2018

Nassau Community College, Student Services Center

Location: Garden City, NY Contract No. B7008901G
Owner: Nassau Community College, Scott Brugge 516-572-9786 x28330
Construction Cost: \$11,712,215.22
Contract Award: 11/3/14 Completed: 9/1/17

**E & A RESTORATION INC.**

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

Nassau Community College, On Call General Contractor

Location: Garden City, NY
113010-0946
Contract No. CY98-
Owner: Nassau Community College, Scott Brugge 516-572-9786 x28330
Construction Cost: \$5,154,221.07
Contract Award: 2/17/11
Completed: 3/31/16

Building Construction Requirements Contract, General Contractor

Location: Various Locations, Nassau County, NY
Contract No. B9040002G
Owner: County of Nassau, Michael Puleo 516-571-6917
Construction Cost: \$10,000,000.00
Contract Award: 8/1/12
Completed: 12/31/16

Hempstead House Lintel Replacement & Window Rehabilitation

Sands Point, NY
Contract No. B9E100016G
Owner: County of Nassau
Architect: Beatty Harvey Coco Architects, LLP (631) 300-1010
Construction Cost: \$1,307,787.89
Contract Award: 11/25/13
Completed: 11/30/15

Rehabilitation of Sagamore Hill, National Historic Site

Oyster Bay, NY
Contract No. SAHI-077375
Owner: National Park Service (303) 969-2344
Architect: John G. Waite Associates, Architects
Construction Cost: \$8,554,579.39
Contract Award: 8/29/12
Completed: 7/31/14

Riverhead Building Renovation, Suffolk Community College

Ammerman Campus, Selden, NY
Contract No. CP2149, 2138, 2127
Owner: Suffolk County Community College
Paul Cooper (631) 451-4445
Architect: William F. Collins, AIA (631) 689-8450
Construction Cost: \$12,750,000.00
Contract Award: 3/21/13
Completed: 12/31/14

Alterations to Criminal Court Building

Riverhead, NY
Capital Project No. 1124
Architect: David Swift Architects (631) 351-5700
Construction Cost: \$1,808,419.00
Contract Award: 8/26/13
Completed: 12/1/14

**E & A RESTORATION INC.**

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

Plaza Deck Restoration, Phase II, Nassau Community College

Garden City, NY

Contract No. B7006501G

Owner: Nassau Community College (516) 572-9786

Architect: RBA Group (973) 946-5634

Construction Cost: \$3,136,380.10

Contract Award: 6/13/11

Completed: 10/30/14

Installation of Fire Sprinkler, Deepwells Mansion

Saint James, NY

Capital Project No. 7510/7184

Owner: Suffolk County Dept. of Public Works (631)852.4391

Architect: Bladykas Engineering (516) 364-8700

Construction Cost: \$405,327.00

Contract Award: 11/29/12

Completed: 6/2014

Locker Room Rehabilitation, Long Beach Recreation Center

Long Beach, NY

Contract No. 00082907-00

Owner: City of Long Beach (516) 431-1011

Architect: LK McLean Assoc, P.C. (631) 286-8668

Construction Cost: \$549,939.85

Contract Award: 3/21/13

Completed: 12/31/13

Masonry Restoration for Exterior of City Hall

Long Beach, NY

Contract No.00082347-00

Owner: City of Long Beach (516) 431-1011

Architect: LK McLean Assoc, P.C. (631) 286-8668

Construction Cost: 376,937.57

Contract Award: 3/19/13

Completed: 10/2013

North Bellmore UFSD, Bond Issue Related Capital Improvement Program, Phase II

North Bellmore, NY

Contract No. Contract No. 2

Owner: North Bellmore Union Free School District

Architect: John A. Grillo, Architect PC

Construction Cost: 1,209,000.00

Completed: 06/2012

Wastewater Facilities, Requirements Contract

Various Locations, Nassau County, NY

Contract No. S35900G

Owner: County of Nassau

Construction Cost: 1,163,144.66

Completed: 04/2012

Public Safety Center

Nassau County, NY

Contract No. B90230PG

**E & A RESTORATION INC.**

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

Owner: County of Nassau

Architect: Paul DeSilva

Construction Cost: 19,456,867.90

Completed: 08/2011

Rehabilitation of New York Ave. Pump Station

Long Beach, NY

Contract No. G-01

Owner: City of Long Beach

Architect: Dvirka & Bartilucci

Construction Cost: 1,421,234.74

Completed: 07/2011

Nassau BOCES, Vertical ADA Lifts

Westbury, NY

Contract No. SED No. 28-90-00-00-0-030-021

Owner: Nassau BOCES

Architect: H2M Group

Construction Cost: 85,000.00

Completed: 01/2012

Nassau County Requirements Contract

Nassau County, NY

Contract No. B9040001G

Owner: County of Nassau

Completed: 11/2011

Architect: In-House Nassau County

Construction Cost: 2,500,000.00

Nassau County Requirements Contract

Nassau County, NY

Contract No. B90965G

Owner: County of Nassau

Completed: 7/2011

Architect: In-House Nassau County

Construction Cost: 3,000,000.00

Copiague Memorial Public Library 2009/2010 Capital Improvement Program

Copiague, NY

SED No.: 58-01-05-03-6-007-005

Owner: Copiague Memorial Public Library

Completed: 6/2011

Architect: John A. Grillo, Architect, P.C.

Construction Cost: 1,053,697.00

TOBAY Beach Ocean Pavilion Improvements

Massapequa, NY

Contract No. DP-10-040 PHASE I

Owner: Town of Oyster Bay

Completed: 5/2011

Architect: David Swift, LLC

Construction Cost: 508,392.67

Renovation to Hose Co. No. 2

Contract No. 10-005

Owner: Baldwin Fire District

Completed: 3/2011

**E & A RESTORATION INC.**

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Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

Architect: H2M Group

Construction Cost: 53,374.06

Emergency Repair of Existing Stucco Wall Contract No. 10-022

Owner: South Hempstead Fire District

Completed: 3/2011

Architect: Frank G. Relf

Construction Cost: 54,888.00

HVAC Replacement & Ceiling System Replacement Contract No. 1

Owner: East Meadow Fire District

Completed: 3/2011

Architect: Frank G. Relf

Construction Cost: 176,575.48

**Main Facility Additions & Alterations to Main Fire House Facility
Brentwood Fire District (Ceramic Tile)**

Owner: Brentwood Fire District

Contract No. 0515.10B

Architect: Martin F. Sendlewski

Completed: 6/2010

Construction Cost: 42,000.00

Nassau County Requirements Contract

Nassau County, NY

Contract No. B90964G

Owner: County of Nassau

Architect: In-House Nassau County

Construction Cost: 1,750,000.00

Trafelet Residence for J.E. O'Donnell Construction

Old Brookville, NY

Owner: Mr. & Mrs. Trafelet

Completed: 9/2009

Architect: Ferguson & Shamamian Architects

Construction Cost: 593,520.73

Elevator Installation

Holocaust Museum & Tolerance Center

Contract No. B9098102R

Owner: County of Nassau

Completed: 6/2009

Architect: David Swift, Architect

Construction Cost: 851,000.00

Holocaust Museum and Tolerance Center

Welwyn Preserve

Contract No. B4186101G

Construction Cost: 142,000.00

Completed: 01/2009

Owner: County of Nassau/ Marlene Osroff (516) 639-2111

Architect: David Swift

**E & A RESTORATION INC.**

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Woodbury, NY 11797
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Para Transit Facility Modifications, Phase II

Stewart Ave., Garden City, NY

Contract No. E-3565/PO#M02794

Construction Cost: 7,621,092.65

Completed: 01/2009

Owner: MTA/LI Bus (516) 542-0100

Architect: Stone Webster

Police and Fire Communications Center, Phase I Structural Modification

Prospect Ave., Westbury, NY

Contract No. B90230201G

Construction Cost: 8,146,718.01

Completed: 11/2008

Owner: County of Nassau

Architect: Swanke Hayden Connell Architects/Paul DeSilva (212) 219-6670

Wantagh Middle and High Schools Masonry Reconstruction

Wantagh Union Free School District

Contract No. 2

Construction Cost: 97,000.00

Completed: 12/2008

Owner: Wantagh Union Free School District

Architect: John A. Grillo, Architect (631) 476-2161

Rehabilitation of Roofs**Various Nassau County Buildings**

Contract No. B9061803G

Construction Cost: 2,201,000.00

Completed: 3/2008

Owner: County of Nassau/Michael Puleo (516) 571-6917

Architect: In-House Nassau County

ADA Title II Compliance**Various Nassau County Buildings**

Contract No. B90918015G

Construction Cost: 638,549.00

Completed: 3/2008

Owner: County of Nassau/Rabinder Bhamra (516) 571-6972

Architect: David Swift (631) 351-5700

Inspector: Andy Filardo (516) 817-4374

Nassau County Requirements Contract

Nassau County, NY

Contract No. B90963G

Construction Cost: 1,500,000.00

Completed: 12/2007

Owner: County of Nassau/ Michael Puleo (516) 571-6917

Architect: In-House Nassau County

Inspector: Andy Filardo (516) 817-4374

HVAC and Electrical Improvements for the Vanderbilt Museum, Phase II

**E & A RESTORATION INC.**

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

Centerport, NY

Capital Project No. 7443/7445, Contract 1G

Construction Cost: 363,508.03 Completed: 11/2007

Owner: Suffolk County Dept. of Public Works/ James Ingenito (631) 852-4690

Architect: In-House Suffolk County

Notre Dame Parish Misc. Work to Rectory

Construction Cost: 28,010.00 Completed: 8/2007

Owner: Diocese of Rockville Center/ Tom DeFrancisci (516) 352-7203

Sterling Glen of Roslyn

Roslyn, NY

Construction Cost: 1,548,422.14 Completed: 7/2007

Owner: Sterling Glen

General Contractor: Kajima Building Corp./ Pat Caputti (914) 906-7583

West Babylon Public Library

Construction Cost: 158,153.08 Completed: 7/2007

Architect: Beatty, Harvey & Associates / J. Kent Howie (631) 208-9655

Owner: West Babylon Public Library (631) 669-6539

Masonry & Roof Repairs to Church of Notre Dame

New Hyde Park, NY

Construction Cost: 240,400.00 Completed: 7/2007

Architect: LAS Associates, Architects/ Lee Sagistano/Doris Armitage (516) 364-8150

Owner: Diocese of Rockville Centre (516) 678-5800

Interior Alterations and Renovation to Headquarters

Huntington Manor Fire District

Construction Cost: 924,102.25 Completed: 5/2007

Architect: Frank G. Relf, Architect P.C./Frank Relf/Will Quintanilla (631) 271-4432

Owner: Huntington Manor Fire District

Owner's Representative: Vincent Bifano (631) 427-1629

Portico Restoration, Old County Courthouse

Nassau County, NY

Contract No. B90230102G

Construction Cost: 1,635,914.00 Completed: 2/2007

Architect: John G. Waitte Associates

Owner: County of Nassau

Owner's Representative: Frank Stabile (516) 571-6812

**E & A RESTORATION INC.**

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0250

CM: Greyhawk/Jacobs Carter Burgess/ Nick Pappas (516)639-2607/ Gus Xenakis
(516)281-4246

Nassau County Requirements Contract

Nassau County, NY Contract No. B90962G
Construction Cost: 975,000.00 Completed: 9/2005
Architect: In-House Nassau County
Owner's Representative: Andy Filardo (516) 817-4374

Nassau County Requirements Contract

Nassau County, NY Contract No. B90961G
Construction Cost: 750,000.00 Completed: 2/2005
Architect: In-House Nassau County
Owner's Representative: Andy Filardo (516) 817-4374

Roof Rehabilitation

Various Nassau County Buildings, NY Contract No. B9061802G
Construction Cost: 1,282,350.00 Completed: 3/2006
Architect: In-House Nassau County
Owner: County of Nassau
Owner's Representative: Michael Puleo (516) 571-6917
CM: Hirani/ Lawson Christian (516) 850-0620

Additions & Alterations to Substation**Centereach Fire District**

No. Howell Ave., Centereach, NY Contract No. CRFD-0401
Construction Cost: 1,004,903.64 Completed: 4/2006
Architect: H2M Group, Jennifer Curtin/Dan Tanzi (631) 756-8000
Owner: Centereach Fire District
Owner's Representative: Commissioner D'Onforio (631) 588-8652

The New Cold Spring Harbor Library and Environmental Center

Rte.25A, Cold Spring Harbor, NY Contract No. 9273
Construction Cost: 90,412.00 Completed: 4/2006
Architect: Beatty, Harvey & Associates, LLP
Owner: Cold Spring Harbor Library
Owner's Representative: Sullivan & Nickel Construction (631) 738-7750
John McCort cell (516) 330-9373

Kitchen Renovations at Headquarters

Copiague Fire District Contract No. G-G.C.- CFPD 05-02



E & A RESTORATION INC.

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

Construction Cost: 78,270.87 Completed: 4/2006
Architect: H2M Group, Joe Mottola (631) 756-8000
Owner: Copiague Fire District
Owner's Representative: Bobby (516) 852-2524

Art/Technology Classroom Renovation

Baldwin Middle School SED No.28-02-10-03-0-012-018
Construction Cost: 197,300.00 Completed: 9/2006
Architect: H2M Group, Saverio Belfiore (631) 756-8000
Owner: Baldwin Union Free School District

**2005/2006 Capital Improvements, Hicksville Union Free School District
Burns Ave. Elementary School and Hicksville Middle School**

Construction Cost: 131,455.00 Completed: 9/2006
Architect: John A. Grillo Architect P.C. (631) 476-2161
Owner: Hicksville Union Free School District
Construction Manager: School Construction Consultants, Mike Carteli (917) 270-8712

Addition to Park House

259 Front St., Massapequa Park, NY
Construction Cost: 292,800.00 Completed: 1/2005
Architect: H2M Group, Veronica Byrnes (631) 756-8000
Owner: Massapequa Fire District
Owner's Representative: Richard Paul (516) 798-2648

Nassau County Campus Construction

T. Roosevelt Government Offices (890230101G)
101 Grumman Road, Bethpage, NY 11714
Construction Cost: 1,126,605.00 Completed: 9/2004
Architect: In-House Nassau County
Owner: County of Nassau
Owner's Representative: Nick Pappas (516) 680-5693

**Addition and Alterations to Chatterton Elementary School and Levy-Lakeside
Elementary School**

Merrick, NY
Construction Cost: 2,900,000.00 Completed: 9/2003
Architect: Burton, Behrendt & Smith (631) 475-0349
Owner: Merrick Union Free School District
Owner's Representative: Sydney Freifelder (516) 992-7200



E & A RESTORATION INC.

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

Interior Renovation to Bethpage High School (2000-200-7)

Cherry Ave. & Stewart Ave., Bethpage, NY 11714

Construction Cost: 1,462,550.00 Completed: 10/2005

Owner: Bethpage Union Free School District

Owner's Representative: Vince Russo (631) 567-0200

Renovation & Addition to Merrick Hook & Ladder (PW8-03)

One Oakwood Ave., Merrick, NY

Construction Cost: 2,384,677.98 Completed: 10/2005

Owner: Town of Hempstead

Owner's Representative: John Gibilaro (516) 812-3065

Additions & Alteration to Sea Cliff Elementary School

Carpenter Ave., Sea Cliff, NY

Construction Cost: 7,300,000.00 Completed: 10/2001

Owner: North Shore Union Free School District

Owner's Representative: Richard Kavanaugh (516) 705-0383



E & A RESTORATION INC.
130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

EQUIPMENT LIST

THE FOLLOWING EQUIPMENT IS LOCATED AT:

E & A RESTORATION INC.
130 CROSSWAYS PARK DRIVE
WOODBURY, NY 11797

VANS, DUMPTRUCKS, PICKUP TRUCKS SCAFFOLDING, BOB CAT
GAS SAWS, GENERATORS, WELDING MACHINES, COMPACTOR, CHIP GUNS,
GRINDERS
CONCRETE CHUTE, LIGHTING, KETTLES, TRAILERS, KICKERS, VIBRATOR, CONEX
CONTAINERS, COMPRESSORS



E & A RESTORATION INC.

130 Crossways Park Drive, Suite 101
Woodbury, NY 11797
Tel: 516-921-7030 • Fax: 516-921-0259

Insurance Information

General Liability:

The Phoenix Insurance Company

Policy Duration:

Policy Number:

Workers Compensation:

The Phoenix Insurance Company

Policy Duration:

Policy Number:

Umbrella:

The Travelers Indemnity Company

Policy Duration:

Policy Number:

Philadelphia Indemnity Insurance Co.

Policy Duration:

Policy Number:

Automobile Liability:

The Travelers Indemnity Company

Policy Duration:

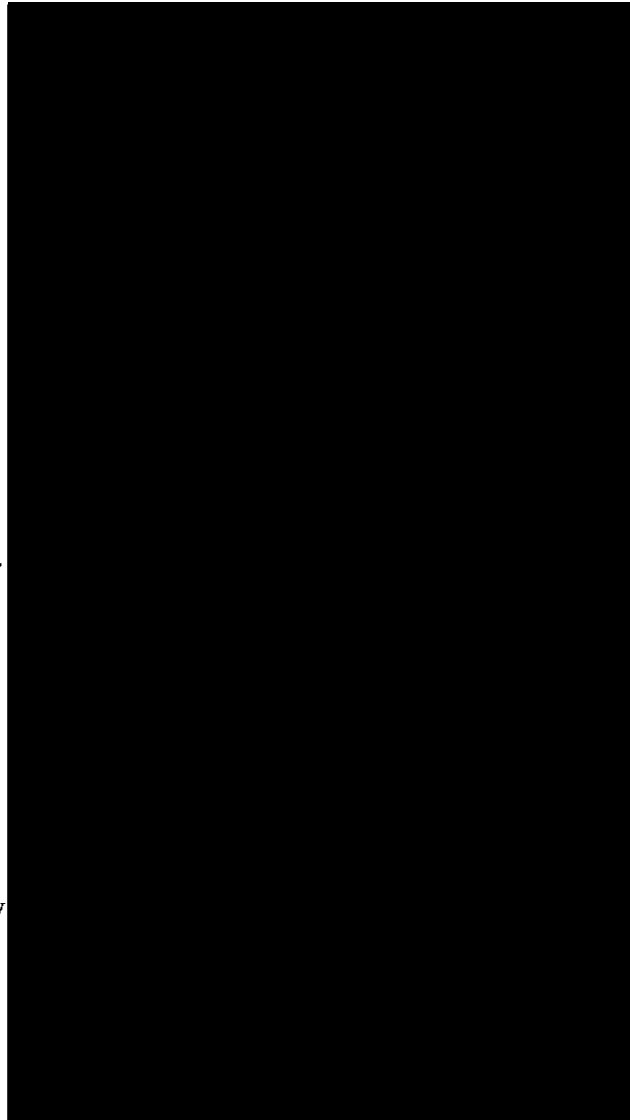
Policy Number:

Disability:

Shelter Point Life Insurance Company

Policy Duration:

Policy Number:



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions
(Sub-Recipient)**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department of agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

JENNY SKALIS

Name and Title of Authorized Representative

09/27/23

m/d/yy

Jenny Skalis

Signature

09/27/23

Date

E&A RESTORATION INC

Name of Organization

130 CROSSWAYS PARK DRWE, SVITE 101 WOODBURY, NY 11717

Address of Organization

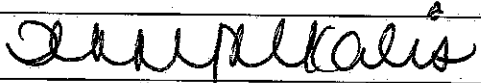
U.S. GPO: 2009 OJP FORM 4061/1 (REV. 2/89) Previous editions are obsolete

APPENDIX U

NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS

CONSULTANT/ CONTRACTOR DETAILED MBE/WBE/SDVOB UTILIZATION PLAN

Part 1- General Information:

| | |
|---|--|
| Consultant/Contractor Name: | E&A RESTORATION INC |
| Address (street/city/state/zip code): | 130 CROSSWAYS PARK DRIVE SUITE 101 WOODBURY NY 11797 |
| Authorized Representative (name/title): | JENNY SAKALIS |
| Authorized Signature: |  |
| Contract Number: | B90632-03GR |
| Contract/Project Name: | FAMILY + MATRIMONIAL COURT FAMILY JUSTICE CENTER |
| Contract/Project Description: | 13,000 SF FIT OUT AT NCFMCJC |

Part 2- Projected MBE/WBE/SDVOB Contract Summary:

| | Amount (\$) | | Percentage (%) |
|--|----------------------------|--|----------------|
| Total Dollar Value of the Prime Contract | \$4,580,000. ⁰⁰ | | 4.69% |
| Total MBE Dollar Amount | \$115,000. ⁰⁰ | MBE Contract Percentage | 2.51% |
| Total WBE Dollar Amount | \$100,000. ⁰⁰ | WBE Contract Percentage | 2.18% |
| Total SDVOB Dollar Amount | \$ 0. ⁰⁰ | SDVOB Contract Percentage | 0.00% |
| Total Combined M/WBE/SDVOB Dollar Amount | \$215,000. ⁰⁰ | Combined M/WBE/SDVOB Contract Percentage | 4.69%. |

NO TEXT ON THIS PAGE

Part 3- MBE Information (use additional blank sheets as necessary):

| MBE Firm | Description of Work (MBE) | Projected MBE Contract Amount (\$) and Award Date | MBE Contract Scheduled Start Date and Completion |
|---|---------------------------|--|--|
| Name: BAYBRENT CONSTRUCTION CORP Address: 1637 SYCAMORE AVE City: BOHEMIA State/Zip Code: NY 11716 Authorized Representative: NOAH Telephone No. 631-563-4500 | CERAMIC TILE | Amount (\$): 45,000 <hr/> Award Date: TBD | Start Date: TBD <hr/> Completion Date: TBD. |
| Name: CHAMPION SPECIALTY SERVICES Address: 65 CORPORATE DRIVE City: HOLTSVILLE State/Zip Code: NY 11742 Authorized Representative: JOHN BURNS Telephone No. 845-444-5260 | PAINTING | Amount (\$): 70,000 <hr/> Award Date: TBD | Start Date: TBD <hr/> Completion Date: TBD. |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |

Nassau County DPW

89 of 1019

Contract No: E9063Z-03GR
Family & Matrimonial Ct-Family Justice Center

E&A WILL CONTINUE TO SEARCH FOR MBE PARTICIPATION IF APPARENT LOW BIDDER.

NO TEXT ON THIS PAGE

Part 4- WBE Information (use additional blank sheets as necessary):

| WBE Firm | Description of Work (WBE) | Projected WBE Contract Amount (\$) and Award Date | WBE Contract Scheduled Start Date and Completion Date |
|---|-----------------------------------|---|---|
| Name: JC RYAN Address: 1800 NEW HIGHWAY City: FARMINGDALE State/Zip Code: NY 11735 Authorized Representative: ED AVILES Telephone No. 631-694-0008 | DOOR, FRAMES, HARDWARE | Amount (\$): \$100,000 <hr/> Award Date: TBD | Start Date: TBD <hr/> Completion Date: TBD |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |

E&A WILL CONTINUE TO LOOK FOR WBE PARTICIPATION IF APPARENT LOW BIDDER

Nassau County DPW

ST-011019

Contract No. B90632703GR
Family & Matrimonial Ct-Family Justice Center

NO TEXT ON THIS PAGE

Part 5- SDVOB Information (use additional blank sheets as necessary):

Nassau County DPW

93 of 1619

Family & Marital/CJ-Family Justice Center
Contract No. B90632-03GR

| SDVOB | Description of Work (SDVOB) | Projected SDVOB Contract Amount (\$) and Award Date | SDVOB Contract Scheduled Start Date and Completion |
|--|-----------------------------|---|--|
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |

E&A WILL CONTINUE TO SEARCH FOR SDVOB PARTICIPATION IF APPARENT LOW BIDDER.

NO TEXT ON THIS PAGE



Certified: --

B-22-24
Filed with Clerk of Legislature
September 16, 2024 6:12 PM

NIFS ID: S41858-02G

Capital: X

Contract ID #: S41858-02G

NIFS Entry Date:

Department: Public Works

Service: EMERGENCY CONTRACT-Remedial Repairs North Woodmere Pool - S41858-02G-B22-24

Term: 286 Consecutive Calendar Days from NTP

Contract Delayed:

| | | |
|---|--------------|------------|
| Slip Type: New | | |
| CRP: | | |
| Blanket Resolution: | | |
| Revenue: | Federal Aid: | State Aid: |
| Vendor Submitted an Unsolicited Solicitation: | | |

| | |
|---|-----|
| 1) Mandated Program: | No |
| 2) Comptroller Approval Form Attached: | No |
| 3) CSEA Agmt. & 32 Compliance Attached: | Yes |
| 4) Significant Adverse Information Identified? (if yes, attach memo): | No |
| 5) Insurance Required: | No |

| Vendor/Municipality Info: | |
|--|-----------------------|
| Name: Seaford Avenue Corporation | ID#: 020649257 |
| Main Address: 25 Brooklyn Avenue Massapequa, NY 11758 | |
| Main Contact: Diane Olson | |
| Main Phone: (516) 785-6581 | |

| Department: |
|---|
| Contact Name: Francis Antetomaso |
| Address: NCDPW Cedar Creek WPCP 3340 Merrick Road Bldg. R, 3rd Floor |
| Phone: (516) 571-7530 |
| Email: fantetomaso@nassaucountyny.gov,ldionisio@nassaucoun tyny.gov,ekobel@nassaucountyny.gov,cpetrucci@nassauc ountyny.gov,RLaBaw@nassaucountyny.gov |

Contract Summary

| |
|---|
| Purpose: This is an Emergency Contract for construction services to provide repairs of the Main Pool and Dive Pool surge trench at the North Woodmere Park. The continual filling of the pool due to excessive leakage is causing a hardship to the water supplier (Liberty Water), creating system pressure issues. It contributes to a loss of pressure in the water delivery system which could cause health/safety issues in an emergency. |
| Procurement History: The contract was advertised on February 28, 2024. The bids were received and opened on May 14, 2024. Three (3) bids were received, one of which was deemed unacceptable due to improper form of bid bond. Seaford Avenue Corporation was the lowest responsible bidder. |
| Description of General Provisions: Emergency Repairs of North Woodmere Park Pool. |
| Impact on Funding / Price Analysis: Funding for this contract will be from Capital Project 41858. Maximum contract amount is |

\$2,915,891.23.

Change in Contract from Prior Procurement: NA

Method of Source Selection:

Formal Sealed Bid awarded to lowest, responsible bidder

Contract #: S41858-02G

Advertised On: 02/28/2024

Advertised In: Bid Board, Newsday, New York State Contract Reporter

Publicly Opened On: 05/14/2024

Number of bids received: 2

MWBE Participation:

Participation of Minority-owned and Women-owned Business Enterprises in Nassau County Contracts: The selected contractor has agreed that it has an obligation to utilize best efforts to hire MWBE sub-contractors. Proof of the contractual utilization of best efforts as outlined in Exhibit EE may be requested at any time by the Comptroller's Office prior to the approval of claim vouchers. [Note: This box must be checked.]

Department MWBE Responsibilities: To ensure compliance with MWBE requirements as outlined in Exhibit EE, Department will require vendor to submit list of subcontractor requirements prior to submission of the first claim voucher for services under this contract being submitted to the Comptroller.

Contractor is a (check all that apply):

MWBE

SDVOB

Recommendation: Approve as Submitted

Advisement Information

| Fund | Control | Resp. Center | Object | Index Code | Sub Object | Budget Code | Line | Amount |
|----------------|---------|--------------|--------|------------|------------|-----------------------------|------|-----------------------|
| CAP | | | 00 | PWCAPCAP | 00004 | PWCAPCAP 00004 41858 002 | 01 | \$2,915,891.23 |
| Project Number | | 41858 | | | | | | |
| Project Detail | | 002 | | | | | | |
| TOTAL | | | | | | | | \$2,915,891.23 |

| Additional Info | |
|---------------------|-----|
| Blanket Encumbrance | |
| Transaction | 103 |
| Renewal | |
| % Increase | |
| % Decrease | |

| Funding Source | Amount |
|-------------------|-----------------------|
| Revenue Contract: | |
| County | \$0.00 |
| Federal | \$0.00 |
| State | \$0.00 |
| Capital | \$2,915,891.23 |
| Other | \$0.00 |
| Total | \$2,915,891.23 |

Routing Slip

| Department | | | |
|---------------------------------|----------------------|--------------------|----------|
| NIFS Entry | Loretta Dionisio | 08/30/2024 12:18PM | Approved |
| NIFS Final Approval | Chris Yansick | 08/30/2024 02:34PM | Approved |
| Final Approval | Chris Yansick | 08/30/2024 02:34PM | Approved |
| DPW | | | |
| Capital Fund Approval | Chris Yansick | 08/30/2024 02:35PM | Approved |
| Final Approval | Chris Yansick | 08/30/2024 02:35PM | Approved |
| County Attorney | | | |
| RE & Insurance Verification | Grady Farnan | 09/03/2024 08:21AM | Approved |
| Approval as to Form | Kemely Weiss | 09/03/2024 02:38PM | Approved |
| NIFS Approval | Mary Nori | 09/03/2024 04:00PM | Approved |
| Final Approval | Mary Nori | 09/03/2024 04:00PM | Approved |
| OMB | | | |
| NIFS Approval | Nadiya Gumieniak | 08/30/2024 04:08PM | Approved |
| NIFA Approval | Christopher Nolan | 08/30/2024 05:31PM | Approved |
| Final Approval | Christopher Nolan | 08/30/2024 05:31PM | Approved |
| Compliance & Vertical DCE | | | |
| Procurement Compliance Approval | Robert Cleary | 09/05/2024 04:36PM | Approved |
| DCE Compliance Approval | Robert Cleary | 09/05/2024 04:36PM | Approved |
| Vertical DCE Approval | Arthur Walsh | 09/16/2024 01:55PM | Approved |
| Final Approval | Arthur Walsh | 09/16/2024 01:55PM | Approved |
| Legislative Affairs Review | | | |
| Final Approval | Eleftherios Sempepos | 09/16/2024 03:02PM | Approved |

| | | | |
|-----------------------------|--|--|-------------|
| Legislature | | | |
| Final Approval | | | In Progress |
| DPW NIFS Field Entry | | | |
| Final Approval | | | Pending |
| NIFA | | | |
| NIFA Approval | | | Pending |
| Comptroller | | | |
| Claims Approval | | | Pending |
| Legal Approval | | | Pending |
| Accounting / NIFS Approval | | | Pending |
| Deputy Approval | | | Pending |
| Final Approval | | | Pending |

RULES RESOLUTION NO. -2024

A RESOLUTION RATIFYING THE COMMISSIONER OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS' AWARD AND THE COUNTY EXECUTIVE'S EXECUTION OF AN EMERGENCY CONTRACT BETWEEN THE COUNTY OF NASSAU, DEPARTMENT OF PUBLIC WORKS AND SEAFORD AVENUE CORP.

WHEREAS, in accordance with all Federal, State and Local Law, the County of Nassau on behalf of the NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS ["Department"] has received competitive bids for Contract S41858-02G, for NORTH WOODMERE PARK -REMEDIAL POOL REPAIRS-NASSAU COUNTY, NY ["Contract"], as more particularly described in the Contract documents, a copy of which are on file with the Clerk of the Legislature; and

WHEREAS, the firm of SEAFORD AVENUE CORP.

["Vendor"] has submitted the lowest responsible bid for the work described in the Contract in accordance with all Federal, State and Local Law as determined by the Department, and

WHEREAS, the funding for this Contract is from capital funds approved by the Nassau County Legislature and included in the current four year capital plan, and

WHEREAS, the Commissioner of the Department is representing that the total Contract is estimated to be \$ 2,915,891.23,

WHEREAS the Nassau County Executive executed said Contract;

NOW, THEREFORE, be it

RESOLVED, that the Rules Committee of the Nassau County Legislature ratifies the Commissioner of Public Works' award and the County Executive's execution of said Contract; and it is further

RESOLVED, that the Rules Committee of the Nassau County Legislature hereby authorizes the County Executive to execute any and all other non-financial instruments, related documents or ancillary agreements of said Contract and to take such other action as is necessary to effectuate and carry out the intent and purpose of the Contract.



COUNTY OF NASSAU
Bruce A. Blakeman, County Executive
Theodore Roosevelt Executive and Legislative Office Building
1550 Franklin Avenue
Mineola, NY 11501

EMERGENCY DECLARATION AND PURCHASE

WHEREAS, the Department of Public Works (the “Department”) for the County of Nassau, New York has recommended that the need for an emergency repair to North Woodmere Park Pool related to continued existing conditions of large amounts of water loss.

The Department is concerned that without immediately commencing this work following the current pool season, we may not have the necessary time to complete the required repairs to ensure the 2025 seasonal pool opening. Specifically, the Department intends to solicit the contract bid utilizing regular order however would like to award and initiate notice to proceed for this contract prior to Legislative approval.

NOW THEREFORE, I, **Bruce A. Blakeman, County Executive** of the County of Nassau, do hereby declare that the North Woodmere Park Remedial Pool Repairs constitutes an emergency under Section 2206 of the Nassau County Charter that necessitates dispensing with the requirements of Legislative approval prior to issuing a notice to proceed with the work. The work followed established procurement requirements related to public notice and the taking of bids. The Department to the extent necessary to remediate the emergency, solely with respect to issuing a notice to proceed to lowest responsible bidder, Seaford Avenue Corp., in the total amount of \$2,915,891.23 and allow DPW to proceed with an emergency contract for the remedial pool repairs for the North Woodmere facility.

Dated as of: 8/19, 2024



Bruce A. Blakeman , COUNTY EXECUTIVE

COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo

TO: Office of the Nassau County Executive
Att: Honorable Bruce A. Blakeman, County Executive

FROM: Department of Public Works

DATE: August 12, 2024

SUBJECT: Emergency Contract for North Woodmere Park Remedial Pool Repairs

Due to the existing conditions of the above referenced pool, County personnel have implemented several actions on the operation side to reduce the amount of fill water required to compensate as necessary for water loss to keep the pool operating. This design for construction will make complete repairs to all issues regarding the leaking of these pools before they continue to deteriorate and become worse over time. If these problems go unattended and the deterioration continues, the department may be forced to perform expensive emergency repairs or shut down the pools in the future.

The Department is concerned that without getting immediately started on this work following the current pool season, we may not have the necessary time to complete the required repairs to ensure the 2025 seasonal pool opening. The Department strongly recommends that to coordinate the activities required to make certain a timely project start and completion, that provisions allowed by Appendix O: Emergency Procurements of the Procurement Policy be utilized. Specifically, the Department intends to solicit the contract bid utilizing regular order however would like to award and initiate notice to proceed for this contract prior to Legislative approval. Appendix O requires to facilitate this approach an Emergency Declaration be issued.

Accordingly, DPW believes that in the best interest of the residents of Nassau County, you should declare an emergency, and allow DPW to proceed with an emergency contract for the remedial pool repairs for the North Woodmere facility.

Roseann D'Alleva

Roseann D'Alleva
Deputy Commissioner

RD:las

c: Arthur T. Walsh, Chief Deputy County Executive
Tatum Fox, Deputy County Executive
Thomas T. Adams, County Attorney
John Hiller, Chief Deputy County Attorney
Robert Cleary, Chief Procurement Officer
Douglas Tuman, Deputy Commissioner of Public Works
Jane Houdek, Counsel for Public Works
Loretta Dionisio, Assistant to Deputy Commissioner
Elizabeth Kobel, Administrative Officer
Robert Labaw, Chief Architect



COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo

TO: Office of the Nassau County Executive
Att: Arthur T. Walsh, Chief Deputy County Executive

FROM: Department of Public Works

DATE: August 19, 2024

SUBJECT: Emergency Contract for North Woodmere Park Remedial Pool Repairs

Due to the existing conditions of the above referenced pool, County personnel have implemented several actions on the operation side to reduce the amount of fill water required to compensate as necessary for water loss to keep the pool operating. This design for construction will make complete repairs to all issues regarding the leaking of these pools before they continue to deteriorate and become worse over time. If these problems go unattended and the deterioration continues, the department may be forced to perform expensive emergency repairs or shut down the pools in the future.

The referenced contract for North Woodmere Park Remedial Pool Repairs was advertised in Newsday on April 25, 2024, and was available for pickup on May 10, 2024. It was advertised in e-procure and the New York State Contract Reporter on April 25, 2024. Four (4) picked up the bid package. Bids were opened for this project on May 14, 2024, three bids were submitted, of which one was rejected LoDuca Associates, Inc. for Improper Form of Bid Bond, and two (2) contractors having an acceptable submitted bid of the three submitted bids.

| Contractor | Address | BID Amount |
|---------------------|--|-------------------|
| Seaford Avenue Corp | 25 Brooklyn Avenue Massapequa, NY 11758 | \$2,915,891.23 |
| RJ Industries | 75 East Bethpage Road Plainview, NY 11803-0349 | \$3,994,700.00 |

The bids received for the above referenced contract have been examined and Seaford Avenue Corp., is the lowest responsible bidder in the amount of \$2,915,891.23 (See attached bid sheets).

The lowest responsible bid is approximately 3.03% under the Engineers Estimate by \$91,098.77.

Funding for the construction services is available under the capital project 41858 (County Pools Improvements and Code Compliance).

The Department is concerned that without getting immediately started on this work following the current pool season, we may not have the necessary time to complete the required repairs to ensure the 2025 seasonal pool opening.

Office of the Nassau County Executive
Att Arthur T. Walsh, Chief Deputy County Executive
August 19, 2024
Page 2.

SUBJECT: Emergency Contract for North Woodmere Park Remedial Pool Repairs

With your concurrence, the Department will move forward with securing the services contract for the remedial pool repairs for the North Woodmere facility.

Following your approval, or disapproval, we will proceed accordingly.

Roseann D'Alleva

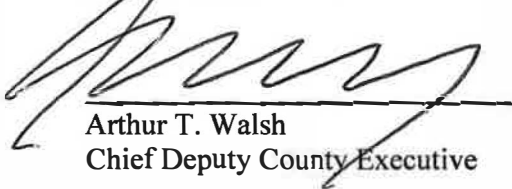
Roseann D'Alleva
Deputy Commissioner

RD:jd

c: Tatum Fox, Deputy County Executive
Thomas T. Adams, County Attorney
John Hiller, Chief Deputy County Attorney
Robert Cleary, Chief Procurement Officer
Douglas Tuman, Deputy Commissioner of Public Works
Jane Houdek, Counsel for Public Works
Loretta Dionisio, Assistant to Deputy Commissioner
Frank Antetomaso, Assistant to Deputy Commissioner
Elizabeth Kobel, Administrative Officer
Robert Labaw, Chief Architect

APPROVED:

DISAPPROVED:



Arthur T. Walsh
Chief Deputy County Executive

8/19/24
Date

Arthur T. Walsh
Chief Deputy County Executive

Date



Nassau County Interim Finance Authority

Contract Approval Request Form (As of January 1, 2015)

1. Vendor: Seaford Avenue Corporation

2. Amount requiring NIFA approval: \$2,915,891.23

Amount to be encumbered: \$2,915,891.23

Slip Type: New

If new contract - \$ amount should be full amount of contract

If advisement - NIFA only needs to review if it is increasing funds above the amount previously approved by NIFA

If amendment - \$ amount should be full amount of amendment only

3. Contract Term: to 286 Consecutive Calendar Days from NTP

Has work or services on this contract commenced? No

If yes, please explain:

4. Funding Source:

| | | |
|--------------------------------|-----|------------------|
| General Fund (GEN) | | Grant Fund (GRT) |
| Capital Improvement Fund (CAP) | X | Other |
| Federal % | 0 | |
| State % | 0 | |
| County % | 100 | |

| | |
|--|-----|
| Is the cash available for the full amount of the contract? | No |
| If not, will it require a future borrowing? | Yes |
| Has the County Legislature approved the borrowing? | Yes |
| Has NIFA approved the borrowing for this contract? | No |

5. Provide a brief description (4 to 5 sentences) of the item for which this approval is requested:

This is an Emergency Contract for construction services to provide repairs of the Main Pool and Dive Pool surge trench at the North Woodmere Park. The continual filling of the pool due to excessive leakage is causing a hardship to the water supplier (Liberty Water), creating system pressure issues. It contributes to a loss of pressure in the water delivery system which could cause health/safety issues in an emergency.

6. Has the item requested herein followed all proper procedures and thereby approved by the:

Nassau County Attorney as to form Yes
Nassau County Committee and/or Legislature

Date of approval(s) and citation to the resolution where approval for this item was provided:

7. Identify all contracts (with dollar amounts) with this or an affiliated party within the prior 12 months:

| Contract ID | Posting Date | Amount Added in Prior 12 Months |
|-------------|--------------|---------------------------------|
|-------------|--------------|---------------------------------|

AUTHORIZATION

To the best of my knowledge, I hereby certify that the information contained in this Contract Approval Request Form and any additional information submitted in connection with this request is true and accurate and that all expenditures that will be made in reliance on this authorization are in conformance with the Nassau County Approved Budget and not in conflict with the Nassau County Multi-Year Financial Plan. I understand that NIFA will rely upon this information in its official deliberations.

CNOLAN

08/30/2024

Authenticated User

Date

COMPTROLLER'S OFFICE

To the best of my knowledge, I hereby certify that the information listed is true and accurate and is in conformance with the Nassau County Approved Budget and not in conflict with the Nassau County Multi-Year Financial Plan.

Regarding funding, please check the correct response:

I certify that the funds are available to be encumbered pending NIFA approval of this contract.

If this is a capital project:

I certify that the bonding for this contract has been approved by NIFA.

Budget is available and funds have been encumbered but the project requires NIFA bonding authorization.

Authenticated User

Date

NIFA

Amount being approved by NIFA:

Payment is not guaranteed for any work commenced prior to this approval.

Authenticated User

Date

NOTE: All contract submissions MUST include the County's own routing slip, current NIFS printouts for all relevant accounts and relevant Nassau County Legislature communication documents and relevant supplemental information pertaining to the item requested herein.

NIFA Contract Approval Request Form MUST be filled out in its entirety before being submitted to NIFA for review.

NIFA reserves the right to request additional information as needed.

BID BOND

FORM OF BID BOND

IMPORTANT The bidder shall instruct the Surety Company to **USE THIS FORM PROVIDED** as the use of **ANY OTHER FORM** may cause rejection of the bid.

KNOW ALL MEN BY THESE PRESENTS,

that we, the undersigned Seaford Avenue Corp

as Principal; and United Casualty and Surety Insurance Company as surety, who is Licensed to do business in the State of New York, are hereby firmly bound unto the County of Nassau in the penal sum of

10% of Amount Bid dollars (\$ 10%) for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

Signed, this 25th day of March, 20²⁴

The conditions of the above obligation is such that whereas the Principal has submitted to the County of Nassau a certain Bid attached hereto and hereby made a part hereof, to enter into a contract in writing for the work under Contract No. S41858-02G for the

North Woodmere Park Remedial Pool Repairs

NOW, THEREFORE, the conditions of this obligation are such that if the Principal shall not withdraw said proposal except by mutual consent of the County of Nassau within a period of forty-five (45) days after the opening of bids and in the event of acceptance of the Principal's proposal, if the Principal shall,

- a. when notified by the County, execute all necessary counterparts of the contract as set forth in the contract documents in accordance with the proposal as accepted; and
- b. furnish bonds and other security as specified in the contract documents for the faithful performance and proper fulfillment of such contract, which bonds or other security shall be satisfactory in all respects to the County; and
- c. in all respects, comply with the provisions set forth in the invitation to bid; or if the County of Nassau shall reject the aforesaid proposal for a reason other than the Principal's failure to satisfy the County that he has the necessary skill, experience and liquid assets required for the contract as stated in the documents aforesaid, then this obligation shall be null and void; otherwise to remain in full force and effect.

NO TEXT ON THIS PAGE

Provided, however, that this bond is subject to the following additional conditions and limitations.

a. In the event that the Principal fails to submit a financial statement when required by the County or in the event that an examination of the Principal indicates to the County that the Principal does not meet the financial requirements required by the County, the undersigned will, upon demand, pay to the County of Nassau, as liquidated damages for the Principal's failure to meet such requirements, a sum equal to the amount that would have been required by a certified check if the same were delivered in accordance with the provisions of the contract documents and specifications herein stated.

b. In case the Principal shall default in the performance of any provision the undersigned will upon demand pay to the County of Nassau the full amount of the damages sustained by the County of Nassau by reason of such default, except however, it is expressly understood and agreed that the liability of the surety for any and all claims hereunder shall in no event exceed the amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligation of said Surety and its bond shall be in no way impaired or affected by any extension of time within which the County of Nassau may accept such Bid; and said Surety does hereby waive notice of any such extension.

NO TEXT ON THIS PAGE

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

Seaford Avenue Corp

Contractor

by [Signature] President (L.S.)

(Corporate seal of Contractor Title if a corporation)

by _____ (L.S.)

Title

by _____ (L.S.)

Title

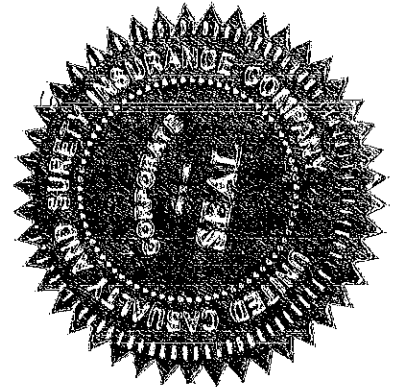
United Casualty and Surety Insurance Company

by [Signature] (L.S.)

Surety

Title of Officer
Novica J Prekpala, Attorney-In-Fact

Attest: [Signature] (L.S.)
Title of Officer



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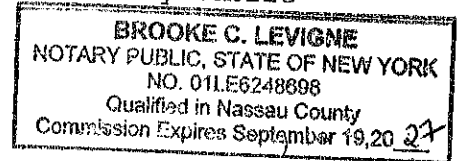
(Acknowledgment by Contractor if a corporation)

STATE OF New York)

ss.:
COUNTY OF Nassau)

On this 1 day of April, 20 24, before me personally came Michael Scott to me known, who, being by me duly sworn, did depose and say for himself, that he resides in Massapeque, NY, that he is the President of the Seaford Ave Corp. the corporation described in, and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Brooke C. LeVigne
Notary Public



(Acknowledgment by Contractor if a partnership)

STATE OF _____)

ss.:
COUNTY OF _____)

On this _____ day of _____, 20 _____, before me personally came _____ to me known and known to me to be a member of the firm described in and which executed the foregoing bond or obligation, and he acknowledged to me that he subscribed the name of said firm thereto on behalf of said firm for the purpose therein mentioned.

Notary Public

(Acknowledgment by Contractor if an individual.)

STATE OF _____)

ss.:
COUNTY OF _____)

On this _____ day of _____, 20 _____, before me personally came _____ to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged that he executed the same.

Notary Public

NO TEXT ON THIS PAGE

(Acknowledgment by Surety Company)

STATE OF NY)

ss.: Westchester)
COUNTY OF _____)

On this 25th day of March, 2024, before me personally came Vladimir P. Blaise, known to me, who being by me duly sworn, did depose and say that he resides in New Rochelle, NY 10804

that he is the Attorney in Fact of the United Casualty and Surety Insurance Company, the corporation described in and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said corporation, and that he signed his name thereto by like order; and that the liabilities of said company do not exceed its assets as ascertained in the manner provided by the laws of the State of New York, and the said Novica J Prekpala further said that he is acquainted with United Casualty and Surety Insurance Company and knows him to be the Attorney in Fact of said company; that the signature of the said Novica J Prekpala subscribed to the within instrument is in the genuine handwriting of the said Novica J Prekpala and was subscribed thereto by like order of the Board of Directors, and in the presence of him, the said

Zachary Prekpala
Notary Public

ZACHARY PREKPALAJ
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PR0017892
Qualified in Putnam County
Commission Expires December 05, 2027

NO TEXT ON THIS PAGE

POWER OF ATTORNEY

ATTENTION: Insert the "Power of Attorney" after this page in with your bid submission.



POWER OF ATTORNEY

Agency No: 171335

KNOW ALL MEN BY THESE PRESENTS: That United Casualty and Surety Insurance Company, a corporation of the State of Nebraska, and US Casualty and Surety Insurance Company and United Surety Insurance Company, assumed names of United Casualty and Surety Insurance Company (collectively, the Companies), do by these presents make, constitute and appoint:

Novica J. Prekpala

its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed Three Million & 00/100 Dollars (\$3,000,000.00). This Power of Attorney shall expire without further action on December 31st, 2024.

This Power of Attorney is granted under and by authority of the following resolutions adopted by the Board of Directors of the Companies at a meeting duly called and held on the 1st day of July, 1993:

Resolved that the President, Treasurer, or Secretary be and they are hereby authorized and empowered to appoint Attorneys-in-Fact of the Company, in its name and as its acts to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected Officers of the Company in their own proper persons.

That the signature of any officer authorized by Resolutions of this Board and the Company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereunto affixed, this 24th Day of January, 2024

UNITED CASUALTY AND SURETY INSURANCE COMPANY
 US Casualty and Surety Insurance Company
 United Surety Insurance Company

Michael T. Porsch
 Michael T. Porsch, Treasurer



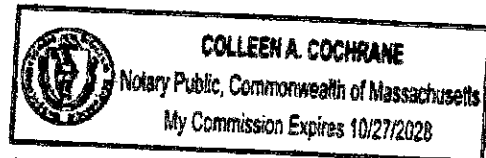
Corporate Seals

Commonwealth of Massachusetts
 County of Middlesex ss:

On this 24th Day of January, 2024, before me, Colleen A. Cochrane, a notary public, personally appeared, Michael T. Porsch, Treasurer of United Casualty and Surety Insurance Company, US Casualty and Surety Insurance Company and United Surety Insurance Company, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the Commonwealth of Massachusetts that the foregoing paragraph is true and correct.
 WITNESS my hand and seal.

Colleen A. Cochrane (Seal)
 Notary Public Commission Expires: 10/27/2028



I, Robert F. Thomas, President of United Casualty and Surety Insurance Company, US Casualty and Surety Insurance Company and United Surety Insurance Company do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Newton, Massachusetts this 25th day of March, 2024

Corporate Seals



Robert F. Thomas
 Robert F. Thomas, President

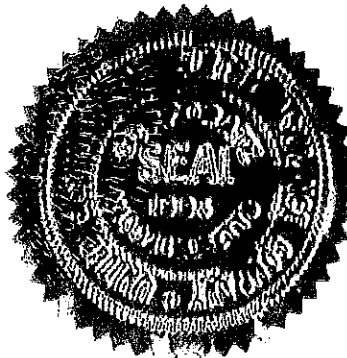
United Casualty and Surety Insurance Company
 Newton, Massachusetts
 Statement of Assets, Liabilities, and Surplus
 Year Ended December 31

| | Year Ended | |
|---|----------------------|----------------------|
| | <u>2022</u> | <u>2021</u> |
| <u>Admitted Assets</u> | | |
| Cash and Short Term Investments | \$ 31,465,020 | \$ 20,377,739 |
| Stocks | 8,768,938 | 17,168,177 |
| Bonds | 7,551,512 | 956,164 |
| Uncollected Premiums & Agents' Balances | 1,435,198 | 1,203,732 |
| Other Assets | <u>1,545,047</u> | <u>257,589</u> |
| <i>Total Net Admitted Assets</i> | <i>\$ 50,765,715</i> | <i>\$ 39,963,401</i> |
| <u>Liabilities</u> | | |
| Funds Held as Collateral | \$ 21,026,579 | \$ 9,185,872 |
| Unearned Premium | 6,512,401 | 4,579,947 |
| Losses | 1,469,311 | 1,070,642 |
| Other Expenses | 415,552 | 318,732 |
| Taxes, Licenses, and Fees | 180,394 | 121,675 |
| Loss Adjustment Expenses | 221,268 | 310,884 |
| Payable to Parent or Affiliates | 1,277,138 | 370,027 |
| Ceded Reinsurance Payable | 173,769 | 103,004 |
| Other Liabilities | <u>318</u> | <u>47,507</u> |
| <i>Total Liabilities</i> | <i>\$ 31,276,730</i> | <i>\$ 16,108,290</i> |
| <u>Capital and Surplus</u> | | |
| Paid In Surplus | \$ 16,615,161 | \$ 16,615,161 |
| Unassigned Surplus | 378,079 | 4,744,205 |
| Common Stock | 2,600,000 | 2,600,000 |
| Less Treasury Stock | <u>104,255</u> | <u>104,255</u> |
| <i>Total Capital and Surplus</i> | <i>\$ 19,488,985</i> | <i>\$ 23,855,111</i> |

I, Michael Porsch, Treasurer and Secretary of United Casualty and Surety Insurance Company, hereby certify that the above is an exact copy of the financial statement of the Company dated December 31, 2022, and is a true and correct statement of the condition of United Casualty and Surety Insurance Company as of that date.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the Company this 6th day of March 2023.

By Michael Porsch
 Michael Porsch, Treasurer and Secretary



PROPOSAL

GENERAL CONSTRUCTION

COUNTY OF NASSAU
STATE OF NEW YORK

PROPOSAL

FOR

**North Woodmere Park Remedial Pool Repairs
Contract No.: S41858-02G**

TO THE COUNTY OF NASSAU:

Pursuant to and in compliance with your Notice to Bidders and the Instructions to Bidders relating thereto, the undersigned hereby proposes to furnish all plant, labor, materials, supplies, equipment and other facilities necessary or proper for or incidental to the above Contract, as required by and in strict accordance with the Plans and Specifications for the amount named in the Proposal hereinafter described.

In making this Proposal the Bidder hereby declares that all provisions of the Addenda which have been issued by the County of Nassau have been complied with in preparing his Bids.

Name of Bidder: Seaboard Ave Corp
(Individual, Firm or Corporation, as case may be)

Bidder's Address: 25 Brooklyn Ave, Massapequa, NY 11758

Telephone: 516-785-6581

Date: 4-1-24

Fax Tel.: 516-785-5160

E-MAIL: mscott@seacphumb.com

NO TEXT ON THIS PAGE

NOTE: IF BIDDER IS A FIRM, FILL IN THE FOLLOWING BLANKS:

| Name of Partners | Residence of Partners |
|----------------------|--|
| <u>Michael Scott</u> | <u>226 Bayview Ave Massapequa, NY 11758</u> |
| <u>George Laksch</u> | <u>6 Memas Ct Huntington Station, NY 11746</u> |

NOTE: IF BIDDER IS A CORPORATION, FILL IN THE FOLLOWING BLANKS:

Organized under the laws of the State of: New York

Name of President: Michael Scott

President's Domicile: 226 Bayview Ave Massapequa, NY 11758

Name of Vice President: George Laksch

Vice President's Domicile: 6 Memas Ct Huntington Station NY 11746

Corporate Officer: _____ Title: _____

Corporate Officer's Domicile: _____

Corporate Officer: _____ Title: _____

Corporate Officer's Domicile: _____

NO TEXT ON THIS PAGE

PROPOSAL

GENERAL CONSTRUCTION

THE BIDDER AFFIRMS AND DECLARES:

1. That the above Bidder is of lawful age and the only one interested in this bid; and that no other person, firm or corporation, except those herein named, has any interest in this bid or in the Contract proposed to be entered into.
2. That this bid is made without any understanding, agreement or in connection with any other person, firm or corporation, making a bid for the same Work, and is in all respects fair and without collusion or fraud.
3. That said Bidder is not in arrears to the County of Nassau upon debt or contract, and is not a defaulter, as surety or otherwise, upon any obligation to the County of Nassau.
4. That no officer nor employee of the County of Nassau, or person whose salary is payable in whole or in part from the County Treasury is, shall be, or become interested directly, or indirectly as a contracting party, partner, stockholder, surety or otherwise, in this bid, or in the performance of the contract, or in the supplies, materials, equipment and work or labor to which it relates, or in any portion of the profits thereof.
5. That he has carefully examined the site of the work and that, from his own investigations, has satisfied himself as to the nature and location of the work, the character, quality and quantity of existing materials, all difficulties likely to be encountered, the kind and extent of equipment, other facilities needed for the performance of the work, the general and local conditions, and all other items which may, in any way, affect the work or its performance.
6. The Bidder also declares that he has carefully examined and fully understands all the component parts of this Contract; that he will execute the Contract and will completely perform it in strict accordance with its terms for the following prices.
7. That the Bidder, for allowance items, will make payment to the parties designated by the County when directed by the County in the amount certified by the Engineer for the purposes indicated. It is also understood and agreed that the Final Contract Payment for allowance items will be based upon such actual payments, and not on the approximate amount cited herein.
8. Where the work performed under this Contract involves a trade or occupation licensed in the County of Nassau by the Towns of Hempstead, Oyster Bay, or North Hempstead or by the Cities of Glen Cove or Long Beach, the contractor shall be required to have such a license.

NO TEXT ON THIS PAGE

BID FORM

**North Woodmere Park Remedial Pool Repairs
CONTRACT NO. S41858-02G**

NAME OF BIDDER: Seaford Avenue Corp

TO BE COMPLETED BY BIDDER SUBMITTING BID ON
NORTH WOODMERE PARK REMEDIAL POOL REPAIRS
CONTRACT NO. S41858-02G

| ITEM NO. | TYPE | DESCRIPTION | Quantity | UOM | UNIT BID PRICE | | TOTAL AMOUNT | |
|---------------|------------|---|----------|-----|----------------|-------|--------------|-------|
| | | | | | Dollars | Cents | Dollars | Cents |
| 1S | Unit Price | Job Information Sign | 1 | EA | \$ 525 | .00 | \$ 525 | .00 |
| 1M/F | Unit Price | Mobilization with Field Office | 1 | LS | \$ 4,200 | .00 | \$ 4,200 | .00 |
| 2 | Unit Price | Unclassified Excavation | 200 | CY | \$ 315 | .00 | \$ 63,000 | .00 |
| 4B | Unit Price | Cement Concrete Breaking (Structure) | 175 | CY | \$ 420 | .00 | \$ 73,500 | .00 |
| 5D | Unit Price | Selected Granular Fill | 100 | CY | \$ 220 | .50 | \$ 22,050 | .00 |
| 10A-1 | Unit Price | Excavation Protection System | 4,300 | SF | \$ 6 | .35 | \$ 27,305 | .00 |
| 12H | Unit Price | Cleaning Existing Drainage System | 2,100 | LF | \$ 12 | .00 | \$ 25,200 | .00 |
| 12S80-1.5 Mod | Unit Price | Schedule 80 PolyvinylChloride (PVC) Drain Pipe – 1.5" Diameter – Modified | 50 | LF | \$ 90 | .30 | \$ 4,515 | .00 |
| 12S80-2 Mod | Unit Price | Schedule 80 PolyvinylChloride (PVC) Drain Pipe – 2" Diameter – Modified | 250 | LF | \$ 75 | .18 | \$ 18,795 | .00 |
| 12S80-3 | Unit Price | Schedule 80 PolyvinylChloride (PVC) Drain Pipe – 3" Diameter – Modified | 122 | LF | \$ 43 | .10 | \$ 5,258 | .20 |
| 12S80-4 Mod | Unit Price | Schedule 80 PolyvinylChloride (PVC) Drain Pipe – 4" Diameter – Modified | 50 | LF | \$ 163 | .80 | \$ 8,190 | .00 |
| 12S80-6 Mod | Unit Price | Schedule 80 PolyvinylChloride (PVC) Drain Pipe – 6" Diameter – Modified | 250 | LF | \$ 67 | .20 | \$ 16,800 | .00 |
| 12S80-8 Mod | Unit Price | Schedule 80 PolyvinylChloride (PVC) Drain Pipe – 8" Diameter – Modified | 130 | LF | \$ 128 | .50 | \$ 16,705 | .00 |
| 12S80-10 Mod | Unit Price | Schedule 80 PolyvinylChloride (PVC) Drain Pipe – 10" Diameter – Modified | 20 | LF | \$ 475 | .50 | \$ 9,510 | .00 |
| 17A | Unit Price | Class A Concrete for Structures | 200 | CY | \$ 2050 | .65 | \$ 410,130 | .00 |
| 33 | Unit Price | Bar Reinforcement | 20,700 | LBS | \$ 8 | .63 | \$ 178,641 | .00 |
| 34MOD | Unit Price | Miscellaneous Metals | 4000 | LBS | \$ 8 | .40 | \$ 33,600 | .00 |
| 58RPC | Unit Price | Saw Cutting Existing Roadway Pavement & Concrete | 1,000 | LF | \$ 31 | .50 | \$ 31,500 | .00 |

NO TEXT ON THIS PAGE

| | | | | | | | | |
|---|------------|---|--------|-----|-----------|-------|--------------|------|
| 81 | Unit Price | Structural Steel | 6300 | LBS | \$ 7 | .67 | \$ 48,321 | .00 |
| 141B | Unit Price | Silt Protection for Surface Inlet Drainage Structures | 23 | EA | \$ 1,260 | .00 | \$ 28,980 | .00 |
| 142A | Unit Price | Structural Steel Painting, Paint System A | 1 | LS | \$ 5,250 | .00 | \$ 5,250 | .00 |
| 143 | Unit Price | Epoxy Injection of Structures | 500 | LF | \$ 18 | .90 | \$ 9,450 | .00 |
| 701 | Unit Price | Surge Trench Pipe Removal and Resetting | 850 | LF | \$ 617 | .65 | \$ 525,002 | .50 |
| 702 | Unit Price | Concrete Patch Repairs | 1,300 | SF | \$ 96 | .93 | \$ 126,009 | .00 |
| 703 | Unit Price | Pool Floor and Trench Lining | 29,950 | SF | \$ 18 | .10 | \$ 542,095 | .00 |
| 704 | Unit Price | Pool Joint Reconstruction | 740 | LF | \$ 34 | .10 | \$ 25,234 | .00 |
| 705 | Unit Price | Main Drain Valve Repairs | 13 | EA | \$ 1,056 | .00 | \$ 13,728 | .00 |
| 706 | Unit Price | Low Density Cellular Concrete Fill | 300 | CY | \$ 1,260 | .00 | \$ 378,000 | .00 |
| 707 | Unit Price | 5'-Wide GPM "T"-Bar Grating | 132.5 | LF | \$ 129 | .85 | \$ 17,205 | .13 |
| 708 | Unit Price | 2'-Wide GPM "T"-Bar Grating | 620 | LF | \$ 129 | .85 | \$ 80,507 | .00 |
| 709 | Unit Price | 2" x 4" x 8' Pressure Treated Southern Pine Lumber | 450 | EA | \$ 24 | .04 | \$ 10,818 | .00 |
| 710 | Unit Price | 4" x 4" x 8' Pressure Treated Southern Pine Lumber | 70 | EA | \$ 115 | .22 | \$ 8,065 | .40 |
| 711 | Unit Price | Bilco Type J-AL Sidewalk Door | 3 | EA | \$ 4,200 | .00 | \$ 12,600 | .00 |
| 712 | Allowance | Repair Allowances for Utilities | 1 | LS | \$50,000 | 00 | \$50,000 | 00 |
| 713 | Unit Price | CCTV Inspection | 1 | LS | \$ 11,850 | .00 | \$ 11,850 | .00 |
| 714 | Unit Price | Marine Adhesive | 400 | LF | \$ 10 | .13 | \$ 4,052 | .00 |
| 715 | Unit Price | Tile | 350 | SF | \$ 90 | .00 | \$ 31,500 | .00 |
| 716 | Unit Price | Pavement Markings, Painting | 24 | EA | \$ 525 | .00 | \$ 12,600 | .00 |
| 717 | Unit Price | Swimming Pool Paint | 2500 | LF | \$ 10 | .08 | \$ 25,200 | .00 |
| TOTAL BID PRICE OF ALL ITEMS Written IN NUMBERS | | | | | \$ 85,534 | 11.13 | \$ 2,915,890 | 1.23 |

TOTAL BASE BID PRICE (ALL ITEMS) WRITTEN IN WORDS:

TWO MILLION NINE HUNDRED FIFTEEN
THOUSAND EIGHT HUNDRED NINETY ONE
DOLLARS AND TWENTY THREE CENTS

NOTE TO BIDDER: Include a separately sealed envelope containing a list of all subcontractors the bidder will use to perform (a) plumbing and gas fitting, (b) heating, ventilating and air conditioning, and (c) electric wiring and standard illuminating fixtures; and the respective agreed-upon amount to be paid to each subcontractor. Write on the outside of the envelope the bidder's name, the contract number, and the words "List of Subcontractors".

NO TEXT ON THIS PAGE

PLUMBERS LOCAL UNION No. 200

OF THE

UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE
PLUMBING AND PIPE FITTING INDUSTRY OF THE UNITED STATES AND CANADA

RICHARD P. BROOKS
Business Manager
Fin. Sec./Treasurer

MARIO MATTERA
Business Agent

JOE SQUICCIARINI
Business Agent

2123 5TH AVENUE, RONKONKOMA, N.Y. 11779
(631) 981-2158

Email: rpbrooks@plu200union.us

ED TEDLA
Organizer

JAY MARELLI
President

PAUL MASON
Vice President

EDWARD YOUNG
Rec. Secretary

March 28th, 2024

Nassau County

Project: North Woodmere Park Remedial Pool Repairs

Contract # S41858-02G

Please be advised that Plumbers Local Union # 200 has Apprenticeship Training Program, (Sponsor Code 00337, ATP Code 13180) that is approved by the New York State Department of Labor and the Federal Department of Labor.

Seaford Avenue Corp., is signatory to an agreement with Plumbers Local Union # 200 and contributes, subscribes, and actively participates in apprenticeship training program and is a contractor in good standing.

Being signatory to our agreements, Seaford Avenue Corp., may, at their discretion, employ apprentices that are indentured in our program.

If you have any questions about our program or Seaford Avenue Corp., please contact me at the Union office.

Sincerely,

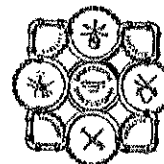


Richard P. Brooks
Business Manager
Financial Secty/Treasurer

RPB/ds



The Plumber Protects the Health of the Nation



PROPOSAL

INFORMATION FOR BIDDERS

I. Rejection of Bids.

A. The Commissioner may recommend a reject of bid if:

1. The Bidder fails to furnish any of the information required by the bid documents; or if
2. The bidder misstates or conceals any material fact in the bid, or in the sworn written statement; or if
3. The bid does not strictly conform to law or the requirements of this contract; or if
4. The bid is conditional; or if
5. A determination that the bidder is not responsible is made in accordance with law; or if
6. The bid, in the opinion of the Commissioner, contains unbalanced bid prices, unless the bidder can show that the prices are not unbalanced for the probably required quantity of such items.

B. Rejection of all bids and waiver of informalities.

The Commissioner, however, reserves the right to recommend to reject all bids whenever he deems it in the best interest of the County, and also the right to waive any informalities in a bid.

II. Unit Price Contracts, Comparison of Bids.

Bids on Unit Price Contracts will be compared on the basis of a total bid price, arrived at by taking the sum of the Approximate Quantities of such item multiplied by the corresponding Unit Price, and including any Lump Sum Bid on individual items, in accordance with the items set forth in the bid proposal.

Bidders are warned that the Approximate Quantities of the various items of work and material is estimated only, and is given solely to be used as a uniform basis for the comparison of bids. The quantities actually required to complete the contract work may be more or less than estimated.

III. Lump Sum Contracts, Comparison of Bids.

Bids on lump Sum Contracts will be compared on the basis of the Lump Sum Price bid adjusted for alternate prices bid, if, any.

IV. Apprenticeship Training Program

For all contracts in excess of \$500,000 attach here verification letter regarding your firm's having an approved State of New York Apprenticeship Training Program.

PROPOSAL

DETERMINATION OF LOW BID. Determination of low Bid will be made by comparing the total Bid which shall include the lump sum Base Bid price, unit price totals and allowances, plus the Add Alternate(s), minus the Deduct Alternate(s) where applicable, taken in order, or none of them, whichever amount(s) shall be judged by the Commissioner of Public Works to be in the best interest of the County.

SEAFORD AVENUE CORP.

EQUIPMENT RATES

| CATEGORY | ITEM | DISPOSABLES | DAILY RATE |
|-------------------------------------|----------------------|-------------|-------------------|
| DEMOLITION | | | |
| | 90LB AIR HAMMER | | \$ 87.50 |
| | 70LB ELECTRIC HAMMER | | \$ 100.00 |
| | 50LB ELECTRIC HAMMER | | \$ 75.00 |
| | CHISEL POINT | \$22.50 | |
| | FLAT POINT | \$22.50 | |
| | SPADE POINT | \$22.50 | |
| | GAS DEMO SAW | | \$ 106.25 |
| | ELECTRIC DEMO SAW | | \$ 81.25 |
| | METAL BLADE | \$25.00 | |
| | CEMENT BLADE | \$195.00 | |
| | WOOD BLADE | \$25.00 | |
| | WALK BEHIND SAW | | \$ 250.00 |
| | CONCRETE BLADE | | \$ 406.25 |
| | ASPHALT BLADE | | \$ 406.25 |
| | OXY/ACT TORCH RIG | | \$ 156.25 |
| | GAS REFILL | \$81.25 | |
| | GAS POWER BROOM | | \$ 106.25 |
| | | | |
| WHEELED EQUIP & VEHICLES | | | |
| | LG. PICK UP TRUCK | | \$ 175.00 |
| | SM. PICK UP TRUCK | | \$ 175.00 |
| | VAN | | \$ 175.00 |
| | BOX TRUCK | | \$ 187.50 |
| | UTILITY TRAILER | | \$ 125.00 |
| | EQUIPMENT TRAILER | | \$ 156.25 |
| | BOBCAT | | \$ 318.75 |
| | CAT 304 CR EXCAVATOR | | \$ 625.00 |
| | MAN LIFT | | \$ 375.00 |
| | FORK LIFT | | \$ 287.50 |
| | EXTENSION LADDER | | \$ 62.50 |
| | DUMP TRUCK | | \$ 526.25 |
| | NUMATIC COMPRESSOR | | \$ 137.50 Per Day |
| SMALL MISC EQUIPMENT | | | |
| | 800 KW GENERATOR | | \$ 500.00 |
| | 500 KW GENERATOR | | \$ 375.00 |
| | ROUSTABOUT CRANE | | \$ 125.00 |
| | PAINT SPRAYER | | \$ 143.75 |
| | DUCT LIFT | | \$ 125.00 |
| | CORE DRILL RIG | | \$ 150.00 |
| | BIT CHARGE | | \$ 93.75 |
| | HAMMER DRILL | | \$ 81.25 |
| | PLATE TAMPER | | \$ 87.50 |
| | JUMPING JACK TAMPER | | \$ 68.78 |
| | POWER WASHER | | \$ 81.25 |

SEAFORD AVENUE CORP.

EQUIPMENT RATES

| | | | | |
|----------------------------|------------------------|--|-----------|-----------------------------|
| | GAS TRASH PUMP | | \$ 175.00 | |
| | ELECTRIC SUMP PUMP | | \$ 62.50 | |
| | MANHOLE VENTILATOR | | \$ 325.00 | |
| | ATMOSPHERE TEST | | \$ 125.00 | |
| | PROPANE SPACE HEATER | | \$ 37.50 | |
| | KEROSENE SPACE HEATER | | \$ 62.50 | |
| | 100 FT TEMP. FENCING | | \$ 125.00 | PER DAY |
| | CONFINED SPACE EQUIP. | | \$ 187.50 | |
| | SHOP VAC | | \$ 62.50 | PER DAY |
| SEWER AND DRAIN | | | | |
| | SPARTAN ELEC. SNAKE | | \$ 156.25 | *2 HRS. \$65 EACH HR AFTER |
| | ADDITIONAL DRUMS | | \$ 93.75 | |
| | VIDEO INSPECT. CAMERA | | \$ 562.50 | *2 HRS. \$200 EACH HR AFTER |
| | LOCATING DEVICE | | \$ 187.50 | *2 HRS. \$85 EACH HR AFTER |
| | K40 SNAKE/K30 | | \$ 93.75 | |
| | SPARTAN JETTING MACH. | | \$ 812.50 | *200 PER EACH HOUR AFTER |
| | THAWING MACHINE | | \$ 187.50 | |
| PIPING/ FABRICATING | | | | |
| | SODDER | | \$ 50.00 | |
| | ACT TORCH & TANK | | \$ 93.75 | |
| | POLY PIPE FUSION | | \$ 287.50 | |
| | COPPER CRIMPING TOOL | | \$ 250.00 | |
| | RIGID 300 PIPE MACHINE | | \$ 375.00 | |
| | RIGID 700 PIPE MACHINE | | \$ 187.50 | |
| | RIGID FLOOR CUTTER | | \$ 375.00 | |
| | RIGID DONKEY THREADED | | \$ 375.00 | |
| | ROLL GROOVER | | \$ 375.00 | |
| | INPLACE GROOVER | | \$ 375.00 | |
| | ELECTRIC WELD MACHINE | | \$ 218.75 | |
| | GAS WELDING MACHINE | | \$ 218.75 | |
| | SF2500 PIPE FREEZE | | \$ 750.00 | |
| | PRIVATE MARK-OUT | | \$ 625.00 | *1/2 DAY |
| | PROPRESS TOOL | | \$ 137.50 | |
| RIGGING EQUIPMENT | | | | |
| | ALUMINUM GANTRIES | | \$ 625.00 | |
| | TRENCH BOX | | \$ 168.75 | |

NO TEXT ON THIS PAGE

PROPOSAL

GENERAL CONSTRUCTION

PROPOSAL: For all work in accordance with the drawings and specifications:

Sea-Cord Ave. Corp
(Individual, Firm or Corporation, as case may be)

Individual's Social Security Number: _____

Firm or Corporation's Federal ID Number: 02-0649257

Firm or Corporation's Municipal License ID Number: see attached

Municipal Licensing Agency: see attached

By: MS Date: 4-1-24

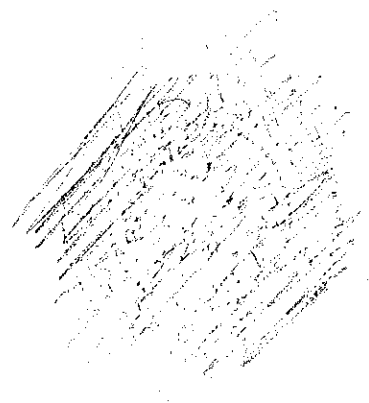
(Print): Michael Scott Title: President

WHERE BIDDER IS A CORPORATION, ADD

ATTEST:

MS
Secretary

(CORPORATE)
(SEAL)



MIKE'S LICENSES

| MUNICIPALITY | | EXPIRATION DATE | CONTACT |
|--|---|-----------------------|-------------------------------------|
| Babylon Town | 1749 | 6/30/2024 | Barbara - 631-957-4291 |
| Village of East Hills | 15373 | 12/31/2024 | |
| Freeport Village | A-854 (Reciprocal of TOB) | 4/30/2024 | Melinda - 516-377-2250 |
| State of Florida (need updated Lic put in binder) | CFC1430310 | 8/31/2024 | DBPR - (850) 487-1395 |
| City of Glen Cove | 9931 (Reciprocal of TOB) | 12/31/2024 | Rosa - 516-670-1408 |
| Garden City Village | NO LICENSE NEEDED-JUST PLUMBING PERMIT | | |
| Great Neck Village | 648 | 12/31/2024 | Sheila - 516-482-0187 |
| Hempstead town (3 years) | 2633 | 12/31/2025 | Jane - 516-812-3081 |
| Hempstead village | 1482 (Tri-Town License of TOB) | 12/15/2024 | Kelly - 516-489-3400 x230 |
| Huntington Town | M001039 In Person | 1/5/2024 | Cindy - 631-351-3144 |
| Islip Town | 1161 | 7/31/2025 | Debbie - 631-224-5464 |
| Long Beach Village | 2657 | 12/31/2024 | Rose - 516-431-0600 |
| Lawrence Village | 2016289 | ON HOLD Exp. 12/31/16 | Tom - 239-4600 |
| Lindenhurst Village | 793R | 12/31/2026 | 631-957-7500 |
| Long Beach City | 1494 | 5/31/2024 | 516-431-1002 |
| Lynbrook Village | 1883 | 12/31/2024 | Lynn/Ellen - 599-8828 |
| Malverne Village | 9799 | 12/31/2023 | Florence - 516-599-1200 |
| Massapequa Park Village | 334 | 12/31/2024 | Janet/Christine - 516-798-0244 |
| Mineola Village | 15477 | 12/31/2024 | Donna 516-746-0750 |
| Nassau County Certificate of Fitness (Mike) | Type GS EL 7108274 | 4/30/2024 | Fire Marshall Schurr - 516-573-9954 |
| Nassau County Certificate of Fitness (George) | Type GS EL | 4/30/2024 | Fire Marshall Schurr - 516-573-9954 |
| New Hyde Park Village | 2022-050 | 1/31/2024 | Pat Anderson - 516-3254-0022 x18 |
| New York City | 2285 In person | 9/8/2026 | 212-393-2145 x2259/x2717 |
| New York State Backflow Prevention | 10442 | 4/30/2026 | |
| North Hempstead Village | PRA10-125932 | 12/31/2026 | Kristin - 516-869-7806 |
| Oyster Bay Town | B1482TOB | 12/31/2024 | Kathy - 516-624-6217 x6200 |
| Rockville Center Village | 80 | 12/31/2023 | Dayna - 516-678-9248. In person * |
| Roslyn Village | P60 | ON HOLD Exp. 12/31/15 | Gay/Regina - 516-621-1961 |
| Sea Cliff Village | 4164 | ON HOLD Exp. 12/31/14 | Patricia Guy - 516-671-0080 |
| S. Hampton - Town | RP21023 | 10/31/2024 | |
| Suffolk County Backflow Tester ID | BF-53391 | 9/1/2025 | Matt, Alex, Larry, Tom Barry |
| Suffolk County Liquid Waste | LW-56997 | 5/1/2025 | *needs to take 12 credit courses* |
| Suffolk County Master Plumber | MP-49205 | 9/1/2025 | Kathy - 631-853-4604 |
| Valley Stream Village | Reciprocal License (use TOB #) | 12/31/2024 | Nick - 516-825-4200 |
| Westbury Village | 698 | 12/31/2025 | Roberta - 516-334-1700 |
| Weschester County | 1320 | 12/31/2024 | John 914-995-2657 |
| Williston Park | NO LICENSE NEEDED | | |



Plumber's License
Town of Oyster Bay
Department of Planning and Development
Town Hall
Oyster Bay, New York 11771

License No. **81482TOB**
Date Expires **12/31/2024**
Date Issued **12/17/2021**

IS A DULY LICENSED PLUMBER AND IS AUTHORIZED TO DO PLUMBING WORK IN THE TOWN OF OYSTER BAY.

Name **SCOTT, MICHAEL** Fee Paid \$ **150.00**
Address **226 BAYVIEW AVE MASSAPEQUA, NY 11758**

TOBOPD -- Plumber's License -- Plumber's Copy

Commissioner
Department of Planning and Development



Village of Great Neck


767 Middle Neck Road, Great Neck, NY 11024
516-482-0019 - 516-485-0235 - Fax 516-504-7595

Seaford Avenue Corp
25 Brooklyn Avenue
Massapequa, NY 11758
Attn: Michael Scott

December 7, 2023

Plumber: Michael Scott
License Number: 648
Expiration Date: 12/31/2024

The person, firm, or corporation named below is granted this license pursuant to the provisions of the local License Ordinance to engage in, carry on, or conduct the business, trade, call, profession, exhibition or occupation described below. Issuance of this license is not an endorsement, nor certification of compliance with other ordinances or laws. This license may be revoked at any time by the Mayor or Board of Trustees for violations of Federal, State, or Municipal laws. Notify this office at once of any change in location, name or ownership, which would render this license invalid.



Michael Sweeney - Building Department



Inc. Village of Massapequa Park
 151 Front Street, Massapequa Park, NY 11762 516-790-0211 Ext. 121

Plumbers License 2024

**MICHAEL SCOTT
 SEAFORD AVENUE CORPORATION
 25 BROOKLYN AVENUE
 MASSAPEQUA, NY 11758
 LICENSE NO. 334**



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[Faint, illegible text, likely a date or reference number.]

[Faint, illegible text, likely a name or address.]

[Faint, illegible text, likely a title or position.]

[Faint, illegible text, likely a statement or declaration.]

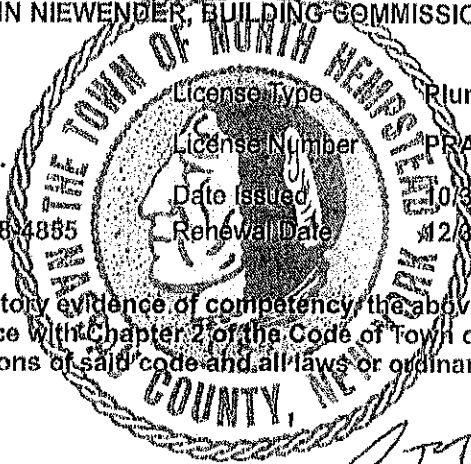
- [Faint, illegible list item 1]*
- [Faint, illegible list item 2]*
- [Faint, illegible list item 3]*
- [Faint, illegible list item 4]*
- [Faint, illegible list item 5]*

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DEPARTMENT OF BUILDINGS
 SAFETY INSPECTION AND ENFORCEMENT
 TOWN OF NORTH HEMPSTEAD, MANHASSET, NY
 JOHN NIEWENDER, BUILDING COMMISSIONER

Michael Scott
 Seaford Avenue Corp.
 25 Brooklyn Ave
 Massapequa NY 11758-4855



License Type: Plumber Reciprocal
 License Number: PRA10-125932
 Date Issued: 10/31/2023
 Renewal Date: 12/31/2026

Having given satisfactory evidence of competency, the above licensee is hereby licensed in accordance with Chapter 2 of the Code of Town of North Hempstead, subject to the provisions of said code and all laws or ordinances applicable thereto.


[Signature]
 Member, Examining Board of Plumbers

Number of Vehicles Registering: 02

23 24 25 26 27 28 29

EXPIRES DEC. 31, 20

VEHICLE STICKER ID 7308




TOWN OF NORTH HEMPSTEAD
 LICENSED PLUMBER

23 24 25 26 27 28 29

EXPIRES DEC. 31, 20

VEHICLE STICKER ID 7307



TOWN OF NORTH HEMPSTEAD
 LICENSED PLUMBER

This is to certify that

TRI-TOWN

MICHAEL R. SCOTT

is a duly Registered Plumber in the
TOWN OF HEMPSTAD

for the year ending 12-31-2025

Lic. No.

2633

Signature of Holder
Examining Board of Plumbing
Assistant

BD-5

Frederick J. [Signature]

Acting Commissioner

[Signature]

TOWN OF HEMPSTEAD
DEPARTMENT OF
BUILDINGS

One Washington Street, Hempstead, NY 11550
Office: 516.489.3000 Fax: 516.483.1573

FREDERICK A. JAWITZ
ACTING COMMISSIONER

DANIEL LEO
DEPUTY COMMISSIONER

Master Plumber's License

Renewal No.

License No. 2633

Account No. 3186

Date of Issue 10/18/2022

TRI-TOWN

SCOTT, MICHAEL R.
SEAFORD AVENUE CORP.
21 BROOKLYN AVENUE
MASSAPEQUA, NY 11758

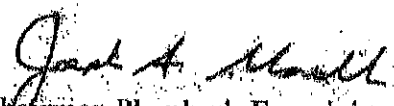
TRI-TOWN

Renewal License Expiration Date 12/31/2025

Fee Paid \$150.00

Having given satisfactory evidence of competency, is hereby licensed as a Master Plumber in accordance with the Plumbing Code of the Town of Hempstead subject to the said provisions of said Plumbing Code and Laws and Ordinances applicable thereto.


ACTING Commissioner of Buildings


Chairman Plumber's Examining Board

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PROPOSAL

GENERAL CONSTRUCTION

Note: The Bids shall be sworn to by the person signing them, in one of the following forms:

(Form of Affidavit where Bidder is an Individual)

STATE OF NEW YORK)

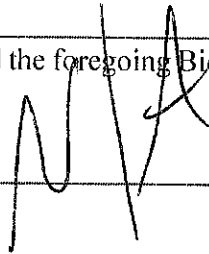
) ss.:

COUNTY OF NASSAU)

_____ Being duly sworn, deposes and says: That he is the person described in and who executed the foregoing Bid and that the several matters therein stated are in all respects true.

Subscribed and sworn to before me

This _____ day of _____ 20_____.



Notary Public

(Form of Affidavit where Bidder is a Firm)

STATE OF NEW YORK)

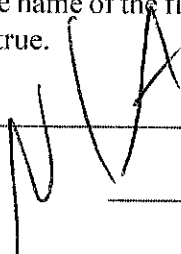
) ss.:

COUNTY OF NASSAU)

_____ Being duly sworn, deposes and says: That he is a member of _____, the firm described in and which executed the foregoing Bid; that he duly subscribed the name of the firm thereunto on behalf of the firm; and that the several matters therein stated are in all respects true.

Subscribed and sworn to before me

This _____ day of _____ 20_____.



Notary Public

NO TEXT ON THIS PAGE

PROPOSAL

GENERAL CONSTRUCTION

(Form of Affidavit where Bidder is a Corporation)

STATE OF NEW YORK)

) ss.:

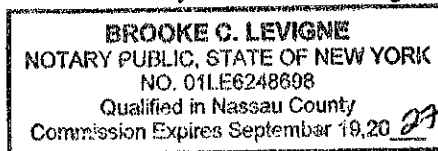
COUNTY OF NASSAU)

Michael Scott Being duly sworn, deposes and says: That
he resides at 226 Bayview Ave Massapequa, NY, that he is the President
of the corporation described in and which executed the foregoing instrument; that he
knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal and was
affixed by order of the Board of Directors of said corporation; that he affixed his name thereto by like order; and
that he has knowledge of the several matters therein stated and they are in all respects true.

Subscribed and sworn to before me

This 15th day of April, 2024.

Brooke C. Levigne
Notary Public



NO TEXT ON THIS PAGE

IRAN DIVESTMENT ACT -- CERTIFICATION

Pursuant to New York State Finance Law §165-a, Iran Divestment Act of 2012, the Office of General Services is required to post on its web site <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> a list of persons who have been determined to engage in investment activities in Iran ("the List"), as defined in that Act. Under Public Authorities Law § 2879-c, Iranian Energy Sector Divestment, the Authority, may not enter into or award a Contract unless it obtains a certification from a Bidder, who shall check the box and make the certification in Subparagraph a, below, that they are not on the List. If that certification cannot be made, the Authority may consider entering into a Contract, on a case by case basis if the Bidder checks the box and makes the certification in Subparagraph b, below, that their Iran investment is ceasing.

For purposes of this provision, a person engages in investment activities in Iran if: (A) the person provides goods or services of twenty million dollars or more in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or (B) the person is a financial institution that extends twenty million dollars or more in credit to another person, for forty-five days or more, if that person will use the credit to provide goods or services in the energy sector in Iran.

The Certification is as follows:

MS

CERTIFICATION THAT THE BIDDER IS NOT ON THE LIST

Each person, where person means natural person, corporation, company, limited liability company, business association, partnership society, trust, or any other nongovernmental entity, organization, or group, and each person signing on behalf of any other party, certifies, and in the case of a joint bid or proposal or partnership each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each person is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law, or,

MS

CERTIFICATION THAT THE BIDDER'S INVESTMENT IN IRAN IS CEASING

The person cannot make the certification in Subparagraph a, above, but asks the Authority to consider them for award of the Contract by certifying, under penalty of perjury, that the person's investment activities in Iran were made before April 12, 2012; the person's investment activities in Iran have not been expanded or renewed after April 12, 2012; and the person has adopted, publicized and is implementing a formal plan to cease its investment activities in Iran and to refrain from engaging in any new investments in Iran.

MS 4-1-24
Signature/Date

Michael Scott, President
Print Name and Position

NO TEXT ON THIS PAGE

MACBRIDE FAIR EMPLOYMENT PRINCIPLES

**NONDISCRIMINATION IN EMPLOYMENT IN NORTHERN IRELAND:
MACBRIDE FAIR EMPLOYMENT PRINCIPLES**

In accordance with Chapter 807 of the Laws of 1992 the bidder, by submission of this bid, certifies that it or any individual or legal entity in which the bidder holds a 10% or greater ownership interest, or any individual or legal entity that holds a 10% or greater ownership interest in the bidder, either: (answer yes or no to one or both of the following, as applicable),

(1) have business operations in Northern Ireland,

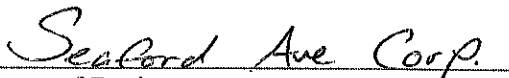
Yes No

if yes:

(2) shall take lawful steps in good faith to conduct any business operations they have in Northern Ireland in accordance with the MacBride Fair Employment Principles relating to nondiscrimination in employment and freedom of workplace opportunity regarding such operations in Northern Ireland, and shall permit independent monitoring of their compliance with such Principles.

Yes No


Contractor's Signature


Name of Business

NO TEXT ON THIS PAGE

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions
(Sub-Recipient)

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department of agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Michael Scott, President 4-1-24
Name and Title of Authorized Representative m/d/yy

MA 4-1-24
Signature Date

Seward Ave Corp
Name of Organization

25 Brooklyn Ave Massapequa, NY 11758
Address of Organization

OJP FORM 4061/1 (Rs. z/8g) Previous editions are obsolete

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposes," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion — Lower Tier Covered Transaction," without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of reports in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

CONTRACTOR CERTIFICATION STATEMENT REGARDING
STORM WATER POLLUTION AT THE WORK SITE

I certify under penalty of the law that I understand and agree to comply with the terms and conditions of the pollution prevention plan for the construction site identified in such plans as a condition of authorization to discharge storm water. I also understand the operator (Nassau County) must comply with the terms and conditions of the New York State Pollution Discharge Elimination System ("SPDES") general permit for storm water discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Finally, I understand my contractual obligations in the matter as outlined in the contract documents.


CONTRACTOR'S NAME: Seaford Ave Corp

TELEPHONE NUMBER: 516-785-6581

WORK SITE OR FACILITY NAME: Seaford Ave Corp

WORK SITE OR FACILITY ADDRESS OR
OTHER IDENTIFYING DESCRIPTION: _____

25 Brooklyn Ave
Massapequa, NY 11758


Signature

4-1-24
Date

Michael Scott, President
Print Name and Title of Signer

NO TEXT ON THIS PAGE



NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS

WICKS EXEMPT LIST OF SUBCONTRACTORS

CONTRACT NO. 541858-02G

NOTE: This form is required for "Single-Contract" projects exempt from the Wicks law. Failure to submit this form correctly may render the bidder non responsive.

| | | | |
|--|--|----------------------------|-----------------------------------|
| Contractor's Name and Address <i>Seaford Ave Coop 25 Brooklyn Ave Massapequa, NY 11758 Federal ID No.: 02-2649257</i> | Project Description (Project, Title, Facility Name and Address): <i>County of Nassau North Woodmere Park Remedial Pool Repairs contract no: 541858-02G 750 Hungry Harbor Rd. N Woodmere 11581</i> | Bid Date: <i>4-2-24</i> | Total Contract Amt: <i>TBD</i> |
|--|--|----------------------------|-----------------------------------|

Indicate ANY work to be self-performed by the contractor in the following categories (check all that apply):

Plumbing and Gas Fitting

Steam Heating, Hot Water Heating, Ventilating and AC Apparatus

Electric Wiring and Standard Illuminating Fixtures

If ALL contract work is to be self-performed, i.e. no subcontractors will be used, please check this box , skip to bottom of form, and sign it as required.

| Subcontractor's Name, Address and Federal ID No. | Check <input checked="" type="checkbox"/> only one. | | | General Description of Work | Subcontractor's Contract Amt. |
|--|---|--|--|-----------------------------|-------------------------------|
| | Plumbing and Gas Fitting | Steam Heating, Hot Water Heating, Ventilating and AC Apparatus | Electric Wiring and Standard Illuminating Fixtures | | |
| Federal ID No. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Federal ID No. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Federal ID No. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |

This form must be filled out completely and legibly, signed by a company authorized representative and included in a separate, sealed envelope within the bid envelope. Use and additional page if needed.

Failure to complete this form accurately and in its entirety, may result in a non responsive bid determination.

Company Authorized Signature: *[Signature]* Title: *President* Date: *4-1-24*

NO TEXT ON THIS PAGE

QUALIFICATION STATEMENT

Note: All blanks in the form are to be filled in. Where blanks are not applicable to your firm, so indicate in each instance.

1. How many years has your firm been in the business under your present business name? 21 years

2. How many years experience in the construction work of a similar type as this contract has your firm had;

a. as a Prime Contractor 21

b. as a Subcontractor N/A

3. List below the construction projects your firm has under way as of this date:

| Contract Amount | Class of work | Percent Completed | Name and Address of Owner or Contracting Officer |
|-----------------|---------------|-------------------|--|
|-----------------|---------------|-------------------|--|

see attached #1

(use additional blank sheets if additional space is necessary)

4. List the projects which your firm as a firm has performed in the past few years which you feel will qualify you for this work:

| Contract Amount | Class of work | Percent Completed | Name and Address of Owner or Contracting Officer |
|-----------------|---------------|-------------------|--|
|-----------------|---------------|-------------------|--|

see attached #2

(use additional blank sheets if additional space is necessary)

5. Have you:

a. ever failed to complete any work awarded to You? NO
If so; identify the project, the owner, the contract amount, the circumstances and date of all such failures to complete.

b. ever been defaulted on a contract? NO
If so; identify the project, the owner, the contract amount, the circumstances and the date of all default actions

NO TEXT ON THIS PAGE

c. ever been declared a non-responsible bidder by any municipality or public agency? NO
If so; identify the project, the owner, the contract amount, the circumstances and the date of all such declarations

d. ever been barred from bidding municipal or public contracts? NO
If so; identify the municipality or public agency, the circumstances, date and term of disbarment for all debarments.

(use additional blank sheets if additional space is necessary)

6. Has any officer, partner or principal of your firm ever been on officer, partner or principal of some other firm:

a. that failed to complete a construction contract? NO
If so, state name of individual and identify the name of firm, the project, the owner, the contract amount, the circumstances and the date of all such failures to complete for all principals of the firm.

b. that has ever been defaulted on a contract? NO
If so; state the name of the individual and identify the name of the firm, the project, the owner, the contract amount, the circumstances and the date of all default actions for all principals of the firm.

c. that has ever been declared a non-responsible bidder by any municipality or public agency? NO
If so; state the name of the individual and identify the name of the firm, the project, the owner, the contract amount, the circumstances and the date of all such declarations for all principals of the firm.

NO TEXT ON THIS PAGE

- d. that has ever been barred from bidding municipal or public contracts? NO
If so; state the name of the individual and identify the name of the firm, the municipality or public agency, the circumstances, date and term of debarment for all debarments for all principals of the firm.

(use additional blank sheets if additional space is necessary)

7. Has any officer or partner of your firm ever failed to complete a construction contract handled in his name? NO
If so, state name of individual, name of owner and reason therefor:

8. Disclose any and all violations of the Prevailing Wage and Supplemental Payment Requirements of the Labor Law of New York State.

none, N/A

9. Disclose any and all other Labor Law Violations, including, but not limited to, child labor violations, failure to pay wages, or unemployment insurance tax delinquencies within the past five years.

none, N/A

10. In what other lines of business are you financially interested?

N/A

NO TEXT ON THIS PAGE

11. What is the construction experience of the principal individuals of your firm?

| Individual's Name | Present Position or Office | Years of Construction Experience | Magnitude and type of work | In what Capacity |
|-------------------|----------------------------|----------------------------------|----------------------------|------------------|
|-------------------|----------------------------|----------------------------------|----------------------------|------------------|

See attached #3

(use additional blank sheets if additional space is necessary)

12. List below the equipment that you own that is available for the proposed work, giving present location where it may be inspected:

| Item | Description, Size Capacity, Year, etc. | Years of Service | Present Location |
|------|--|------------------|------------------|
|------|--|------------------|------------------|

See attached #4

(use additional blank sheets if additional space is necessary)

NOTE: Should the equipment be moved from the above mentioned location, the submitted hereby agrees upon request of the County to state the new location where same may be found.

13. If any of the above equipment is covered by chattel mortgage, conditional bill of sale, lien, or like encumbrance, state the complete details as to nature and amount of encumbrance, the name and address of the holder, etc.

N/A

(use additional blank sheets if additional space is necessary)

NO TEXT ON THIS PAGE

14. In what manner have you inspected this proposed work?
Explain in detail.

We performed a thorough
site visit.

(use additional blank sheets if additional space is necessary)

15. Explain your plan and lay-out for performing the proposed work.

We will compile the proper
work force and materials to
successfully perform the task
of Remedial Pool Repairs

16. If a contract is awarded or a permit is issued, to your firm, who
will have the personal supervision of the work? Attach resume.

Michael Scott, George Luksch
See attached #5

17. Insurance carried by your firm:

| Type | Company | Limits of Coverage | Term |
|--------------|--------------------------------|--------------------|---------------------|
| Liability | Allstate | 6,000,000 | 3/9/24 - 3/9/25 |
| Workers Comp | Innovative Risk | No Limit | 02/28/24 - 02/28/25 |
| Disability | Shelter Point Life Ins. Co. | No Limit | 01/02/24 - 01/02/25 |

NO TEXT ON THIS PAGE

18. The undersigned hereby declares: That the foregoing information contained in this bid is a true statement, including, but not limited to, the financial condition of the individual firm herein first named as of the date herein given; the undersigned has read that portion of the Instructions to the Bidders entitled **"Qualifications and Responsibility of Bidders"** and that the bidder acknowledges its affirmative obligation to transmit with this statement any matters relevant and material to those contractor qualifications and responsibility standards; that this statement is for the express purpose of inducing the party to whom it is submitted to award the submitted a contract or issuance of a permit; that any depository, vendor or other agency herein named is authorized to supply such party with any information necessary to verify this statement; and that it understands and agrees that any material misrepresentation or omission of material fact may be deemed grounds for disqualification of the bidder as "not responsible," and may also subject the bidder to future debarment, penalties, and sanctions, to the extent permitted by law.

1

Work in Progress Report
Seaford Ave Corp
1/9/2024

| Job | Contract Amount | Estimated Cost | Billed To Date | Cost To Date | Est. Cost Remaining | Revised Estimate | Final Profit | Over Billed | Under Billed | Pct Cmp | Earned Income | Contract Balance |
|----------|--|----------------|----------------|--------------|---------------------|------------------|---------------|-------------|--------------|---------|---------------|------------------|
| 0120-17 | Kane Street Townhouse 410,490.00 | 0.00 | 248,805.60 | 349,621.56 | 0.00 | 349,621.56 | 60,868.44 | | 161,684.40 | 100 | 60,868.44 | 161,684.40 |
| 0319-12 | Long Beach Comfort Station 15,414.00 | 0.00 | 15,414.00 | 10,526.66 | 0.00 | 10,526.66 | 4,887.34 | | 0.00 | 100 | 4,887.34 | 0.00 |
| 0419-67 | Starlight Park Comfort Station 205,140.98 | 150,000.00 | 205,140.98 | 87,209.38 | 62,790.62 | 150,000.00 | 55,140.98 | 85,872.86 | | 58 | 32,058.74 | 0.00 |
| 1019-33 | Wind Watch Residences 4,982,651.70 | 3,821,420.00 | 4,777,506.82 | 8,013,905.34 | 0.00 | 8,013,905.34 | -3,031,253.64 | | 205,144.88 | 100 | -3,031,253.64 | 205,144.88 |
| A0124-00 | Fishkill CF Steam Pipe Repair 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| A0124-01 | Hicksville HS Waste Line Repal 0.00 | 0.00 | 0.00 | 754.45 | 0.00 | 754.45 | -754.45 | | 0.00 | 100 | -754.45 | 0.00 |
| A0124-02 | Hauppauge HS Pool Chem Control 5,332.42 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 5,332.42 | | 0.00 | 0 | 0.00 | 5,332.42 |
| A0124-03 | JFK HS Water Main Break 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| A0124-04 | Bethpage HS Heat Exchanger 36,570.59 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 36,570.59 | | 0.00 | 0 | 0.00 | 36,570.59 |
| A0124-05 | TESTING- Hicksville HS 310.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 310.00 | | 0.00 | 0 | 0.00 | 310.00 |
| A0223-10 | Commack UFSD Phase 4 417,900.00 | 150,826.00 | 345,096.60 | 155,272.71 | 46,297.17 | 201,569.88 | 216,330.12 | 23,181.12 | | 77 | 166,642.77 | 72,803.40 |
| A0322-01 | CSH HS Phase 2A Cap Improvemnt 1,006,024.00 | 0.00 | 932,664.04 | 998,809.14 | 0.00 | 998,809.14 | 7,214.86 | | 73,359.96 | 100 | 7,214.86 | 73,359.96 |
| A0322-06 | Hofstra University Piping 64,310.00 | 0.00 | 16,509.85 | 30,758.54 | 0.00 | 30,758.54 | 33,551.46 | | 47,800.15 | 100 | 33,551.46 | 47,800.15 |
| A0323-01 | William Floyd UFSD 81,721.51 | 0.00 | 81,721.51 | 41,083.10 | 0.00 | 41,083.10 | 40,638.41 | | 0.00 | 100 | 40,638.41 | 0.00 |
| A0323-04 | Plainview Hospital Roof Drain 15,480.00 | 0.00 | 15,480.00 | 6,381.99 | 0.00 | 6,381.99 | 9,098.01 | | 0.00 | 100 | 9,098.01 | 0.00 |
| A0323-05 | Newbridge Rd Park Spray Pad 697,536.00 | 0.00 | 697,536.00 | 592,935.30 | 0.00 | 592,935.30 | 104,600.70 | | 0.00 | 100 | 104,600.70 | 0.00 |
| A0323-06 | JFKHS Pool Filter & Pump Room 724,025.00 | 0.00 | 689,793.04 | 256,667.30 | 0.00 | 256,667.30 | 467,357.70 | | 34,231.96 | 100 | 467,357.70 | 34,231.96 |
| A0323-09 | Valley Stream #30 Various ES 179,700.00 | 154,177.87 | 112,435.40 | 49,406.73 | 104,771.14 | 154,177.87 | 25,522.13 | 54,850.03 | | 32 | 8,178.64 | 67,264.60 |
| A0423-02 | Police Headquarters Dual Temp 651,562.00 | 0.00 | 546,479.67 | 513,678.44 | 0.00 | 513,678.44 | 137,883.56 | | 105,082.33 | 100 | 137,883.56 | 105,082.33 |
| A0423-03 | Holtsville Fuel Cell 133,203.37 | 108,261.00 | 130,203.37 | 73,841.27 | 34,574.18 | 108,415.45 | 24,787.92 | 39,479.16 | | 68 | 16,882.94 | 3,000.00 |
| A0423-04 | East Setauket Fuel Cell 147,637.16 | 117,435.94 | 144,137.16 | 95,362.71 | 33,849.09 | 129,211.80 | 18,425.36 | 35,175.91 | | 74 | 13,598.54 | 3,500.00 |
| A0423-09 | Commack HS Library Slnk Replac 4,950.00 | 0.00 | 4,950.00 | 2,115.96 | 0.00 | 2,115.96 | 2,834.04 | | 0.00 | 100 | 2,834.04 | 0.00 |
| A0621-06 | Daly ES Plumbing Re-bid Improv 644,157.35 | 0.00 | 644,157.35 | 625,826.95 | 0.00 | 625,826.95 | 18,330.40 | | 0.00 | 100 | 18,330.40 | 0.00 |

Work in Progress Report
Seaford Ave Corp
1/9/2024

| Job | Contract Amount | Estimated Cost | Billed To Date | Cost To Date | Est. Cost Remaining | Revised Estimate | Final Profit | Over Billed | Under Billed | Pct Cmp | Earned Income | Contract Balance |
|----------|--|----------------|----------------|--------------|---------------------|------------------|--------------|-------------|--------------|---------|---------------|------------------|
| A0622-08 | Renu North Babylon ES Phase 4A 353,650.92 | 0.00 | 353,650.42 | 246,268.17 | 0.00 | 246,268.17 | 107,382.75 | | 0.50 | 100 | 107,382.75 | 0.50 |
| A0623-00 | Shoreham HS Piping to New Gene 64,597.62 | 0.00 | 56,243.36 | 31,626.27 | 0.00 | 31,626.27 | 32,971.35 | | 8,354.26 | 100 | 32,971.35 | 8,354.26 |
| A0623-02 | Baldwin Brookside ES Toilet 110,700.00 | 0.00 | 16,332.50 | 26,994.34 | 0.00 | 26,994.34 | 83,705.66 | | 94,367.50 | 100 | 83,705.66 | 94,367.50 |
| A0623-03 | Baldwin Lenox ES Toilet Reno 188,860.00 | 0.00 | 30,373.30 | 50,142.15 | 0.00 | 50,142.15 | 138,717.85 | | 158,486.70 | 100 | 138,717.85 | 158,486.70 |
| A0623-04 | Baldwin Plaza ES Toilet Reno 158,913.56 | 0.00 | 142,701.56 | 91,729.24 | 0.00 | 91,729.24 | 67,184.32 | | 16,212.00 | 100 | 67,184.32 | 16,212.00 |
| A0623-05 | Baldwin High School Toilet Ren 664,300.00 | 0.00 | 281,049.12 | 226,340.82 | 0.00 | 226,340.82 | 437,959.18 | | 383,250.88 | 100 | 437,959.18 | 383,250.88 |
| A0623-06 | Baldwin Steele ES Toilet Reno 244,700.00 | 0.00 | 135,344.77 | 101,090.40 | 0.00 | 101,090.40 | 143,609.60 | | 109,355.23 | 100 | 143,609.60 | 109,355.23 |
| A0623-07 | Baldwin Middle School Toilet R 365,700.00 | 0.00 | 61,843.35 | 92,618.60 | 0.00 | 92,618.60 | 273,081.40 | | 303,856.65 | 100 | 273,081.40 | 303,856.65 |
| A0623-08 | Baldwin Meadow ES Toilet Reno 97,950.00 | 0.00 | 79,032.00 | 53,622.68 | 0.00 | 53,622.68 | 44,327.32 | | 18,918.00 | 100 | 44,327.32 | 18,918.00 |
| A0623-09 | Gabreski Airport Gas Piping 28,000.00 | 0.00 | 28,000.00 | 14,158.30 | 0.00 | 14,158.30 | 13,841.70 | | 0.00 | 100 | 13,841.70 | 0.00 |
| A0623-10 | Long Beach CSD HS Bath Upgrade 400,588.00 | 0.00 | 400,588.00 | 192,895.50 | 0.00 | 192,895.50 | 207,692.50 | | 0.00 | 100 | 207,692.50 | 0.00 |
| A0623-12 | Oceanside Double Check Valves 175,065.38 | 0.00 | 0.00 | 110,380.70 | 0.00 | 110,380.70 | 64,684.68 | | 175,065.38 | 100 | 64,684.68 | 175,065.38 |
| A0623-14 | Mineola MS Gym Addition 120,872.00 | 0.00 | 120,872.00 | 87,287.04 | 0.00 | 87,287.04 | 33,584.96 | | 0.00 | 100 | 33,584.96 | 0.00 |
| A0722-00 | East Ramapo SD Sinks 269,826.00 | 0.00 | 269,826.00 | 95,223.44 | 0.00 | 95,223.44 | 174,602.56 | | 0.00 | 100 | 174,602.56 | 0.00 |
| A0723-05 | Cap Improvement Lido MS 109,500.00 | 0.00 | 52,139.00 | 31,663.57 | 0.00 | 31,663.57 | 77,836.43 | | 57,361.00 | 100 | 77,836.43 | 57,361.00 |
| A0723-14 | Robert Williams Backflow Repai 3,082.67 | 0.00 | 3,082.67 | 1,996.01 | 0.00 | 1,996.01 | 1,086.66 | | 0.00 | 100 | 1,086.66 | 0.00 |
| A0723-15 | CIS RTU Franklin Square 51,600.00 | 0.00 | 26,000.00 | 17,207.11 | 0.00 | 17,207.11 | 34,392.89 | | 25,600.00 | 100 | 34,392.89 | 25,600.00 |
| A0822-04 | Renu N Babylon HS Art Rm Reno 21,293.00 | 0.00 | 21,293.00 | 9,499.54 | 0.00 | 9,499.54 | 11,793.46 | | 0.00 | 100 | 11,793.46 | 0.00 |
| A0822-05 | Renu N Babylon MS Art Rm Reno 17,000.00 | 0.00 | 17,000.00 | 5,272.45 | 0.00 | 5,272.45 | 11,727.55 | | 0.00 | 100 | 11,727.55 | 0.00 |
| A0823-04 | 2023 Annual Backflow Testing 1,050.00 | 0.00 | 1,050.00 | 420.00 | 0.00 | 420.00 | 630.00 | | 0.00 | 100 | 630.00 | 0.00 |
| A0823-07 | Ross HS Install Fixtures 83,547.20 | 0.00 | 83,547.20 | 16,440.56 | 0.00 | 16,440.56 | 67,106.64 | | 0.00 | 100 | 67,106.64 | 0.00 |
| A0823-08 | Sonderling HS Install Fixtures 44,000.00 | 0.00 | 44,000.00 | 6,367.44 | 0.00 | 6,367.44 | 37,632.56 | | 0.00 | 100 | 37,632.56 | 0.00 |
| A0823-09 | Jericho HS/MS 3" DCV Repair 1,159.60 | 0.00 | 1,159.60 | 301.32 | 0.00 | 301.32 | 858.28 | | 0.00 | 100 | 858.28 | 0.00 |
| A0823-11 | Hempstead HS Pool Repairs 30,534.90 | 0.00 | 0.00 | 24,047.02 | 0.00 | 24,047.02 | 6,487.88 | | 30,534.90 | 100 | 6,487.88 | 30,534.90 |

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|----------|--|----------------|----------------|--------------|---------------------|------------------|--------------|-------------|--------------|---------|---------------|------------------|
| A0823-19 | POB JFKHS Comfort Station 67,780.53 | 0.00 | 58,297.53 | 40,242.59 | 0.00 | 40,242.59 | 27,537.94 | | 9,483.00 | 100 | 27,537.94 | 9,483.00 |
| A0823-21 | VAMC 2023 Backflow Replacement 78,446.03 | 0.00 | 78,446.03 | 39,722.27 | 0.00 | 39,722.27 | 38,723.76 | | 0.00 | 100 | 38,723.76 | 0.00 |
| A0920-06 | MTA Fresh Pond bus depot roof 131,028.56 | 0.00 | 106,026.27 | 112,522.30 | 0.00 | 112,522.30 | 18,506.26 | | 25,002.29 | 100 | 18,506.26 | 25,002.29 |
| A0922-06 | Baker ES Additions & Alts 737,500.00 | 0.00 | 616,580.00 | 316,617.00 | 0.00 | 316,617.00 | 420,883.00 | | 120,920.00 | 100 | 420,883.00 | 120,920.00 |
| A0923-07 | Winthrop 2 - 2" DCV Repairs 2,161.67 | 0.00 | 1,063.17 | 465.06 | 0.00 | 465.06 | 1,696.61 | | 1,098.50 | 100 | 1,696.61 | 1,098.50 |
| A0923-10 | Grand Ave 4" RPZ Replacement 10,057.64 | 0.00 | 10,057.64 | 6,835.78 | 0.00 | 6,835.78 | 3,221.86 | | 0.00 | 100 | 3,221.86 | 0.00 |
| A0923-11 | Mepham HS 2" RPZ Repair 1,482.41 | 0.00 | 1,482.41 | 1,110.38 | 0.00 | 1,110.38 | 372.03 | | 0.00 | 100 | 372.03 | 0.00 |
| A0923-12 | South Salem ES 3" Replacement 7,154.71 | 0.00 | 7,154.71 | 6,717.91 | 0.00 | 6,717.91 | 436.80 | | 0.00 | 100 | 436.80 | 0.00 |
| A1022-03 | Goose Hill Primary Phase 2 140,326.20 | 0.00 | 67,969.20 | 80,633.36 | 0.00 | 80,633.36 | 59,692.84 | | 72,357.00 | 100 | 59,692.84 | 72,357.00 |
| A1022-10 | East Meadow Schools Gas Projec 749,084.50 | 0.00 | 749,084.50 | 464,759.93 | 0.00 | 464,759.93 | 284,324.57 | | 0.00 | 100 | 284,324.57 | 0.00 |
| A1023-00 | Synergy Cafe - Sperry Annex 29,018.75 | 0.00 | 0.00 | 8,532.88 | 0.00 | 8,532.88 | 20,485.87 | | 29,018.75 | 100 | 20,485.87 | 29,018.75 |
| A1023-02 | Nassakeag ES Valve Replacement 11,782.26 | 0.00 | 0.00 | 5,050.11 | 0.00 | 5,050.11 | 6,732.15 | | 11,782.26 | 100 | 6,732.15 | 11,782.26 |
| A1023-04 | Wheeler Ave Vanity Installatio 1,969.00 | 0.00 | 1,969.00 | 939.09 | 0.00 | 939.09 | 1,029.91 | | 0.00 | 100 | 1,029.91 | 0.00 |
| A1023-06 | Valley Stream Annual Backflow 400.00 | 0.00 | 400.00 | 120.00 | 0.00 | 120.00 | 280.00 | | 0.00 | 100 | 280.00 | 0.00 |
| A1023-08 | The Lannin Boiler Replaceme 149,100.00 | 0.00 | 0.00 | 113,951.34 | 0.00 | 113,951.34 | 35,148.66 | | 149,100.00 | 100 | 35,148.66 | 149,100.00 |
| A1023-09 | Mattituck Emergency Service 4,311.91 | 0.00 | 4,311.91 | 1,095.52 | 0.00 | 1,095.52 | 3,216.39 | | 0.00 | 100 | 3,216.39 | 0.00 |
| A1023-10 | Coplague Fire Distr Storage Bl 223,000.00 | 0.00 | 9,000.00 | 6,630.64 | 0.00 | 6,630.64 | 216,369.36 | | 214,000.00 | 100 | 216,369.36 | 214,000.00 |
| A1023-11 | Guggenheim Water Loss 538.30 | 0.00 | 538.30 | 0.00 | 0.00 | 0.00 | 538.30 | 538.30 | | 0 | 0.00 | 0.00 |
| A1023-12 | Pt Washington HS Water Damage 538.30 | 0.00 | 538.30 | 0.00 | 0.00 | 0.00 | 538.30 | 538.30 | | 0 | 0.00 | 0.00 |
| A1023-13 | Ogden ES Additional Piping 50,118.26 | 0.00 | 50,118.26 | 9,693.68 | 0.00 | 9,693.68 | 40,424.58 | | 0.00 | 100 | 40,424.58 | 0.00 |
| A1023-14 | Woodland, Barnum, Bowling Extr 0.00 | 0.00 | 8,884.08 | 24,925.91 | 0.00 | 24,925.91 | -24,925.91 | 8,884.08 | | 100 | -24,925.91 | -8,884.08 |
| A1023-15 | CSH HS Gas Piping 5,181.45 | 0.00 | 5,181.45 | -0.97 | 0.00 | -0.97 | 5,182.42 | | 0.00 | 100 | 5,182.42 | 0.00 |
| A1023-16 | Elmont UFSD District Wide Plum 807,500.00 | 0.00 | 0.00 | 12,391.00 | 0.00 | 12,391.00 | 795,109.00 | | 807,500.00 | 100 | 795,109.00 | 807,500.00 |
| A1023-17 | 100 County Seat Drive 36,653.98 | 0.00 | 36,653.98 | 34,848.96 | 0.00 | 34,848.96 | 1,805.02 | | 0.00 | 100 | 1,805.02 | 0.00 |

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|----------|--------------------------------|----------------|----------------|--------------|---------------------|------------------|--------------|-------------|--------------|---------|---------------|------------------|
| A1123-00 | Walkkill Steam Leak Repair | 7,499.00 | 0.00 | 7,499.00 | 4,792.61 | 0.00 | 4,792.61 | 2,706.39 | 0.00 | 100 | 2,706.39 | 0.00 |
| A1123-01 | SUNY Purchase Temp Boiler Work | 23,250.00 | 0.00 | 23,250.00 | 6,318.27 | 0.00 | 6,318.27 | 16,931.73 | 0.00 | 100 | 16,931.73 | 0.00 |
| A1123-02 | Splnney Hill Homes Regulator | 8,765.95 | 0.00 | 8,765.95 | 5,335.21 | 0.00 | 5,335.21 | 3,430.74 | 0.00 | 100 | 3,430.74 | 0.00 |
| A1123-03 | RPZ - Hempstead UFSD - 4 Units | 27,988.33 | 0.00 | 0.00 | 13,891.05 | 0.00 | 13,891.05 | 14,097.28 | 27,988.33 | 100 | 14,097.28 | 27,988.33 |
| A1123-04 | Leeds Pond Boiler Install | 9,141.55 | 0.00 | 9,141.55 | 8,388.91 | 0.00 | 8,388.91 | 752.64 | 0.00 | 100 | 752.64 | 0.00 |
| A1123-06 | Walkkill CF Hydrostatic Test | 8,958.53 | 0.00 | 0.00 | 2,404.29 | 0.00 | 2,404.29 | 6,554.24 | 8,958.53 | 100 | 6,554.24 | 8,958.53 |
| A1123-07 | RPZ -Carey HS 1" Repair | 874.43 | 0.00 | 874.43 | 314.95 | 0.00 | 314.95 | 559.48 | 0.00 | 100 | 559.48 | 0.00 |
| A1123-08 | TOFHA Inwood Boiler | 122,000.00 | 0.00 | 0.00 | 70,868.89 | 0.00 | 70,868.89 | 51,131.11 | 122,000.00 | 100 | 51,131.11 | 122,000.00 |
| A1123-10 | Seaford Manor ES Pipe Repair | 0.00 | 0.00 | 0.00 | 2,452.62 | 0.00 | 2,452.62 | -2,452.62 | 0.00 | 100 | -2,452.62 | 0.00 |
| A1123-11 | Giblyn RPZ & Heat | 21,592.66 | 0.00 | 21,592.66 | 8,563.66 | 0.00 | 8,563.66 | 13,029.00 | 0.00 | 100 | 13,029.00 | 0.00 |
| A1123-13 | Hewlett HS Pool Repair | 0.00 | 0.00 | 0.00 | 1,020.82 | 0.00 | 1,020.82 | -1,020.82 | 0.00 | 100 | -1,020.82 | 0.00 |
| A1123-14 | High School Crawl Space Issues | 39,959.83 | 0.00 | 0.00 | 4,911.60 | 0.00 | 4,911.60 | 35,048.23 | 39,959.83 | 100 | 35,048.23 | 39,959.83 |
| A1123-15 | Jericho HS Flood Emergency | 0.00 | 0.00 | 0.00 | 11,367.00 | 0.00 | 11,367.00 | -11,367.00 | 0.00 | 100 | -11,367.00 | 0.00 |
| A1123-16 | Amityville HS Bathroom Repair | 0.00 | 0.00 | 0.00 | 1,839.25 | 0.00 | 1,839.25 | -1,839.25 | 0.00 | 100 | -1,839.25 | 0.00 |
| A1123-17 | Dever Install Regulator | 22,529.49 | 0.00 | 0.00 | 9,304.44 | 0.00 | 9,304.44 | 13,225.05 | 22,529.49 | 100 | 13,225.05 | 22,529.49 |
| A1123-18 | Bethpage HS Leak Repairs | 8,066.32 | 0.00 | 8,066.32 | 3,976.44 | 0.00 | 3,976.44 | 4,089.88 | 0.00 | 100 | 4,089.88 | 0.00 |
| A1123-19 | Walkkill Relief Valve Replacem | 9,800.00 | 0.00 | 0.00 | 429.43 | 0.00 | 429.43 | 9,370.57 | 9,800.00 | 100 | 9,370.57 | 9,800.00 |
| A1222-02 | TOB Repair Sewer Main | 37,236.49 | 0.00 | 37,236.49 | 26,150.86 | 0.00 | 26,150.86 | 11,085.63 | 0.00 | 100 | 11,085.63 | 0.00 |
| A1222-12 | Amityville MS Emerg Freeze Up | 266,999.49 | 0.00 | 266,999.49 | 198,594.81 | 0.00 | 198,594.81 | 68,404.68 | 0.00 | 100 | 68,404.68 | 0.00 |
| A1223-00 | RPZ - New Visions Backflow Tes | 620.00 | 0.00 | 620.00 | 120.00 | 0.00 | 120.00 | 500.00 | 0.00 | 100 | 500.00 | 0.00 |
| A1223-01 | Seaford UFSD Field House-Comfo | 127,600.00 | 0.00 | 0.00 | 2,914.00 | 0.00 | 2,914.00 | 124,686.00 | 127,600.00 | 100 | 124,686.00 | 127,600.00 |
| A1223-02 | Atkinson School Sink Hole | 0.00 | 0.00 | 0.00 | 3,239.78 | 0.00 | 3,239.78 | -3,239.78 | 0.00 | 100 | -3,239.78 | 0.00 |
| A1223-03 | Connetquot Sycamore ES | 43,500.00 | 0.00 | 0.00 | 2,017.78 | 0.00 | 2,017.78 | 41,482.22 | 43,500.00 | 100 | 41,482.22 | 43,500.00 |
| A1223-04 | Baldwin HS Backflow Testing | 620.00 | 0.00 | 620.00 | 120.00 | 0.00 | 120.00 | 500.00 | 0.00 | 100 | 500.00 | 0.00 |

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| A1223-05 | Lido Golf Course Sewer Mains | 86,150.00 | 0.00 | 0.00 | 21,132.51 | 0.00 | 21,132.51 | 65,017.49 | 86,150.00 | 100 | 65,017.49 | 86,150.00 |
| A1223-06 | HS Pool Valve Replacement | 32,195.25 | 0.00 | 0.00 | 10,128.50 | 0.00 | 10,128.50 | 22,066.75 | 32,195.25 | 100 | 22,066.75 | 32,195.25 |
| A1223-07 | TOB Sewer Day Tank Rebuild | 4,536.85 | 0.00 | 0.00 | 901.22 | 0.00 | 901.22 | 3,635.63 | 4,536.85 | 100 | 3,635.63 | 4,536.85 |
| A1223-08 | Syosset Library Bathroom Reno | 18,560.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 18,560.00 | 0.00 | 0 | 0.00 | 18,560.00 |
| A1223-09 | Stimson MS Backflow Test | 100.00 | 0.00 | 100.00 | 30.00 | 0.00 | 30.00 | 70.00 | 0.00 | 100 | 70.00 | 0.00 |
| A1223-10 | Northeast ES Plumbing Repairs | 8,530.93 | 0.00 | 0.00 | 4,985.76 | 0.00 | 4,985.76 | 3,545.17 | 8,530.93 | 100 | 3,545.17 | 8,530.93 |
| B0122-01 | 358 N Main Water Main & Backfl | 45,785.24 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 45,785.24 | 0.00 | 0 | 0.00 | 45,785.24 |
| B0124-00 | 11 Hemlock Plumb Work | 0.00 | 0.00 | 0.00 | 4,004.53 | 0.00 | 4,004.53 | -4,004.53 | 0.00 | 100 | -4,004.53 | 0.00 |
| B0124-01 | Raymour Cropsy RPZ | 12,592.00 | 0.00 | 0.00 | 6,621.34 | 0.00 | 6,621.34 | 5,970.66 | 12,592.00 | 100 | 5,970.66 | 12,592.00 |
| B0124-02 | R&F SI Valve & Hydrant Testing | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0 | 0.00 | 0.00 |
| B0323-07 | Phase 2 Plumbing Repairs 5 BLD | 474,500.00 | 0.00 | 300,000.00 | 205,044.37 | 0.00 | 205,044.37 | 269,455.63 | 174,500.00 | 100 | 269,455.63 | 174,500.00 |
| B0522-07 | Colvin Dr Gas Work | 0.00 | 0.00 | 0.00 | 3,004.30 | 0.00 | 3,004.30 | -3,004.30 | 0.00 | 100 | -3,004.30 | 0.00 |
| B0523-04 | Islanders Training Facility | 96,825.00 | 0.00 | 96,825.00 | 63,374.38 | 0.00 | 63,374.38 | 33,450.62 | 0.00 | 100 | 33,450.62 | 0.00 |
| B0622-09 | Tchinnis Gas Work T&M | 10,490.36 | 0.00 | 10,490.36 | 9,505.04 | 0.00 | 9,505.04 | 985.32 | 0.00 | 100 | 985.32 | 0.00 |
| B0723-04 | Bdg 1 Indirect HWH Replacement | 23,100.00 | 0.00 | 23,100.00 | 17,060.97 | 0.00 | 17,060.97 | 6,039.03 | 0.00 | 100 | 6,039.03 | 0.00 |
| B0723-07 | JMI Plumbing Work Comm Room | 16,180.00 | 0.00 | 12,135.00 | 18,972.91 | 0.00 | 18,972.91 | -2,792.91 | 4,045.00 | 100 | -2,792.91 | 4,045.00 |
| B0823-02 | Plumbing Permits | 1,507.50 | 0.00 | 1,507.50 | 0.00 | 0.00 | 0.00 | 1,507.50 | 1,507.50 | 0 | 0.00 | 0.00 |
| B0823-05 | Cunsolo House Filtration Pipe | 1,524.32 | 0.00 | 1,524.32 | 689.28 | 0.00 | 689.28 | 835.04 | 0.00 | 100 | 835.04 | 0.00 |
| B0823-06 | Riverview Brewery Disconnect | 675.00 | 0.00 | 675.00 | 247.39 | 0.00 | 247.39 | 427.61 | 0.00 | 100 | 427.61 | 0.00 |
| B0922-04 | 40 Middle Ln Plumbing T&M | 39,650.43 | 0.00 | 39,650.43 | 24,522.42 | 0.00 | 24,522.42 | 15,128.01 | 0.00 | 100 | 15,128.01 | 0.00 |
| B0922-13 | 143 33rd St Plumbing | 0.00 | 0.00 | 0.00 | 6,930.82 | 0.00 | 6,930.82 | -6,930.82 | 0.00 | 100 | -6,930.82 | 0.00 |
| B0923-03 | Permits | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0 | 0.00 | 0.00 |
| B1021-11 | 131 Berkley Pl CI Pipe Replace | 4,683.17 | 0.00 | 4,683.17 | 2,495.17 | 0.00 | 2,495.17 | 2,188.00 | 0.00 | 100 | 2,188.00 | 0.00 |
| B1022-05 | 257 Main St Apts Plumb Permit | 41,802.00 | 0.00 | 41,802.00 | 24,485.00 | 0.00 | 24,485.00 | 17,317.00 | 0.00 | 100 | 17,317.00 | 0.00 |

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| B1022-08 | Ronnie Lawrence Misc. Work 0.00 | 0.00 | 0.00 | 4,800.00 | 0.00 | 4,800.00 | -4,800.00 | | 0.00 | 100 | -4,800.00 | 0.00 |
| B1023-00 | 870 Evergreen Plumbing Rough 0.00 | 0.00 | 0.00 | 41,448.27 | 0.00 | 41,448.27 | -41,448.27 | | 0.00 | 100 | -41,448.27 | 0.00 |
| B1023-02 | Permits 0.00 | 0.00 | 0.00 | 820.66 | 0.00 | 820.66 | -820.66 | | 0.00 | 100 | -820.66 | 0.00 |
| B1023-03 | Radlant Heat Gilbert 1,580.05 | 0.00 | 1,580.05 | 1,580.05 | 0.00 | 1,580.05 | 0.00 | | 0.00 | 100 | 0.00 | 0.00 |
| B1023-04 | 3 Cayuga Gas/Waste/Water 0.00 | 0.00 | 0.00 | 1,792.84 | 0.00 | 1,792.84 | -1,792.84 | | 0.00 | 100 | -1,792.84 | 0.00 |
| B1123-00 | Bathroom & Outdoor Shower Inst 0.00 | 0.00 | 15,465.76 | 7,377.89 | 0.00 | 7,377.89 | -7,377.89 | 15,465.76 | | 100 | -7,377.89 | -15,465.76 |
| B1123-01 | Raymour Coney Island Gas Insp 5,400.00 | 0.00 | 5,400.00 | 4,500.00 | 0.00 | 4,500.00 | 900.00 | | 0.00 | 100 | 900.00 | 0.00 |
| B1123-02 | Raymour Elmhurst Gas Pipe Insp 5,400.00 | 0.00 | 5,400.00 | 4,500.00 | 0.00 | 4,500.00 | 900.00 | | 0.00 | 100 | 900.00 | 0.00 |
| B1123-03 | Raymour Flatbush Gas Pipe Insp 5,400.00 | 0.00 | 5,400.00 | 4,500.00 | 0.00 | 4,500.00 | 900.00 | | 0.00 | 100 | 900.00 | 0.00 |
| B1123-04 | Raymour Ozone Gas Pipe Inspect 5,400.00 | 0.00 | 5,400.00 | 4,500.00 | 0.00 | 4,500.00 | 900.00 | | 0.00 | 100 | 900.00 | 0.00 |
| B1123-05 | Raymour SI Gas Pipe Inspection 6,600.00 | 0.00 | 6,600.00 | 4,500.00 | 0.00 | 4,500.00 | 2,100.00 | | 0.00 | 100 | 2,100.00 | 0.00 |
| B1222-06 | 664 Ocean Breeze house raise 13,145.00 | 0.00 | 13,145.00 | 10,044.69 | 0.00 | 10,044.69 | 3,100.31 | | 0.00 | 100 | 3,100.31 | 0.00 |
| B1223-00 | Westbury Music Fair Bathroom 23,750.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 23,750.00 | | 0.00 | 0 | 0.00 | 23,750.00 |
| B1223-01 | Fire Main Repair 0.00 | 0.00 | 0.00 | 6,353.55 | 0.00 | 6,353.55 | -6,353.55 | | 0.00 | 100 | -6,353.55 | 0.00 |
| B1223-02 | Mixing Valve Replacement 18,213.92 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 18,213.92 | | 0.00 | 0 | 0.00 | 18,213.92 |
| B1223-03 | Unit 18H Waste Line Repair 7,400.00 | 0.00 | 0.00 | 102.36 | 0.00 | 102.36 | 7,297.64 | 7,400.00 | | 100 | 7,297.64 | 7,400.00 |
| C0123-00 | Consulting Fees 12,000.00 | 0.00 | 12,000.00 | 0.00 | 0.00 | 0.00 | 12,000.00 | 12,000.00 | | 0 | 0.00 | 0.00 |
| C0123-01 | Consulting Fees 12,000.00 | 0.00 | 12,000.00 | 0.00 | 0.00 | 0.00 | 12,000.00 | 12,000.00 | | 0 | 0.00 | 0.00 |
| C0123-02 | Misc. Plumbing 0.00 | 0.00 | 0.00 | 4,003.24 | 0.00 | 4,003.24 | -4,003.24 | | 0.00 | 100 | -4,003.24 | 0.00 |
| C0124-00 | Consulting Fees 12,000.00 | 0.00 | 1,000.00 | 0.00 | 0.00 | 0.00 | 12,000.00 | 1,000.00 | | 0 | 0.00 | 11,000.00 |
| C0124-01 | Consulting Fees 12,000.00 | 0.00 | 1,000.00 | 0.00 | 0.00 | 0.00 | 12,000.00 | 1,000.00 | | 0 | 0.00 | 11,000.00 |
| C0124-02 | 1510 N Dixie Highway Loan 135,000.00 | 0.00 | 5,000.00 | 0.00 | 0.00 | 0.00 | 135,000.00 | 5,000.00 | | 0 | 0.00 | 130,000.00 |
| C1123-00 | George's House Plumbing 0.00 | 0.00 | 0.00 | 72,515.95 | 0.00 | 72,515.95 | -72,515.95 | | 0.00 | 100 | -72,515.95 | 0.00 |
| C1223-00 | Seaford Manor Elementary 0.00 | 0.00 | 0.00 | 2,141.56 | 0.00 | 2,141.56 | -2,141.56 | | 0.00 | 100 | -2,141.56 | 0.00 |

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| <u>Job</u> | <u>Contract Amount</u> | <u>Estimated Cost</u> | <u>Billed To Date</u> | <u>Cost To Date</u> | <u>Est. Cost Remaining</u> | <u>Revised Estimate</u> | <u>Final Profit</u> | <u>Over Billed</u> | <u>Under Billed</u> | <u>Pct Comp</u> | <u>Earned Income</u> | <u>Contract Balance</u> |
|------------|----------------------------|-----------------------|-----------------------|---------------------|----------------------------|-------------------------|---------------------|--------------------|---------------------|-----------------|----------------------|-------------------------|
| FISERVICE | 0.00 | 0.00 | 0.00 | 7,559.39 | 0.00 | 7,559.39 | -7,559.39 | | 0.00 | 100 | -7,559.39 | 0.00 |
| S0124-00 | Emergency Service Leak | 0.00 | 0.00 | 419.89 | 0.00 | 419.89 | -419.89 | | 0.00 | 100 | -419.89 | 0.00 |
| S0124-01 | Main Sewer Line Back Up | 0.00 | 0.00 | 514.62 | 0.00 | 514.62 | -514.62 | | 0.00 | 100 | -514.62 | 0.00 |
| S0124-02 | Apt 2-A No Heat | 0.00 | 0.00 | 499.34 | 0.00 | 499.34 | -499.34 | | 0.00 | 100 | -499.34 | 0.00 |
| S0124-03 | No Heat | 0.00 | 0.00 | 2,980.01 | 0.00 | 2,980.01 | -2,980.01 | | 0.00 | 100 | -2,980.01 | 0.00 |
| S0124-04 | Building Winterization | 0.00 | 0.00 | 337.08 | 0.00 | 337.08 | -337.08 | | 0.00 | 100 | -337.08 | 0.00 |
| S0124-05 | Leak From Apt 11 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-06 | Leak from 27P to 27H | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-07 | Bathtub Stoppage | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-08 | Boiler Repair | 0.00 | 0.00 | 248.04 | 0.00 | 248.04 | -248.04 | | 0.00 | 100 | -248.04 | 0.00 |
| S0124-09 | Broken Urinal Handle | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-10 | Clogged Kitchen Sink | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-11 | 34 Lamar St Materials | 138.66 | 0.00 | 138.66 | 0.00 | 0.00 | 138.66 | 138.66 | | 0 | 0.00 | 0.00 |
| S0124-12 | Toilet Stoppage | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-13 | Loose Faucet | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-14 | Kitchen Sink Leaking | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-15 | 36 Brockmire Boiler Issues | 0.00 | 0.00 | 144.46 | 0.00 | 144.46 | -144.46 | | 0.00 | 100 | -144.46 | 0.00 |
| S0124-16 | Hewlett HS Pool | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-17 | BIB Services Gas Leak | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-18 | 111-93 CPR Sink Clog | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-19 | Spring Hill Valve Replace | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-20 | 5 Fort Salonga pipe burst | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-21 | Baldwin FD Emergency | 0.00 | 0.00 | 50.09 | 0.00 | 50.09 | -50.09 | | 0.00 | 100 | -50.09 | 0.00 |
| S0124-22 | Toilet Leak | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |

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|-----------|--|----------------|----------------|--------------|---------------------|------------------|--------------|-------------|--------------|---------|---------------|------------------|
| S0124-23 | Toilet Stoppage 560.00 | 0.00 | 560.00 | 0.00 | 0.00 | 0.00 | 560.00 | 560.00 | | 0 | 0.00 | 0.00 |
| S0124-24 | Building 27 Gas Leak 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-25 | Shower Body Replacement 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-26 | Boiler Relief Valve Replace 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0223-00 | Apt 239 Clogged Toilet 560.87 | 0.00 | 560.87 | 147.43 | 0.00 | 147.43 | 413.44 | | 0.00 | 100 | 413.44 | 0.00 |
| S0223-85 | No Hot Water 480.00 | 0.00 | 480.00 | 288.04 | 0.00 | 288.04 | 191.96 | | 0.00 | 100 | 191.96 | 0.00 |
| S0323-57 | Bar Sink Water & Waste Lines 2,967.90 | 0.00 | 2,967.90 | 1,100.26 | 0.00 | 1,100.26 | 1,867.64 | | 0.00 | 100 | 1,867.64 | 0.00 |
| S0423-24 | Boiler Issue 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0423-58 | RPZ Repair 0.00 | 0.00 | 0.00 | 1,523.32 | 0.00 | 1,523.32 | -1,523.32 | | 0.00 | 100 | -1,523.32 | 0.00 |
| S0423-101 | Hot Water Heater Issue 1,020.28 | 0.00 | 1,020.28 | 0.00 | 0.00 | 0.00 | 1,020.28 | 1,020.28 | | 0 | 0.00 | 0.00 |
| S0423-106 | Leak in the Coaches Locker Rm 835.50 | 0.00 | 835.50 | 0.00 | 0.00 | 0.00 | 835.50 | 835.50 | | 0 | 0.00 | 0.00 |
| S0523-48 | Misc Plumbing Work 2,197.57 | 0.00 | 2,197.57 | 946.53 | 0.00 | 946.53 | 1,251.04 | | 0.00 | 100 | 1,251.04 | 0.00 |
| S0523-77 | leak in boiler rm 523.64 | 0.00 | 523.64 | 195.81 | 0.00 | 195.81 | 327.83 | | 0.00 | 100 | 327.83 | 0.00 |
| S0523-95 | Bathroom Rough 9,962.17 | 0.00 | 9,962.17 | 4,138.95 | 0.00 | 4,138.95 | 5,823.22 | | 0.00 | 100 | 5,823.22 | 0.00 |
| S0623-12 | Misc. Plumbing 3,130.80 | 0.00 | 3,130.80 | 1,448.34 | 0.00 | 1,448.34 | 1,682.46 | | 0.00 | 100 | 1,682.46 | 0.00 |
| S0623-19 | Plumbing Work 851.34 | 0.00 | 851.34 | 517.02 | 0.00 | 517.02 | 334.32 | | 0.00 | 100 | 334.32 | 0.00 |
| S0623-21 | Sprinkler Work 307.96 | 0.00 | 307.96 | 492.76 | 0.00 | 492.76 | -184.80 | | 0.00 | 100 | -184.80 | 0.00 |
| S0623-22 | Plumbing Work 2,223.11 | 0.00 | 2,223.11 | 1,240.46 | 0.00 | 1,240.46 | 982.65 | | 0.00 | 100 | 982.65 | 0.00 |
| S0623-59 | Main Line Stoppage 272.50 | 0.00 | 272.50 | 0.00 | 0.00 | 0.00 | 272.50 | 272.50 | | 0 | 0.00 | 0.00 |
| S0623-74 | Leak In Ceiling 1,238.72 | 0.00 | 1,238.72 | 442.67 | 0.00 | 442.67 | 796.05 | | 0.00 | 100 | 796.05 | 0.00 |
| S0722-75 | Bowne Park Service Calls 4,756.65 | 0.00 | 4,756.65 | 1,529.08 | 0.00 | 1,529.08 | 3,227.57 | | 0.00 | 100 | 3,227.57 | 0.00 |
| S0723-40 | (2) Leaks in Garage 850.00 | 0.00 | 850.00 | 264.74 | 0.00 | 264.74 | 585.26 | | 0.00 | 100 | 585.26 | 0.00 |
| S0723-55 | Poor Hot Water 369.05 | 0.00 | 369.05 | 377.30 | 0.00 | 377.30 | -8.25 | | 0.00 | 100 | -8.25 | 0.00 |
| S0723-88 | TOHHA A/C Service 1,851.54 | 0.00 | 1,851.54 | 861.76 | 0.00 | 861.76 | 989.78 | | 0.00 | 100 | 989.78 | 0.00 |

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|----------|--------------------------------|----------------|----------------|--------------|---------------------|------------------|--------------|-------------|--------------|----------|---------------|------------------|
| S0822-42 | Lawrence Stanely Dr Leak | 0.00 | 0.00 | 8,110.80 | 0.00 | 8,110.80 | -8,110.80 | | 0.00 | 100 | -8,110.80 | 0.00 |
| S0822-63 | 58 Ford Dr West Toilet Service | 1,850.00 | 0.00 | 1,850.00 | 992.62 | 992.62 | 857.38 | | 0.00 | 100 | 857.38 | 0.00 |
| S0823-02 | Outside Hose Bib Leaking | 641.54 | 0.00 | 641.54 | 389.79 | 389.79 | 251.75 | | 0.00 | 100 | 251.75 | 0.00 |
| S0823-04 | Leak in Room 238 Ceiling | 2,252.81 | 0.00 | 2,252.81 | 1,306.54 | 1,306.54 | 946.27 | | 0.00 | 100 | 946.27 | 0.00 |
| S0823-11 | Pump Issue | 980.00 | 0.00 | 980.00 | 500.00 | 500.00 | 480.00 | | 0.00 | 100 | 480.00 | 0.00 |
| S0823-21 | Leak in front of the house | 540.00 | 0.00 | 540.00 | 260.19 | 260.19 | 279.81 | | 0.00 | 100 | 279.81 | 0.00 |
| S0823-56 | Leak | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0823-69 | Propane Tank Repair | 594.80 | 0.00 | 594.80 | 326.05 | 326.05 | 268.75 | | 0.00 | 100 | 268.75 | 0.00 |
| S0823-73 | Roof Drain Repair | 3,813.56 | 0.00 | 3,813.56 | 1,769.76 | 1,769.76 | 2,043.80 | | 0.00 | 100 | 2,043.80 | 0.00 |
| S0922-20 | Bowne Park Jetting Service | 2,811.80 | 0.00 | 2,811.80 | 513.80 | 513.80 | 2,298.00 | | 0.00 | 100 | 2,298.00 | 0.00 |
| S0922-40 | Woodcrest Apt 231 Toilet/Sink | 605.00 | 0.00 | 605.00 | 113.48 | 113.48 | 491.52 | | 0.00 | 100 | 491.52 | 0.00 |
| S0922-53 | 430 East Dr Faucet Cartridge | 306.70 | 0.00 | 306.70 | 141.74 | 141.74 | 164.96 | | 0.00 | 100 | 164.96 | 0.00 |
| S0923-25 | Cap Off Lines | 0.00 | 0.00 | 0.00 | 20,569.21 | 20,569.21 | -20,569.21 | | 0.00 | 100 | -20,569.21 | 0.00 |
| S0923-36 | Leak in the Walk-In Boc | 2,204.96 | 0.00 | 2,204.96 | 1,041.34 | 1,041.34 | 1,163.62 | | 0.00 | 100 | 1,163.62 | 0.00 |
| S0923-40 | HS Pool Repair | 0.00 | 0.00 | 0.00 | 600.00 | 600.00 | -600.00 | | 0.00 | 100 | -600.00 | 0.00 |
| S0923-45 | Washer Dryer Ice Machine | 1,386.98 | 0.00 | 1,386.98 | 771.11 | 771.11 | 615.87 | | 0.00 | 100 | 615.87 | 0.00 |
| S0923-47 | Dave Filter Room | 0.00 | 0.00 | 0.00 | 3,981.29 | 3,981.29 | -3,981.29 | | 0.00 | 100 | -3,981.29 | 0.00 |
| S0923-56 | Shower Leak Room 208 | 445.00 | 0.00 | 445.00 | 28.91 | 28.91 | 416.09 | | 0.00 | 100 | 416.09 | 0.00 |
| S0923-67 | Annual Backflow Test | 100.00 | 0.00 | 100.00 | 0.00 | 0.00 | 100.00 | 100.00 | | 0 | 0.00 | 0.00 |
| S0923-77 | Nassau Collesium Backflow Test | 200.00 | 0.00 | 200.00 | 60.00 | 60.00 | 140.00 | | 0.00 | 100 | 140.00 | 0.00 |
| S0923-81 | Kitchen Sink Waste Correction | 455.10 | 0.00 | 455.10 | 76.98 | 76.98 | 378.12 | | 0.00 | 100 | 378.12 | 0.00 |
| S0923-96 | Flooded Boiler Room | 0.00 | 0.00 | 0.00 | 34,126.66 | 34,126.66 | -34,126.66 | | 0.00 | 100 | -34,126.66 | 0.00 |
| S1022-70 | Apt 229/231 Toilet Stoppages | 1,092.31 | 0.00 | 1,092.31 | 370.36 | 370.36 | 721.95 | | 0.00 | 100 | 721.95 | 0.00 |
| S1023-02 | Boiler install | 0.00 | 0.00 | 0.00 | 12,425.48 | 12,425.48 | -12,425.48 | | 0.00 | 100 | -12,425.48 | 0.00 |

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|------------|--|-----------------------|-----------------------|---------------------|----------------------------|-------------------------|---------------------|--------------------|---------------------|-----------------|----------------------|-------------------------|
| S1023-04 | Boiler Relief Valve Leaking 1,198.65 | 0.00 | 1,198.65 | 777.87 | 0.00 | 777.87 | 420.78 | | 0.00 | 100 | 420.78 | 0.00 |
| S1023-06 | Gas Meter Upgrade 1,354.50 | 0.00 | 1,354.50 | 1,011.02 | 0.00 | 1,011.02 | 343.48 | | 0.00 | 100 | 343.48 | 0.00 |
| S1023-15 | Faucet Install / Repair Toilet 135.00 | 0.00 | 135.00 | 123.83 | 0.00 | 123.83 | 11.17 | | 0.00 | 100 | 11.17 | 0.00 |
| S1023-18 | Toilet Gurgling 865.00 | 0.00 | 865.00 | 368.25 | 0.00 | 368.25 | 496.75 | | 0.00 | 100 | 496.75 | 0.00 |
| S1023-24 | Laundry Room Ceiling Leak 2,227.50 | 0.00 | 2,227.50 | 1,753.03 | 0.00 | 1,753.03 | 474.47 | | 0.00 | 100 | 474.47 | 0.00 |
| S1023-28 | TOHHA Valley Stream Heat Repair 17,993.90 | 0.00 | 17,993.90 | 8,847.42 | 0.00 | 8,847.42 | 9,146.48 | | 0.00 | 100 | 9,146.48 | 0.00 |
| S1023-47 | R/R Kitchen & Bathroom Fixture 1,299.91 | 0.00 | 1,299.91 | 777.00 | 0.00 | 777.00 | 522.91 | | 0.00 | 100 | 522.91 | 0.00 |
| S1023-52 | Leak 2,913.82 | 0.00 | 2,913.82 | 1,685.33 | 0.00 | 1,685.33 | 1,228.49 | | 0.00 | 100 | 1,228.49 | 0.00 |
| S1023-53 | Bldg 12 Leak on Heating System 684.46 | 0.00 | 684.46 | 462.03 | 0.00 | 462.03 | 222.43 | | 0.00 | 100 | 222.43 | 0.00 |
| S1023-54 | No Heat 454.42 | 0.00 | 454.42 | 154.09 | 0.00 | 154.09 | 300.33 | | 0.00 | 100 | 300.33 | 0.00 |
| S1023-55 | Jersey Mikes Backflow Test 100.00 | 0.00 | 100.00 | 0.00 | 0.00 | 0.00 | 100.00 | 100.00 | | 0 | 0.00 | 0.00 |
| S1023-57 | Main Line Back Up 540.00 | 0.00 | 540.00 | 395.28 | 0.00 | 395.28 | 144.72 | | 0.00 | 100 | 144.72 | 0.00 |
| S1023-72 | Bldg 15 Boiler Room Noise 1,155.88 | 0.00 | 1,155.88 | 803.37 | 0.00 | 803.37 | 352.51 | | 0.00 | 100 | 352.51 | 0.00 |
| S1023-80 | Leak in the Ceiling 370.00 | 0.00 | 370.00 | 153.96 | 0.00 | 153.96 | 216.04 | | 0.00 | 100 | 216.04 | 0.00 |
| S1023-87 | Winterization 450.00 | 0.00 | 450.00 | 361.03 | 0.00 | 361.03 | 88.97 | | 0.00 | 100 | 88.97 | 0.00 |
| S1023-89 | No Hot Water 1,661.97 | 0.00 | 1,661.97 | 1,281.24 | 0.00 | 1,281.24 | 380.73 | | 0.00 | 100 | 380.73 | 0.00 |
| S1023-90 | Leak Under the Kitchen Sink 330.59 | 0.00 | 330.59 | 204.59 | 0.00 | 204.59 | 126.00 | | 0.00 | 100 | 126.00 | 0.00 |
| S1023-92 | Middle School Boiler Room F/D 0.00 | 0.00 | 0.00 | 239.94 | 0.00 | 239.94 | -239.94 | | 0.00 | 100 | -239.94 | 0.00 |
| S1023-93 | Freeport Armory Raise C/O 2,679.47 | 0.00 | 2,679.47 | 1,365.97 | 0.00 | 1,365.97 | 1,313.50 | | 0.00 | 100 | 1,313.50 | 0.00 |
| S1023-98 | Heat Pump Replacement 2,672.69 | 0.00 | 2,672.69 | 1,749.50 | 0.00 | 1,749.50 | 923.19 | | 0.00 | 100 | 923.19 | 0.00 |
| S1023-99 | Winterization 450.00 | 0.00 | 450.00 | 296.71 | 0.00 | 296.71 | 153.29 | | 0.00 | 100 | 153.29 | 0.00 |
| S1023-100 | Winterization 450.00 | 0.00 | 450.00 | 355.98 | 0.00 | 355.98 | 94.02 | | 0.00 | 100 | 94.02 | 0.00 |
| S1023-109 | Heating Pipes Making Noise 3,809.76 | 0.00 | 3,809.76 | 2,779.99 | 0.00 | 2,779.99 | 1,029.77 | | 0.00 | 100 | 1,029.77 | 0.00 |
| S1023-117 | Merrick Manor 4 Backflow Tests 500.00 | 0.00 | 300.00 | 60.00 | 0.00 | 60.00 | 440.00 | 200.00 | 100 | | 440.00 | 200.00 |

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| S1023-124 | Heating Repair 561.27 | 0.00 | 561.27 | 325.13 | 0.00 | 325.13 | 236.14 | | 0.00 | 100 | 236.14 | 0.00 |
| S1023-125 | Unit 6 Leaking Down to 2 845.98 | 0.00 | 845.98 | 489.14 | 0.00 | 489.14 | 356.84 | | 0.00 | 100 | 356.84 | 0.00 |
| S1122-51 | 20 Chardonnay Rd Service 550.00 | 0.00 | 550.00 | 338.75 | 0.00 | 338.75 | 211.25 | | 0.00 | 100 | 211.25 | 0.00 |
| S1122-56 | Woodcrest North Tower HW Issue 925.00 | 0.00 | 925.00 | 412.21 | 0.00 | 412.21 | 512.79 | | 0.00 | 100 | 512.79 | 0.00 |
| S1122-65 | Woodcrest Elevator Pump Issue 665.00 | 0.00 | 665.00 | 412.23 | 0.00 | 412.23 | 252.77 | | 0.00 | 100 | 252.77 | 0.00 |
| S1123-14 | K/S S/O Valves Leaking 135.00 | 0.00 | 135.00 | 78.17 | 0.00 | 78.17 | 56.83 | | 0.00 | 100 | 56.83 | 0.00 |
| S1123-17 | Leak in the Pilates Studio 445.00 | 0.00 | 445.00 | 250.30 | 0.00 | 250.30 | 194.70 | | 0.00 | 100 | 194.70 | 0.00 |
| S1123-18 | Pipe Burst in the Crawo Space 2,213.83 | 0.00 | 2,213.83 | 1,297.78 | 0.00 | 1,297.78 | 916.05 | | 0.00 | 100 | 916.05 | 0.00 |
| S1123-20 | Circulator Pump Order 1,672.69 | 0.00 | 1,672.69 | 992.46 | 0.00 | 992.46 | 680.23 | | 0.00 | 100 | 680.23 | 0.00 |
| S1123-30 | Leak on Boiler 914.69 | 0.00 | 914.69 | 526.50 | 0.00 | 526.50 | 388.19 | | 0.00 | 100 | 388.19 | 0.00 |
| S1123-32 | Guggenheim Video Inspection 4,438.81 | 0.00 | 4,438.81 | 1,557.35 | 0.00 | 1,557.35 | 2,881.46 | | 0.00 | 100 | 2,881.46 | 0.00 |
| S1123-35 | Valve Replacement 1,390.00 | 0.00 | 1,390.00 | 1,163.48 | 0.00 | 1,163.48 | 226.52 | | 0.00 | 100 | 226.52 | 0.00 |
| S1123-38 | Leak in Crawl Space 2,953.49 | 0.00 | 2,953.49 | 1,836.90 | 0.00 | 1,836.90 | 1,116.59 | | 0.00 | 100 | 1,116.59 | 0.00 |
| S1123-41 | Storm Drain Issue 2,011.19 | 0.00 | 2,011.19 | 770.10 | 0.00 | 770.10 | 1,241.09 | | 0.00 | 100 | 1,241.09 | 0.00 |
| S1123-48 | Main Line Stoppage 4,316.32 | 0.00 | 4,316.32 | 2,268.62 | 0.00 | 2,268.62 | 2,047.70 | | 0.00 | 100 | 2,047.70 | 0.00 |
| S1123-51 | Cantiaque 4" Device Leaking 465.00 | 0.00 | 465.00 | 247.19 | 0.00 | 247.19 | 217.81 | | 0.00 | 100 | 217.81 | 0.00 |
| S1123-55 | Video Inspect Drain Line 1,123.75 | 0.00 | 1,123.75 | 281.48 | 0.00 | 281.48 | 842.27 | | 0.00 | 100 | 842.27 | 0.00 |
| S1123-58 | Brewery Meter Set 3,369.67 | 0.00 | 3,369.67 | 2,267.57 | 0.00 | 2,267.57 | 1,102.10 | | 0.00 | 100 | 1,102.10 | 0.00 |
| S1123-60 | Install Kitchen Sink 579.62 | 0.00 | 579.62 | 482.36 | 0.00 | 482.36 | 97.26 | | 0.00 | 100 | 97.26 | 0.00 |
| S1123-65 | Bldg 6 Leak In Crawl Space 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S1123-67 | Sewer Fly Issue 220.00 | 0.00 | 220.00 | 78.16 | 0.00 | 78.16 | 141.84 | | 0.00 | 100 | 141.84 | 0.00 |
| S1123-68 | Water Leak in Elevator Shaft 810.00 | 0.00 | 810.00 | 378.62 | 0.00 | 378.62 | 431.38 | | 0.00 | 100 | 431.38 | 0.00 |
| S1123-69 | Furnace Not Firing Up 457.05 | 0.00 | 457.05 | 228.03 | 0.00 | 228.03 | 229.02 | | 0.00 | 100 | 229.02 | 0.00 |
| S1123-72 | Hempstead HS Pool Repair 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |

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| S1123-80 | Emergency Service | 2,218.07 | 0.00 | 2,218.07 | 1,398.56 | 0.00 | 1,398.56 | 819.51 | 0.00 | 100 | 819.51 | 0.00 |
| S1123-84 | Install Water Cooler | 478.61 | 0.00 | 478.61 | 291.12 | 0.00 | 291.12 | 187.49 | 0.00 | 100 | 187.49 | 0.00 |
| S1123-86 | Leak on 1/2" Copper Line | 807.07 | 0.00 | 807.07 | 273.56 | 0.00 | 273.56 | 533.51 | 0.00 | 100 | 533.51 | 0.00 |
| S1123-93 | Odor at the Kitchen Sink | 143.49 | 0.00 | 143.49 | 0.00 | 0.00 | 143.49 | 143.49 | | 0 | 0.00 | 0.00 |
| S1123-96 | Bathroom Sink Clogged | 228.75 | 0.00 | 228.75 | 0.00 | 0.00 | 228.75 | 228.75 | | 0 | 0.00 | 0.00 |
| S1123-101 | Boilers Making Loud Noises | 2,269.58 | 0.00 | 2,269.58 | 240.67 | 0.00 | 240.67 | 2,028.91 | 0.00 | 100 | 2,028.91 | 0.00 |
| S1123-107 | Hot Water Heater Leaking | 2,450.00 | 0.00 | 2,450.00 | 1,887.78 | 0.00 | 1,887.78 | 562.22 | 0.00 | 100 | 562.22 | 0.00 |
| S1123-112 | No Heat | 135.00 | 0.00 | 135.00 | 0.00 | 0.00 | 135.00 | 135.00 | | 0 | 0.00 | 0.00 |
| S1123-113 | Bathtub Backing Up | 296.25 | 0.00 | 296.25 | 159.26 | 0.00 | 159.26 | 136.99 | 0.00 | 100 | 136.99 | 0.00 |
| S1123-117 | Kitchen Sink Installation | 885.37 | 0.00 | 885.37 | 630.10 | 0.00 | 630.10 | 255.27 | 0.00 | 100 | 255.27 | 0.00 |
| S1123-125 | Main Line Backing Up | 3,775.65 | 0.00 | 3,775.65 | 2,809.05 | 0.00 | 2,809.05 | 966.60 | 0.00 | 100 | 966.60 | 0.00 |
| S1123-126 | Leak | 1,203.93 | 0.00 | 1,203.93 | 535.40 | 0.00 | 535.40 | 668.53 | 0.00 | 100 | 668.53 | 0.00 |
| S1123-127 | Bethpage HS Gas Leak | 3,051.05 | 0.00 | 3,051.05 | 1,975.42 | 0.00 | 1,975.42 | 1,075.63 | 0.00 | 100 | 1,075.63 | 0.00 |
| S1123-128 | Mattituck HS Cracked Elbow | 2,918.43 | 0.00 | 2,918.43 | 1,117.01 | 0.00 | 1,117.01 | 1,801.42 | 0.00 | 100 | 1,801.42 | 0.00 |
| S1123-130 | Sewage Grinder Pump Install | 3,323.39 | 0.00 | 3,323.39 | 2,208.99 | 0.00 | 2,208.99 | 1,114.40 | 0.00 | 100 | 1,114.40 | 0.00 |
| S1123-132 | Wlththrop Ave Stoppage | 965.05 | 0.00 | 965.05 | 259.75 | 0.00 | 259.75 | 705.30 | 0.00 | 100 | 705.30 | 0.00 |
| S1123-134 | Apt 25-K Leak In Ceiling | 715.34 | 0.00 | 715.34 | 609.33 | 0.00 | 609.33 | 106.01 | 0.00 | 100 | 106.01 | 0.00 |
| S1222-35 | Emergency Steam line leak | 13,265.51 | 0.00 | 13,265.51 | 9,534.58 | 0.00 | 9,534.58 | 3,730.93 | 0.00 | 100 | 3,730.93 | 0.00 |
| S1223-00 | Apt 24-N - Leak | 718.32 | 0.00 | 718.32 | 399.29 | 0.00 | 399.29 | 319.03 | 0.00 | 100 | 319.03 | 0.00 |
| S1223-01 | Apt 48 Baseboard Replacement | 0.00 | 0.00 | 0.00 | 10,775.60 | 0.00 | 10,775.60 | -10,775.60 | 0.00 | 100 | -10,775.60 | 0.00 |
| S1223-02 | ES | 0.00 | 0.00 | 0.00 | 5,767.51 | 0.00 | 5,767.51 | -5,767.51 | 0.00 | 100 | -5,767.51 | 0.00 |
| S1223-03 | Apt 30 Bathtub Clogged | 503.75 | 0.00 | 503.75 | 234.49 | 0.00 | 234.49 | 269.26 | 0.00 | 100 | 269.26 | 0.00 |
| S1223-04 | Leak Units 52-51 | 3,052.07 | 0.00 | 3,052.07 | 1,528.74 | 0.00 | 1,528.74 | 1,523.33 | 0.00 | 100 | 1,523.33 | 0.00 |
| S1223-06 | Leak in basement | 1,080.00 | 0.00 | 1,080.00 | 793.82 | 0.00 | 793.82 | 286.18 | 0.00 | 100 | 286.18 | 0.00 |

Work in Progress Report
 Seaford Ave Corp
 1/9/2024

| <u>Job</u> | <u>Contract Amount</u> | <u>Estimated Cost</u> | <u>Billed To Date</u> | <u>Cost To Date</u> | <u>Est. Cost Remaining</u> | <u>Revised Estimate</u> | <u>Final Profit</u> | <u>Over Billed</u> | <u>Under Billed</u> | <u>Pct Cmp</u> | <u>Earned Income</u> | <u>Contract Balance</u> |
|------------|--|-----------------------|-----------------------|---------------------|----------------------------|-------------------------|---------------------|--------------------|---------------------|----------------|----------------------|-------------------------|
| S1223-35 | No Hot water 3-Comp Sink 985.00 | 0.00 | 985.00 | 306.15 | 0.00 | 306.15 | 678.85 | | 0.00 | 100 | 678.85 | 0.00 |
| S1223-36 | Kitchen Plumbing Repairs 1,817.70 | 0.00 | 1,817.70 | 827.60 | 0.00 | 827.60 | 990.10 | | 0.00 | 100 | 990.10 | 0.00 |
| S1223-37 | Leak in Kitchen Soffit 1,216.07 | 0.00 | 1,216.07 | 597.18 | 0.00 | 597.18 | 618.89 | | 0.00 | 100 | 618.89 | 0.00 |
| S1223-38 | Gas Stove Flex Hose Repair 135.00 | 0.00 | 135.00 | 78.17 | 0.00 | 78.17 | 56.83 | | 0.00 | 100 | 56.83 | 0.00 |
| S1223-39 | Main Cesspool Line Clogged 10,528.92 | 0.00 | 10,528.92 | 2,716.61 | 0.00 | 2,716.61 | 7,812.31 | | 0.00 | 100 | 7,812.31 | 0.00 |
| S1223-40 | Too Much Heat 439.80 | 0.00 | 439.80 | 78.16 | 0.00 | 78.16 | 361.64 | | 0.00 | 100 | 361.64 | 0.00 |
| S1223-41 | Toilet Backing Up Into Bathtub 1,060.82 | 0.00 | 1,060.82 | 650.37 | 0.00 | 650.37 | 410.45 | | 0.00 | 100 | 410.45 | 0.00 |
| S1223-42 | Misc. Plumbing Repairs 405.00 | 0.00 | 405.00 | 234.99 | 0.00 | 234.99 | 170.01 | | 0.00 | 100 | 170.01 | 0.00 |
| S1223-43 | Mazda - Clogged Slop Sink 538.75 | 0.00 | 538.75 | 156.32 | 0.00 | 156.32 | 382.43 | | 0.00 | 100 | 382.43 | 0.00 |
| S1223-44 | Gas Leak 1,843.37 | 0.00 | 1,843.37 | 823.27 | 0.00 | 823.27 | 1,020.10 | | 0.00 | 100 | 1,020.10 | 0.00 |
| S1223-46 | Main Fl Hallway Ceiling Leak 1,097.29 | 0.00 | 1,097.29 | 693.89 | 0.00 | 693.89 | 403.40 | | 0.00 | 100 | 403.40 | 0.00 |
| S1223-47 | Leak in the hallway 763.69 | 0.00 | 763.69 | 491.46 | 0.00 | 491.46 | 272.23 | | 0.00 | 100 | 272.23 | 0.00 |
| S1223-49 | No Hot Water 1,700.00 | 0.00 | 1,700.00 | 1,132.71 | 0.00 | 1,132.71 | 567.29 | | 0.00 | 100 | 567.29 | 0.00 |
| S1223-50 | Shower Body Cartridge Replace 603.75 | 0.00 | 603.75 | 440.08 | 0.00 | 440.08 | 163.67 | | 0.00 | 100 | 163.67 | 0.00 |
| S1223-51 | Clogged Bathroom Sink 0.00 | 0.00 | 0.00 | 625.35 | 0.00 | 625.35 | -625.35 | | 0.00 | 100 | -625.35 | 0.00 |
| S1223-52 | Trip Lever Stuck 315.00 | 0.00 | 315.00 | 78.17 | 0.00 | 78.17 | 236.83 | | 0.00 | 100 | 236.83 | 0.00 |
| S1223-53 | Clogged Drain / Laundry Room 503.75 | 0.00 | 503.75 | 234.49 | 0.00 | 234.49 | 269.26 | | 0.00 | 100 | 269.26 | 0.00 |
| S1223-54 | Air in the Lines 1,946.96 | 0.00 | 1,946.96 | 1,538.31 | 0.00 | 1,538.31 | 408.65 | | 0.00 | 100 | 408.65 | 0.00 |
| S1223-55 | Annual Backflow Test 100.00 | 0.00 | 100.00 | 30.00 | 0.00 | 30.00 | 70.00 | | 0.00 | 100 | 70.00 | 0.00 |
| S1223-56 | No Heat 0.00 | 0.00 | 0.00 | 252.17 | 0.00 | 252.17 | -252.17 | | 0.00 | 100 | -252.17 | 0.00 |
| S1223-57 | Shower Body Cartridge Replace 603.75 | 0.00 | 603.75 | 432.20 | 0.00 | 432.20 | 171.55 | | 0.00 | 100 | 171.55 | 0.00 |
| S1223-58 | Unit 1-A Zone Valve Replacemen 0.00 | 0.00 | 0.00 | 1,002.37 | 0.00 | 1,002.37 | -1,002.37 | | 0.00 | 100 | -1,002.37 | 0.00 |
| S1223-60 | Sink Stoppage 652.50 | 0.00 | 652.50 | 234.51 | 0.00 | 234.51 | 417.99 | | 0.00 | 100 | 417.99 | 0.00 |
| S1223-61 | Water Leaking from Ceiling 978.75 | 0.00 | 978.75 | 625.99 | 0.00 | 625.99 | 352.76 | | 0.00 | 100 | 352.76 | 0.00 |

Work in Progress Report
Seaford Ave Corp
1/9/2024

| Job | Contract Amount | Estimated Cost | Billed To Date | Cost To Date | Est. Cost Remaining | Revised Estimate | Final Profit | Over Billed | Under Billed | Pct Cmp | Earned Income | Contract Balance |
|--|---|----------------|----------------|--------------|---------------------|------------------|--------------|-------------|--------------|---------|---------------|------------------|
| S1223-62 | Bldg 9 Boiler Room PRV 766.79 | 0.00 | 766.79 | 502.97 | 0.00 | 502.97 | 263.82 | | 0.00 | 100 | 263.82 | 0.00 |
| S1223-63 | Cracked Waste Line 0.00 | 0.00 | 0.00 | 2,583.36 | 0.00 | 2,583.36 | -2,583.36 | | 0.00 | 100 | -2,583.36 | 0.00 |
| S1223-64 | Leak in the Ceiling 1,187.50 | 0.00 | 1,187.50 | 501.48 | 0.00 | 501.48 | 686.02 | | 0.00 | 100 | 686.02 | 0.00 |
| S1223-65 | Bldg 25 Boiler Issue 614.58 | 0.00 | 614.58 | 261.11 | 0.00 | 261.11 | 353.47 | | 0.00 | 100 | 353.47 | 0.00 |
| S1223-66 | Water Filter / Pressure Issue 0.00 | 0.00 | 0.00 | 162.57 | 0.00 | 162.57 | -162.57 | | 0.00 | 100 | -162.57 | 0.00 |
| S1223-67 | Pump Issue 0.00 | 0.00 | 0.00 | 1,258.29 | 0.00 | 1,258.29 | -1,258.29 | | 0.00 | 100 | -1,258.29 | 0.00 |
| S1223-68 | Leak in the Ceiling 423.10 | 0.00 | 423.10 | 156.32 | 0.00 | 156.32 | 266.78 | | 0.00 | 100 | 266.78 | 0.00 |
| S1223-69 | Install Check Valve Under K/S 0.00 | 0.00 | 0.00 | 635.06 | 0.00 | 635.06 | -635.06 | | 0.00 | 100 | -635.06 | 0.00 |
| S1223-70 | Emergency Service 0.00 | 0.00 | 0.00 | 1,613.59 | 0.00 | 1,613.59 | -1,613.59 | | 0.00 | 100 | -1,613.59 | 0.00 |
| S1223-71 | No Heat 0.00 | 0.00 | 0.00 | 489.23 | 0.00 | 489.23 | -489.23 | | 0.00 | 100 | -489.23 | 0.00 |
| S1223-72 | Install Shut-Off Valves 0.00 | 0.00 | 0.00 | 219.52 | 0.00 | 219.52 | -219.52 | | 0.00 | 100 | -219.52 | 0.00 |
| S1223-73 | Toilet Leaking at the Base 0.00 | 0.00 | 0.00 | 563.73 | 0.00 | 563.73 | -563.73 | | 0.00 | 100 | -563.73 | 0.00 |
| S1223-74 | Bldg 4/5 No Heat or Hot Water 540.00 | 0.00 | 540.00 | 193.38 | 0.00 | 193.38 | 346.62 | | 0.00 | 100 | 346.62 | 0.00 |
| S1223-75 | Emergency Service - Event Lave 0.00 | 0.00 | 0.00 | 3,021.40 | 0.00 | 3,021.40 | -3,021.40 | | 0.00 | 100 | -3,021.40 | 0.00 |
| S1223-76 | Clogged Bathtub 0.00 | 0.00 | 0.00 | 487.71 | 0.00 | 487.71 | -487.71 | | 0.00 | 100 | -487.71 | 0.00 |
| S1223-79 | Ladies Bathroom/Toilet Repair 0.00 | 0.00 | 0.00 | 162.55 | 0.00 | 162.55 | -162.55 | | 0.00 | 100 | -162.55 | 0.00 |
| S1223-80 | Oil Boiler Leaking 0.00 | 0.00 | 0.00 | 271.68 | 0.00 | 271.68 | -271.68 | | 0.00 | 100 | -271.68 | 0.00 |
| S1223-81 | Leak from 310 down into 309 550.00 | 0.00 | 550.00 | 243.86 | 0.00 | 243.86 | 306.14 | | 0.00 | 100 | 306.14 | 0.00 |
| S1223-82 | Lead Bend Leak/Bathtub Clog 0.00 | 0.00 | 0.00 | 406.41 | 0.00 | 406.41 | -406.41 | | 0.00 | 100 | -406.41 | 0.00 |
| S1223-83 | annual backflow test 100.00 | 0.00 | 100.00 | 0.00 | 0.00 | 0.00 | 100.00 | 100.00 | | 0 | 0.00 | 0.00 |
| S1223-84 | Clogged Sink Principal Office 0.00 | 0.00 | 0.00 | 314.91 | 0.00 | 314.91 | -314.91 | | 0.00 | 100 | -314.91 | 0.00 |
| S1223-85 | Leak In the Crawl Space 0.00 | 0.00 | 0.00 | 267.61 | 0.00 | 267.61 | -267.61 | | 0.00 | 100 | -267.61 | 0.00 |
| <hr/> | | | | | | | | | | | | |
| <p>19,494,427.63 4,502,120.81 14,890,272.61 15,961,082.88 282,282.20 16,243,365.08 3,251,062.55 300,127.20 4,181,414.69 98 2,810,477.22 4,604,155.02</p> | | | | | | | | | | | | |
| Labor | 197,029.00 | | 3,464,636.90 | | | | | | | | | |
| Overtime Labor | 0.00 | | 210,000.71 | | | | | | | | | |
| Burden | 21,101.81 | | 2,096,663.20 | | | | | | | | | |

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| Job | Job Name | Contract Amount | Customer Name | Description of Work | Contact | Phone# |
|----------|--------------------------------|-----------------|--------------------------------|--|----------------------|--------------|
| 0118-115 | NY Psych - 80 ton chillerA | 113,753.00 | Zoi Contracting, Inc | NYS OGS project | Rosemarie Arbeeny | 718-768-8851 |
| 0119-22 | Sag Harbor Cinema Plumbing | 329,277.23 | ConRac Construction Group, LLC | new construction theater | Charles Kozikowski | 631-756-0101 |
| 0119-35 | Northport/ East NP UFSD Gas | 283,524.72 | Northport-East Northport UFSD | school gas conversion | Jane Corcione | 631-338-6003 |
| 0119-36 | Northport/ East NP UFSD Water | 145,000.00 | Northport-East Northport UFSD | school gas conversion | Jane Corcione | 631-338-6004 |
| 0119-38 | Sag Harbor Cinemas Sprinklers | 123,770.00 | ConRac Construction Group, LLC | new construction theater | Charles Kozikowski | 631-756-0101 |
| 0120-17 | Kane Street Townhouse | 410,490.00 | Ambrosino Consultant Corp | new hi end residential construction | Craig Hurst | 516-779-7078 |
| 0220-54 | Round Swamp Rd. Plumbing Imprv | 1,940,558.11 | TOB Housing Authority | renovation of existing building | Ethel Wright | 516-349-1000 |
| 0317-01 | Racanelli - Homewood Suites B | 1,337,795.75 | Racanelli Construction | new construction hotel | Charles Kozikowski | 631-756-0101 |
| 0318-13 | USTA Tennis Center A | 134,823.00 | AECOM Hunt | sports complex gas piping | Joseph Tofanelli | 718-309-2213 |
| 0319-33 | Chemical Bulk Storage Upgrade | 283,928.80 | Town of Hempstead Parks | renovation of existing building | Gerard D'Elia | 516-673-1596 |
| 0319-57 | Sachem CSD 2018/19 Cap Improve | 690,000.00 | Sachem Central School District | school renovation | Laura Sager | 631-471-1300 |
| 0417-29 | Atria Great Neck-Interior B | 819,990.99 | Renu Restoration | renovation of existing building | Michael Donovan | 631-782-1020 |
| 0418-16 | Raymour & Flanigan B Marine Pk | 420,241.37 | Raymour & Flanigan | new commercial construction | Dan Haro | 315-453-2500 |
| 0418-19 | Riverview Loft B | 1,888,866.97 | JORCO | new construction residential housing | Bob Weiner | 516-487-0050 |
| 0418-47 | Atkinson School contract A | 112,483.41 | Freeport UFSD | school renovation | Erika Elmore | 516-867-5222 |
| 0419-67 | Starlight Park Comfort Station | 205,140.98 | Renu Restoration | NYC Parks dept comfort station | Michael Donovan | 631-782-1020 |
| 0419-73 | Keyfood Pleasantville | 172,554.23 | Key Food Plaza International | renovation existing commercial building | Bob Frunzi | 516-481-8100 |
| 0420-07 | Gas pipe Mt Kisco Hsing A (DB) | 324,000.00 | Mount Kisco Housing Auth | replacement of existing natraul gas system | Eugene Grigortsevich | 914-557-9333 |
| 0516-26 | Paerdegat AC gas piping PLA A | 141,384.52 | Zoi Contracting, Inc | NYS OGS project | Rosemarie Arbeeny | 718-768-8851 |
| 0517-27 | National Grid-Brentwood Whse B | 112,828.30 | Martone & Sons Roofing | renovation of existing commecial building | Nate Martone | 516-523-3482 |
| 0517-34 | Oceanside UFSD A | 282,776.00 | Oceanside UFSD | school renovation | Mark Montemarano | 516-594-2333 |
| 0517-50 | Sayville Lanes / Bowlero B | 101,074.02 | Double R | renovation of existing commercial building | Rodney Regan | 631-249-1117 |
| 0518-45 | Nassau Coliseum New Islanders | 264,485.55 | AECOM Hunt | renovation of existing sports complex | Joseph Tofanelli | 718-309-2213 |
| 0520-05 | Lawrence MS Locker Rooms A | 158,000.00 | Lawrence UFSD | school renovation | Lance Mcallister | 516-661-1392 |
| 0613-71 | Long Beach High School-contrac | 164,417.00 | Long Beach School District | school renovation | Don Kramer | 516-897-2120 |
| 0617-15 | BARNUM PLUMB Improvements B | 552,343.00 | TOB Housing Authority | renovation HA building | Ethel Wright | 516-349-1000 |
| 0617-39 | Jericho - Gas A | 275,750.00 | Jericho School District | school gas piping | Brian Lazrovitch | 516-203-3600 |
| 0617-43 | Moxey A. Rigby Apartments A | 2,713,171.50 | JOBCO | new construction residential housing | Bob Weiner | 516-487-0050 |
| 0618-08 | Hempstead MS Toilets/Science A | 141,372.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| 0619-03 | Sylvan Ave ES Plumbing Repairs | 139,990.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| 0619-06 | Northport Hotel | 808,808.06 | Northport Harbor Construction | new hotel construction | Mike Peck | 516-807-8817 |
| 0619-14 | Bond Issue Cap Improv Phase 4B | 205,000.00 | Island Trees Business Office | school renovation | Samantha Iaboni | 516-520-2109 |
| 0619-21 | Taconic CF Sanitary Sys EE131G | 115,858.00 | OGS | NYS OGS project | Juan Aivarenga | 917-731-7023 |
| 0620-06 | Laurel Homes Prefabbs (DB) | 679,019.27 | Georgica Green Ventures, LLC | new construction residential housing | Lisa Kronenberg | 516-470-9106 |
| 0717-33 | Raymour Flan bath reno's B | 137,971.94 | Raymour & Flanigan | renovation exsiting commercial building | Dan Haro | 315-453-2500 |
| 0718-10 | LIRR Facility Improvement A | 116,030.64 | Malcolm Patrick Corp. | LIRR renovation | John Engelhart | 914-633-3755 |
| 0719-28 | Valley Stream CHSD Fountains | 168,868.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| 0815-45 | Snap Contract Glen Oaks "A" | 399,475.27 | Zenith Group | renovation of existing commercial building | Carlo Castronova | 631-369-6601 |
| 0817-06 | Library ejector A | 283,168.85 | Queens Central Library | NYC library reconstruction | William Funk | 718-990-0782 |
| 0817-16 | Bellmore Merrick Various A | 471,482.00 | Johnson Controls, Inc. | school gas conversion | Michael Weason | 914-263-8598 |
| 0818-04 | Farmingdale Schools (A) | 220,630.39 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| 0818-32 | Tumanelli Destist Office | 119,090.30 | Fabrizio Construction | renovation existing commercial space | Michael Fabrizio | 631-789-8562 |
| 0818-66 | Carlton House | 144,627.59 | Renu Restoration | renovation existing commercial space | Michael Donovan | 631-782-1020 |

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|----------|--------------------------------|--------------|--------------------------------|--|--------------------|--------------|
| 0819-07 | Woodcrest Apts | 4,729,346.39 | Racanelli Construction | new construction residential housing | Charles Kozikowski | 631-756-0101 |
| 0819-08 | Roofing & Soffit Replacements | 137,402.00 | Town of Hempstead Housing Auth | renovation existing residential public housing | Andrew Museilla | 516-485-9666 |
| 1018-06 | US Coast Guard Station | 192,309.03 | Korman Government Solutions | renovation existing commercial building | Chris DeCarolis | 508-366-7442 |
| 1019-12 | Hicksville Phase 2 Rebid Pool | 475,000.00 | Hicksville UFSD | school renovation | David Bell | 516-733-2180 |
| 1019-33 | Wind Watch Residences | 4,880,940.88 | SLC Commercial Construction | new construction residential housing | Kristy Dickinson | 615-778-1209 |
| 1117-01 | Pool Filters - Various Parks A | 772,684.46 | Town of Oyster Bay DPW | reconstruction public park | Jim Walen | 516-677-5935 |
| 1117-46 | OCEANSIDE UFSD 2016 FEMA A | 123,000.00 | Oceanside UFSD | school renovation | Mark Montemarano | 516-594-2333 |
| 1117-49 | CENTER MORICHES UFSD A | 148,592.00 | Center Moriches UFSD | school renovation | Marylou Lemmen | 631-878-0052 |
| 1119-31 | Chemical Bulk Stge Phase 1B A | 470,774.86 | Town of Hempstead Parks | reconstruction public park | Gerard D'Elia | 516-673-1596 |
| 1216-55 | Marine Terrace LAARS B | 697,807.50 | Zoi Contracting, Inc | NYS OGS | Rosemarie Arbeeny | 718-768-8851 |
| 1217-13 | Rocky Pt Bond Issue Capital A | 199,200.00 | Rocky Point UFSD | school renovation | Laura Hamilton | 631-744-1600 |
| 1217-39 | Food Emporium plumb B | 237,979.00 | Dan's Supreme | renovation existing commercial building | Bob Frunzie | 516-807-1299 |
| 1217-56 | Marine Terrace B | 256,560.00 | AMK Contracting Corp. | renovation existing housing | Manny | 917-337-5237 |
| 1219-28 | South Salem Elementary | 102,000.00 | Pt. Washington UFSD | school renovation | James Ristano | 516-767-5000 |
| A0223-10 | Commack UFSD Phase 4 | 417,900.00 | Commack UFSD | school renovation | Roger Mercer | 631-858-3602 |
| A0321-03 | Hicksville HS Music Suite | 109,275.08 | Hicksville UFSD | school renovation | David Bell | 516-733-2180 |
| A0322-00 | Sachem CSD 21-22 Cap Improveme | 674,739.84 | Sachem Central School District | school renovation | Laura Sager | 631-471-1300 |
| A0322-01 | CSH HS Phase 2A Cap Improvemnt | 1,006,024.00 | Cold Spring Harbor CSD | school renovation | Katie Fina | 631-367-5928 |
| A0323-05 | Newbridge Rd Park Spray Pad | 716,500.00 | Town of Hempstead Parks | reconstruction public park | Gerard D'Elia | 516-673-1596 |
| A0323-06 | JFKHS Pool Filter & Pump Room | 724,025.00 | Plainview-Old Bethpage CSD | school renovation | Kim Parahus | 516-434-3110 |
| A0323-09 | Valley Stream #30 Various ES | 179,700.00 | Valley Stream School Distr #30 | school renovation | Natalie Vargas | 516-872-5682 |
| A0323-10 | TOBHA Plumbing Improvements | 250,193.90 | TOB Housing Authority | renovate public housing | Ethel Wright | 516-349-1000 |
| A0423-02 | Police Headquarters Dual Temp | 651,562.00 | Nassau County Public Works | renovate public building | Michael Puleo | 516-274-8048 |
| A0423-03 | Holtsville Fuel Cell | 133,203.37 | Welsbach Electric Corp of LI | new fuel cell construction | Dan Piquette | 516-454-0023 |
| A0423-04 | East Setauket Fuel Cell | 147,637.16 | Welsbach Electric Corp of LI | new fuel cell construction | Dan Piquette | 516-454-0024 |
| A0423-08 | Renu Amityville Coils MS | 378,868.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A0523-04 | Isolation Valves Mattlin MS | 102,774.84 | Plainview-Old Bethpage CSD | school renovation | Kim Parahus | 516-434-3110 |
| A0620-31 | Newbridge Pool Fixtures A | 151,706.00 | Town of Hempstead | reconstruction public park | Gerard D'Elia | 516-673-1596 |
| A0621-01 | Syosset CSD Multi-Location Gas | 363,574.46 | HVAC Incorp. | school renovation | Lee Morgan | 631-243-3400 |
| A0621-02 | East Hampton HS Gas | 146,979.03 | HVAC Incorp. | school renovation | Lee Morgan | 631-243-3400 |
| A0621-06 | Daly ES Plumbing Re-bid Improv | 644,157.35 | Pt. Washington UFSD | school renovation | James Ristano | 516-767-5000 |
| A0622-02 | West Islip District Cap Improv | 146,161.83 | West Islip Public Schools | school renovation | James Bosse | 631-930-1503 |
| A0622-08 | Renu North Babylon ES Phase 4A | 347,607.73 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A0623-02 | Baldwin Brookside ES Toilet | 110,700.00 | Baldwin UFSD | school renovation | Kathleen Hand | 516-512-8983 |
| A0623-03 | Baldwin Lenox ES Toilet Reno | 188,860.00 | Baldwin UFSD | school renovation | Kathleen Hand | 516-512-8983 |
| A0623-04 | Baldwin Plaza ES Toilet Reno | 155,300.00 | Baldwin UFSD | school renovation | Kathleen Hand | 516-512-8983 |
| A0623-05 | Baldwin High School Toilet Ren | 664,300.00 | Baldwin UFSD | school renovation | Kathleen Hand | 516-512-8983 |
| A0623-06 | Baldwin Steele ES Toilet Reno | 244,700.00 | Baldwin UFSD | school renovation | Kathleen Hand | 516-512-8983 |
| A0623-07 | Baldwin Middle School Toilet R | 365,700.00 | Baldwin UFSD | school renovation | Kathleen Hand | 516-512-8983 |
| A0623-10 | Long Beach CSD HS Bath Upgrade | 400,588.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A0623-14 | Mineola MS Gym Addition | 120,872.00 | Laser Industries, Inc. | school renovation | Anthony Gulino | 631-924-0644 |
| A0720-00 | Locust Valley Locker Room Reno | 214,897.01 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A0721-01 | Washington St ES Plumbing | 113,728.17 | Belfor Long Island, LLC | school renovation | Rebecca Guerin | 631-964-8900 |
| A0721-03 | Commack MS Toilet Renos | 131,757.57 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A0722-00 | East Ramapo SD Sinks | 269,826.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |

| | | | | | | |
|----------|--------------------------------|--------------|--------------------------------|------------------------------|--------------------|--------------|
| A0723-05 | Cap Improvement Lido MS | 109,500.00 | Long Beach Public Schools | school renovation | Don Kramer | 516-897-2120 |
| A0820-04 | Freeport touchless fixtures | 325,846.57 | Freeport UFSD | school renovation | Kathleen Hand | 516-512-8983 |
| A0820-19 | East Islip District Toilet Ren | 1,434,819.20 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A0822-09 | Spinney Hill Homes Boilers | 230,000.00 | Spinney Hill Homes | renovation public housing | Sean Rainey | 516-627-6433 |
| A0920-06 | MTA Fresh Pond bus depot roof | 131,028.56 | HVAC Incorp. | renovate public building | Lee Morgan | 631-242-3400 |
| A0922-02 | Bristol Warehouse Plumbing | 316,076.56 | Independent General Contract | new construction commercial | Laura Lucente | 631-234-3567 |
| A0922-06 | Baker ES Additions & Alts | 737,500.00 | Great Neck UFSD | school renovation | Alfredo Cavaliaro | 516-441-4044 |
| A0922-07 | Cradle Aviation Heat Repairs | 105,251.31 | Nassau County Public Works | renovate public building | Michael Puleo | 516-274-8048 |
| A0922-15 | Brentwood UFSD Addtl Fountains | 103,872.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A1020-07 | Farmingdale District Toilets | 425,000.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A1020-08 | Lido EMS Restrooms Round 4 | 103,780.97 | Town of Hempstead Parks | reconstruction public park | Gerard D'Elia | 516-673-1596 |
| A1021-05 | NCPD Evidence Room Sprinklers | 145,000.00 | Nassau County Public Works | renovate public building | Michael Puleo | 516-274-8048 |
| A1021-09 | Pat Med HS Art & Science Rms | 151,542.40 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A1022-03 | Goose Hill Primary Phase 2 | 140,326.20 | Cold Spring Harbor CSD | school renovation | Katie Fina | 631-367-5928 |
| A1022-10 | East Meadow Schools Gas Projec | 749,084.50 | Johnson Controls, Inc. | school renovation | Michael Weason | 914-263-8598 |
| A1221-03 | Chemical Bulk Phase 3 Upgrades | 493,385.00 | Town of Hempstead Parks | reconstruction public park | Gerard D'Elia | 516-673-1596 |
| A1222-12 | Amityville MS Emerg Freeze Up | 262,626.17 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A1222-14 | N Bicycle Path School | 102,151.65 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| B0321-08 | Emblem Health Chiller & Coils | 274,786.13 | Air Comfort | repair commercial | Anthony Spadro | 516-799-2100 |
| B0322-04 | Tanner Park Comm Cntr Boiler | 121,090.00 | Renu Restoration | reconstruction public park | Michael Donovan | 631-782-1020 |
| B0323-07 | Phase 2 Plumbing Repairs S BLD | 474,500.00 | Woodlands Apartment Corp. | renovation existing housing | Courtney Mcdermott | 631-767-2904 |
| B0521-03 | S23 Middle Neck Rd Apts | 580,291.28 | JOBCO | new residential construction | Bob Welner | 516-487-0050 |
| B0571-16 | Waverly Ave Various Plumb Impr | 119,580.00 | 260 Waverly Owners, Inc. | renovation existing housing | Courtney Mcdermott | 631-767-2904 |
| B0720-08 | Brookside Gardens boilers | 115,500.00 | Town of Hempstead Housing Auth | renovation existing housing | Andrew Musella | 516-485-9666 |
| B0721-01 | Woodlands Islip Plumb Improve | 369,170.00 | Woodlands Apartment Corp. | renovation existing housing | Courtney Mcdermott | 631-767-2904 |
| B0821-05 | Nassau Col Repair Dig | 136,724.00 | Nassau Coliseum | renovate public building | Vlto Cobo | 516-744-6289 |
| B0922-09 | Spinney Hill Homes Boiler | 230,000.00 | Spinney Hill Homes | renovation existing housing | Sean Rainey | 516-627-6433 |

#3

266 Bayview Avenue
Massapequa, NY 11758
Phone 516-790-1892

Michael R. Scott

Education:

- 1983 Lynbrook High School, Lynbrook, New York
- 1983-1985 Nassau Community College, East Meadow, New York

Work Experience:

- 2002- Present: Seaford Avenue Corp. Massapequa, NY – Owner/Operator
- 1993- Present: G&M Mechanical Inc., Massapequa, NY – Owner/Operator
- 1989-1993: Industry City Associates – Building Engineer/Mechanical Supervisor
- 1897-1978: JD Mechanical – Mechanic
- 1985-1987: Lakeside Heating – Junior Mechanic
- 1984-1985: Atlantis Heating - Apprentice

#3

2094 Jones Street
Wantagh, NY 11710
Phone: 516-790-1892

George Luksch

Education:

- 1973-1976: Wantagh High School, Wantagh
- 1976-1977: Nassau Community College, East Meadow, New York

Work Experience:

- 2002- Present: Seaford Avenue Corp. Massapequa, NY – Owner/Operator
- 1993- Present: G&M Mechanical Inc., Massapequa, NY – Owner/Operator
- 1981-2001: Long Island Railroad, Jamaica, NY – Plumber's Helper/Plumber
- 1973-1988: B.R. Schwab Plumbing & Heating, Wantagh, NY – Plumber's Helper/Plumber

#4

@ 25 Brooklyn Ave
Massapequa NY.

SEAFORD AVENUE CORP.

EQUIPMENT RATES

| CATEGORY | ITEM | DISPOSABLES | DAILY RATE |
|-------------------------------------|----------------------|-------------|-------------------|
| DEMOLITION | | | |
| | 90LB AIR HAMMER | | \$ 87.50 |
| | 70LB ELECTRIC HAMMER | | \$ 100.00 |
| | 50LB ELECTRIC HAMMER | | \$ 75.00 |
| | CHISEL POINT | \$22.50 | |
| | FLAT POINT | \$22.50 | |
| | SPADE POINT | \$22.50 | |
| | GAS DEMO SAW | | \$ 106.25 |
| | ELECTRIC DEMO SAW | | \$ 81.25 |
| | METAL BLADE | \$25.00 | |
| | CEMENT BLADE | \$195.00 | |
| | WOOD BLADE | \$25.00 | |
| | WALK BEHIND SAW | | \$ 250.00 |
| | CONCRETE BLADE | | \$ 406.25 |
| | ASPHALT BLADE | | \$ 406.25 |
| | OXY/ACT TORCH RIG | | \$ 156.25 |
| | GAS REFILL | \$81.25 | |
| | GAS POWER BROOM | | \$ 106.25 |
| WHEELED EQUIP & VEHICLES | | | |
| | LG. PICK UP TRUCK | | \$ 175.00 |
| | SM. PICK UP TRUCK | | \$ 175.00 |
| | VAN | | \$ 175.00 |
| | BOX TRUCK | | \$ 187.50 |
| | UTILITY TRAILER | | \$ 125.00 |
| | EQUIPMENT TRAILER | | \$ 156.25 |
| | BOBCAT | | \$ 318.75 |
| | CAT 304 CR EXCAVATOR | | \$ 625.00 |
| | MAN LIFT | | \$ 375.00 |
| | FORK LIFT | | \$ 287.50 |
| | EXTENSION LADDER | | \$ 62.50 |
| | DUMP TRUCK | | \$ 526.25 |
| | NUMATIC COMPRESSOR | | \$ 137.50 Per Day |
| SMALL MISC EQUIPMENT | | | |
| | 800 KW GENERATOR | | \$ 500.00 |
| | 500 KW GENERATOR | | \$ 375.00 |
| | ROUSTABOUT CRANE | | \$ 125.00 |
| | PAINT SPRAYER | | \$ 143.75 |
| | DUCT LIFT | | \$ 125.00 |
| | CORE DRILL RIG | | \$ 150.00 |
| | BIT CHARGE | | \$ 93.75 |
| | HAMMER DRILL | | \$ 81.25 |
| | PLATE TAMPER | | \$ 87.50 |
| | JUMPING JACK TAMPER | | \$ 68.78 |
| | POWER WASHER | | \$ 81.25 |

SEAFORD AVENUE CORP.

EQUIPMENT RATES

| | | | | |
|----------------------------|------------------------|--|-----------|-----------------------------|
| | GAS TRASH PUMP | | \$ 175.00 | |
| | ELECTRIC SUMP PUMP | | \$ 62.50 | |
| | MANHOLE VENTILATOR | | \$ 325.00 | |
| | ATMOSPHERE TEST | | \$ 125.00 | |
| | PROPANE SPACE HEATER | | \$ 37.50 | |
| | KEROSENE SPACE HEATER | | \$ 62.50 | |
| | 100 FT TEMP. FENCING | | \$ 125.00 | PER DAY |
| | CONFINED SPACE EQUIP. | | \$ 187.50 | |
| | SHOP VAC | | \$ 62.50 | PER DAY |
| SEWER AND DRAIN | | | | |
| | SPARTAN ELEC. SNAKE | | \$ 156.25 | *2 HRS. \$65 EACH HR AFTER |
| | ADDITIONAL DRUMS | | \$ 93.75 | |
| | VIDEO INSPECT. CAMERA | | \$ 562.50 | *2 HRS. \$200 EACH HR AFTER |
| | LOCATING DEVICE | | \$ 187.50 | *2 HRS. \$85 EACH HR AFTER |
| | K40 SNAKE/K30 | | \$ 93.75 | |
| | SPARTAN JETTING MACH. | | \$ 812.50 | *200 PER EACH HOUR AFTER |
| | THAWING MACHINE | | \$ 187.50 | |
| PIPING/ FABRICATING | | | | |
| | SODDER | | \$ 50.00 | |
| | ACT TORCH & TANK | | \$ 93.75 | |
| | POLY PIPE FUSION | | \$ 287.50 | |
| | COPPER CRIMPING TOOL | | \$ 250.00 | |
| | RIGID 300 PIPE MACHINE | | \$ 375.00 | |
| | RIGID 700 PIPE MACHINE | | \$ 187.50 | |
| | RIGID FLOOR CUTTER | | \$ 375.00 | |
| | RIGID DONKEY THREADED | | \$ 375.00 | |
| | ROLL GROOVER | | \$ 375.00 | |
| | INPLACE GROOVER | | \$ 375.00 | |
| | ELECTRIC WELD MACHINE | | \$ 218.75 | |
| | GAS WELDING MACHINE | | \$ 218.75 | |
| | SF2500 PIPE FREEZE | | \$ 750.00 | |
| | PRIVATE MARK-OUT | | \$ 625.00 | *1/2 DAY |
| | PROGRESS TOOL | | \$ 137.50 | |
| RIGGING EQUIPMENT | | | | |
| | ALUMINUM GANTRIES | | \$ 625.00 | |
| | TRENCH BOX | | \$ 168.75 | |

#5

To whom it may concern,

I have overseen and assisted in the maintenance and repair of waste piping, water distribution lines/systems, industrial water drainage, sanitary drainage, chemical waste drainage, drainage venting, medical gas piping, swimming pool piping systems, water wells, industrial gas piping, industrial vacuum piping, sewage disposal systems, steam distributions, and more in major new construction projects, renovations, and repairs. Projects include schools, libraries, park production facilities, medical offices, County and State prisons, arenas, and hospitals.

I have also overseen and assisted in the installation of waste piping, water distribution lines and systems, sanitary drains, and drainage venting in major new construction projects that include hotels, schools, multifamily buildings, and commercial spaces.

Below is a list of a handful of projects that I have been directly involved with during the past 4 years that correlate to the job experience –

- 1) **Windwatch Apartments** – Construction of (150 unit) apartment complex (new construction). Piping large scale waste, water, gas and storm. Pool specialty equipment, commercial area drains, service mains and finish fit-out work. Multi-building with connected parking garage.
- 2) **Woodcrest Apartments** - Construction of (200+ unit) apartment complex (new construction). Piping large scale waste, water, gas and storm. Specialty equipment, commercial area drains, service mains and finish fit-out work.
- 3) **Homeward Suites Hotel** - New ground up, 190 room hotel. Project includes installation of new water mains from street, waste, water and vent piping to all rooms as well as to public areas, gas piping to commercial kitchen and water heaters, the installation of fixtures throughout building and commission building for opening.
- 4) **Cold Spring Harbor Capital Improvements Program** - Science and biology room (ground up) extensions. Includes supply and install of specialty acid waste piping, plumbing fixtures, fire suppression systems, various piping types, and specialty equipment. Strict school district building requirements and documentation.
- 5) **Department of Public Works Nassau County NY** - Requires Plumber for ALL County Buildings and Facilities - Respond to calls for emergency repairs as well as major renovations. Projects include water main installations and repairs, installation of sub surface gas piping, installation of correctional grade plumbing fixtures, installation of boilers and hot water heaters and repair of building piping systems as required.
- 6) **Police Headquarters Dual Temp** - Police (Nassau County) Headquarters renovation including environmental remediation, replacement of large diameter copper mains and isolation valves, Requiring stringent site protection procedures, worker entry procedures and quality control.

- 7) **Service Plumbing-** Supervise and assist the dispatch and operation of service and repair technicians for on call daily operation. Coordinated scheduling and purchasing as required to maintain large customer base, commercially and residentially. Providing services such as drain cleaning and inspection, repairs leaks on gas, water, fuel oil, heating and drainage piping, and more.
- 8) **Town of Oyster Bay Public Pools-** Install new multi stage pool filtering system to service large public swimming pool facilities. Projects include removal of all existing filter room equipment and piping. Install new pumps, filters, chlorine systems and associated piping for 5 complexes. Commissioned equipment and obtained dept. of health approval for operation.
- 9) **Small to Mid-size Commercial Installations** - Install and complete new plumbing systems for national chain food and other service providers (Starbucks, Bar Louie, Raymour & Flanigan, etc.). Install new plumbing as required and specified to include water, waste, vent and gas. Install underground waste/water, RPZ work, water/sanitary, fixture installation, hose bibs, gas piping, etc.
- 10) **Small Multifamily and Single Family Housing** - Install complete new plumbing systems as designed. Projects include complete systems from water main connection, all interior piping for waste, water, vent, sewer and gas.

All Projects Include:

- Estimating materials and labor
- Contracting negotiations and signing
- Coordinating with other trades and architects
- Obtaining and managing required plumbing permits and inspections
- Managing invoicing and costs
- Providing required insurances and bonding
- Close out and final approvals

If additional information is required, please let me know and I will supply anything you require.

Thank you,



Michael Scott, President

NO TEXT ON THIS PAGE

**SEAFORD AVENUE CORP. &
G & M MECHANICAL, INC.**

**Financial Statements and Supplementary Schedules
for the Years Ended December 31, 2022 and 2021**

**SEAFORD AVENUE CORP. &
G & M MECHANICAL, INC.**

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Giannakopoulos & Giannakopoulos, CPAs, PLLC

Accounting · Auditing · Tax · Consulting

Fr. Theodoros Giannakopoulos, MBA, CPA

Monica A. Giannakopoulos, CPA

Claudia Katos, MS, CPA

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Astoria, NY 11105

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Independent Accountants' Review Report

To the Shareholders of

Seaford Avenue Corp. & G & M Mechanical, Inc.

Massapequa, NY

We have reviewed the accompanying combined financial statements of Seaford Avenue Corp. & G & M Mechanical, Inc., which comprise the balance sheets as of December 31, 2022 and 2021, and the related statements of operations, retained earnings, and cash flows for the years then ended and the related notes to the financial statements. A review includes primarily applying analytical procedures to management's financial data and making inquiries of company management. A review is substantially less in scope than an audit, the objective of which is the expression of an opinion regarding the financial statements as a whole. Accordingly, we do not express such an opinion.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal controls relevant to the preparation and fair presentation of the financial statements that are free of material misstatements whether due to fraud or error.

Accountants' Responsibility

Our responsibility is to conduct the review engagements in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. Those Standards require us to perform procedures to obtain limited assurance. As a basis of reporting whether we are aware of any material modifications that should be made to the financial statements for them to be in accordance with accounting principles generally accepted in the United States of America, we believe that the results of our procedures provide a reasonable basis for our conclusion.

We are required to be independent of Seaford Avenue Corp. & G & M Mechanical, Inc. and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our review.

Accountants' Conclusion

Based on our reviews, we are not aware of any material modifications that should be made to the accompanying financial statements in order for them to be in accordance with accounting principles generally accepted in the United States of America.

Supplementary Information

The supplementary information included in Schedules 1-4 is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The supplemental information has been subjected to the review procedures applied in the review of the basic financial statements. We are not aware of any material modifications that should be made to the supplementing information. We have not audited the supplementing information and do not express an opinion on such information.

Giannakopoulos & Giannakopoulos, CPAs

Giannakopoulos & Giannakopoulos, CPAs

Astoria, NY

October 12, 2023

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Combined Balance Sheets
At December 31, 2022 and 2021

EXHIBIT "A"

| | DECEMBER 31, | |
|--|---------------------|---------------------|
| | 2022 | 2021 |
| CURRENT ASSETS | | |
| Cash | \$ 213,199 | \$ 222,560 |
| Contracts Receivable (Schedule 4) | 3,830,880 | 3,106,382 |
| Retainage Receivable (Schedule 4) | 577,118 | 683,881 |
| Costs and Estimated Earnings in Excess of Billings (Schedule 3) | 198,493 | 199,400 |
| Income Tax Benefit | - | 7,923 |
| TOTAL CURRENT ASSETS | 4,819,690 | 4,220,146 |
| FIXED ASSETS (Note 1) | | |
| Machinery & Equipment | 410,257 | 410,257 |
| Vehicles | 210,618 | 210,618 |
| TOTAL COST OF FIXED ASSETS | 620,875 | 620,875 |
| Less: Accumulated Depreciation | (450,400) | (409,045) |
| TOTAL FIXED ASSETS | 170,475 | 211,830 |
| OTHER ASSETS | | |
| Security Deposit | 7,500 | 7,500 |
| Loan to Officers (Note 10) | - | 400,000 |
| TOTAL OTHER ASSETS | 7,500 | 407,500 |
| TOTAL ASSETS | \$ 4,997,665 | \$ 4,839,476 |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Combined Balance Sheets
At December 31, 2022 and 2021

EXHIBIT "A"

LIABILITIES AND SHAREHOLDERS' EQUITY

| LIABILITIES | DECEMBER 31, | |
|--|--------------|--------------|
| | 2022 | 2021 |
| CURRENT LIABILITIES | | |
| Accounts Payable | \$ 978,215 | \$ 1,125,121 |
| Accrued Expenses | 35,124 | 31,961 |
| Revolving Line of Credit (Note 3) | 640,000 | 640,000 |
| Notes Payable - Current Portion (Note 6) | 37,761 | 35,521 |
| Income Taxes Payable - Current (Note 2) | 75 | 75 |
| TOTAL CURRENT LIABILITIES | 1,691,175 | 1,832,678 |
| LONG TERM LIABILITIES | | |
| Notes Payable (Note 6) | 428,154 | 173,794 |
| Deferred Income Taxes Payable (Note 2) | 133,486 | 179,652 |
| TOTAL LONG TERM LIABILITIES | 561,640 | 353,446 |
| TOTAL LIABILITIES | 2,252,815 | 2,186,124 |
| SHAREHOLDERS' EQUITY | | |
| Common Stock - 200 Shares Authorized, 100 Shares Issued and Outstanding | 12,000 | 12,000 |
| Retained Earnings | 2,732,850 | 2,641,352 |
| TOTAL SHAREHOLDERS' EQUITY | 2,744,850 | 2,653,352 |
| TOTAL LIABILITIES AND SHAREHOLDERS' EQUITY | \$ 4,997,665 | \$ 4,839,476 |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Combined Statements of Operations For the Years Ended December 31, 2022 and 2021

EXHIBIT "B"

| | DECEMBER 31, | |
|---|-------------------|-------------------|
| | 2022 | 2021 |
| CONTRACT REVENUES | | |
| Revenues From Contracts | \$ 22,518,275 | \$ 22,044,955 |
| CONTRACT COSTS | | |
| Labor | 9,091,071 | 8,303,484 |
| Union Benefits | 3,302,438 | 3,240,918 |
| Materials | 5,676,120 | 5,640,064 |
| Equipment Rental | 174,944 | 93,245 |
| Demolition Expense | - | - |
| Licenses & Permits | 14,070 | 15,444 |
| Subcontracting | 435,626 | 1,501,564 |
| Small Tools & Equipment | 260,933 | 191,892 |
| Indirect Costs | 966,825 | 725,377 |
| TOTAL CONTRACT COSTS | <u>19,922,027</u> | <u>19,711,988</u> |
| GROSS PROFIT | 2,596,248 | 2,332,967 |
| OPERATING EXPENSES | | |
| Auto Expense | 52,430 | 14,573 |
| Bad Debt Expense | 12,690 | - |
| Bank Fees | 3,350 | 4,287 |
| Contributions & Donations | - | 1,225 |
| Depreciation Expense | 41,355 | 19,949 |
| Dues & Subscriptions | 345 | 505 |
| Employee Benefits | 75,475 | 83,651 |
| Freight & Delivery | 5,348 | 4,803 |
| Insurance | 576,051 | 457,884 |
| Miscellaneous | 19,467 | 18,204 |
| Office Expense | 123,114 | 97,292 |
| Office Salaries | 459,074 | 417,949 |
| Officer Salaries | 373,508 | 441,120 |
| Payroll Taxes | 31,874 | 74,161 |
| Professional Fees | 89,270 | 63,423 |
| Repairs & Maintenance | 6,881 | 11,036 |
| Rent Expense | 118,500 | 206,779 |
| Telephone | 44,800 | 49,824 |
| Utilities | 32,749 | 38,558 |
| TOTAL OPERATING EXPENSES | <u>2,066,281</u> | <u>2,005,223</u> |
| OTHER INCOME / (EXPENSES) | | |
| Interest Expense | (27,788) | (19,307) |
| SBA PPP Grants (Note 13) | - | 298,752 |
| TOTAL OTHER INCOME /(EXPENSES) | <u>(27,788)</u> | <u>279,445</u> |
| NET INCOME BEFORE PROVISION FOR INCOME TAX | \$ 502,179 | \$ 607,189 |
| Less: Provision for Income Tax (Note 2) | (104,496) | (72,602) |
| NET INCOME | <u>\$ 397,683</u> | <u>\$ 534,587</u> |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

**Combined Statements of Retained Earnings
For the Years Ended December 31, 2022 and 2021**

EXHIBIT "C"

| | | |
|--|-----------|------------------|
| RETAINED EARNINGS - 12/31/20 | \$ | 2,106,765 |
| Net Income - Exhibit B | | 534,587 |
| Shareholders' Distributions / Dividends | | - |
| RETAINED EARNINGS - 12/31/21 | \$ | 2,641,352 |
| Net Income - Exhibit B | | 397,683 |
| Shareholders' Distributions / Dividends | | (306,185) |
| RETAINED EARNINGS - 12/31/22 | \$ | 2,732,850 |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Combined Statements of Cash Flows For the Years Ended December 31, 2022 and 2021

EXHIBIT "D"

| | DECEMBER 31, | |
|---|--------------|--------------|
| | 2022 | 2021 |
| CASH FLOWS FROM OPERATING ACTIVITIES: | | |
| Net Income | \$ 397,683 | \$ 534,587 |
| Adjustments to reconcile net income to net cash provided by operating activities: | | |
| Depreciation Expense | 41,355 | 19,949 |
| (Increase) / Decrease in Accounts Receivable | (724,498) | 358,211 |
| (Increase) / Decrease in Retainage Receivable | 106,763 | (248,614) |
| (Increase) / Decrease in Costs and Estimated Earnings in Excess of Billings | 907 | (67,161) |
| (Increase) / Decrease in Income Tax Benefit | 7,923 | 18,108 |
| Increase / (Decrease) in Accounts Payable | (146,906) | (438,005) |
| Increase / (Decrease) in Accrued Expenses | 3,163 | 3,147 |
| Increase / (Decrease) in Revolving Line of Credit | - | 180,000 |
| Increase / (Decrease) in Current Income Taxes Payable | - | (225) |
| Increase / (Decrease) in Deferred Income Taxes Payable | (46,166) | 149,527 |
| | \$ (359,776) | \$ 509,524 |
| CASH FLOWS FROM INVESTING ACTIVITIES: | | |
| | - | - |
| Net Cash Provided By / (Used In) Investing Activities | \$ - | \$ - |
| CASH FLOWS FROM FINANCING ACTIVITIES: | | |
| Payments on Long Term Debt | 256,600 | (40,686) |
| Proceeds From Loan to Officers | 400,000 | - |
| Proceeds From SBA PPP Loan | - | (298,752) |
| Distributions / Dividends to Shareholders | (306,185) | - |
| | \$ 350,415 | \$ (339,438) |
| Net Cash Provided By / (Used In) Financing Activities | | |
| NET INCREASE / (DECREASE) IN CASH | \$ (9,361) | \$ 170,086 |
| CASH, Beginning of Year | \$ 222,560 | \$ 52,473 |
| CASH, End of Year | \$ 213,199 | \$ 222,560 |

Supplementary Cash Flow Information

| | | |
|------------------------|----|--------|
| Cash Paid For Interest | \$ | 27,788 |
| Cash Paid For Taxes | \$ | 9,795 |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Notes to Combined Financial Statements
For the Years Ended December 31, 2022 and 2021

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Nature of Operations

Seaford Avenue Corp., (the "Company"), was formed on January 1, 2003 under the laws of the State of New York. The Company is principally engaged in the commercial and industrial construction industry. The work is performed under fixed-price contracts modified by incentive provisions. All projects are located in the Northeast Region. The Company follows the practice of filing statutory liens on all construction projects where collection problems are anticipated. The liens serve as collateral contracts receivable.

G & M Mechanical, Inc., (the "Company"), was formed on October 1, 1994 under the laws of the State of New York. The Company is also principally engaged in the commercial and industrial construction industry.

Basis of Accounting

The books and records of the Company are maintained on the accrual basis in accordance with accounting principles generally accepted in the United States of America.

Revenue Recognition

The Company adopted Financial Accounting Standards Board (FASB) Accounting Standards Update (ASU) No. 2014-09, Revenues from Contracts with Customers (Topic 606), effective January 2020. Topic 606 was adopted on a modified retrospective basis, and the Company determined that there was no cumulative effect to retained earnings as of January 1, 2020 that was required to be disclosed as a result of adopting the standard.

The Company enters into various types of long-term contracts of which revenue may be based on either a fixed-price, time and materials, guaranteed maximum price, or cost-plus-fee basis. Contracts are satisfied over time as the Company transfers control of the buildings over the duration of the contracts. The Company doesn't sell any other goods or services.

Revenue is recognized as the contract is satisfied based on costs incurred and estimated total contract costs using the percentage of completion method, in which significant judgement is required to evaluate assumptions, including the amount of net contract revenues and the total estimated costs to determine progress toward contract completion and to calculate the corresponding amount of revenue to recognize. Monthly progress payments are due when the contract is being satisfied based on these costs. Payments are generally due within 30 days or service fees may be assessed. At any time, the customer has the right to make changes to the contract known as change orders; change orders are still within the scope of the original contract and as such do not create an additional contract. The Company adjusts the overall contract price and revenue to be recognized when change orders are issued. If a customer decides to terminate a contract, the Company is entitled to receive compensation for all costs incurred on the project through the date of termination.

Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash in banks and all higher liquid investments with maturity of three months or less at the time of purchase. The Company maintains its cash balances at a financial institution located in New York State. Accounts at the institution are insured by the FDIC up to \$250,000 and is subject to the corresponding credit risk when balances exceed the insured amount, which is mitigated by the high credit of that financial institution.

Property and Equipment

Property and equipment are recorded at cost. Depreciation is provided using the straight-line methods over the estimated useful lives of the respective assets as follows:

| | |
|-----------------------|--------------|
| Machinery & Equipment | 3 - 10 years |
| Vehicles | 5 - 7 years |

Maintenance and repairs are charged to expense as incurred; major renewals and betterments are capitalized. When items of property and equipment are sold or retired, the related cost and accumulated depreciation are removed from the accounts and any resulting gain or loss is included in the results of operations.

Depreciation expense for 2022 and 2021 is \$41,355 and \$19,949, respectively.

See independent accountants' review report

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (cont'd)

Accounts Receivable

Accounts receivable is recorded at the amount management expects to collect. Management believes no allowance is necessary. If deemed uncollectible, the account is written off. Although the direct write off method is not GAAP, management believes it does not result in a material difference.

Use of Accounting Estimates

The preparation of the financial statements in conformity with U.S generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Income Taxes

Seaford Ave Corp. recognizes income on its construction contracts for income tax purposes using the accrual method of accounting. Income taxes are accrued for federal, New York State and New York City corporation tax liabilities. Deferred federal, New York State and New York City corporation taxes are provided for timing differences in reporting income for financial statement and tax purposes arising from temporary differences in the methods of accounting for long-term construction contracts.

G & M Mechanical, Inc. recognizes income on its construction contracts for income tax purposes using the accrual method of accounting. Income taxes are accrued for Federal, New York State and New York City corporation tax liabilities. Deferred federal, New York State and New York City corporation taxes are provided for timing differences in reporting income for financial statement and tax purposes arising from temporary differences in the methods of accounting for long-term construction contracts.

Concentration of Credit Risk

The Company performs work on contracts awarded by various governmental agencies and private owners. Revenue from these contracts equals 10 percent or more of the Company's revenues.

2. INCOME TAXES

The current income taxes payable consist of the minimum amount due to NY State and the liability to the City of New York. The latter imposes an entity level tax on S corporations and thus corporate income taxes are calculated based on a formula. The deferred tax liability represents the tax effect of timing differences that arise from computing contract revenues between the percentage of completion method used for financial reporting and the accrual method used for tax reporting.

| | <u>Current</u> | <u>Deferred</u> | <u>Total</u> |
|--------------------------|----------------|-------------------|-------------------|
| Federal | - | 101,935 | 101,935 |
| New York State | - | 31,551 | 31,551 |
| New York City | 25 | - | 25 |
| Total Income Tax Expense | <u>\$ 25</u> | <u>\$ 133,486</u> | <u>\$ 133,511</u> |

3. REVOLVING LINES OF CREDIT

The Company has a revolving line of credit facility with Empire National Bank of \$985,000 at prime plus 1.50%. There is an outstanding balance of \$640,000 and \$640,000 at December 31, 2022 and 2021, respectively.

4. LEASE OBLIGATIONS

Capital Leases:

The Company has acquired certain machinery & equipment, and vehicles are under lease agreements that classify as capitalized leases. They are reported under Fixed Assets on the Balance Sheet and are depreciated accordingly as of December 31, 2022 and 2021:

| | <u>2022</u> | <u>2021</u> |
|---------------------------|-------------|-----------------|
| Machinery & Equipment | 55,051 | 55,051 |
| Vehicles | 29,448 | 29,448 |
| Less: Accum. Depreciation | (84,499) | (79,442) |
| | <u>\$ -</u> | <u>\$ 5,057</u> |

See independent accountants' review report

4. LEASE OBLIGATIONS (Cont'd)

Management has adopted ASU 2016-02 and its update, ASU 2018-02, as of January 1, 2022. However, the Company does not currently have any leases that would fall under the rules of ASU 2016-02 for capitalization of such leases, as they all are twelve months or less in duration.

The Company leases office and yard space from a related party, 21 Brooklyn Avenue Corp., for a monthly rent of \$6,000 plus real estate taxes, insurance and maintenance expenses. The Company pays rent on a month-to-month basis. Total rent paid for the years ended December 31, 2022 and 2021 was \$86,000 and \$86,000, respectively.

5. COSTS AND ESTIMATED EARNINGS IN EXCESS OF BILLINGS

The following summarizes cost and estimated earnings on uncompleted contracts as of December 31, 2022 and 2021:

| | <u>2022</u> | <u>2021</u> |
|---|-------------------|-------------------|
| Costs Incurred on Uncompleted Contracts | \$ 6,282,420 | \$ 8,157,623 |
| Estimated Earnings | 687,800 | 1,056,986 |
| | <u>6,970,220</u> | <u>9,214,609</u> |
| Billings to Date | (6,771,727) | (9,015,208) |
| | <u>\$ 198,493</u> | <u>\$ 199,401</u> |

Included in the accompanying balance sheet under the captions:

| | | |
|--|-------------------|-------------------|
| Costs and Estimated Earnings in Excess of Billings on Uncompleted Contracts | \$ 198,493 | \$ 199,401 |
| Billings in Excess of Costs and Estimated Earnings on Uncompleted Contracts | - | - |
| | <u>\$ 198,493</u> | <u>\$ 199,401</u> |

6. NOTES PAYABLE

The Company has the following notes payable for the years ended December 31, 2022 and 2021:

| | <u>2022</u> | <u>2021</u> |
|---|-------------------|-------------------|
| Note payable in monthly installments of \$1,001.00 at 3.99% per annum through December 2023, secured by a Tesla Model 3 | 12,818 | 25,144 |
| Note payable in monthly installments of \$1,091.78 at 3.99% per annum through December 2023, secured by a Tesla Model 3 | 12,926 | 25,146 |
| Note payable in monthly installments of \$556.38 at 12.20% per annum through April 2023, secured by a 2017 Ford 250 Truck | 2,171 | 9,025 |
| Note payable in monthly installments of \$731.00 at 3.50% per annum through June 2051, secured by the Company's assets | <u>438,000</u> | <u>150,000</u> |
| TOTAL NOTES PAYABLE | <u>\$ 465,915</u> | <u>\$ 209,315</u> |

The Company's principal payments for the next five years are as follows:

| | |
|------------|-------------------|
| 2023 | \$ 37,761 |
| 2024 | 13,994 |
| 2025 | 14,518 |
| 2026 | 14,922 |
| 2027 | 15,343 |
| Thereafter | <u>369,377</u> |
| | <u>\$ 465,915</u> |

See independent accountants' review report

7. CONTINGENCIES

The Company is contingently liable to a surety under a general indemnity agreement. The Company agrees to indemnify the surety for any payments made on contracts of suretyship, guaranty, or indemnity. The Company believes that all contingent liabilities will be satisfied by their performance on the specific bonded contracts involved.

Contingencies also include the usual obligation of contractors for performance and completion of construction contracts. The outstanding bonds are collateralized by contracts receivable and are personally guaranteed by the shareholder. The Company's bonding capacity varies every year based on total volume of signed contracts and annual profitability.

8. VARIABLE INTEREST ENTITIES

Accounting principles generally accepted in the United States of America require the consolidation of certain variable interest entities. A variable interest entity is generally any legal entity that conducts activities, which among other criteria, does not have sufficient amounts of equity to conduct its daily principal activities without acquiring additional financial support.

The Company has identified its related parties through common ownership, G & M Mechanical, Inc. as such variable interest entities. Subcontracting expenses paid to G & M in 2022 and 2021 amount to \$1,918,108 and \$467,417.

The Company leases office and yard space from a related party, 25 Brooklyn Avenue Corp., for a monthly rent of \$6,000 plus real estate taxes, insurance and maintenance expenses. The Company pays rent on a month-to-month basis. Total rent paid for the years ended December 31, 2022 and 2021 was \$118,500 and \$86,000. (see Note 4).

9. MULTIEMPLOYER PENSION PLANS

For union employees, the Company contributes to multiemployer pension plans jointly administered by industry and union representatives. The risk of participating in U.S. multiemployer pension plans is different from single-employer pension plans in the following aspects:

- Assets contributed to the multiemployer plan by one employer may be used to provide benefits of employment to other participating employers
- If a participating employer stops contributing to the plan, the unfunded obligations of the plan may be borne by the remaining participating employers
- If the Company stops participating in some of its multiemployer pension plans, it may be required to pay those plans an amount based on the underfunded status of the entire plan

The Company's participation in these plans for the years ended December 31, 2022 and 2021 is outlined in the following table. All information in the table is as of December 31 of the relevant year unless otherwise noted. The Plan Protection Act ("PPA") zone status column ranks the funded status of multiemployer pension plans depending upon a plan's current and projected funding. The zone status is based on information that the Company received from the plan. Among other factors, the plan is in the Red Zone (Critical) if it has a current funded percentage less than 65%. A plan is in the Yellow Zone (Endangered) or Orange Zone (Seriously Endangered) if it has a current funded percentage of less than 80%, or projects a credit balance deficit within seven years. A plan is in the Green Zone (Healthy) if it has a current funded percentage greater than 80% and does not have a projected credit balance deficit within seven years. The Funding Improvement Plan ("FIP") / Rehabilitation Plan ("RP") status column indicates plans for which a FIP or RP is either pending or implemented.

The following table contains information about the Company's multiemployer pension plans for the years ended December 31, 2022 and 2021:

| Plan Name | EIN# - Plan # | PPA Status | | FIP / RP Status | Company Contributions | | Expiration Dates of Collective Bargaining Agreements | Company Contributions > 5% | |
|--|---------------|------------|-------|-----------------------|-----------------------|-----------|--|----------------------------|------|
| | | 2022 | 2021 | | 2022 | 2021 | | 2022 | 2021 |
| Plumbers Local Union No. 200 | 11-3125387 | 2022 | 2021 | Pending / Implemented | 2022 | 2021 | 4/30/2024 | 2022 | 2021 |
| | | Green | Green | N/A | \$82,898 | \$866,451 | | No | No |
| Total Contributions to Multiemployer Pension Plans | | | | | \$882,898 | \$866,451 | | | |

10. LOAN TO OFFICERS

The Company had advanced to its officers an amount of \$400,000 for the purchase and renovation of its current offices located at 25 Brooklyn Ave., Massapequa, NY. The loan was interest bearing at an annual rate of 3% for a term of 10 years. Repayment of the loan was made in 2022.

11. SCHEDULE OF CONTRACT BACKLOG

The following schedule shows a reconciliation of backlog of signed contracts in existence at December 31, 2022 and 2021:

| | <u>2022</u> | <u>2021</u> |
|-------------------------------|---------------------|---------------------|
| At January 1, | \$ 4,459,598 | \$ 8,925,519 |
| New Contracts | 23,461,094 | 17,579,034 |
| | <u>27,920,692</u> | <u>26,504,553</u> |
| Less: Contract Revenue Earned | (22,518,275) | (22,044,955) |
| Balance, December 31, | <u>\$ 5,402,417</u> | <u>\$ 4,459,598</u> |

In addition, between January 1, 2023 and October 12, 2023, the date these financial statements were available to be issued, the Company entered into additional construction contracts in excess of \$10,800,000.

12. CONTRACTS RECEIVABLE

Contracts receivable at December 31, 2022 and 2021 consists of the following:

| Contracts Receivable | <u>2022</u> | <u>2021</u> |
|-----------------------|---------------------|---------------------|
| Billed | | |
| Completed Contracts | \$ 2,655,884 | \$ 2,055,010 |
| Uncompleted Contracts | 1,174,996 | 1,051,372 |
| Retainage | 577,118 | 683,881 |
| Unbilled | | |
| Completed Contracts | - | - |
| | <u>\$ 4,407,998</u> | <u>\$ 3,790,263</u> |

An allowance for doubtful accounts is not considered necessary because all are deemed collectible within one year.

13. PPP AND EIDL FEDERAL GRANTS

In March 2020, G&M Mechanical, Inc. applied for the SBA Paycheck Protection Program Loan and received an amount of \$298,752 on April 30th of the same year. The Company submitted the Forgiveness Application for the entire amount of the PPP Loan and received approval of forgiveness of the loan amount in 2021. The Company has elected to adopt IAS 20 regulation, under which, any governmental loans that are forgiven should be considered as grants and should be reported on the financial statements as Other Income; they cannot be reported as Revenues (see Exhibit B on pg. 4) and they are tax-free grants.

14. SUBSEQUENT EVENTS

The Company has evaluated subsequent events and transactions for potential recognition and/or disclosure in the financial statements through October 12, 2023, the date the financial statements were available for issuance. No subsequent events require recognition or disclosure in the financial statements.

See independent accountants' review report

SUPPLEMENTARY SCHEDULES

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Schedule of Construction Contracts

For the Year Ended December 31, 2022

SCHEDULE 1

| | <u>REVENUE EARNED</u> | <u>COST OF CONSTRUCTION</u> | <u>GROSS PROFIT</u> |
|--|-----------------------------|---------------------------------|----------------------------|
| Contracts Completed During the Year (Schedule 2) | \$ 18,524,006 | \$ 16,296,033 | \$ 2,227,973 |
| Contracts in Progress (Schedule 3) | <u>3,994,269</u> | <u>3,625,995</u> | <u>368,274</u> |
| <u>TOTALS</u> | <u>\$ 22,518,275</u> | <u>\$ 19,922,028</u> | <u>\$ 2,596,247</u> |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Schedule of Contracts Completed

For the Year Ended December 31, 2022

SCHEDULE 2

| <u>CONTRACT DESCRIPTION</u> | <u>CONTRACT TOTALS</u> | | | <u>PRIOR TO JANUARY 1, 2022</u> | | | <u>YEAR ENDED DECEMBER 31, 2022</u> | | |
|-----------------------------|------------------------|-----------------------------|---------------------|---------------------------------|---------------------|---------------------|-------------------------------------|----------------------|---------------------|
| | <u>TOTAL CONTRACT</u> | <u>COST OF CONSTRUCTION</u> | <u>GROSS PROFIT</u> | <u>EARNED</u> | <u>COST</u> | <u>GROSS PROFIT</u> | <u>EARNED</u> | <u>COST</u> | <u>GROSS PROFIT</u> |
| Woodcrest Apts | \$ 4,731,917 | \$ 4,283,064 | \$ 448,853 | \$ 4,550,685 | \$ 4,117,914 | \$ 432,770 | \$ 181,232 | \$ 165,150 | \$ 16,083 |
| Hicksville Pool Phase II | 475,000 | 402,386 | 72,614 | 312,360 | 263,351 | 49,009 | 162,640 | 139,035 | 23,605 |
| Woodlands Islip Impr. | 369,170 | 305,188 | 63,982 | 281,123 | 227,974 | 53,149 | 88,047 | 77,214 | 10,833 |
| Emblem Health Chiller | 274,786 | 230,664 | 44,122 | 209,801 | 175,415 | 34,386 | 64,985 | 55,249 | 9,736 |
| Fishkill CF | 46,606 | 39,029 | 7,577 | 46,606 | 39,029 | 7,577 | - | - | - |
| West Islip SD | 146,162 | 118,931 | 27,231 | - | - | - | 146,162 | 118,931 | 27,231 |
| Syosset CSD | 363,574 | 287,453 | 76,121 | 348,195 | 275,701 | 72,494 | 15,379 | 11,752 | 3,627 |
| Starlight Pack Comfort | 205,141 | 171,225 | 33,916 | 91,082 | 72,893 | 18,189 | 114,059 | 98,332 | 15,727 |
| 523 Middle Neck Rd Apt. | 580,291 | 483,362 | 96,929 | 129,797 | 107,070 | 22,727 | 450,494 | 376,292 | 74,202 |
| North Babylon ES Phase IV | 347,608 | 296,835 | 50,773 | - | - | - | 347,608 | 296,835 | 50,773 |
| Small Jobs <\$200,000 | <u>17,222,408</u> | <u>15,162,265</u> | <u>2,060,143</u> | <u>269,008</u> | <u>205,023</u> | <u>63,985</u> | <u>16,953,400</u> | <u>14,957,242</u> | <u>1,996,158</u> |
| TOTAL | <u>\$ 24,762,663</u> | <u>\$ 21,780,402</u> | <u>\$ 2,982,261</u> | <u>\$ 6,238,657</u> | <u>\$ 5,484,369</u> | <u>\$ 754,288</u> | <u>\$ 18,524,006</u> | <u>\$ 16,296,033</u> | <u>\$ 2,227,973</u> |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Schedule of Contracts in Progress

At December 31, 2022

SCHEDULE 3

| CONTRACT DESCRIPTION | CONTRACT TOTALS | | | | | PRIOR TO 01/01/22 | | FOR THE YEAR ENDED DECEMBER 31, 2022 | | | | |
|--------------------------|----------------------|-------------------------|------------------------|-----------------------------|----------------------------|---------------------|-------------------|--------------------------------------|-------------------------------|-------------|-----------------------------|---|
| | TOTAL CONTRACT | CURRENT ESTIMATED COSTS | ESTIMATED GROSS PROFIT | ACTUAL DIRECT COSTS TO DATE | ESTIMATED COST TO COMPLETE | REVENUE EARNED | GROSS PROFIT | REVENUE EARNED | GROSS PROFIT ON INCOME EARNED | % COMPLETED | ACTUAL BILLINGS ON CONTRACT | COSTS & ESTIMATED EARNINGS IN EXCESS OF BILLING |
| SLC Windwatch | \$ 4,949,713 | \$ 4,702,446 | \$ 247,267 | \$ 3,857,887 | \$ 844,559 | \$ 2,059,517 | \$ 114,097 | \$ 2,001,227 | \$ 88,760 | 82.04% | \$ 4,042,979 | \$ 17,766 |
| Laurel Homes | 608,905 | 510,993 | 97,912 | 467,712 | 43,281 | 374,893 | 60,883 | 182,438 | 28,736 | 91.53% | 528,206 | 29,125 |
| Northport Hotel | 814,654 | 656,041 | 158,613 | 647,316 | 8,725 | 432,487 | 128,319 | 371,332 | 28,185 | 98.67% | 792,115 | 11,704 |
| Daly ES Plumbing Impr. | 749,000 | 637,549 | 111,451 | 409,498 | 228,051 | 109,054 | 16,227 | 372,028 | 55,358 | 64.23% | 445,846 | 35,237 |
| Kane Street Townhouse | 410,490 | 345,427 | 65,063 | 215,650 | 129,777 | - | - | 256,269 | 40,619 | 62.43% | 245,490 | 10,779 |
| Cold Spring HS Ph. II | 1,006,024 | 846,368 | 159,656 | 248,917 | 597,451 | - | - | 295,872 | 46,955 | 29.41% | 261,324 | 34,548 |
| East Ramapo SD Sinks | 196,385 | 164,256 | 32,129 | 115,522 | 48,735 | - | - | 138,118 | 22,596 | 70.33% | 122,843 | 15,275 |
| Fresh Pond Bus Depot | 125,380 | 106,749 | 18,631 | 93,373 | 13,376 | - | - | 109,670 | 16,297 | 87.47% | 106,026 | 3,644 |
| Bristol Warehouse | 211,327 | 178,550 | 32,777 | 24,711 | 153,839 | - | - | 29,248 | 4,536 | 13.84% | 23,997 | 5,251 |
| Baker ES | 737,500 | 627,096 | 110,404 | 30,853 | 596,243 | - | - | 36,285 | 5,432 | 4.92% | 29,500 | 6,785 |
| Goose Hill Primary Ph. 2 | 140,326 | 119,445 | 20,881 | 47,277 | 72,169 | - | - | 55,541 | 8,265 | 39.58% | 44,716 | 10,825 |
| East Meadow Schools | 723,610 | 612,102 | 111,508 | 123,706 | 488,396 | - | - | 146,242 | 22,536 | 20.21% | 128,685 | 17,557 |
| Amityville MS | 259,476 | 217,078 | 42,398 | - | 217,078 | - | - | - | - | 0.00% | - | - |
| TOTAL | \$ 10,932,790 | \$ 9,724,101 | \$ 1,208,689 | \$ 6,282,420 | \$ 3,441,680 | \$ 2,975,952 | \$ 319,526 | \$ 3,994,269 | \$ 368,274 | | \$ 6,771,727 | \$ 198,493 |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Aging of Receivables

At December 31, 2022

SCHEDULE 4

| <u>CONTRACT</u> | <u>CONTRACT RECEIVABLES</u> | <u>CURRENT</u> | <u>31-60</u> | <u>61-90</u> | <u>OVER 90</u> | <u>RETAINAGE</u> |
|---------------------------|-----------------------------|--------------------------|--------------------------|----------------------------|----------------------------|--------------------------|
| Homewood Suites B | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 4,580 |
| Riverview Loft A | 1,308 | - | - | - | 1,308 | - |
| SLC Windwatch | 638,974 | - | 322,703 | 316,271 | - | 236,017 |
| Laurel Homes | 50,133 | 5,564 | 44,569 | - | - | 26,410 |
| Northport Hotel | 63,803 | - | - | - | 63,803 | 79,212 |
| West Islip SD | 101,994 | - | - | 101,994 | - | 14,616 |
| Syosset CSD | 8,550 | - | - | - | 8,550 | 36,357 |
| Daly ES Plumbing Impr. | 13,191 | 13,191 | - | - | - | 22,292 |
| Starlight Pack Comfort | 24,852 | 24,852 | - | - | - | 20,514 |
| 523 Middle Neck Rd Apt. | - | - | - | - | - | 58,029 |
| North Babylon ES Phase IV | 79,525 | - | 17,715 | 61,810 | - | 34,761 |
| Kane Street Townhouse | 120,490 | - | - | - | 120,490 | - |
| Cold Spring HS Ph. II | 6,224 | 6,224 | - | - | - | 13,066 |
| East Ramapo SD Sinks | 74,212 | 10,762 | 63,450 | - | - | 12,284 |
| Bristol Warehouse | 21,597 | 21,597 | - | - | - | 2,400 |
| Baker ES | 28,075 | 28,075 | - | - | - | 1,475 |
| Goose Hill Primary Ph. 2 | 42,480 | 42,480 | - | - | - | 2,236 |
| East Meadow Schools | 115,817 | 115,817 | - | - | - | 12,869 |
| Small Jobs <\$200,000 | <u>2,439,655</u> | <u>608,293</u> | <u>222,150</u> | <u>587,244</u> | <u>1,021,968</u> | <u>-</u> |
| TOTALS | <u><u>\$ 3,830,880</u></u> | <u><u>\$ 876,855</u></u> | <u><u>\$ 670,587</u></u> | <u><u>\$ 1,067,319</u></u> | <u><u>\$ 1,216,119</u></u> | <u><u>\$ 577,118</u></u> |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Combining Balance Sheet At December 31, 2022

EXHIBIT E

ASSETS

| | G & M MECHANICAL | SEAFORD AVENUE | COMBINING ADJUSTMENTS | DECEMBER 31, 2021 COMBINED |
|---|---------------------|---------------------|--------------------------|-------------------------------|
| CURRENT ASSETS | | | | |
| Cash in Bank | \$ 78,487 | \$ 134,712 | \$ - | \$ 213,199 |
| Contracts Receivable | 485,973 | 3,344,907 | - | 3,830,880 |
| Retainage Receivable | - | 577,118 | - | 577,118 |
| Costs and Estimated Earnings in Excess of Billings | - | 198,493 | - | 198,493 |
| TOTAL CURRENT ASSETS | 564,460 | 4,255,230 | - | 4,819,690 |
| FIXED ASSETS | | | | |
| Machinery & Equipment | 422,247 | 16,844 | - | 439,091 |
| Vehicles | 38,384 | 143,400 | - | 181,784 |
| TOTAL COST OF FIXED ASSETS | 460,631 | 160,244 | - | 620,875 |
| Less: Accumulated Depreciation | (298,416) | (151,984) | - | (450,400) |
| TOTAL FIXED ASSETS | 162,215 | 8,260 | - | 170,475 |
| OTHER ASSETS | | | | |
| Security Deposits | 7,500 | - | - | 7,500 |
| TOTAL OTHER ASSETS | \$ 7,500 | \$ - | \$ - | \$ 7,500 |
| TOTAL ASSETS | \$ 734,175 | \$ 4,263,490 | \$ - | \$ 4,997,665 |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Combining Balance Sheet

EXHIBIT E

At December 31, 2022

LIABILITIES AND SHAREHOLDERS' EQUITY

| LIABILITIES | <u>G & M MECHANICAL</u> | <u>SEAFORD AVENUE</u> | <u>COMBINING ADJUSTMENTS</u> | <u>DECEMBER 31, 2021 COMBINED</u> |
|--|---------------------------------|---------------------------|----------------------------------|---------------------------------------|
| CURRENT LIABILITIES | | | | |
| Accounts Payable | \$ 148,777 | \$ 829,438 | \$ - | \$ 978,215 |
| Accrued Expenses | 11,647 | 23,477 | - | 35,124 |
| Revolving Line of Credit | - | 640,000 | - | 640,000 |
| Notes Payable - Current Portion | 2,171 | 35,590 | - | 37,761 |
| Income Taxes Payable - Current | 25 | 50 | - | 75 |
| TOTAL CURRENT LIABILITIES | 162,620 | 1,528,555 | - | 1,691,175 |
| LONG-TERM LIABILITIES | | | | |
| Notes Payable | - | 428,154 | - | 428,154 |
| Deferred Income Taxes Payable | - | 133,486 | - | 133,486 |
| TOTAL LONG-TERM LIABILITIES | - | 561,640 | - | 561,640 |
| TOTAL LIABILITIES | 162,620 | 2,090,195 | - | 2,252,815 |
| SHAREHOLDERS' EQUITY | | | | |
| Common Stock - 200 Shares Authorized, 100 Shares Issued and Outstanding | 2,000 | 10,000 | - | 12,000 |
| Retained Earnings | 569,555 | 2,163,295 | - | 2,732,850 |
| TOTAL SHAREHOLDERS' EQUITY | 571,555 | 2,173,295 | - | 2,744,850 |
| TOTAL LIABILITIES AND SHAREHOLDERS' EQUITY | \$ 734,175 | \$ 4,263,490 | \$ - | \$ 4,997,665 |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Combining Statement of Operations and Retained Earnings

EXHIBIT F

For the Year Ended December 31, 2022

| | G & M MECHANICAL | SEAFORD AVENUE | COMBINING ADJUSTMENTS | DECEMBER 31, 2021 COMBINED |
|--|---------------------|---------------------|--------------------------|-------------------------------|
| REVENUES | | | | |
| Revenues From Contracts | \$ 5,747,730 | \$ 18,688,653 | \$ (1,918,108) | \$ 22,518,275 |
| CONTRACT COSTS | | | | |
| Labor | 1,396,337 | 7,694,734 | - | 9,091,071 |
| Union Benefits | - | 3,302,438 | - | 3,302,438 |
| Materials | 1,496,057 | 4,180,063 | - | 5,676,120 |
| Equipment Rental | 164,409 | 10,535 | - | 174,944 |
| Licenses & Permits | 495 | 13,575 | - | 14,070 |
| Subcontracting | 1,918,108 | 435,626 | (1,918,108) | 435,626 |
| Truck Expense | 9,080 | 251,853 | - | 260,933 |
| Indirect Costs | 133,558 | 833,267 | - | 966,825 |
| TOTAL CONTRACT COSTS | 5,118,044 | 16,722,091 | (1,918,108) | 19,922,027 |
| GROSS PROFIT | 629,686 | 1,966,562 | - | 2,596,248 |
| OPERATING EXPENSES | | | | |
| Auto Expense | - | 52,430 | - | 52,430 |
| Bad Debt Expense | - | 12,690 | - | 12,690 |
| Bank Fees | - | 3,350 | - | 3,350 |
| Contributions & Donations | - | - | - | - |
| Depreciation Expense | 14,076 | 27,279 | - | 41,355 |
| Dues & Subscriptions | - | 345 | - | 345 |
| Employee Benefits | 70,275 | 5,200 | - | 75,475 |
| Freight & Delivery | 118 | 5,230 | - | 5,348 |
| Insurance | 121,576 | 454,475 | - | 576,051 |
| Miscellaneous | 1,568 | 17,899 | - | 19,467 |
| Office Expense | 67,866 | 55,248 | - | 123,114 |
| Office Salaries | - | 459,074 | - | 459,074 |
| Officer Salaries | 155,192 | 218,316 | - | 373,508 |
| Payroll Taxes | 20,674 | 11,200 | - | 31,874 |
| Professional Fees | - | 89,270 | - | 89,270 |
| Repairs & Maintenance | - | 6,881 | - | 6,881 |
| Rent Expense | 48,000 | 70,500 | - | 118,500 |
| Telephone | 2,207 | 42,593 | - | 44,800 |
| Utilities | 5,851 | 26,898 | - | 32,749 |
| TOTAL OPERATING EXPENSES | 507,403 | 1,558,878 | - | 2,066,281 |
| OTHER INCOME / (EXPENSES) | | | | |
| Interest Expense | - | (27,788) | - | (27,788) |
| SBA PPP Grants (Note 13) | - | - | - | - |
| TOTAL OTHER INCOME / (EXPENSES) | - | (27,788) | - | (27,788) |
| NET INCOME BEFORE INCOME TAX | 122,283 | 379,896 | - | 502,179 |
| Less: (Provision) / Benefit for Income Tax | (25) | (104,471) | - | (104,496) |
| NET INCOME | \$ 122,258 | \$ 275,425 | \$ - | \$ 397,683 |
| RETAINED EARNINGS - 12/31/21 | 753,482 | 1,887,870 | - | 2,641,352 |
| Less: Shareholders' Distributions / Dividend | (306,185) | - | - | (306,185) |
| RETAINED EARNINGS - 12/31/22 | \$ 569,555 | \$ 2,163,295 | \$ - | \$ 2,732,850 |

See independent accountants' review report and notes to the financial statements

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CERTIFICATE OF SOLVENCY

ATTENTION: Insert the "Certificate of Solvency" after this page in with your bid submission.

F 021025000 578

Certificate of Incorporation

of

SEAFORD AVENUE CORP.

Pursuant to Section 402 of the Business Corporation Law

FILED
2007 OCT 25 PM 2:25

BLU-39
DRAWDOWN

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED OCT 25 2002

TAXS 10.00

BY LAP

NASSAU

Filed By:

BlumbergExcelsior Corporate Services, Inc.
52 South Pearl Street, 2nd Floor
Albany, NY 12207

Oct 25 12 24 PM '02

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021025000 599

CERTIFICATE OF INCORPORATION

OF

SEAFORD AVENUE CORP.

Pursuant to Section 402 of the Business Corporation Law

I, the undersigned, a natural person of at least 18 years of age, for the purpose of forming a corporation under Section 402 of the Business Corporation Law of the State of New York hereby certify:

FIRST: The name of the corporation is:

SEAFORD AVENUE CORP.

SECOND: The purpose of the corporation is to engage in any lawful act or activity for which corporations may be organized under Article IV of the Business Corporation Law, except that it is not formed to engage in any act or activity requiring the consent or approval of any state official, department, board, agency or other body without such consent or approval first being obtained.

THIRD: The office of the corporation is to be located in the County of **NASSAU**, State of New York.

FOURTH: The aggregate number of shares which the corporation shall have the authority to issue is **TWO HUNDRED**, each of which shall be common stock with no par value.

FIFTH: The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is:

**C/O ANTHONY AVENA, CPA
1606 HENRY ROAD
WANTAGH, NY 11793**

SIXTH: No director of the corporation shall have personal liability to the corporation or to its shareholders for damages for any breach of duty in such capacity, provided, however, that the provision shall not eliminate or limit:

(a) the liability of any director of the corporation if a judgment or other final adjudication adverse to him establishes that his acts or omissions were in bad faith or involved intentional misconduct or a knowing violation of law or that he personally gained in fact a financial profit or other advantage to which he was not legally entitled or, with respect to any director of the corporation, that his acts violated Section 719 of the Business Corporation Law of the State of New York, or

(b) the liability of a director for any act or omission prior to the final adoption of this article.

SEVENTH: The holders of any of the corporation's equity shares shall be entitled to preemptive rights in accordance with the provisions of BCL section 622.

IN WITNESS WHEREOF, the undersigned incorporator has executed this certificate of incorporation.

10/25/02.

Sharon Babala

Sharon Babala, Incorporator
BlumbergExcelsior Corporate
Services, Inc.
52 South Pearl Street
Albany, New York 12207

EXHIBIT C
Filing Receipt

GUARANTOR'S CERTIFICATION

SEAFORD AVENUE CORP. ("Guarantor") hereby certifies to GOLD COAST BANK ("Lender") that:

1. Attached to this Certification as Exhibit A is a true and correct copy of the Certificate of Incorporation of the Guarantor filed on 10/25/02 with the Secretary of State of State of New York, and that said Certificate of Incorporation has not been amended, modified, or terminated and remains in full force and effect as of the date hereof;
2. Attached to this Certification as Exhibit B is a true and correct copy of the By Laws of the Guarantor, and that said By Laws have not been modified, amended or terminated and remains in full force and effect as of the date hereof; and
3. Attached to this Certification as Exhibit C is a true and correct copy of the New York Secretary of State's filing receipts for the Guarantor's Certificate of Incorporation.

The foregoing representations are made to Lender with the understanding that Lender shall rely upon this Certification and to induce Lender to make a loan to PGM INDUSTRIES INC. and 21 & 21A BROOKLYN AVE. CORP. (collectively "Borrower") in the original principal sum of \$615,000.00 which loan is secured by a mortgage on Borrower's property.

Dated: Islandia, New York
November 18, 2010

SEAFORD AVENUE CORP.

By: 

Name: MICHAEL SCOTT

Title: PRESIDENT

**MINUTES OF ANNUAL MEETING
OF THE BOARD OF DIRECTORS
OF
SEAFORD AVENUE CORP**

The annual meeting of the board of Directors of the corporation was held at the office of the corporation, at 21-34 Broadway, Long Island City, NY 11106, on January 10, 2011 at 11:30 a.m.

There were present and participating at the meeting:

Michael Scott

George Luksch

Being all the directors of the Corporation.

Michael Scott, President of the Corporation, acted as Chairman and Secretary of the meeting.

The Secretary presented a waiver of the notice of the meeting, signed by all the directors.

The Chairman announced that a quorum of the directors was present, and that the meeting, having duly convened, was ready to proceed with its business.

Upon Motion duly made and seconded, it was unanimously RESOLVED, that all purchases, contracts, contributions, compensations, acts, decisions, proceedings, elections and appointments by the Board of Directors since the last Annual Meeting of Stock of the Corporation, be and the same hereby are approved and satisfied.

The next order of business was the election of officers of the Corporation. There being no contest, the following were elected by proclamation to serve as officers until the next meeting of the Board or until their Successors are elected and qualified.

| | |
|----------------|---------------|
| President | Michael Scott |
| Vice President | George Luksch |
| Secretary | Michael Scott |
| Treasurer | George Luksch |

F021025000578

CERTIFICATE OF INCORPORATION

OF

SEAFORD AVENUE CORP.

Pursuant to Section 402 of the Business Corporation Law

I, the undersigned, a natural person of at least 18 years of age, for the purpose of forming a corporation under Section 402 of the Business Corporation Law of the State of New York hereby certify:

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C/O ANTHONY AVENA, CPA
1606 HENRY ROAD
WANTAGH, NY 11793

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(b) the liability of a director for any act or omission prior to the final adoption of this article.

SEVENTH: The holders of any of the corporation's equity shares shall be entitled to preemptive rights in accordance with the provisions of ECL section 622.

IN WITNESS WHEREOF, the undersigned incorporator has executed this certificate of incorporation.

10/25/02.

Sharon Babala

Sharon Babala, incorporator
BlumbergExcelsior Corporate
Services, Inc.
52 South Pearl Street
Albany, New York 12207

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APPENDIX X

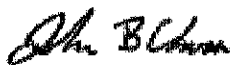

BRUCE A. BLAKEMAN

NASSAU COUNTY EXECUTIVE

NASSAU COUNTY



Vendor Code of Ethics

| | |
|---|--|
| POLICY/PROCEDURE TITLE: Nassau County Vendor Code of Ethics | DATE ISSUED: June 5 th , 2019 |
| DEPARTMENT ISSUING: Executive – Compliance | AUTHORIZED and SIGNED BY:  Deputy County Executive For Compliance  County Executive |

- POLICY:** The Office of the Nassau County Executive recognizes the importance of the vendor community in helping the County provide necessary services for the residents of Nassau County. It is the policy of the County Executive to ensure that all vendors doing business with Nassau County operate under the highest standards of legal and ethical conduct.
- PURPOSE:** To set forth a Code of Conduct for vendors to ensure that Nassau County Vendors are conducting their business with integrity, ethics, and compliance with all applicable laws and regulations.
- SCOPE:** All vendors doing business or seeking to do business with Nassau County as specified in the Code.



Vendor Code of Ethics

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- Chapter 1: DEFINITIONS
- Chapter 2: LIMITATIONS AND REPORTING OF CONTACTS WITH NASSAU COUNTY
 - Section 2.01 Designated Point(s) of Contact
- Chapter 3: GIFTS OR CONTINGENT FEES
 - Section 3.01 Zero Tolerance
 - Section 3.02 Personal Relationships
 - Section 3.03 Contingent Fees
- Chapter 4: NEGOTIATIONS FOR FUTURE EMPLOYMENT
 - Section 4.01 Restrictions During the Procurement Process
 - Section 4.02 Restrictions Post Award
- Chapter 5: CONFLICT OF INTEREST
 - Section 5.01 Financial Interest
 - Section 5.02 Personal Business Dealings
 - Section 5.03 Disclosure and Cooperation
 - Section 5.04 Confidential Information
 - Section 5.05 Prohibition Regarding Bidding by Participants in Procurement Development
- Chapter 6: FORMER NASSAU COUNTY EMPLOYEES
 - Section 6.01 Appearance Before Former Agency-Two Year Bar
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 - Section 7.03 Bid Submission
- Chapter 8: DISTRIBUTION AND CERTIFICATION
 - Section 8.01 Distribution of Vendor Code of Ethics and Vendor's Participating Employee Acknowledgements
 - Section 8.02 Vendor Certifications
 - Section 8.03 Subcontractor Certifications
- Chapter 9: PENALTIES
 - Section 9.01 Responsibility Determination
 - Section 9.02 Civil/Criminal Penalties
- Chapter 10: REPORTING OBLIGATION
 - Section 10.01 Reporting Gift Requests
 - Section 10.02 Reporting Material Changes



Vendor Code of Ethics

Section 10.03 Reporting Violations and Overpayments

Chapter 11: PROHIBITION ON RETALIATION

Section 11.01 Prohibition



Vendor Code of Ethics

Chapter 1: DEFINITIONS

As used in this Code, the following terms have the following meanings:

Adverse Job-Related Action includes any material alteration to existing terms, conditions, and privileges of employment, such as dismissal, demotion, suspension, compulsory leave, disciplinary action, creation of a hostile work environment, negative performance evaluation, any action resulting in loss of staff, office space or equipment or other benefit, reduction in compensation, failure to appoint, failure to promote, or any transfer or assignment or failure to transfer or assign against the wishes of the affected employee.

Contact means any oral or written communication with any Nassau County Employee, other than the Designated Point(s) of Contact, where it could be reasonably inferred that such contact was intended to influence, or could reasonably be expected to influence, the subject of a County procurement.

Designated Point(s) of Contact means the individual(s) designated by the County to be a Vendor's only contact with Nassau County following the public advertisement of a solicitation or the issuance of a request for a bid, proposal, or quote for small purchase, until the award of a resulting contract and, where applicable, approval by the County Legislature. This timeframe, further defined in the State Procurement Lobbying Law, is also known as the Restricted Period.

Nassau County Employee means any officer, official or employee of Nassau County.

Family Member means (i) a Nassau County Employee's Spouse, Domestic Partner, Child, Sibling or Parent; (ii) a person who is a direct descendant (or the spouse of a direct descendant) of a Sibling of the Nassau County Employee or a Sibling of the Nassau County Employee's Spouse or Domestic Partner; or (iii) a person living in the same household as a Nassau County Employee.

Gift means the transfer, without equivalent consideration, of anything of benefit, tangible or intangible, having more than nominal value, including, but not limited to, cash, loans, forbearance,



Vendor Code of Ethics

services, travel, gratuities of any kind, favors, money, meals, refreshments, entertainment, hospitality, admittance to private clubs, use of time-shares, personal use of the Vendor's facilities, promises, tickets to entertainment or sporting events, weekend trips, golf outings, loans of equipment, or other thing or benefit. A Gift need not be intended to influence or reward any individual or entity.

Nassau County Code of Ethics means Nassau County Charter Section 2218, and the rules and regulations promulgated thereunder as may be amended or modified.

Participating Employee means any Vendor employee who engages in any written or oral communication of a non-clerical or non-administrative nature with Nassau County or with a Nassau County Employee(s) as part of or in connection with the procurement.

Participating Nassau County Employee means any Nassau County Employee who the Vendor knows, has reason to know, or can reasonably anticipate is involved in a specific procurement, in either a direct or decision-making capacity, but not in a clerical capacity. This includes but is not limited to the Designated Point of Contact, the project manager, the project manager's staff to the extent that they are involved in the procurement, members of selection committees, technical experts and negotiating teams.

Primary Contracting Party means a Vendor who intends to directly enter into or has a contract with Nassau County.

Retaliatory Action is defined as any Adverse Job-Related Action taken by, or at the direction or request of, a Vendor or a Vendors' Employees as a result of any individual's (i) good-faith report with respect to a violation or potential violation of this Code or the law; or (ii) cooperation in any investigation of unlawful conduct or misconduct conducted by Nassau County or by federal, state, or local law enforcement officials.

State Procurement Lobbying Law means New York State Finance Law Sections 139-j and 139-k, and the rules and regulations promulgated thereunder as may be amended or modified.

Vendor means any individual or entity seeking to or doing business



Vendor Code of Ethics

with Nassau County within the scope of this Code, including, without limitation, contractors, consultants, suppliers, manufacturers seeking to act as the primary contracting party, officers and employees of the foregoing, as well as any subcontractors, subconsultants and suppliers at all lower tiers.

Chapter 2: LIMITATIONS AND REPORTING OF CONTACTS WITH NASSAU COUNTY

Section 2.01 Designated Point(s) of Contact

Each procurement solicitation issued by Nassau County will identify the Designated Point(s) of Contact for that solicitation as required by the State Procurement Lobbying Law. Once the Designated Point(s) of Contact is/are established, the Vendor and any person or entity acting on the Vendor's behalf, including without limitation, those providing compensated or uncompensated lobbying, advocacy, consulting or other services should ensure that its contacts with Nassau County are in compliance with the requirements of the State Procurement Lobbying Law.

Chapter 3: GIFTS OR CONTINGENT FEES

Section 3.01 Zero Tolerance

No Vendor may offer or give any Gift, directly or indirectly, to a Nassau County Employee. Similarly, no Vendor may offer or give any Gift, directly or indirectly, to any Family Member of a Nassau County employee where such Gift is made because of the Vendor's relationship with the Nassau County Employee. Additionally, no Vendor may accept a gift from a Nassau County Employee.

This Zero-Tolerance Policy applies regardless of actual intentions. In other words, even if a Gift does not, or is not intended to, influence an action or decision by a Nassau County Employee, it is prohibited by this Code.

Section 3.02 Personal Relationships

Notwithstanding the foregoing, if a Vendor has a pre-existing family or personal relationship with the Employee, a Gift that is wholly unconnected with the Employee's duties on behalf of Nassau County is



Vendor Code of Ethics

not necessarily prohibited.

In determining whether the giving of an item was motivated by personal rather than business concerns, the following factors are considered:

- (a) the history of the relationship between the donor and the recipient, including but not limited to the mutuality of gift giving;
- (b) whether the item was paid for by the donor.

The giving of an item shall not be considered to be motivated by a family or personal relationship if the donor seeks to charge or deduct the value of the item as a business expense or seeks reimbursement from a client.

However, regardless of the family or personal relationship between a Vendor and an employee, a Gift is strictly forbidden where it is being given under circumstances where it can reasonably be inferred that it was intended to influence the employee in the performance of his or her official duties.

Section 3.03 Contingent Fees

The Vendor will not employ or retain any individual or entity for the purpose of soliciting or securing a Nassau County contract upon any agreement or understanding for a commission, percentage, brokerage, or fee that is contingent or dependent upon the outcome of the procurement.

Chapter 4: NEGOTIATIONS FOR FUTURE EMPLOYMENT

Section 4.01 Restrictions During the Procurement Process

Vendors shall not discuss future employment with Participating Nassau County Employees or their Family Members from the date the procurement is advertised or solicited through 30 days following the date that the procurement is awarded, even if a Participating Nassau County Employee contacts the Vendor regarding employment. Questions regarding whether a particular Nassau County employee is a Participating Nassau County Employee for a specific



Vendor Code of Ethics

procurement should be directed to the Designated Point of Contact for the procurement.

Section 4.02 Restrictions Post Award

Vendors are prohibited from offering or discussing an employment opportunity with a Nassau County Employee or his or her Family Members before whom the Vendor has or expects to have a pending specific matter including, but not limited to, negotiations, performance evaluation, task order selection, approval of a voucher or invoice, or approval of or agreement to a contract amendment, change order, or deviation or waiver until:

- (i) 30 days from the time the matter before the Employee is closed, or
- (ii) 30 days from the time the Employee has no further involvement with the matter because of recusal or reassignment.

Chapter 5: CONFLICT OF INTEREST

Section 5.01 Financial Interest

Neither the Vendor, nor any director, officer, principal, owner, or partner thereof, as the case may be, may have a 10% or greater interest, nor shall the Vendor, nor any director, officer, principal, owner, or partner thereof, acquire a 10% or greater interest, either directly or indirectly, in any company or firm that would conflict in any manner or degree with the performance of the Nassau County contract.

The Vendor will not permit an employee having a 10% or greater interest, either directly or indirectly, in any company or firm that would conflict in any manner or degree with the performance of the Nassau County contract to be employed in the performance of the Nassau County contract.

Section 5.02 Personal Business Dealings

Neither the Vendor, nor any director, officer, principal, owner, or partner thereof, may have a non-County business dealing with a



Vendor Code of Ethics

Participating Nassau County Employee where it can be reasonably inferred that the purpose of the business dealing, at least in part, is to influence the Participating Nassau County Employee's action on a pending County matter.

Section 5.03 Disclosure and Cooperation

The Vendor shall disclose immediately to the County any real or potential conflict of interest of which it becomes aware. This obligation is ongoing and shall last through the completion of performance of the contract. The Vendor shall provide to Nassau County, at the County's request and upon such forms as may be furnished by Nassau County, a disclosure of organizational, financial, contractual or other affiliations with any organization or entity that has interests that may be substantially affected by the procurement solicitation or award. The Vendor shall fully cooperate in any inquiry or investigation undertaken by Nassau County to determine whether any such affiliations present a conflict of interest, or whether any other provision of this Code has been violated. The Vendor shall fully cooperate with audits, investigations, examinations and reviews by the Nassau County Inspector General conducted pursuant to section 187 of the Nassau County Charter.

Section 5.04 Confidential Information

At no time shall any Vendor who obtains confidential or proprietary Nassau County information in the course of doing or seeking to do business with the County disclose any such information to any person not authorized by Nassau County to receive such information or use such information for any personal gain except as necessary to fulfill its contractual obligations to Nassau County.

If the Vendor receives from any source confidential or proprietary Nassau County information prior to the award of a resulting contract and, where applicable, approval by the County Legislature, without the explicit approval of the Designated Point of Contact, the Vendor shall immediately so notify the Designated Point of Contact.

Nassau County confidential or proprietary information includes, but is not limited to, internal cost estimates and proposals submitted by other Vendors.



Vendor Code of Ethics

Section 5.05 Prohibition Regarding Bidding by Participants in Procurement Development

No Vendor who participates in the development of a scope of work, solicitation documents, assessment criteria, contractual instruments or technical specifications may participate as a bidder, sub-bidder, proposer or sub-proposer on that particular procurement or perform any work on that particular procurement or any other procurement that would constitute an organizational conflict of interest or would give that Vendor an unfair advantage over other bidders or proposers on that procurement. This prohibition may be waived in writing by the County Chief Procurement Officer upon a showing of good cause.

Chapter 6: FORMER NASSAU COUNTY EMPLOYEES

Section 6.01 Appearance Before Former Agency-Two Year Bar

Except as provided for in Section 2218(8) of the Nassau County Code of Ethics, the Vendor will not permit a former Nassau County Employee to appear or practice before any Nassau County agency, either prior to award or in the performance of a Nassau County contract, for a period of two years after termination of the Nassau County Employee's services with the County.

Section 6.02 Appearance Before Former Agency-Life Time Bar

Except as provided for in Section 2218(8) of the Nassau County Code of Ethics, the Vendor will not permit a former Nassau County Employee to appear, practice, communicate or otherwise render services before the agency that employed the officer or employee or any other agency of Nassau County, either prior to award or in the performance of an agency's contract in relation to any case, proceeding, application or transaction with respect to which such former officer or employee was directly concerned and in which he or she personally participated, or which was under his or her active consideration during the period of his or her employment. This provision is a lifetime bar on projects that the former Nassau County Employee previously worked on while employed by the County.



Vendor Code of Ethics

Chapter 7: NON-COLLUSION

Section 7.01 Independent Bid Assessment

The Vendor will calculate the price(s) contained in any bid or proposal independently, without collusion, consultation, communication, or agreement with any competing Vendor for the purpose of restricting competition.

Section 7.02 Non-Communication of Bid

Unless otherwise required by law, the price(s) which the Vendor quotes in its bid or proposal will not knowingly be disclosed by the Vendor, directly or indirectly, to any competing Vendor prior to the closing date for bids or proposals.

Section 7.03 Bid Submission

The Vendor will not make any attempt to induce any other individual or entity to submit or not to submit a bid or proposal.

Chapter 8: DISTRIBUTION AND CERTIFICATION

Section 8.01 Distribution of Vendor Code of Ethics and Vendor's Participating Employee Acknowledgements

As a condition of being considered for the award of any contract above the County's small purchase threshold of \$10,000, the Vendor will be required to distribute copies of the Nassau County Vendor Code of Ethics to all Participating Employees prior to any of those employee's participation in the procurement. The Code may be distributed either in hard copy or electronically as a separate PDF.

Additionally, as a condition of being considered for the award of any contract above the County's small purchase threshold, the Vendor will be required to obtain an acknowledgement from each of its Participating Employees ("Participating Employee Acknowledgements") that they have received, read, understand, and will comply with the Nassau County Vendor Code of Ethics.



Vendor Code of Ethics

The Vendor's responsibility for distributing copies of the Nassau County Vendor Code of Ethics and obtaining such signed Participating Employee Acknowledgements is ongoing until completion of performance of the contract and shall be retained for the same period as the Vendor is required to retain other contract documents in accordance with their contract with the County.

Receipt and retention of Participating Employee Acknowledgments by the Vendor shall be subject to audit by Nassau County.

Section 8.02 Vendor Certifications

The vendor by signing the final contract thereby certifies and attests to the following:

- (a) The Vendor has been provided with a copy of the Nassau County Vendor Code of Ethics and will comply with all of the provisions of the Code;
- (b) All of its Participating Employees during the course of procurement or contract have been provided with a copy of the Nassau County Vendor Code of Ethics prior to any of those employees' participation in the procurement;
- (c) All Participating Employees have completed the acknowledgement required by Section 8.01 of this Code;
- (d) The Vendor will retain all of the signed Participating Employee Acknowledgements for the same period as the Vendor is required to retain other contract documents in accordance with their contract with the County;
- (e) The Vendor will continue to distribute the Nassau County Vendor Code of Ethics, obtain signed Participating Employee Acknowledgements as new Participating Employees are added or changed during the contract period, and retain all of the signed acknowledgements for the same period as the Vendor is required to retain other contract documents in accordance with their contract with the County.



Vendor Code of Ethics

Section 8.03 Subcontractor Certifications

As a condition of being considered for the award of any contract above the County's small purchase threshold, the Vendor will obtain certifications executed by authorized officials from all of its lower tier subcontractors, subconsultants and suppliers (as well as from any other subcontractors, subconsultants and suppliers from whom that Vendor is soliciting or has received proposals for work on a Nassau County contract) whose employees have communicated or may communicate with Nassau County Employees. This obligation is ongoing and shall last through the completion of performance of the contract. Receipt and retention of lower tier certifications by the Vendor shall be subject to audit by Nassau County.



Vendor Code of Ethics

Chapter 9: PENALTIES

Section 9.01 Responsibility Determination

For violation of any provision of the Nassau County Vendor Code of Ethics, Nassau County may avail itself of every remedy in law or equity, or as agreed to by parties in any contract, including but not limited to declaring the Vendor non-responsible or in material breach of the contract.

Section 9.02 Civil/Criminal Penalties

Additionally, violation of the Nassau County Vendor Code of Ethics or a provision thereof may subject the Vendor to criminal or civil penalties under State or Federal law.

Chapter 10: REPORTING OBLIGATION

Section 10.01 Reporting Gift Requests

Notwithstanding the provisions of Chapter 4 above, the Vendor is obligated to immediately report to Nassau County's Inspector General and the County Chief Procurement Officer, any and all requests made to the Vendor by any Nassau County Employee for a Gift.

Section 10.02 Reporting Material Changes

The Vendor is under a continuing obligation to report any change in circumstances that materially affects any prior report to Nassau County to Department of Chief Contracting Officer, including but not limited to disclosure of conflicts of interest and representations made in the Contractor Responsibility Form.

Section 10.03 Reporting Violations and Overpayments

The Vendor is obligated to timely report in writing to Nassau County's Inspector General, in connection with the award, performance or closeout of the Nassau County contract or subcontract, any credible evidence of significant overpayments on the contract or that a principal, employee, agent or subcontractor has committed a



Vendor Code of Ethics

violation of law involving fraud, conflict of interest, bribery or gratuities.

Chapter 11: PROHIBITION ON RETALIATION

Section 11.01 Prohibition

To facilitate the reporting obligations under Chapter 10, this code strictly forbids all Vendors and Vendors' Employees from taking any Retaliatory Action against individuals who make such reports.



Vendor Code of Ethics

CERTIFICATION REGARDING DISTRIBUTION OF NASSAU COUNTY VENDOR CODE OF ETHICS

Bid/Proposal No.: S41858-024

Project Description: N Woodmere Park Remedial Pool Repairs

The prospective lower tier participant Seaford Ave Corp (subcontractor, subconsultant, or supplier name) hereby certifies, by submission of this bid or proposal to County of Nassau [prime contractor] in connection with the Nassau County bid or proposal number referenced above, to the best of its knowledge and belief, that all officers and personnel who have communicated or may communicate with Nassau County employees during the course of the procurement and through the completion of performance of the contract have been provided with a copy of the Nassau County Vendor Code of Ethics prior to each of these employee's participating in the procurement.

Executed this 1 day of April, 2024.

By MAS Signature of Authorized Official
Michael Scott, President Name and Title of Authorized Official



Vendor Code of Ethics

**PARTICIPATING EMPLOYEE
ACKNOWLEDGEMENT REGARDING NASSAU
COUNTY VENDOR CODE OF ETHICS**

Company: Seaford Ave Corp

Bid/Proposal No.: S 41858 - 02 G

I, Michael Scott, acknowledge that I have received and read the Nassau County Vendor Code of Ethics on 4-1-24 and that I understand it and will comply with this Code in my participation in procurements between Seaford Ave Corp (Vendor name) and Nassau County.

Executed this 1 day of April, 2024

By [Signature] Signature of Employee

Michael Scott, President Name and Title of Employee

APPENDIX U

NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS

CONSULTANT/ CONTRACTOR DETAILED MBE/WBE/SDVOB UTILIZATION PLAN

Part 1- General Information:

| | |
|---|--|
| Consultant/Contractor Name: | <i>Seaford Ave Corp</i> |
| Address (street/city/state/zip code): | <i>25 Brooklyn Ave Massapequa, NY 11758</i> |
| Authorized Representative (name/title): | <i>Michael Scott, President</i> |
| Authorized Signature: | <i>[Signature]</i> |
| Contract Number: | <i>S41858-02G</i> |
| Contract/Project Name: | <i>North Woodmere Park Remedial Pool Repairs</i> |
| Contract/Project Description: | <i>Pool Repairs for North Woodmere Park</i> |

Part 2- Projected MBE/WBE/SDVOB Contract Summary:

| | Amount (\$) | | Percentage (%) |
|--|-------------|--|----------------|
| Total Dollar Value of the Prime Contract | <i>TBD</i> | | <i>TBD</i> |
| Total MBE Dollar Amount | <i>TBD</i> | MBE Contract Percentage | <i>TBD</i> |
| Total WBE Dollar Amount | <i>TBD</i> | WBE Contract Percentage | <i>TBD</i> |
| Total SDVOB Dollar Amount | <i>TBD</i> | SDVOB Contract Percentage | <i>TBD</i> |
| Total Combined M/WBE/SDVOB Dollar Amount | <i>TBD</i> | Combined M/WBE/SDVOB Contract Percentage | <i>TBD</i> |

Part 3- MBE Information (use additional blank sheets as necessary):

| MBE Firm | Description of Work (MBE) | Projected MBE Contract Amount (\$) and Award Date | MBE Contract Scheduled Start Date and Completion |
|--|----------------------------------|---|---|
| Name: <i>192 Branch Services Inc</i> Address: <i>2099 9th Ave</i> City: <i>Ronkonkoma, NY</i> State/Zip Code: <i>NY 11779</i> Authorized Representative: <i>Arthur Chiu</i> Telephone No. <i>631-467-6600</i> | <i>Remediation + Restoration</i> | Amount (\$): <i>TBD</i> <hr/> Award Date: <i>TBD</i> | Start Date: <i>TBD</i> <hr/> Completion Date: <i>TBD</i> |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |

Business & Contact Information

BUSINESS NAME **192 Branch Interior Services, Inc.**

OWNER **Mr. Arthur Chu**

ADDRESS **2099 9th Avenue
Ronkonkoma, NY 11779 [\[map\]](#)**

PHONE **631-467-6600**

FAX **631-467-6611**

EMAIL **j.savnik@branchservicesinc.com**

WEBSITE **<http://www.branchservicesinc.com>**

Certification Information

CERTIFYING AGENCY **New York State**

CERTIFICATION TYPE **MBE - Minority Business Enterprise**

CERTIFICATION DATE **7/28/2016**

CERTIFIED BUSINESS DESCRIPTION **Environmental Remediation including but not limited to Asbestos, Lead, Mold, Oil. Restoration services including but not limited to Water, Fire, Smoke, Wind Damage.**

Commodity Codes

| Code | Description |
|--------------|---|
| NAICS 562910 | Environmental remediation services |
| NIGP 91024 | Fire and or Water Damage Restoration Services |
| NIGP 92678 | Remediation Services, Environmental, Including Rehabilitation Services Hazardous Waste and Mold Remediation |

Additional Information

WORK DISTRICTS/REGIONS **Long Island, NYC, Southern Tier, Mid-Hudson, Mohawk Valley**

INDUSTRY

Construction

BUSINESS SIZE

Over \$5 million

GENERAL LOCATION

Downstate New York

LOCATION

Long Island

Part 4- WBE Information (use additional blank sheets as necessary):

| WBE Firm | Description of Work (WBE) | Projected WBE Contract Amount (\$) and Award Date | WBE Contract Scheduled Start Date and Completion Date |
|--|--|--|--|
| Name: <i>X-Cell Insulation</i> Address: <i>110 Keyland Court</i> City: <i>Bohemia</i> State/Zip Code: <i>Ny 11716</i> Authorized Representative: <i>Jennifer Andersen</i> Telephone No. <i>631-780-6601</i> | <i>Plumbing and Insulation and fire stopping for various plumbing projects</i> | Amount (\$): <p style="text-align: center;"><i>TBD</i></p> <hr/> Award Date: <i>TBD</i> | Start Date: <p style="text-align: center;"><i>TBD</i></p> <hr/> Completion Date: <i>TBD</i> |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |

WBENC

WOMEN'S BUSINESS ENTERPRISE
NATIONAL COUNCIL

JOIN FORCES. SUCCEED TOGETHER.

hereby grants

National Women's Business Enterprise Certification

to

X-Cell Insulation Corporation

who has successfully met WBENC's standards as a Women's Business Enterprise (WBE).
This certification affirms the business is woman-owned, operated and controlled and is valid through the date herein.

Certification Granted: December 16, 2016
Expiration Date: December 16, 2024
WBENC National Certification Number: WBE1600548

WBENC National WBE Certification was processed and validated by Women's Business Enterprise Council Metro NY, a WBENC Regional Partner Organization.



Sandra Eberhard, President & CEO Women's
Business Enterprise Council Metro NY

WBE@METRONY
WOMEN'S BUSINESS ENTERPRISE CENTER
METRO NY

NAICS: 238310, 238290
UNSPSC: 30140000, 30141500, 30141516, 30141600, 30141605, 31371001, 72152102, 72153208



Business & Contact Information

BUSINESS NAME **X-Cell Insulation Corporation**
OWNER Jennifer Anderson
ADDRESS 110 Keyland Court
Bohemia, NY 11716 [\[map\]](#)
PHONE 631-780-6601
FAX 631-406-6843
EMAIL xcellinsulation@optonline.net

Certification Information

CERTIFYING AGENCY New York State
CERTIFICATION TYPE WBE - Women Business Enterprise
CERTIFICATION DATE 12/16/2015
CERTIFIED BUSINESS DESCRIPTION HVAC / Plumbing Insulation & Firestopping
Boiler and pipe insulation installation
Firestop contractors
Duct insulation installation
Mechanical equipment insulation
Glass fiber insulation installation
Panel or rigid board insulation installation

Commodity Codes

| Code | Description |
|--------------|--|
| NAICS 238290 | Boiler and pipe Insulation Installation |
| NIGP 91023 | Firestop Systems, Including Installation and Fireproofing Services |
| NIGP 91450 | Heating, Ventilating and Air Conditioning (HVAC) |
| NIGP 91453 | Insulation |
| NIGP 93462 | Pipe and Pipe Fittings Maintenance and Repair |

Additional Information

| | |
|------------------------|---------------------------|
| WORK DISTRICTS/REGIONS | Long Island, NYC |
| INDUSTRY | Construction |
| BUSINESS SIZE | \$1,000,000 - \$4,999,999 |
| GENERAL LOCATION | Downstate New York |
| LOCATION | Long Island |

Part 5- SDVOB Information (use additional blank sheets as necessary):

| SDVOB | Description of Work (SDVOB) | Projected SDVOB Contract Amount (\$) and Award Date | SDVOB Contract Scheduled Start Date and Completion |
|--|--|--|---|
| Name: <i>Ny Con Diamond and Tools Corp</i> Address: <i>238 Pennel Road</i> City: <i>Ronkonkoma</i> State/Zip Code: <i>Ny 11779</i> Authorized Representative: <i>John Pierpaoli</i> Telephone No. <i>855-937-6922</i> | <i>Construction Materials + Repair</i> | Amount (\$): <i>TBD</i> <hr/> Award Date: <i>TBD</i> | Start Date: <i>TBD</i> <hr/> Completion Date: <i>TBD</i> |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |

< [Back to Directory Search](#)

NYCON Diamond & Tools Corp.

Certification Status: Certified

Business Details

| | |
|---|---|
| Legal Name | NYCON Diamond & Tools Corp. |
| DBA Names | N/A |
| Physical Address | 238 Pond Road Ronkonkoma, NY 11779 |
| Mailing Address | 2380 POND ROAD RONKONKOMA, NY 11779 |
| Phone | (855) 937-6922 |
| Email | office@nycondiamond.com |
| Website | http://nycondiamond.com |
| Control Number | 221440 |
| Categories | Construction Horizontal: Highways & Roadways; Maintenance, Repair & New Construction, Facilities, Maintenance, Repair & Building Operations, Construction Vertical: Building Construction; Rehabilitation & New Construction |
| Business Size | \$1,000,000 - \$4,999,999 |
| Specific Function/Business Description | Construction Materials, Repair Shop |
| Classifications | Commodities, Construction |
| Keywords | tools, hardware, full service repair shop, abrasives, bits, power tools, blades |
| Home County | Suffolk |
| Home Region | Long Island |
| Counties Served | Greene, Dutchess, Steuben, Orange, Cortland, New York, Bronx, Ulster, Ontario, Niagara, Chenango, Yates, Saratoga, Essex, Sullivan, Albany, Schuyler, Montgomery, Herkimer, Wyoming, Richmond, Broome, Orleans, Warren, St. Lawrence, Genesee, Otsego, Lewis, Onondaga, Schenectady, Erie, Kings, Clinton, Nassau, Oneida, Suffolk, Livingston, Wayne, Monroe, Jefferson, Putnam, Franklin, |

Cattaraugus, Tompkins, Queens, Tioga, Allegany,
Chautauqua, Madison, Delaware, Hamilton, Washington,
Rensselaer, Columbia, Seneca, Cayuga, Fulton, Schoharie,
Westchester, Rockland, Oswego, Chemung

NAICS Codes

423710 Hardware Merchant Wholesalers

423830 Industrial Machinery and Equipment Merchant Wholesalers

Primary Contact

Owner Pierpaoli, John

NYS Centralized Contract

N/A

Office of General Services

Privacy Policy

Accessibility

Contact Us





**NEW YORK STATE
MINORITY- AND WOMEN-OWNED BUSINESS ENTERPRISE ("MWBE")
CERTIFICATION**

Empire State Development's Division of Minority and Women's Business Development grants a

Minority Business Enterprise (MBE)

pursuant to New York State Executive Law, Article 15-A to:

NY PLUMBING WHOLESALE AND SUPPLY INC

Certification Awarded on: June 26, 2023
Expiration Date: June 26, 2028
File ID#: 55198



**Division of Minority
and Women's
Business Development**

A Division of Empire State Development

FINANCIAL STATEMENT

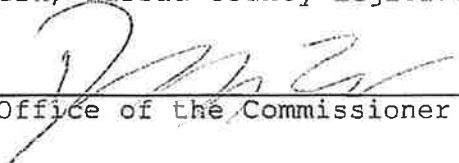
ATTENTION: Insert the "Financial Statement" after this page in with your bid submission.

IN WITNESS THEREOF, the parties have hereunto set their hands and seals, and such of them as are corporations have caused these presents to be signed by their duly authorized officers.


THE COUNTY OF NASSAU

By _____
County Executive
party of the First Part

ATTEST: _____
Clerk, Nassau County Legislature

Approved: 
Office of the Commissioner

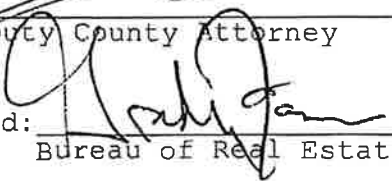
Seaford Assoc Corp Contractor

By  _____ L.S.
Party of the Second Part

Corporate
Seal

APPROVED AS PER CHARTER


Deputy County Attorney

Approved: 
Bureau of Real Estate & Insurance

IN WITNESS THEREOF, the parties have hereunto set their hands and seals, and such of them as are corporations have caused these presents to be signed by their duly authorized officers.

THE COUNTY OF NASSAU
By [Signature]
County Executive
party of the First Part
ARTHUR T. WALSH
Chief Deputy County Executive

ATTEST: _____
Clerk, Nassau County Legislature

Approved: [Signature]
Office of the Commissioner

Seasone Ac Corp Contractor

By [Signature] L.S.
Party of the Second Part

Corporate Seal

APPROVED AS PER CHARTER

Deputy County Attorney

Approved: _____
Bureau of Real Estate & Insurance

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

On this _____ day of _____, 20____, before me personally appeared _____, County Executive of the County of Nassau, the municipal corporation described herein, and who executed the foregoing instrument, to me known and known to me to be such County Executive and he being by me duly sworn, did depose and say: That he is the County Executive of Nassau County; that he executed the same as such County Executive for the purposes therein mentioned.

Notary Public

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

On this 16th day of September, 2024, before me personally appeared Arthur T. Walsh, Chief Deputy County Executive of the County of Nassau, the municipal corporation described herein and who executed the foregoing instrument, to me known and known to me to be such Deputy County Executive, and she by me being duly sworn, did depose and say: That she is the Deputy County Executive of the County of Nassau and that pursuant to Section 205 of the County Government Law of Nassau County executed the same as such Deputy County Executive for the purposes therein mentioned.



Notary Public

TRICIA F. FORMATO
Notary Public, State of New York
No. 01FO6261797
Qualified in Nassau County
Commission Expires May 14, 2028

(Acknowledgment by Contractor if a Corporation)

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

On this 9 day of September, 2024, before me personally came Michael Robert Scott to me known, who being by me duly sworn, did depose and say: That he/she resides at 448 Denhoff Walk, Ocea Beach, N.Y. 11770; That he/she is the President of Seaford Avenue Corp., the Corporation described herein; That he/she executed the foregoing instrument for said corporation; That he/she knows the seal of said Corporation; That the seal affixed to said instrument is such Corporate Seal; That it was so affixed by order of the Board of Directors of said Corporation, That he/she signed his/her name thereto by like order.



Notary Public

LAURAA STEIN
Notary Public, State of New York
NO. 01ST6179595
Qualified in Nassau County
My Commission Expires 12/24/27

(Acknowledgment by Contractor if a Company)

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

On this _____ day of _____, 20____, before me personally came _____ known to be a partner of the firm of _____ the firm described in the foregoing instrument and he/she duly acknowledge that he/she executed the same as for the act and deed of said firm.

Notary Public

(Acknowledgment by Contractor if an Individual)

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

On this _____ day of _____, 20____, before me personally came _____ to me known and known to me to be the person described herein, and who executed the foregoing instrument and he/she duly acknowledge to me that he/she executed the same.

Notary Public



COUNTY OF NASSAU

POLITICAL CAMPAIGN CONTRIBUTION DISCLOSURE FORM

1. Has the vendor or any corporate officers of the vendor provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator?

YES NO If yes, to what campaign committee?

Electronically signed and certified at the date and time indicated by:
Michael Scott [MSCOTT@SACPLUMB.COM]

Dated: 04/08/2024 09:30:58 am

Vendor: Seaford Aevnue Corp

Title: President

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: George Luksch
Date of birth: 11/05/1958
Home address: 6 Memas Court

City: Dix Hills State/Province/Territory: NY Zip/Postal Code: 11745
Country: US

Business Address: 25 Brooklyn Avenue

City: Massapequa State/Province/Territory: NY Zip/Postal Code: 11745
Country: US
Telephone: (516) 785-6581

Other present address(es):

City: Wantagh State/Province/Territory: _____ Zip/Postal Code: _____
Country: _____
Telephone: (516) 785-6581

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------------------|-------------|-------|
| President | <u>10/25/2002</u> | Treasurer | _____ |
| Chairman of Board | _____ | Shareholder | _____ |
| Chief Exec. Officer | _____ | Secretary | _____ |
| Chief Financial Officer | _____ | Partner | _____ |
| Vice President | <u>10/25/2002</u> | | |
| (Other) | | | |

3. Do you have an equity interest in the business submitting the questionnaire?
YES [X] NO [] If Yes, provide details.

| | |
|---------------|-----|
| Michael Scott | 51% |
| George Luksch | 49% |

1 File(s) uploaded: Seaford Ave Certificate of Incorporation .pdf

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES NO If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?
YES NO If Yes, provide details.

G&M Mechanical Inc President 51%
1510 Dixie Highway LLC 50%
Seaford Avenue South Corp Vice President 49%

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?
YES NO If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

- a. Been debarred by any government agency from entering into contracts with that agency?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?
YES NO If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9.

a. Is there any felony charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

b. Is there any misdemeanor charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

c. Is there any administrative charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

f. In the past 5 years, have you been found in violation of any administrative or statutory charges?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

| |
|--|
| |
|--|

I, , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Seaford Ave Corp

Name of submitting business

Electronically signed and certified at the date and time indicated by:
George Luksch GLUKSCH@SACPLUMB.COM

Vice President

Title

07/11/2024 10:02:14 am

Date

F 021025000578

Certificate of Incorporation

of

SEAFORD AVENUE CORP.

Pursuant to Section 402 of the Business Corporation Law

FILED
2002 OCT 25 PM 2:25

BLU-39
DRAWDOWN

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED OCT 25 2002

TAXS 10.00

BY LAP

NASSAU

Filed By:

BlumbergExcelsior Corporate Services, Inc.
52 South Pearl Street, 2nd Floor
Albany, NY 12207

Oct 25 12 24 PM '02

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021025000599

CERTIFICATE OF INCORPORATION

OF

SEAFORD AVENUE CORP.

Pursuant to Section 402 of the Business Corporation Law

I, the undersigned, a natural person of at least 18 years of age, for the purpose of forming a corporation under Section 402 of the Business Corporation Law of the State of New York hereby certify:

FIRST: The name of the corporation is:

SEAFORD AVENUE CORP.

SECOND: The purpose of the corporation is to engage in any lawful act or activity for which corporations may be organized under Article IV of the Business Corporation Law, except that it is not formed to engage in any act or activity requiring the consent or approval of any state official, department, board, agency or other body without such consent or approval first being obtained.

THIRD: The office of the corporation is to be located in the County of **NASSAU**, State of New York.

FOURTH: The aggregate number of shares which the corporation shall have the authority to issue is **TWO HUNDRED**, each of which shall be common stock with no par value.

FIFTH: The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is:

**C/O ANTHONY AVENA, CPA
1606 HENRY ROAD
WANTAGH, NY 11793**

SIXTH: No director of the corporation shall have personal liability to the corporation or to its shareholders for damages for any breach of duty in such capacity, provided, however, that the provision shall not eliminate or limit:

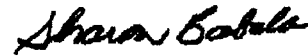
(a) the liability of any director of the corporation if a judgment or other final adjudication adverse to him establishes that his acts or omissions were in bad faith or involved intentional misconduct or a knowing violation of law or that he personally gained in fact a financial profit or other advantage to which he was not legally entitled or, with respect to any director of the corporation, that his acts violated Section 719 of the Business Corporation Law of the State of New York, or

(b) the liability of a director for any act or omission prior to the final adoption of this article.

SEVENTH: The holders of any of the corporation's equity shares shall be entitled to preemptive rights in accordance with the provisions of BCL section 622.

IN WITNESS WHEREOF, the undersigned incorporator has executed this certificate of incorporation.

10/25/02.



Sharon Babala, Incorporator
BlumbergExcelsior Corporate
Services, Inc.
52 South Pearl Street
Albany, New York 12207

EXHIBIT C
Filing Receipt

GUARANTOR'S CERTIFICATION

SEAFORD AVENUE CORP. ("Guarantor") hereby certifies to GOLD COAST BANK ("Lender") that:

1. Attached to this Certification as Exhibit A is a true and correct copy of the Certificate of Incorporation of the Guarantor filed on 10/25/02 with the Secretary of State of State of New York, and that said Certificate of Incorporation has not been amended, modified, or terminated and remains in full force and effect as of the date hereof;
2. Attached to this Certification as Exhibit B is a true and correct copy of the By Laws of the Guarantor, and that said By Laws have not been modified, amended or terminated and remains in full force and effect as of the date hereof; and
3. Attached to this Certification as Exhibit C is a true and correct copy of the New York Secretary of State's filing receipts for the Guarantor's Certificate of Incorporation.

The foregoing representations are made to Lender with the understanding that Lender shall rely upon this Certification and to induce Lender to make a loan to PGM INDUSTRIES INC. and 21 & 21A BROOKLYN AVE. CORP. (collectively "Borrower") in the original principal sum of \$615,000.00 which loan is secured by a mortgage on Borrower's property.

Dated: Islandia, New York
November 18, 2010

SEAFORD AVENUE CORP.

By: 

Name: MICHAEL SCOTT

Title: PRESIDENT

**MINUTES OF ANNUAL MEETING
OF THE BOARD OF DIRECTORS
OF
SEAFORD AVENUE CORP**

The annual meeting of the board of Directors of the corporation was held at the office of the corporation, at 21-34 Broadway, Long Island City, NY 11106, on January 10, 2011 at 11:30 a.m.

There were present and participating at the meeting:
Michael Scott
George Luksch
Being all the directors of the Corporation.

Michael Scott, President of the Corporation, acted as Chairman and Secretary of the meeting.

The Secretary presented a waiver of the notice of the meeting, signed by all the directors.

The Chairman announced that a quorum of the directors was present, and that the meeting, having duly convened, was ready to proceed with its business.

Upon Motion duly made and seconded, it was unanimously RESOLVED, that all purchases, contracts, contributions Compensations, acts, decisions, proceedings, elections and appointments by the Board of Directors since the last Annual Meeting of Stock of the Corporation, be and the same hereby are approved and satisfied.

The next order of business was the election of officers of the Corporation. There being no contest, the following were elected by proclamation to serve as officers until the next meeting of the Board or until their Successors are elected and qualified.

| | |
|----------------|---------------|
| President | Michael Scott |
| Vice President | George Luksch |
| Secretary | Michael Scott |
| Treasurer | George Luksch |

F021025000578

CERTIFICATE OF INCORPORATION

OF

SEAFORD AVENUE CORP.

Pursuant to Section 402 of the Business Corporation Law

I, the undersigned, a natural person of at least 18 years of age, for the purpose of forming a corporation under Section 402 of the Business Corporation Law of the State of New York hereby certify:

FIRST: The name of the corporation is:

SEAFORD AVENUE CORP.

SECOND: The purpose of the corporation is to engage in any lawful act or activity for which corporations may be organized under Article IV of the Business Corporation Law, except that it is not formed to engage in any act or activity requiring the consent or approval of any state official, department, board, agency or other body without such consent or approval first being obtained.

THIRD: The office of the corporation is to be located in the County of **NASSAU**, State of New York.

FOURTH: The aggregate number of shares which the corporation shall have the authority to issue is **TWO HUNDRED**, each of which shall be common stock with no par value.

FIFTH: The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is:

**C/O ANTHONY AVENA, CPA
1606 HENRY ROAD
WANTAGH, NY 11793**

/

SIXTH: No director of the corporation shall have personal liability to the corporation or to its shareholders for damages for any breach of duty in such capacity, provided, however, that the provision shall not eliminate or limit:

(a) the liability of any director of the corporation if a judgment or other final adjudication adverse to him establishes that his acts or omissions were in bad faith or involved intentional misconduct or a knowing violation of law or that he personally gained in fact a financial profit or other advantage to which he was not legally entitled or, with respect to any director of the corporation, that his acts violated Section 719 of the Business Corporation Law of the State of New York, or

(b) the liability of a director for any act or omission prior to the final adoption of this article.

SEVENTH: The holders of any of the corporation's equity shares shall be entitled to preemptive rights in accordance with the provisions of BCL section 622.

IN WITNESS WHEREOF, the undersigned incorporator has executed this certificate of incorporation.

10/25/02.



Sharon Babala, incorporator
BlumbergExcelsior Corporate
Services, Inc.
52 South Pearl Street
Albany, New York 12207

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Michael Scott
Date of birth: 12/11/1964
Home address: 226 Bayview Avenue

| | | | | | |
|----------|-------------------|-------------------------------|-----------|---------------------|--------------|
| City: | <u>Massapequa</u> | State/Province/ Territory: | <u>NY</u> | Zip/Postal Code: | <u>11758</u> |
| Country: | <u>US</u> | | | | |

Business Address: 25 Brooklyn Avenue

| | | | | | |
|------------|-----------------------|-------------------------------|-----------|---------------------|--------------|
| City: | <u>Massapequa</u> | State/Province/ Territory: | <u>NY</u> | Zip/Postal Code: | <u>11758</u> |
| Country: | <u>US</u> | | | | |
| Telephone: | <u>(516) 785-6581</u> | | | | |

Other present address(es):

| | | | | | |
|------------|-----------------------|-------------------------------|---------|---------------------|---------|
| City: | <u>Massapequa</u> | State/Province/ Territory: | <u></u> | Zip/Postal Code: | <u></u> |
| Country: | <u></u> | | | | |
| Telephone: | <u>(516) 785-6581</u> | | | | |

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

| | | | |
|-------------------------|-------------------|-------------|---------|
| President | <u>10/25/2002</u> | Treasurer | <u></u> |
| Chairman of Board | <u></u> | Shareholder | <u></u> |
| Chief Exec. Officer | <u></u> | Secretary | <u></u> |
| Chief Financial Officer | <u></u> | Partner | <u></u> |
| Vice President | <u>10/25/2002</u> | | |
| (Other) | | | |

3. Do you have an equity interest in the business submitting the questionnaire?
YES [X] NO [] If Yes, provide details.

| |
|-------------------|
| Michael Scott 51% |
| George Luksch 49% |

1 File(s) uploaded: Seaford Ave Certificate of Incorporation .pdf

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES NO If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?
YES NO If Yes, provide details.

G&M Mechanical Inc. Vice President 49%
1510 Dixie Highway LLC 50%
Seaford Avenue South Corp President 51%

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?
YES NO If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

- a. Been debarred by any government agency from entering into contracts with that agency?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

- d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?
YES NO If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?
YES NO If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9.

a. Is there any felony charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

b. Is there any misdemeanor charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

c. Is there any administrative charge pending against you?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

f. In the past 5 years, have you been found in violation of any administrative or statutory charges?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

10 In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

11 In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

12 In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

13 For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?

YES NO If yes, provide an explanation of the circumstances and corrective action taken.

| |
|--|
| |
|--|

I, Michael Scott , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Michael Scott , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Seaford Avenue Corp

Name of submitting business

Electronically signed and certified at the date and time indicated by:

Michael Scott MSCOTT@SACPLUMB.COM

President

Title

07/11/2024 09:54:55 am

Date

F 021025000578

Certificate of Incorporation

of

SEAFORD AVENUE CORP.

Pursuant to Section 402 of the Business Corporation Law

FILED
2002 OCT 25 PM 2:25

BLU-39
DRAWDOWN

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED OCT 25 2002

TAXS 10.00

BY LAP

NASSAU

Filed By:

BlumbergExcelsior Corporate Services, Inc.
52 South Pearl Street, 2nd Floor
Albany, NY 12207

Oct 25 12 24 PM '02

RECEIVED

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021025000599

CERTIFICATE OF INCORPORATION

OF

SEAFORD AVENUE CORP.

Pursuant to Section 402 of the Business Corporation Law

I, the undersigned, a natural person of at least 18 years of age, for the purpose of forming a corporation under Section 402 of the Business Corporation Law of the State of New York hereby certify:

FIRST: The name of the corporation is:

SEAFORD AVENUE CORP.

SECOND: The purpose of the corporation is to engage in any lawful act or activity for which corporations may be organized under Article IV of the Business Corporation Law, except that it is not formed to engage in any act or activity requiring the consent or approval of any state official, department, board, agency or other body without such consent or approval first being obtained.

THIRD: The office of the corporation is to be located in the County of **NASSAU**, State of New York.

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FIFTH: The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is:

**C/O ANTHONY AVENA, CPA
1606 HENRY ROAD
WANTAGH, NY 11793**

SIXTH: No director of the corporation shall have personal liability to the corporation or to its shareholders for damages for any breach of duty in such capacity, provided, however, that the provision shall not eliminate or limit:

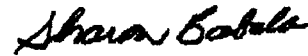
(a) the liability of any director of the corporation if a judgment or other final adjudication adverse to him establishes that his acts or omissions were in bad faith or involved intentional misconduct or a knowing violation of law or that he personally gained in fact a financial profit or other advantage to which he was not legally entitled or, with respect to any director of the corporation, that his acts violated Section 719 of the Business Corporation Law of the State of New York, or

(b) the liability of a director for any act or omission prior to the final adoption of this article.

SEVENTH: The holders of any of the corporation's equity shares shall be entitled to preemptive rights in accordance with the provisions of BCL section 622.

IN WITNESS WHEREOF, the undersigned incorporator has executed this certificate of incorporation.

10/25/02.



Sharon Babala, Incorporator
BlumbergExcelsior Corporate
Services, Inc.
52 South Pearl Street
Albany, New York 12207

EXHIBIT C
Filing Receipt

GUARANTOR'S CERTIFICATION

SEAFORD AVENUE CORP. ("Guarantor") hereby certifies to GOLD COAST BANK ("Lender") that:

1. Attached to this Certification as Exhibit A is a true and correct copy of the Certificate of Incorporation of the Guarantor filed on 10/25/02 with the Secretary of State of State of New York, and that said Certificate of Incorporation has not been amended, modified, or terminated and remains in full force and effect as of the date hereof;
2. Attached to this Certification as Exhibit B is a true and correct copy of the By Laws of the Guarantor, and that said By Laws have not been modified, amended or terminated and remains in full force and effect as of the date hereof; and
3. Attached to this Certification as Exhibit C is a true and correct copy of the New York Secretary of State's filing receipts for the Guarantor's Certificate of Incorporation.

The foregoing representations are made to Lender with the understanding that Lender shall rely upon this Certification and to induce Lender to make a loan to PGM INDUSTRIES INC. and 21 & 21A BROOKLYN AVE. CORP. (collectively "Borrower") in the original principal sum of \$615,000.00 which loan is secured by a mortgage on Borrower's property.

Dated: Islandia, New York
November 18, 2010

SEAFORD AVENUE CORP.

By: 

Name: MICHAEL SCOTT

Title: PRESIDENT

**MINUTES OF ANNUAL MEETING
OF THE BOARD OF DIRECTORS
OF
SEAFORD AVENUE CORP**

The annual meeting of the board of Directors of the corporation was held at the office of the corporation, at 21-34 Broadway, Long Island City, NY 11106, on January 10, 2011 at 11:30 a.m.

There were present and participating at the meeting:
Michael Scott
George Luksch
Being all the directors of the Corporation.

Michael Scott, President of the Corporation, acted as Chairman and Secretary of the meeting.

The Secretary presented a waiver of the notice of the meeting, signed by all the directors.

The Chairman announced that a quorum of the directors was present, and that the meeting, having duly convened, was ready to proceed with its business.

Upon Motion duly made and seconded, it was unanimously RESOLVED, that all purchases, contracts, contributions, compensations, acts, decisions, proceedings, elections and appointments by the Board of Directors since the last Annual Meeting of Stock of the Corporation, be and the same hereby are approved and satisfied.

The next order of business was the election of officers of the Corporation. There being no contest, the following were elected by proclamation to serve as officers until the next meeting of the Board or until their Successors are elected and qualified.

| | |
|----------------|---------------|
| President | Michael Scott |
| Vice President | George Luksch |
| Secretary | Michael Scott |
| Treasurer | George Luksch |

F021025000578

CERTIFICATE OF INCORPORATION

OF

SEAFORD AVENUE CORP.

Pursuant to Section 402 of the Business Corporation Law

I, the undersigned, a natural person of at least 18 years of age, for the purpose of forming a corporation under Section 402 of the Business Corporation Law of the State of New York hereby certify:

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WANTAGH, NY 11793**

/

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(b) the liability of a director for any act or omission prior to the final adoption of this article.

SEVENTH: The holders of any of the corporation's equity shares shall be entitled to preemptive rights in accordance with the provisions of BCL section 622.

IN WITNESS WHEREOF, the undersigned incorporator has executed this certificate of incorporation.

10/25/02.



Sharon Babala, incorporator
BlumbergExcelsior Corporate
Services, Inc.
52 South Pearl Street
Albany, New York 12207

Business History Form

The contract shall be awarded to the responsible proposer who, at the discretion of the County, taking into consideration the reliability of the proposer and the capacity of the proposer to perform the services required by the County, offers the best value to the County and who will best promote the public interest.

In addition to the submission of proposals, each proposer shall complete and submit this questionnaire. The questionnaire shall be filled out by the owner of a sole proprietorship or by an authorized representative of the firm, corporation or partnership submitting the Proposal.

NOTE: All questions require a response, even if response is "none" or "not-applicable." No blanks.

(USE ADDITIONAL SHEETS IF NECESSARY TO FULLY ANSWER THE FOLLOWING QUESTIONS).

Date: 08/27/2024

1) Proposer's Legal Name: Seaford Avenue Corporation

2) Address of Place of Business: 25 Brooklyn Avenue

City: Massapequa State/Province/Territory: NY Zip/Postal Code: 11758

Country: US

3) Mailing Address (if different): N/A

City: _____ State/Province/Territory: _____ Zip/Postal Code: _____

Country: _____

Phone: _____

Does the business own or rent its facilities? Own If other, please provide details:

4) Dun and Bradstreet number: 825829526

5) Federal I.D. Number: 020649257

6) The proposer is a: Corporation (Describe) _____

7) Does this business share office space, staff, or equipment expenses with any other business?

YES [X] NO [] If yes, please provide details:

The office shares only office space with G&M Mechanical Inc.

8) Does this business control one or more other businesses?

YES NO If yes, please provide details:

9) Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business?

YES NO If yes, please provide details:

G&M Mechanical is an affiliated company that does not control Seaford Avenue Corp.
Please see attached affiliated company letter from Seaford Avenue.

Thank you

1 File(s) uploaded: Affiliated Letter G&M.doc

10) Has the proposer ever had a bond or surety cancelled or forfeited, or a contract with Nassau County or any other government entity terminated?

YES NO If yes, state the name of bonding agency, (if a bond), date, amount of bond and reason for such cancellation or forfeiture: or details regarding the termination (if a contract).

11) Has the proposer, during the past seven years, been declared bankrupt?

YES NO If yes, state date, court jurisdiction, amount of liabilities and amount of assets

12) In the past five years, has this business and/or any of its owners and/or officers and/or any affiliated business, been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency? And/or, in the past 5 years, have any owner and/or officer of any affiliated business been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency, where such investigation was related to activities performed at, for, or on behalf of an affiliated business.

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

13) In the past 5 years, has this business and/or any of its owners and/or officers and/or any affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies? And/or, in the past 5 years, has any owner and/or officer of an affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies, for matters pertaining to that individual's position at or relationship to an affiliated business.

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

2 File(s) uploaded: LAWSUIT EXP..pdf, NCPW UNION LAW.pdf

14) Has any current or former director, owner or officer or managerial employee of this business had, either before or during such person's employment, or since such employment if the charges pertained to events that allegedly occurred during the time of employment by the submitting business, and allegedly related to the conduct of that business:

a) Any felony charge pending?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

b) Any misdemeanor charge pending?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

c) In the past 10 years, you been convicted, after trial or by plea, of any felony and/or any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

d) In the past 5 years, been convicted, after trial or by plea, of a misdemeanor?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

e) In the past 5 years, been found in violation of any administrative, statutory, or regulatory provisions?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

15) In the past (5) years, has this business or any of its owners or officers, or any other affiliated business had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?

YES NO If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

16) For the past (5) tax years, has this business failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?

YES NO If yes, provide details for each such year. Provide a detailed response to all questions checked 'YES'. If you need more space, photocopy the appropriate page and attach it to the questionnaire.

17) Conflict of Interest:

a) Please disclose any conflicts of interest as outlined below. NOTE: If no conflicts exist, please expressly state "No conflict exists."

(i) Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

(ii) Any family relationship that any employee of your firm has with any County public servant that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

(iii) Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of

interest in acting on behalf of Nassau County.

No conflict exists

- b) Please describe any procedures your firm has, or would adopt, to assure the County that a conflict of interest would not exist for your firm in the future.

Implemented a policy by which conflicts of interest between a business and its board, employees, and contractors are voided.

- A. Include a resume or detailed description of the Proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified.

Have you previously uploaded the below information under in the Document Vault?

YES [] NO [X]

Is the proposer an individual?

YES [] NO [X] Should the proposer be other than an individual, the Proposal MUST include:

- i) Date of formation;

10/25/2002

- ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner. If none, explain.

George Luksch 6 Memas Court Dix Hills NY 11745 49% Vice President
Michael Scott 226 Bayview Avenue Massapequa NY 11758 51% President

- iii) Name, address and position of all officers and directors of the company. If none, explain.

1 File(s) uploaded: Signed Board of Directors.pdf

- iv) State of incorporation (if applicable);

NY

- v) The number of employees in the firm;

40

- vi) Annual revenue of firm;

18000000

- vii) Summary of relevant accomplishments

See Attached

4 File(s) uploaded: Job Ref.pdf, Job Ref.pdf, Job Ref.pdf, Seaford Completed Jobs 2023-2024.pdf

- viii) Copies of all state and local licenses and permits.

1 File(s) uploaded: License.pdf

B. Indicate number of years in business.

17

C. Provide any other information which would be appropriate and helpful in determining the Proposer's capacity and reliability to perform these services.

1 File(s) uploaded: Job Ref.pdf

D. Provide names and addresses for no fewer than three references for whom the Proposer has provided similar services or who are qualified to evaluate the Proposer's capability to perform this work.

| | | | |
|----------------|-------------------------------------|--------------------------|----|
| Company | Town of Hempstead Housing Authority | | |
| Contact Person | Ronni Lawrence | | |
| Address | 760 N. Jerusalem Avenue | | |
| City | Uniondale | State/Province/Territory | NY |
| Country | US | | |
| Telephone | (516) 485-9666 | | |
| Fax # | | | |
| E-Mail Address | ronnielaw@gmail.com | | |

| | | | |
|----------------|---------------------------|--------------------------|----|
| Company | Town of Hempstead Parks | | |
| Contact Person | Gerard D'Elia | | |
| Address | 200 North Franklin Street | | |
| City | Hempstead | State/Province/Territory | NY |
| Country | US | | |
| Telephone | (516) 673-1596 | | |
| Fax # | | | |
| E-Mail Address | geradel@hempsteadny.gov | | |

| | | | |
|----------------|----------------------------------|--------------------------|----|
| Company | N. Bellmore Schools | | |
| Contact Person | Richard Russo | | |
| Address | 2616 Martin Avenue | | |
| City | North Bellmore | State/Province/Territory | NY |
| Country | US | | |
| Telephone | (516) 992-3003 | | |
| Fax # | | | |
| E-Mail Address | rrusso2@northbellmoreschools.org | | |

I, Diane Olson , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Diane Olson , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Name of submitting business: Seaford Avenue Corp

Electronically signed and certified at the date and time indicated by:
Diane Olson DOLSON@SACPLUMB.COM

Office Supervisor

Title

08/27/2024

Date

Seaford Avenue Corp.

21 Brooklyn Avenue • Massapequa, NY 11758

Phone: 516-785-6581 • Fax: 516-785-5160

March 9, 2020

Nassau County Department of Public Works
1194 Prospect Avenue
Westbury, NY 11590

Re: Affiliated Company

Attn: Jane Houdek

Dear Jane,

This letter is to state that G&M Mechanical Inc. are owned and operated by the same principals, Mr. George Luksch and Mr. Michael Scott.

G&M Mechanical is an affiliated plumbing shop and the federal ID# is 11-3225782. Seaford Avenue is not controlled by G&M Mechanical Inc. G&M Mechanical has agreed to prevailing wage rates as per Nassau County as they are not a union company.

Please do not hesitate to contact me with any questions.

Thank you,

Michael Scott

SCOTT A. ROSENBERG, P.C.

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW

Scott A. Rosenberg

2400 JERICHO TPKE, SUITE 201
GARDEN CITY PARK, NEW YORK 11040

TELEPHONE: (516) 877-7205

FACSIMILE: (516) 213-3441

Kenneth Pagliughi
Lisa Bisagni
Anthony DiPaolo
John Sordi
Lisa C. Roberts
Of Counsel

March 3, 2020

Elizabeth Kobel
Administrive Officer
NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS
1194 PROSPECT AVENUE
WESTBURY, NEW YORK 1159

Dear Ms. Kobel:

Please be advised that the undersigned represented Seaford Avenue Corp. ("Seaford"), G and M Mechanical, Inc., George Luksch, and Michael Scott in the action brought by Danny Grodotzke and Robert Ruggiero as Trustees of Plumbers Local Union No. 200 Welfare Fund, Pension Fund et. al. in the United District Court, Eastern District under Case No. Cv13 3369.

The action pertained to an audit conducted by Union No. 200 of Seaford Avenue Corp., fringe benefit contributions for the period from January 1, 2008 through December 31, 2011. Seaford contested the sums alleged owed by it to the Union. Seaford and Union No. 200 settled the action and the action was discontinued by Union No. 200 and closed by Order dated June 25, 2015 of the Honorable Sandra J. Feurstein.

If you require additional information, please advise.

Very truly yours,

SCOTT A. ROSENBERG, P.C.

By: Scott A. Rosenberg



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
CLERK

6/25/2015 2:47 pm

U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE

-----X
DANNY GRODOTZKE and ROBERT
RUGGIERIO, as Trustees of PLUMBERS
LOCAL UNION NO. 200 WELFARE FUND,
PENSION FUND, VACATION FUND,
SUPPLEMENTAL VESTED ANNUITY FUND,
ADDITIONAL SECURITY BENEFITS FUND
and APPRENTICE TRAINING FUND, and
JAY MARELLI as President of PLUMBERS
LOCAL UNION NO. 200, UNITED
ASSOCIATION of JOURNEYMEN and
APPRENTICES of the PLUMBING AND PIPE
FITTING INDUSTRY of the UNITED STATES
and CANADA,

Plaintiffs,

-against-

SEAFORD AVENUE CORP., G and M
MECHANICAL, INC., GEORGE LUKSCH,
MICHAEL SCOTT, and COLONIAL SURETY
COMPANY,

Defendants.

-----X
FEUERSTEIN, District Judge:

Based upon Magistrate Judge Steven I. Locke's Minute Order dated June 24, 2015 (DE 73) that this case has settled, the case is administratively closed with leave to reopen, on ten (10) days notice, no later than August 3, 2015. The pretrial conference set for November 16, 2015 at 11:15 a.m. is canceled and the Clerk of the Court shall close this case.

SO ORDERED.

Dated: June 25, 2015
Central Islip, New York

/s/
Sandra J. Feuerstein, U.S.D.J.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**CIVIL CONFERENCE
MINUTE ORDER**

BEFORE: STEVEN I. LOCKE
U.S. MAGISTRATE JUDGE

DATE: 6/24/15
TIME: 2:00

CASE: CV 13-3369 (SJF) Grodotzke et al v. Seaford Avenue Corp. et al

TYPE OF CONFERENCE: SETTLEMENT FTR: 2:19-2:19; 3:12-3:17

APPEARANCES:

For Plaintiff: Scott Levin

For Defendant: Scott Rosenberg

THE FOLLOWING RULINGS WERE MADE:

- Scheduling Order entered.
- The court has adopted and So Ordered the joint proposed scheduling order [] submitted by the parties.
- The Joint Pretrial Order is accepted for filing and the action is deemed ready for trial. The action will be tried in accordance with the discretion and the trial calendar of the District Judge.
- Other: Settlement conference held. Case settled.

SO ORDERED

/s/Steven I. Locke
STEVEN I. LOCKE
United States Magistrate Judge

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E D N Y

★ Feb 12 2015 ★

LONG ISLAND OFFICE

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
**DANNY GRODOTZKE and ROBERT RUGGIERO as Trustees
of PLUMBERS LOCAL UNION NO. 200 WELFARE FUND,
PENSION FUND, VACATION FUND, SUPPLEMENTAL
VESTED ANNUITY FUND, ADDITIONAL SECURITY
BENEFITS FUND and APPRENTICE TRAINING FUND, and
JAY MARELLI as President of PLUMBERS LOCAL UNION
NO. 200, UNITED ASSOCIATION of JOURNEYMEN and
APPRENTICES of the PLUMBING AND PIPE FITTING
INDUSTRY of the UNITED STATES and CANADA,**

Plaintiffs,

**STIPULATION AND ORDER
DISMISSING PLAINTIFFS'
ACTION WITH PREJUDICE
AND SEVERING AND
CONTINUING COLONIAL
SURETY COMPANY'S CROSS-
CLAIMS AND THIRD-PARTY
COMPLAINT**

-against-

**SEAFORD AVENUE CORP., G and M MECHANICAL INC.,
GEORGE LUKSCH, MICHAEL SCOTT, and COLONIAL
SURETY COMPANY,**

Civil Action No.: 13-CV-3369
(SJF)(SIL)

Defendants.
-----X

PLEASE TAKE NOTICE, that Plaintiffs' action is hereby dismissed with prejudice as among Plaintiffs and Defendants Seaford Avenue Corp., G and M Mechanical Inc., George Luksch, and Michael Scott (the "Seaford Defendants"), and Plaintiffs' action is also hereby dismissed with prejudice as among Plaintiffs and Defendant Colonial Surety Company ("Colonial"), pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure, without costs to any party, with Colonial's cross-claims against the Seaford Defendants and third-party complaint against Gail Luksch, Kathy Luksch and Eleonor Scott being severed and continued

The Court hereby retains jurisdiction over Colonial's cross-claims against the Seaford Defendants and third-party complaint against Gail Luksch, Kathy Luksch and Eleonor Scott.

Dated: Garden City, New York
, 2015

Dated: Melville, New York
February 3, 2015

SCOT A ROSENBERG, P.C.

ARCHER, BYINGTON, GLENNON & LEVINE,
LLP

By: Scott A. Rosenberg, Esq.
Attorneys for Seaford Defendants
2400 Jericho Turnpike, Suite 201
Garden City, New York 11040
516-877-7205

By: John H. Byington III
Attorneys for Plaintiffs
One Huntington Quadrangle, Suite 4C10
Melville, New York 11747
(631) 249-6565

Grodotzke v. Seaford Avenue Corp., et. al. (EDNY 13-cv-3369) -- Page Two of Two --


Dated: New York, New York
February 10, 2015

MCELROY, DEUTSCH, MULVANEY
& CARPENTER LLP

By: 
Scott A. Levin, Esq.

Attorneys for Defendant/Third-Party Plaintiff,
Colonial Surety Company
88 Pine Street - 24th Floor
New York, New York 10005

s/ Sandra J. Feuerstein

So-Ordered: 
USDJ 2/12/2015

743228

(SEAFORD AVENUE CORPORATION)

BOARD OF DIRECTORS

1. I, THE UNDERSIGNED, Michael Scott to Seaford Avenue Corporation do hereby certify that the individuals listed below are the duly elected members of the Board of Directors of Seaford Avenue Corporation:

2. Chairman
Michael Scott
Seaford Avenue Corporation
Vice President
21 Brooklyn Avenue
Massapequa, NY 11758
Phone: (516) 785-6581
Fax: (516) 785-5160
Email: mscott@sacplumb.com

3. IN WITNESS WHEREOF, I have hereunto subscribed by name and affixed the Corporate Seal of said corporation by order of the Board of Directors this 25 day of July, 2019.

Affix Corporate Seal
Here



Vice President

Michael Scott

#4

To whom it may concern,

I have overseen and assisted in the maintenance and repair of waste piping, water distribution lines/systems, industrial water drainage, sanitary drainage, chemical waste drainage, drainage venting, medical gas piping, swimming pool piping systems, water wells, industrial gas piping, industrial vacuum piping, sewage disposal systems, steam distributions, and more in major new construction projects, renovations, and repairs. Projects include schools, libraries, park production facilities, medical offices, County and State prisons, arenas, and hospitals.

I have also overseen and assisted in the installation of waste piping, water distribution lines and systems, sanitary drains, and drainage venting in major new construction projects that include hotels, schools, multifamily buildings, and commercial spaces.

Below is a list of a handful of projects that I have been directly involved with during the past 4 years that correlate to the job experience –

- 1) **Homeward Suites Hotel** – New ground up, 190 room hotel. Project includes installation of new water mains from street, waste, water and vent piping to all rooms as well as to public areas, gas piping to commercial kitchen and water heaters, the installation of fixtures throughout building and commission building for opening.
- 2) **US Coast Guard Station, Fire Island NY** – Repair Domestic Water Main in Multi-mission building for the US Coast Guard at their station in Fire Island, NY. Project included replacing nearly all copper pipes throughout building, core drilling for water and waste lines, replacing fixtures and furnishes such as drop ceilings, showers, vanities, etc.
- 3) **Nassau Coliseum, New York Islanders Hockey Arena** – Major renovation and retro fit professional sports arena to include new gas piping throughout building, rough new gang bathrooms with over 300 fixtures, modify and replace remaining roughing and fixtures throughout building, update incoming gas meter and header to accommodate additional gas load, install new sewerage ejectors and modify piping as required and update sub surface drainage on plaza.
- 4) **Hillside Commons Apartment House** – New 12 story apartment house with 4 level parking garage and 15,000 square ft. of commercial space. Project includes new waste, water and vent piping to serve all fixtures and appliances, gas service from meter header to all appliances and heaters, parking garage drainage and retention tanks, installation of all fixtures and commissioning of building.
- 5) **Department of Public Works Nassau County NY – Requires Plumber for ALL County Buildings and Facilities** – Respond to calls for emergency repairs as well as major renovations. Projects include water main installations and repairs, installation of sub surface gas piping, installation of correctional grade plumbing fixtures, installation of boilers and hot water heaters and repair of building piping systems as required.
- 6) **Sewer Line at Farmingdale Long Island Rail Road (LIRR)** – Project includes saw cutting the asphalt parking lot, excavating approximately 180ft. east of the house trap to the man hole, installing a new SDR-18 waste line, tied into the main, restoring asphalt with stone base and top coat.
- 7) **Tumanelli Dentist Office** – Project includes installation of new waste, vents, hot and cold water lines, piping and plumbing fixtures installation, installation of vacuum lines, compressed air lines, nitrous lines, and the connection of all this to the equipment. Worked with installation mechanics to perform all testing of medical gas lines.

- 8) **Advanced Endoscopy** – Project includes roughing waste, vents, hot and cold water for sinks and the installation of oxygen and vacuum lines.
- 9) **Service Plumbing** – Supervise and assist the dispatch and operation of service and repair technicians for on call daily operation. Coordinated scheduling and purchasing as required to maintain large customer base, commercially and residentially. Providing services such as drain cleaning and inspection, repairs leaks on gas, water, fuel oil, heating and drainage piping, and more.
- 10) **Town of Oyster Bay Public Pools** – Install new multi stage pool filtering system to service large public swimming pool facilities. Projects include removal of all existing filter room equipment and piping. Install new pumps, filters, chlorine systems and associated piping for 5 complexes. Commissioned equipment and obtained dept. of health approval for operation.
- 11) **Small to Mid-size Commercial Installations** – Install complete new plumbing systems for national chain food and other service providers (Starbucks, Bar Louie, Raymour & Flanigan, etc.). Install new plumbing as required and specified to include water, waste, vent and gas. Install underground waste/water, RPZ work, water/sanitary, fixture installation, hose bibs, gas piping, etc.
- 12) **Small Multifamily and Single Family Housing** – Install complete new plumbing systems as designed. Projects include complete systems from water main connection, all interior piping for waste, water, vent, sewer and gas.

All Projects Include:

- Estimating materials and labor
- Contracting negotiations and signing
- Coordinating with other trades and architects
- Obtaining and managing required plumbing permits and inspections
- Managing invoicing and costs
- Providing required insurances and bonding
- Close out and final approvals

If additional information is required, please let me know and I will supply anything you require.

Thank you,



Michael Scott & George Luksch

| | | | | | | |
|----|--|--|--|--------------------------------|-------------------------------|-------------------------------------|
| 1. | Agency/Owner Renu Restoration Long Beach CSD | Telephone No. (631) 782-1020 | Designer Architect and /or Design Engineer | Award Date 6/1/2023 | Amount \$400,588.00 | Date Completed 10/27/2023 |
| | Contact Person Mike Donovan | Joint Venture (JV) Name, if applicable | EIN of JV, if applicable | | | |
| 2. | Contract No. R23-246900 | Prime or Sub Sub | | | | |
| | Agency/Owner Renu Restoration Amityville Coils | Telephone No. (631) 782-1020 | Designer Architect and /or Design Engineer | Award Date 4/1/2023 | Amount \$378,868.00 | Date Completed 8/15/2023 |
| 3. | Contract No. R22-567500 | Prime or Sub Sub | EIN of JV, if applicable | | | |
| | Agency/Owner Georgica Green Laurel Homes Prefabbed | Telephone No. (516) 805-0460 | Designer Architect and /or Design Engineer | Award Date 6/1/2020 | Amount \$679,019.27 | Date Completed 7/21/2023 |
| 4. | Contract No. 0620-06 | Prime or Sub Sub | EIN of JV, if applicable | | | |
| | Agency/Owner Plainview-Old Bethpage JFKHS Pool Filter & Pump Room | Telephone No. (347) 682-7276 | Designer Architect and /or Design Engineer | Award Date 3/1/2023 | Amount \$724,025.00 | Date Completed 3/20/2024 |
| 5. | Contract No. 23-04221 | Prime or Sub Prime | EIN of JV, if applicable | | | |
| | Agency/Owner Port Washington Daly ES | Telephone No. (516) 850-2821 | Designer Architect and /or Design Engineer | Award Date 8/31/2021 | Amount \$644,157.35 | Date Completed 11/22/2023 |
| | Contract Person Justin Daddio | Joint Venture (JV) Name, if applicable | EIN of JV, if applicable | | | |
| | Contract No. 16-290 | Prime or Sub Prime | EIN of JV, if applicable | | | |

| Agency/Owner | Contract | | Bristol Logistics Center Warehouse | Award Date | Amount | Date Completed |
|--------------|------------------------------|--|--|--------------------------|--------------|----------------|
| 6. | Independent General Contract | Bristol Logistics Center Warehouse | | 9/1/2022 | \$316,056.56 | 9/8/2023 |
| | Contact Person | Telephone No. | Designer Architect and /or Design Engineer | | | |
| | Kent Katter | (516) 805-0460 | | | | |
| | Contract No. | Prime or Sub | Joint Venture (JV) Name, if applicable | EIN of JV, if applicable | | |
| | | Prime | | | | |
| 7. | Agency/Owner | Cold Spring Harbor CSD 2A Capitol Improvement | | Award Date | Amount | Date Completed |
| | Contact Person | Telephone No. | Designer Architect and /or Design Engineer | | | |
| | Joe Moisa | (631) 838-5042 | | | | |
| | Contract No. | Prime or Sub | Joint Venture (JV) Name, if applicable | EIN of JV, if applicable | | |
| | | Sub | | | | |
| 8. | Agency/Owner | Town of Hempstead Parks Newbridge Road Spray Pad | | Award Date | Amount | Date Completed |
| | Contact Person | Telephone No. | Designer Architect and /or Design Engineer | | | |
| | Gerard D'Elia | (516) 673-1596 | | | | |
| | Contract No. | Prime or Sub | Joint Venture (JV) Name, if applicable | EIN of JV, if applicable | | |
| | | Prime | | | | |
| 9. | Agency/Owner | Johnson Controls Inc East Meadow Gas Project | | Award Date | Amount | Date Completed |
| | Contact Person | Telephone No. | Designer Architect and /or Design Engineer | | | |
| | Michael Weason | (914) 263-8598 | | | | |
| | Contract No. | Prime or Sub | Joint Venture (JV) Name, if applicable | EIN of JV, if applicable | | |
| | | Sub | | | | |
| 10. | Agency/Owner | Woodlands Apartment Phase 2 Plumbing | | Award Date | Amount | Date Completed |
| | Contact Person | Telephone No. | Designer Architect and /or Design Engineer | | | |
| | Kelsey Peacock | (631) 666-4040 | | | | |
| | Contract No. | Prime or Sub | Joint Venture (JV) Name, if applicable | EIN of JV, if applicable | | |
| | | Prime | | | | |



**Plumber's License
Town of Oyster Bay**

Department of Planning and Development

Town Hall

Oyster Bay, New York 11771

License No. B1482TOB

Date Expires 12/31/2024

Date Issued 12/17/2021

IS A DULY LICENSED PLUMBER AND IS AUTHORIZED TO DO PLUMBING WORK IN THE TOWN OF OYSTER BAY

Name SCOTT, MICHAEL

Fee Paid \$ 150.00

Address 226 BAYVIEW AVE MASSAPEQUA, NY 11758

TOBDPD – Plumber's License – Plumber's Copy

Commissioner
Department of Planning and Development

COUNTY OF NASSAU

CONSULTANT'S, CONTRACTOR'S AND VENDOR'S DISCLOSURE FORM

1. Name of the Entity: Seaford Avenue Corporation

Address: 25 Brooklyn Avenue

City: Massapequa State/Province/Territory: NY Zip/Postal Code: 11758

Country: US

2. Entity's Vendor Identification Number: 020649257

3. Type of Business: Closely Held Corp (specify) _____

4. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):

1 File(s) uploaded: George Luksch & Mike Scott.docx

5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation, include a copy of the 10K in lieu of completing this section.

If none, explain.

| |
|--|
| Michael Scott 226 Bayview Avenue Massapequa, NY 11758 George Luksch 6 Memas Court Dix Hills, NY 11745 |
|--|

6. List all affiliated and related companies and their relationship to the firm entered on line 1. above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract. Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

| |
|------|
| None |
|------|

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). If none, enter "None." The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or

promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

Are there lobbyists involved in this matter?

YES [] NO [X]

(a) Name, title, business address and telephone number of lobbyist(s):

(b) Describe lobbying activity of each lobbyist. See below for a complete description of lobbying activities.

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

8. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Electronically signed and certified at the date and time indicated by:

Diane Olson [DOLSON@SACPLUMB.COM]

Dated: 06/06/2024 11:40:03 am

Title: Office Supervisor

The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including by not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

George Luksch

6 Memas Court

Dix Hills, NY 11746

Michael Scott

226 Bayview Avenue

Massapequa, NY 11758

COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo

TO: Office of the County Executive
Att: Arthur T. Walsh, Chief Deputy County Executive

FROM: Department of Public Works

DATE: July 3, 2024

SUBJECT: Recommendation of Award

Contract Number: S41858-02G
Title: North Woodmere Park Remedial Pool Repairs
Engineers Estimate: \$3,006,990.00
Bids Received On: May 14, 2024

The bids received for the above referenced contract have been examined and Seaford Avenue Corp., is the lowest responsible bidder in the amount of Two Million Nine Hundred Fifteen Thousand Eight Hundred Ninety-One Dollars & Twenty-Three Cents (\$2,915,891.23).

| | |
|--|---------------------|
| General Construction (Unit Prices): | \$ 2,865,891.23 |
| <u>Allowance (Repair Allowance for Utilities):</u> | <u>\$ 50,000.00</u> |
| Bid Total: | \$ 2,915,891.23 |

The lowest responsible bid is approximately 3.03% under the Engineers Estimate.

Funding for the construction services is available under the capital project 41858 (County Pools Improvements and Code Compliance).

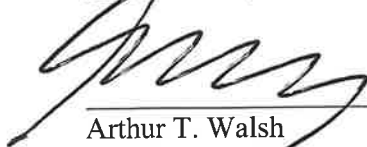


Kenneth G. Arnold
Commissioner

KGA:DT:jd

c: Douglas Tuman, Deputy Commissioner
Robert Labaw, Chief Architect
Concetta Petrucci, Assistant to Commissioner
Loretta Dionisio, Assistant to Deputy Commissioner
Frank Antetomaso, Assistant to Deputy Commissioner

APPROVED:



Arthur T. Walsh
Chief Deputy County Executive

DISAPPROVED:

7/3/24
Date

Arthur T. Walsh
Chief Deputy County Executive



COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo

TO: Kenneth G. Arnold, Commissioner
FROM: Douglas Tuman, Deputy Commissioner
DATE: July 1, 2024
SUBJECT: Recommendation of Award

Contract Number: S41858-02G

Title: North Woodmere Park Remedial Pool Repairs

Engineers Estimate: \$3,006,990.00

Bids Received On: May 14, 2024

The bids received for the above referenced contract have been examined and Seaford Avenue Corp., is the lowest responsible bidder in the amount of \$2,915,891.23 (See attached bid sheets).

The lowest responsible bid is approximately 3.03% under the Engineers Estimate by \$91,098.77.

Funding for the construction services is available under the capital project 41858 (County Pools Improvements and Code Compliance).

If you approve or disapprove of the above request, please signify below, and return the memo to this office for appropriate action.



Douglas Tuman
Deputy Commissioner

DT:jd

c: Jane Houdek, Counsel to the Department of Public Works
Loretta Dionisio, Assistant to Deputy Commissioner
Frank Antetomaso, Assistant to Deputy Commissioner
Robert Labaw, Chief Architect
Brent Chow/Robert Mitchell (Jacobs)



Bid Opening: 5/14/2024

Engineer: Frank Antetomaso **Phone:** (516) 571-7530

| Contractor | Address | Insurance | Payment | Bid Amount | Alternate Bid |
|-------------------------|--|---------------------------------|-------------------|-------------------|----------------------|
| LoDuca Associates, Inc. | 113 Division Ave Blue Point, NY 11715 | | | * Rejected | \$0.00 |
| Seaford Avenue Corp. | 25 Brooklyn Avenue Massapequa, NY 11758 | United Casualty & Surety Insura | 10% of Bid Amount | \$2,915,891.23 | \$0.00 |
| RJ Industries | 75 East Bethpage Road Plainview, NY 11803-0349 | Liberty Mutual Insurance Comp | 10% of bid Amount | \$3,994,700.00 | \$0.00 |

The above is a review of the bids and subsequent list of all the bids that were read aloud at the public bid opening. Listed bids may be subsequently withdrawn or disqualified. The list does not reflect the Department's determination of the lowest responsible bidder.

* Improper form of Bid Bond submitted by Vendor.

COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo

TO: Douglas Tuman, Deputy Commissioner

FROM: Frank Antetomaso, Assistant to Deputy Commissioner

DATE: August 22, 2024

SUBJECT: Low Participation for North Woodmere Park Remedial Pool Repairs
Contract Number: S41858-02G

The referenced contract for North Woodmere Park Remedial Pool Repairs was advertised in Newsday on April 25, 2024, and was available for pickup on May 10, 2024. It was advertised in e-procure and the New York State Contract Reporter on April 25, 2024. Bids were opened for this project on May 14, 2024, with only two (2) contractors having an acceptable submitted bid. Four (4) picked up the bid package.

The bid itself was not restricted to specialized General, Plumbing and Utility Construction contractors.

Despite the advertisement, there is a limited pool of qualified construction firms that have the appropriate staff, equipment and other resources needed to provide the necessary services outlined in the requirements of the contract.

The following are the questions from the Low Vendor Participation memo dated May 2018, from Deputy County Executive John Chiara, with responses.

- 1) Review the specification to ensure that it is not unduly restrictive so as to limit competition. Is any component of the solicitation so restrictive that only one or a small number of vendors is capable of responding to the solicitation? If so, were those vendors notified of the solicitation? **Response: the bid was not restrictive.**
- 2) Was the solicitation advertised and posted on the County website as required? **Response: yes.**
- 3) Would we be likely to obtain greater vendor participation by advertising in other venues (e.g. New York State Contract Reporter, trade journals, other local media, etc.)? **Response: the RFBs were advertised on NYSCR and Newsday.**
- 4) Was the NIGP commodity code used to conduct the solicitation appropriate? Were appropriate vendors registered with the County for that commodity code or otherwise notified? **Response: The correct commodity codes were utilized in e-procure, accordingly, the vendors registered for that commodity code received an automatic notification.**



Douglas Tuman, Deputy Commissioner

August 22, 2024

Page 2

SUBJECT: Low Participation for North Woodmere Park Remedial Pool Repairs
Contract Number: S41858-02G

- 5) Is the market for the specified goods or services structurally limited (i.e. are there geographic, capital, vendor capacity, service schedule, or other requirements) such that the greater vendor participation is not possible? **Response: No.**
- 6) Survey vendors that received notice of the solicitation but did not respond to determine why the vendor chose not to do so. Typical responses include but are not limited to:
- a. The vendor did not see the advertisement. **Response: Thirty-three (33) vendors were notified on e-procure, Four (4) vendors picked up the bid package.**
 - b. The vendor does not offer the specified goods/services-as a follow-up, ask if the specification is too specific to a competitor's product (is the specification "brand-specific" or written to one manufacturer's or service provider's offering?) **Response: The work specification was not too specific to restrict participation.**
 - c. The vendor is too busy with other work at this time. **Response: One (1) Vendors picked up the bid package but did not bid this project. They were contacted.**



Frank Antetomaso
Assistant to Deputy Commissioner

FA:jd

c: Concetta Petrucci, Assistant to the Commissioner
Loretta Dionisio, Assistant to Deputy Commissioner
Frank Antetomaso, Assistant to the Deputy Commissioner
Robert Labaw, Chief Architect

AMENDMENT TO ORIGINAL

RTI TOTAL

(FA)

REQUEST TO INITIATE

RTI Number 23-0093 R

REQUEST FOR QUALIFICATIONS/REQUEST FOR PROPOSAL/REQUEST FOR BID CONTRACT

PART I: Approval by the Deputy County Executive for Operations must be obtained prior to ANY RFQ/RFP/RFPC:
[] RFQ [] RFP [] RFPC [] In-House or Requirements Work Order

(FA)

Project Title: Remedial Repairs and Improvements at Various County Pool Complexes, Phase B: North Woodmore Park

Department: Public Works Project Manager: Francis Antonucci Date: April 3, 2023

Service Requested: Corrective repairs to all identified deficiencies to the pool system that are contributing factors to the water loss in the Main and Dive pool. This work will include reconstruction and sealing of the surge trench exterior wall, pool floor sealing, pool toilet tank, main drain valve repair, pool deck repair and pool deck void filling at both the Main and Dive pool.

Justification: The North Woodmore Park Pool Complex has (6) public pools that are used by the local community during the summer months. Two (2) of the pools, the main pool and dive pool have experienced severe deterioration and are now leaking. County personnel have implemented several actions on the operation side to reduce the amount of fill water required to compensate for the water lost as necessary to keep the pool operating. This construction will make complete repairs to all issues regarding the leaking of these pools before they continue to deteriorate and become worse over time. If these problems are unattended to and the deteriorating continues the department may be forced to perform expensive emergency repairs on that day the pools in the future.

Requested by: Public Works / Water Wastewater Engineering Unit

Department/Agency/Office

Project Cost for this Phase/Contract: (Plan/Design/Construction/CM/Equipment)

13,500,000

Total Project Cost: 24,000,000

15,000,000

Date Start Work: 09/02/2024

Duration: 10 months

Includes design, construction and CM

Phase being requested

Phase being requested

Deanna Dalleria 7-24-23

Capital Funding Approval: YES [] NO []

Signature: [Signature]

DATE: 4/20/23

Funding Allocation (Capital Project): 41858-002

See Attached Sheet if multiple []

Requires a Capital Plan Amendment

NIFS Entered:

Signature: [Signature] DATE: []

AIM Entered:

Deanna Funk 5-1-23

Funding Code: 41858-002

use this on all solicitations

Timesheet Code: 23-0093

use this on timesheets

23-0093 R

State Environmental Quality Review Act (SEQRA):

Type II Action [] or Environmental Assessment Form Required []

Supplemental Environmental Documentation

Department Head Approval:

YES [X] NO []

Signature: [Signature]

DCE/Ops Approval:

YES [X] NO []

Signature: [Signature]

PART II: To be submitted to Chief Deputy County Executive after Qualifications/Proposals/Contracts are received from responding vendors.

Table with 4 columns: Vendor, Quote, Comment, See Attached Sheet []

DCE/Ops Approval: Version January 2014

YES [] NO []

Signature: _____

ADMINISTRATIVE SIGNATURE/WATER MAINTENANCE/PART OF NORTH WOODMORE RTI done

INCREASE PIPE GALLERY WIDTH TO INCREASE SERVICEABILITY

Handwritten initials and date: 2/24/23

Handwritten initials and date: 7/25/23

COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo

TO: Francis Antetomaso, Assistant to Deputy Commissioner

FROM: Office of the Commissioner

DATE: April 11, 2023

SUBJECT: CSEA Sub-Contracting Approval
C23-0093 Contract Number: n/a
Task Order Np. 17-2019
Remedial Repairs and Improvements at Various County Pool Complexes
Phase B: North Woodmere Park

Please be aware in accordance with Section 32-3 of the CSEA/County CBA, the Department has met with CSEA representatives to discuss your proposed DPW contract referenced above. Pursuant to Section 32-3 of the CSEA/County CBA, CSEA has withdrawn its objection to the above-referenced contract known as **C23-0093**.

Please prepare the necessary documentation to proceed with your work. Once the advisement is certified you may issue the contractor a Notice to Proceed.

Roseann D'Alleva

Roseann D'Alleva
Deputy Commissioner

RD:jd

c: Kenneth G. Arnold, Commissioner
Vincent Falkowski, Deputy Commissioner
Loretta Dionisio, Assistant to Deputy Commissioner



COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
Inter-Departmental Memo

C23-0093

TO: Civil Service Employees Association, Nassau Local 830
Att: Ronald Gurrieri, President

FROM: Department of Public Works

DATE: April 10, 2023

SUBJECT: CSEA Notification of a Proposed DPW Contract
Task Order No. 17-2019:
Remedial Repairs and Improvements at Various County Pool Complexes
Phase B: North Woodmere Park

The following notification is to comply with the spirit and intent of Section 32 of the County/CSEA contract. It should not be implied that the proposed DPW authorization is for work, which has "historically and exclusively been performed by bargaining unit members".

1. DPW plans to recommend a contract/agreement for the following services:
General construction services for the total repairs of the main pool, dive pool and surge trench exterior wall.
2. The work involves the following: Professional Construction Services
3. An estimate of the cost is: \$2,910,000.00
4. An estimate of the duration is: Ten (10) months

Should you wish to propose an alternative to the proposed contract/agreement, please respond within ten (10) days to: Department of Public Works, Att: Roseann D'Alleva, Deputy Commissioner, telephone 1-0525, fax 1-9657.



Roseann D'Alleva
Deputy Commissioner

RD:VF:rp

c: Jose Lopez, Director, Office of Labor Relations
Seth Blau, Deputy Director, Office of Labor Relations
Vincent Falkowski, Deputy Commissioner
Loretta Dionisio, Assistant to Deputy Commissioner
Christopher Yansick, Unit Head, Financial Management Unit
Tracy Ritchie, Unit Head, Human Resources Unit
Frank Antetomaso, Assistant to Deputy Commissioner
Graham Sharkey, Adrian Hamilton, Christopher Kane, Jacobs
James Back, Project Manager, LiRo
Elizabeth Cotton, Special Assistant, Office of Labor Relations

QUALIFICATION STATEMENT

Note: All blanks in the form are to be filled in. Where blanks are not applicable to your firm, so indicate in each instance.

1. How many years has your firm been in the business under your present business name? 21 years

2. How many years experience in the construction work of a similar type as this contract has your firm had;

a. as a Prime Contractor 21

b. as a Subcontractor N/A

3. List below the construction projects your firm has under way as of this date:

| Contract Amount | Class of work | Percent Completed | Name and Address of Owner or Contracting Officer |
|-----------------|---------------|-------------------|--|
|-----------------|---------------|-------------------|--|

see attached #1

(use additional blank sheets if additional space is necessary)

4. List the projects which your firm as a firm has performed in the past few years which you feel will qualify you for this work:

| Contract Amount | Class of work | Percent Completed | Name and Address of Owner or Contracting Officer |
|-----------------|---------------|-------------------|--|
|-----------------|---------------|-------------------|--|

see attached #2

(use additional blank sheets if additional space is necessary)

5. Have you:

a. ever failed to complete any work awarded to You? NO
If so; identify the project, the owner, the contract amount, the circumstances and date of all such failures to complete.

b. ever been defaulted on a contract? NO
If so; identify the project, the owner, the contract amount, the circumstances and the date of all default actions

NO TEXT ON THIS PAGE

c. ever been declared a non-responsible bidder by any municipality or public agency? NO
If so; identify the project, the owner, the contract amount, the circumstances and the date of all such declarations

d. ever been barred from bidding municipal or public contracts? NO
If so; identify the municipality or public agency, the circumstances, date and term of disbarment for all debarments.

(use additional blank sheets if additional space is necessary)

6. Has any officer, partner or principal of your firm ever been on officer, partner or principal of some other firm:

a. that failed to complete a construction contract? NO
If so, state name of individual and identify the name of firm, the project, the owner, the contract amount, the circumstances and the date of all such failures to complete for all principals of the firm.

b. that has ever been defaulted on a contract? NO
If so; state the name of the individual and identify the name of the firm, the project, the owner, the contract amount, the circumstances and the date of all default actions for all principals of the firm.

c. that has ever been declared a non-responsible bidder by any municipality or public agency? NO
If so; state the name of the individual and identify the name of the firm, the project, the owner, the contract amount, the circumstances and the date of all such declarations for all principals of the firm.

NO TEXT ON THIS PAGE

- d. that has ever been barred from bidding municipal or public contracts? NO
If so; state the name of the individual and identify the name of the firm, the municipality or public agency, the circumstances, date and term of debarment for all debarments for all principals of the firm.

(use additional blank sheets if additional space is necessary)

7. Has any officer or partner of your firm ever failed to complete a construction contract handled in his name? NO
If so, state name of individual, name of owner and reason therefor:

8. Disclose any and all violations of the Prevailing Wage and Supplemental Payment Requirements of the Labor Law of New York State.

none, N/A

9. Disclose any and all other Labor Law Violations, including, but not limited to, child labor violations, failure to pay wages, or unemployment insurance tax delinquencies within the past five years.

none, N/A

10. In what other lines of business are you financially interested?

N/A

NO TEXT ON THIS PAGE

11. What is the construction experience of the principal individuals of your firm?

| Individual's Name | Present Position or Office | Years of Construction Experience | Magnitude and type of work | In what Capacity |
|-------------------|----------------------------|----------------------------------|----------------------------|------------------|
|-------------------|----------------------------|----------------------------------|----------------------------|------------------|

See attached #3

(use additional blank sheets if additional space is necessary)

12. List below the equipment that you own that is available for the proposed work, giving present location where it may be inspected:

| Item | Description, Size Capacity, Year, etc. | Years of Service | Present Location |
|------|--|------------------|------------------|
|------|--|------------------|------------------|

See attached #4

(use additional blank sheets if additional space is necessary)

NOTE: Should the equipment be moved from the above mentioned location, the submitted hereby agrees upon request of the County to state the new location where same may be found.

13. If any of the above equipment is covered by chattel mortgage, conditional bill of sale, lien, or like encumbrance, state the complete details as to nature and amount of encumbrance, the name and address of the holder, etc.

N/A

(use additional blank sheets if additional space is necessary)

NO TEXT ON THIS PAGE

14. In what manner have you inspected this proposed work?
Explain in detail.

We performed a thorough site visit.

(use additional blank sheets if additional space is necessary)

15. Explain your plan and lay-out for performing the proposed work.

We will compile the proper work force and materials to successfully perform the task of Remedial Pool Repairs

16. If a contract is awarded or a permit is issued, to your firm, who will have the personal supervision of the work? Attach resume.

*Michael Scott, George Luksch
See attached #5*

17. Insurance carried by your firm:

| Type | Company | Limits of Coverage | Term |
|---------------------|--|--------------------|----------------------------|
| <i>Liability</i> | <i>Allstate</i> | <i>6,000,000</i> | <i>3/9/24 - 3/9/25</i> |
| <i>Workers Comp</i> | <i>Innovative Risk</i> | <i>No Limit</i> | <i>02/28/24 - 02/28/25</i> |
| <i>Disability</i> | <i>Shelter Point Life Ins. Co.</i> | <i>No Limit</i> | <i>01/02/24 - 01/02/25</i> |

NO TEXT ON THIS PAGE

18. The undersigned hereby declares: That the foregoing information contained in this bid is a true statement, including, but not limited to, the financial condition of the individual firm herein first named as of the date herein given; the undersigned has read that portion of the Instructions to the Bidders entitled **"Qualifications and Responsibility of Bidders"** and that the bidder acknowledges its affirmative obligation to transmit with this statement any matters relevant and material to those contractor qualifications and responsibility standards; that this statement is for the express purpose of inducing the party to whom it is submitted to award the submitted a contract or issuance of a permit; that any depository, vendor or other agency herein named is authorized to supply such party with any information necessary to verify this statement; and that it understands and agrees that any material misrepresentation or omission of material fact may be deemed grounds for disqualification of the bidder as "not responsible," and may also subject the bidder to future debarment, penalties, and sanctions, to the extent permitted by law.

1

Work in Progress Report
Seaford Ave Corp
1/9/2024

| Job | Contract Amount | Estimated Cost | Billed To Date | Cost To Date | Est. Cost Remaining | Revised Estimate | Final Profit | Over Billed | Under Billed | Pct Cmp | Earned Income | Contract Balance |
|----------|--|----------------|----------------|--------------|---------------------|------------------|---------------|-------------|--------------|---------|---------------|------------------|
| 0120-17 | Kane Street Townhouse 410,490.00 | 0.00 | 248,805.60 | 349,621.56 | 0.00 | 349,621.56 | 60,868.44 | | 161,684.40 | 100 | 60,868.44 | 161,684.40 |
| 0319-12 | Long Beach Comfort Station 15,414.00 | 0.00 | 15,414.00 | 10,526.66 | 0.00 | 10,526.66 | 4,887.34 | | 0.00 | 100 | 4,887.34 | 0.00 |
| 0419-67 | Starlight Park Comfort Station 205,140.98 | 150,000.00 | 205,140.98 | 87,209.38 | 62,790.62 | 150,000.00 | 55,140.98 | 85,872.86 | | 58 | 32,058.74 | 0.00 |
| 1019-33 | Wind Watch Residences 4,982,651.70 | 3,821,420.00 | 4,777,506.82 | 8,013,905.34 | 0.00 | 8,013,905.34 | -3,031,253.64 | | 205,144.88 | 100 | -3,031,253.64 | 205,144.88 |
| A0124-00 | Fishkill CF Steam Pipe Repair 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| A0124-01 | Hicksville HS Waste Line Repal 0.00 | 0.00 | 0.00 | 754.45 | 0.00 | 754.45 | -754.45 | | 0.00 | 100 | -754.45 | 0.00 |
| A0124-02 | Hauppauge HS Pool Chem Control 5,332.42 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 5,332.42 | | 0.00 | 0 | 0.00 | 5,332.42 |
| A0124-03 | JFK HS Water Main Break 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| A0124-04 | Bethpage HS Heat Exchanger 36,570.59 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 36,570.59 | | 0.00 | 0 | 0.00 | 36,570.59 |
| A0124-05 | TESTING- Hicksville HS 310.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 310.00 | | 0.00 | 0 | 0.00 | 310.00 |
| A0223-10 | Commack UFSD Phase 4 417,900.00 | 150,826.00 | 345,096.60 | 155,272.71 | 46,297.17 | 201,569.88 | 216,330.12 | 23,181.12 | | 77 | 166,642.77 | 72,803.40 |
| A0322-01 | CSH HS Phase 2A Cap Improvemnt 1,006,024.00 | 0.00 | 932,664.04 | 998,809.14 | 0.00 | 998,809.14 | 7,214.86 | | 73,359.96 | 100 | 7,214.86 | 73,359.96 |
| A0322-06 | Hofstra University Piping 64,310.00 | 0.00 | 16,509.85 | 30,758.54 | 0.00 | 30,758.54 | 33,551.46 | | 47,800.15 | 100 | 33,551.46 | 47,800.15 |
| A0323-01 | William Floyd UFSD 81,721.51 | 0.00 | 81,721.51 | 41,083.10 | 0.00 | 41,083.10 | 40,638.41 | | 0.00 | 100 | 40,638.41 | 0.00 |
| A0323-04 | Plainview Hospital Roof Drain 15,480.00 | 0.00 | 15,480.00 | 6,381.99 | 0.00 | 6,381.99 | 9,098.01 | | 0.00 | 100 | 9,098.01 | 0.00 |
| A0323-05 | Newbridge Rd Park Spray Pad 697,536.00 | 0.00 | 697,536.00 | 592,935.30 | 0.00 | 592,935.30 | 104,600.70 | | 0.00 | 100 | 104,600.70 | 0.00 |
| A0323-06 | JFKHS Pool Filter & Pump Room 724,025.00 | 0.00 | 689,793.04 | 256,667.30 | 0.00 | 256,667.30 | 467,357.70 | | 34,231.96 | 100 | 467,357.70 | 34,231.96 |
| A0323-09 | Valley Stream #30 Various ES 179,700.00 | 154,177.87 | 112,435.40 | 49,406.73 | 104,771.14 | 154,177.87 | 25,522.13 | 54,850.03 | | 32 | 8,178.64 | 67,264.60 |
| A0423-02 | Police Headquarters Dual Temp 651,562.00 | 0.00 | 546,479.67 | 513,678.44 | 0.00 | 513,678.44 | 137,883.56 | | 105,082.33 | 100 | 137,883.56 | 105,082.33 |
| A0423-03 | Holtsville Fuel Cell 133,203.37 | 108,261.00 | 130,203.37 | 73,841.27 | 34,574.18 | 108,415.45 | 24,787.92 | 39,479.16 | | 68 | 16,882.94 | 3,000.00 |
| A0423-04 | East Setauket Fuel Cell 147,637.16 | 117,435.94 | 144,137.16 | 95,362.71 | 33,849.09 | 129,211.80 | 18,425.36 | 35,175.91 | | 74 | 13,598.54 | 3,500.00 |
| A0423-09 | Commack HS Library Slnk Replac 4,950.00 | 0.00 | 4,950.00 | 2,115.96 | 0.00 | 2,115.96 | 2,834.04 | | 0.00 | 100 | 2,834.04 | 0.00 |
| A0621-06 | Daly ES Plkimbing Re-bid Improv 644,157.35 | 0.00 | 644,157.35 | 625,826.95 | 0.00 | 625,826.95 | 18,330.40 | | 0.00 | 100 | 18,330.40 | 0.00 |

Work in Progress Report
Seaford Ave Corp
1/9/2024

| Job | Contract Amount | Estimated Cost | Billed To Date | Cost To Date | Est. Cost Remaining | Revised Estimate | Final Profit | Over Billed | Under Billed | Pct Cmp | Earned Income | Contract Balance |
|----------|--|----------------|----------------|--------------|---------------------|------------------|--------------|-------------|--------------|---------|---------------|------------------|
| A0622-08 | Renu North Babylon ES Phase 4A 353,650.92 | 0.00 | 353,650.42 | 246,268.17 | 0.00 | 246,268.17 | 107,382.75 | | 0.50 | 100 | 107,382.75 | 0.50 |
| A0623-00 | Shoreham HS Piping to New Gene 64,597.62 | 0.00 | 56,243.36 | 31,626.27 | 0.00 | 31,626.27 | 32,971.35 | | 8,354.26 | 100 | 32,971.35 | 8,354.26 |
| A0623-02 | Baldwin Brookside ES Toilet 110,700.00 | 0.00 | 16,332.50 | 26,994.34 | 0.00 | 26,994.34 | 83,705.66 | | 94,367.50 | 100 | 83,705.66 | 94,367.50 |
| A0623-03 | Baldwin Lenox ES Toilet Reno 188,860.00 | 0.00 | 30,373.30 | 50,142.15 | 0.00 | 50,142.15 | 138,717.85 | | 158,486.70 | 100 | 138,717.85 | 158,486.70 |
| A0623-04 | Baldwin Plaza ES Toilet Reno 158,913.56 | 0.00 | 142,701.56 | 91,729.24 | 0.00 | 91,729.24 | 67,184.32 | | 16,212.00 | 100 | 67,184.32 | 16,212.00 |
| A0623-05 | Baldwin High School Toilet Ren 664,300.00 | 0.00 | 281,049.12 | 226,340.82 | 0.00 | 226,340.82 | 437,959.18 | | 383,250.88 | 100 | 437,959.18 | 383,250.88 |
| A0623-06 | Baldwin Steele ES Toilet Reno 244,700.00 | 0.00 | 135,344.77 | 101,090.40 | 0.00 | 101,090.40 | 143,609.60 | | 109,355.23 | 100 | 143,609.60 | 109,355.23 |
| A0623-07 | Baldwin Middle School Toilet R 365,700.00 | 0.00 | 61,843.35 | 92,618.60 | 0.00 | 92,618.60 | 273,081.40 | | 303,856.65 | 100 | 273,081.40 | 303,856.65 |
| A0623-08 | Baldwin Meadow ES Toilet Reno 97,950.00 | 0.00 | 79,032.00 | 53,622.68 | 0.00 | 53,622.68 | 44,327.32 | | 18,918.00 | 100 | 44,327.32 | 18,918.00 |
| A0623-09 | Gabreski Airport Gas Piping 28,000.00 | 0.00 | 28,000.00 | 14,158.30 | 0.00 | 14,158.30 | 13,841.70 | | 0.00 | 100 | 13,841.70 | 0.00 |
| A0623-10 | Long Beach CSD HS Bath Upgrade 400,588.00 | 0.00 | 400,588.00 | 192,895.50 | 0.00 | 192,895.50 | 207,692.50 | | 0.00 | 100 | 207,692.50 | 0.00 |
| A0623-12 | Oceanside Double Check Valves 175,065.38 | 0.00 | 0.00 | 110,380.70 | 0.00 | 110,380.70 | 64,684.68 | | 175,065.38 | 100 | 64,684.68 | 175,065.38 |
| A0623-14 | Mineola MS Gym Addition 120,872.00 | 0.00 | 120,872.00 | 87,287.04 | 0.00 | 87,287.04 | 33,584.96 | | 0.00 | 100 | 33,584.96 | 0.00 |
| A0722-00 | East Ramapo SD Sinks 269,826.00 | 0.00 | 269,826.00 | 95,223.44 | 0.00 | 95,223.44 | 174,602.56 | | 0.00 | 100 | 174,602.56 | 0.00 |
| A0723-05 | Cap Improvement Lido MS 109,500.00 | 0.00 | 52,139.00 | 31,663.57 | 0.00 | 31,663.57 | 77,836.43 | | 57,361.00 | 100 | 77,836.43 | 57,361.00 |
| A0723-14 | Robert Williams Backflow Repai 3,082.67 | 0.00 | 3,082.67 | 1,996.01 | 0.00 | 1,996.01 | 1,086.66 | | 0.00 | 100 | 1,086.66 | 0.00 |
| A0723-15 | CIS RTU Franklin Square 51,600.00 | 0.00 | 26,000.00 | 17,207.11 | 0.00 | 17,207.11 | 34,392.89 | | 25,600.00 | 100 | 34,392.89 | 25,600.00 |
| A0822-04 | Renu N Babylon HS Art Rm Reno 21,293.00 | 0.00 | 21,293.00 | 9,499.54 | 0.00 | 9,499.54 | 11,793.46 | | 0.00 | 100 | 11,793.46 | 0.00 |
| A0822-05 | Renu N Babylon MS Art Rm Reno 17,000.00 | 0.00 | 17,000.00 | 5,272.45 | 0.00 | 5,272.45 | 11,727.55 | | 0.00 | 100 | 11,727.55 | 0.00 |
| A0823-04 | 2023 Annual Backflow Testing 1,050.00 | 0.00 | 1,050.00 | 420.00 | 0.00 | 420.00 | 630.00 | | 0.00 | 100 | 630.00 | 0.00 |
| A0823-07 | Ross HS Install Fixtures 83,547.20 | 0.00 | 83,547.20 | 16,440.56 | 0.00 | 16,440.56 | 67,106.64 | | 0.00 | 100 | 67,106.64 | 0.00 |
| A0823-08 | Sonderling HS Install Fixtures 44,000.00 | 0.00 | 44,000.00 | 6,367.44 | 0.00 | 6,367.44 | 37,632.56 | | 0.00 | 100 | 37,632.56 | 0.00 |
| A0823-09 | Jericho HS/MS 3" DCV Repair 1,159.60 | 0.00 | 1,159.60 | 301.32 | 0.00 | 301.32 | 858.28 | | 0.00 | 100 | 858.28 | 0.00 |
| A0823-11 | Hempstead HS Pool Repairs 30,534.90 | 0.00 | 0.00 | 24,047.02 | 0.00 | 24,047.02 | 6,487.88 | | 30,534.90 | 100 | 6,487.88 | 30,534.90 |

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|----------|--|----------------|----------------|--------------|---------------------|------------------|--------------|-------------|--------------|---------|---------------|------------------|
| A0823-19 | POB JFKHS Comfort Station 67,780.53 | 0.00 | 58,297.53 | 40,242.59 | 0.00 | 40,242.59 | 27,537.94 | | 9,483.00 | 100 | 27,537.94 | 9,483.00 |
| A0823-21 | VAMC 2023 Backflow Replacement 78,446.03 | 0.00 | 78,446.03 | 39,722.27 | 0.00 | 39,722.27 | 38,723.76 | | 0.00 | 100 | 38,723.76 | 0.00 |
| A0920-06 | MTA Fresh Pond bus depot roof 131,028.56 | 0.00 | 106,026.27 | 112,522.30 | 0.00 | 112,522.30 | 18,506.26 | | 25,002.29 | 100 | 18,506.26 | 25,002.29 |
| A0922-06 | Baker ES Additions & Alts 737,500.00 | 0.00 | 616,580.00 | 316,617.00 | 0.00 | 316,617.00 | 420,883.00 | | 120,920.00 | 100 | 420,883.00 | 120,920.00 |
| A0923-07 | Winthrop 2 - 2" DCV Repairs 2,161.67 | 0.00 | 1,063.17 | 465.06 | 0.00 | 465.06 | 1,696.61 | | 1,098.50 | 100 | 1,696.61 | 1,098.50 |
| A0923-10 | Grand Ave 4" RPZ Replacement 10,057.64 | 0.00 | 10,057.64 | 6,835.78 | 0.00 | 6,835.78 | 3,221.86 | | 0.00 | 100 | 3,221.86 | 0.00 |
| A0923-11 | Mepham HS 2" RPZ Repair 1,482.41 | 0.00 | 1,482.41 | 1,110.38 | 0.00 | 1,110.38 | 372.03 | | 0.00 | 100 | 372.03 | 0.00 |
| A0923-12 | South Salem ES 3" Replacement 7,154.71 | 0.00 | 7,154.71 | 6,717.91 | 0.00 | 6,717.91 | 436.80 | | 0.00 | 100 | 436.80 | 0.00 |
| A1022-03 | Goose Hill Primary Phase 2 140,326.20 | 0.00 | 67,969.20 | 80,633.36 | 0.00 | 80,633.36 | 59,692.84 | | 72,357.00 | 100 | 59,692.84 | 72,357.00 |
| A1022-10 | East Meadow Schools Gas Projec 749,084.50 | 0.00 | 749,084.50 | 464,759.93 | 0.00 | 464,759.93 | 284,324.57 | | 0.00 | 100 | 284,324.57 | 0.00 |
| A1023-00 | Synergy Cafe - Sperry Annex 29,018.75 | 0.00 | 0.00 | 8,532.88 | 0.00 | 8,532.88 | 20,485.87 | | 29,018.75 | 100 | 20,485.87 | 29,018.75 |
| A1023-02 | Nassakeag ES Valve Replacement 11,782.26 | 0.00 | 0.00 | 5,050.11 | 0.00 | 5,050.11 | 6,732.15 | | 11,782.26 | 100 | 6,732.15 | 11,782.26 |
| A1023-04 | Wheeler Ave Vanity Installatio 1,969.00 | 0.00 | 1,969.00 | 939.09 | 0.00 | 939.09 | 1,029.91 | | 0.00 | 100 | 1,029.91 | 0.00 |
| A1023-06 | Valley Stream Annual Backflow 400.00 | 0.00 | 400.00 | 120.00 | 0.00 | 120.00 | 280.00 | | 0.00 | 100 | 280.00 | 0.00 |
| A1023-08 | The Lannin Boiler Replaceme 149,100.00 | 0.00 | 0.00 | 113,951.34 | 0.00 | 113,951.34 | 35,148.66 | | 149,100.00 | 100 | 35,148.66 | 149,100.00 |
| A1023-09 | Mattituck Emergency Service 4,311.91 | 0.00 | 4,311.91 | 1,095.52 | 0.00 | 1,095.52 | 3,216.39 | | 0.00 | 100 | 3,216.39 | 0.00 |
| A1023-10 | Coplague Fire Distr Storage Bl 223,000.00 | 0.00 | 9,000.00 | 6,630.64 | 0.00 | 6,630.64 | 216,369.36 | | 214,000.00 | 100 | 216,369.36 | 214,000.00 |
| A1023-11 | Guggenheim Water Loss 538.30 | 0.00 | 538.30 | 0.00 | 0.00 | 0.00 | 538.30 | 538.30 | | 0 | 0.00 | 0.00 |
| A1023-12 | Pt Washington HS Water Damage 538.30 | 0.00 | 538.30 | 0.00 | 0.00 | 0.00 | 538.30 | 538.30 | | 0 | 0.00 | 0.00 |
| A1023-13 | Ogden ES Additional Piping 50,118.26 | 0.00 | 50,118.26 | 9,693.68 | 0.00 | 9,693.68 | 40,424.58 | | 0.00 | 100 | 40,424.58 | 0.00 |
| A1023-14 | Woodland, Barnum, Bowling Extr 0.00 | 0.00 | 8,884.08 | 24,925.91 | 0.00 | 24,925.91 | -24,925.91 | 8,884.08 | | 100 | -24,925.91 | -8,884.08 |
| A1023-15 | CSH HS Gas Piping 5,181.45 | 0.00 | 5,181.45 | -0.97 | 0.00 | -0.97 | 5,182.42 | | 0.00 | 100 | 5,182.42 | 0.00 |
| A1023-16 | Elmont UFSD District Wide Plum 807,500.00 | 0.00 | 0.00 | 12,391.00 | 0.00 | 12,391.00 | 795,109.00 | | 807,500.00 | 100 | 795,109.00 | 807,500.00 |
| A1023-17 | 100 County Seat Drive 36,653.98 | 0.00 | 36,653.98 | 34,848.96 | 0.00 | 34,848.96 | 1,805.02 | | 0.00 | 100 | 1,805.02 | 0.00 |

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|----------|--------------------------------|----------------|----------------|--------------|---------------------|------------------|--------------|-------------|--------------|---------|---------------|------------------|
| A1123-00 | Walkkill Steam Leak Repair | 7,499.00 | 0.00 | 7,499.00 | 4,792.61 | 0.00 | 4,792.61 | 2,706.39 | 0.00 | 100 | 2,706.39 | 0.00 |
| A1123-01 | SUNY Purchase Temp Boiler Work | 23,250.00 | 0.00 | 23,250.00 | 6,318.27 | 0.00 | 6,318.27 | 16,931.73 | 0.00 | 100 | 16,931.73 | 0.00 |
| A1123-02 | Splnney Hill Homes Regulator | 8,765.95 | 0.00 | 8,765.95 | 5,335.21 | 0.00 | 5,335.21 | 3,430.74 | 0.00 | 100 | 3,430.74 | 0.00 |
| A1123-03 | RPZ - Hempstead UFSD - 4 Units | 27,988.33 | 0.00 | 0.00 | 13,891.05 | 0.00 | 13,891.05 | 14,097.28 | 27,988.33 | 100 | 14,097.28 | 27,988.33 |
| A1123-04 | Leeds Pond Boiler Install | 9,141.55 | 0.00 | 9,141.55 | 8,388.91 | 0.00 | 8,388.91 | 752.64 | 0.00 | 100 | 752.64 | 0.00 |
| A1123-06 | Walkkill CF Hydrostatic Test | 8,958.53 | 0.00 | 0.00 | 2,404.29 | 0.00 | 2,404.29 | 6,554.24 | 8,958.53 | 100 | 6,554.24 | 8,958.53 |
| A1123-07 | RPZ -Carey HS 1" Repair | 874.43 | 0.00 | 874.43 | 314.95 | 0.00 | 314.95 | 559.48 | 0.00 | 100 | 559.48 | 0.00 |
| A1123-08 | TOFHA Inwood Boiler | 122,000.00 | 0.00 | 0.00 | 70,868.89 | 0.00 | 70,868.89 | 51,131.11 | 122,000.00 | 100 | 51,131.11 | 122,000.00 |
| A1123-10 | Seaford Manor ES Pipe Repair | 0.00 | 0.00 | 0.00 | 2,452.62 | 0.00 | 2,452.62 | -2,452.62 | 0.00 | 100 | -2,452.62 | 0.00 |
| A1123-11 | Giblyn RPZ & Heat | 21,592.66 | 0.00 | 21,592.66 | 8,563.66 | 0.00 | 8,563.66 | 13,029.00 | 0.00 | 100 | 13,029.00 | 0.00 |
| A1123-13 | Hewlett HS Pool Repair | 0.00 | 0.00 | 0.00 | 1,020.82 | 0.00 | 1,020.82 | -1,020.82 | 0.00 | 100 | -1,020.82 | 0.00 |
| A1123-14 | High School Crawl Space Issues | 39,959.83 | 0.00 | 0.00 | 4,911.60 | 0.00 | 4,911.60 | 35,048.23 | 39,959.83 | 100 | 35,048.23 | 39,959.83 |
| A1123-15 | Jericho HS Flood Emergency | 0.00 | 0.00 | 0.00 | 11,367.00 | 0.00 | 11,367.00 | -11,367.00 | 0.00 | 100 | -11,367.00 | 0.00 |
| A1123-16 | Amityville HS Bathroom Repair | 0.00 | 0.00 | 0.00 | 1,839.25 | 0.00 | 1,839.25 | -1,839.25 | 0.00 | 100 | -1,839.25 | 0.00 |
| A1123-17 | Dever Install Regulator | 22,529.49 | 0.00 | 0.00 | 9,304.44 | 0.00 | 9,304.44 | 13,225.05 | 22,529.49 | 100 | 13,225.05 | 22,529.49 |
| A1123-18 | Bethpage HS Leak Repairs | 8,066.32 | 0.00 | 8,066.32 | 3,976.44 | 0.00 | 3,976.44 | 4,089.88 | 0.00 | 100 | 4,089.88 | 0.00 |
| A1123-19 | Walkkill Relief Valve Replacem | 9,800.00 | 0.00 | 0.00 | 429.43 | 0.00 | 429.43 | 9,370.57 | 9,800.00 | 100 | 9,370.57 | 9,800.00 |
| A1222-02 | TOB Repair Sewer Main | 37,236.49 | 0.00 | 37,236.49 | 26,150.86 | 0.00 | 26,150.86 | 11,085.63 | 0.00 | 100 | 11,085.63 | 0.00 |
| A1222-12 | Amityville MS Emerg Freeze Up | 266,999.49 | 0.00 | 266,999.49 | 198,594.81 | 0.00 | 198,594.81 | 68,404.68 | 0.00 | 100 | 68,404.68 | 0.00 |
| A1223-00 | RPZ - New Visions Backflow Tes | 620.00 | 0.00 | 620.00 | 120.00 | 0.00 | 120.00 | 500.00 | 0.00 | 100 | 500.00 | 0.00 |
| A1223-01 | Seaford UFSD Field House-Comfo | 127,600.00 | 0.00 | 0.00 | 2,914.00 | 0.00 | 2,914.00 | 124,686.00 | 127,600.00 | 100 | 124,686.00 | 127,600.00 |
| A1223-02 | Atkinson School Sink Hole | 0.00 | 0.00 | 0.00 | 3,239.78 | 0.00 | 3,239.78 | -3,239.78 | 0.00 | 100 | -3,239.78 | 0.00 |
| A1223-03 | Connetquot Sycamore ES | 43,500.00 | 0.00 | 0.00 | 2,017.78 | 0.00 | 2,017.78 | 41,482.22 | 43,500.00 | 100 | 41,482.22 | 43,500.00 |
| A1223-04 | Baldwin HS Backflow Testing | 620.00 | 0.00 | 620.00 | 120.00 | 0.00 | 120.00 | 500.00 | 0.00 | 100 | 500.00 | 0.00 |

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| A1223-05 | Lido Golf Course Sewer Mains | 86,150.00 | 0.00 | 0.00 | 21,132.51 | 0.00 | 21,132.51 | 65,017.49 | 86,150.00 | 100 | 65,017.49 | 86,150.00 |
| A1223-06 | HS Pool Valve Replacement | 32,195.25 | 0.00 | 0.00 | 10,128.50 | 0.00 | 10,128.50 | 22,066.75 | 32,195.25 | 100 | 22,066.75 | 32,195.25 |
| A1223-07 | TOB Sewer Day Tank Rebuild | 4,536.85 | 0.00 | 0.00 | 901.22 | 0.00 | 901.22 | 3,635.63 | 4,536.85 | 100 | 3,635.63 | 4,536.85 |
| A1223-08 | Syosset Library Bathroom Reno | 18,560.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 18,560.00 | 0.00 | 0 | 0.00 | 18,560.00 |
| A1223-09 | Stimson MS Backflow Test | 100.00 | 0.00 | 100.00 | 30.00 | 0.00 | 30.00 | 70.00 | 0.00 | 100 | 70.00 | 0.00 |
| A1223-10 | Northeast ES Plumbing Repairs | 8,530.93 | 0.00 | 0.00 | 4,985.76 | 0.00 | 4,985.76 | 3,545.17 | 8,530.93 | 100 | 3,545.17 | 8,530.93 |
| B0122-01 | 358 N Main Water Main & Backfl | 45,785.24 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 45,785.24 | 0.00 | 0 | 0.00 | 45,785.24 |
| B0124-00 | 11 Hemlock Plumb Work | 0.00 | 0.00 | 0.00 | 4,004.53 | 0.00 | 4,004.53 | -4,004.53 | 0.00 | 100 | -4,004.53 | 0.00 |
| B0124-01 | Raymour Cropsy RPZ | 12,592.00 | 0.00 | 0.00 | 6,621.34 | 0.00 | 6,621.34 | 5,970.66 | 12,592.00 | 100 | 5,970.66 | 12,592.00 |
| B0124-02 | R&F SI Valve & Hydrant Testing | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0 | 0.00 | 0.00 |
| B0323-07 | Phase 2 Plumbing Repairs 5 BLD | 474,500.00 | 0.00 | 300,000.00 | 205,044.37 | 0.00 | 205,044.37 | 269,455.63 | 174,500.00 | 100 | 269,455.63 | 174,500.00 |
| B0522-07 | Colvin Dr Gas Work | 0.00 | 0.00 | 0.00 | 3,004.30 | 0.00 | 3,004.30 | -3,004.30 | 0.00 | 100 | -3,004.30 | 0.00 |
| B0523-04 | Islanders Training Facility | 96,825.00 | 0.00 | 96,825.00 | 63,374.38 | 0.00 | 63,374.38 | 33,450.62 | 0.00 | 100 | 33,450.62 | 0.00 |
| B0622-09 | Tchinnis Gas Work T&M | 10,490.36 | 0.00 | 10,490.36 | 9,505.04 | 0.00 | 9,505.04 | 985.32 | 0.00 | 100 | 985.32 | 0.00 |
| B0723-04 | Bdg 1 Indirect HWH Replacement | 23,100.00 | 0.00 | 23,100.00 | 17,060.97 | 0.00 | 17,060.97 | 6,039.03 | 0.00 | 100 | 6,039.03 | 0.00 |
| B0723-07 | JMI Plumbing Work Comm Room | 16,180.00 | 0.00 | 12,135.00 | 18,972.91 | 0.00 | 18,972.91 | -2,792.91 | 4,045.00 | 100 | -2,792.91 | 4,045.00 |
| B0823-02 | Plumbing Permits | 1,507.50 | 0.00 | 1,507.50 | 0.00 | 0.00 | 0.00 | 1,507.50 | 1,507.50 | 0 | 0.00 | 0.00 |
| B0823-05 | Cunsolo House Filtration Pipe | 1,524.32 | 0.00 | 1,524.32 | 689.28 | 0.00 | 689.28 | 835.04 | 0.00 | 100 | 835.04 | 0.00 |
| B0823-06 | Riverview Brewery Disconnect | 675.00 | 0.00 | 675.00 | 247.39 | 0.00 | 247.39 | 427.61 | 0.00 | 100 | 427.61 | 0.00 |
| B0922-04 | 40 Middle Ln Plumbing T&M | 39,650.43 | 0.00 | 39,650.43 | 24,522.42 | 0.00 | 24,522.42 | 15,128.01 | 0.00 | 100 | 15,128.01 | 0.00 |
| B0922-13 | 143 33rd St Plumbing | 0.00 | 0.00 | 0.00 | 6,930.82 | 0.00 | 6,930.82 | -6,930.82 | 0.00 | 100 | -6,930.82 | 0.00 |
| B0923-03 | Permits | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0 | 0.00 | 0.00 |
| B1021-11 | 131 Berkley Pl CI Pipe Replace | 4,683.17 | 0.00 | 4,683.17 | 2,495.17 | 0.00 | 2,495.17 | 2,188.00 | 0.00 | 100 | 2,188.00 | 0.00 |
| B1022-05 | 257 Main St Apts Plumb Permit | 41,802.00 | 0.00 | 41,802.00 | 24,485.00 | 0.00 | 24,485.00 | 17,317.00 | 0.00 | 100 | 17,317.00 | 0.00 |

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| B1022-08 | Ronnie Lawrence Misc. Work 0.00 | 0.00 | 0.00 | 4,800.00 | 0.00 | 4,800.00 | -4,800.00 | | 0.00 | 100 | -4,800.00 | 0.00 |
| B1023-00 | 870 Evergreen Plumbing Rough 0.00 | 0.00 | 0.00 | 41,448.27 | 0.00 | 41,448.27 | -41,448.27 | | 0.00 | 100 | -41,448.27 | 0.00 |
| B1023-02 | Permits 0.00 | 0.00 | 0.00 | 820.66 | 0.00 | 820.66 | -820.66 | | 0.00 | 100 | -820.66 | 0.00 |
| B1023-03 | Radiant Heat Gilbert 1,580.05 | 0.00 | 1,580.05 | 1,580.05 | 0.00 | 1,580.05 | 0.00 | | 0.00 | 100 | 0.00 | 0.00 |
| B1023-04 | 3 Cayuga Gas/Waste/Water 0.00 | 0.00 | 0.00 | 1,792.84 | 0.00 | 1,792.84 | -1,792.84 | | 0.00 | 100 | -1,792.84 | 0.00 |
| B1123-00 | Bathroom & Outdoor Shower Inst 0.00 | 0.00 | 15,465.76 | 7,377.89 | 0.00 | 7,377.89 | -7,377.89 | 15,465.76 | | 100 | -7,377.89 | -15,465.76 |
| B1123-01 | Raymour Coney Island Gas Insp 5,400.00 | 0.00 | 5,400.00 | 4,500.00 | 0.00 | 4,500.00 | 900.00 | | 0.00 | 100 | 900.00 | 0.00 |
| B1123-02 | Raymour Elmhurst Gas Pipe Insp 5,400.00 | 0.00 | 5,400.00 | 4,500.00 | 0.00 | 4,500.00 | 900.00 | | 0.00 | 100 | 900.00 | 0.00 |
| B1123-03 | Raymour Flatbush Gas Pipe Insp 5,400.00 | 0.00 | 5,400.00 | 4,500.00 | 0.00 | 4,500.00 | 900.00 | | 0.00 | 100 | 900.00 | 0.00 |
| B1123-04 | Raymour Ozone Gas Pipe Inspect 5,400.00 | 0.00 | 5,400.00 | 4,500.00 | 0.00 | 4,500.00 | 900.00 | | 0.00 | 100 | 900.00 | 0.00 |
| B1123-05 | Raymour SI Gas Pipe Inspection 6,600.00 | 0.00 | 6,600.00 | 4,500.00 | 0.00 | 4,500.00 | 2,100.00 | | 0.00 | 100 | 2,100.00 | 0.00 |
| B1222-06 | 664 Ocean Breeze house raise 13,145.00 | 0.00 | 13,145.00 | 10,044.69 | 0.00 | 10,044.69 | 3,100.31 | | 0.00 | 100 | 3,100.31 | 0.00 |
| B1223-00 | Westbury Music Fair Bathroom 23,750.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 23,750.00 | | 0.00 | 0 | 0.00 | 23,750.00 |
| B1223-01 | Fire Main Repair 0.00 | 0.00 | 0.00 | 6,353.55 | 0.00 | 6,353.55 | -6,353.55 | | 0.00 | 100 | -6,353.55 | 0.00 |
| B1223-02 | Mixing Valve Replacement 18,213.92 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 18,213.92 | | 0.00 | 0 | 0.00 | 18,213.92 |
| B1223-03 | Unit 18H Waste Line Repair 7,400.00 | 0.00 | 0.00 | 102.36 | 0.00 | 102.36 | 7,297.64 | 7,400.00 | | 100 | 7,297.64 | 7,400.00 |
| C0123-00 | Consulting Fees 12,000.00 | 0.00 | 12,000.00 | 0.00 | 0.00 | 0.00 | 12,000.00 | 12,000.00 | | 0 | 0.00 | 0.00 |
| C0123-01 | Consulting Fees 12,000.00 | 0.00 | 12,000.00 | 0.00 | 0.00 | 0.00 | 12,000.00 | 12,000.00 | | 0 | 0.00 | 0.00 |
| C0123-02 | Misc. Plumbing 0.00 | 0.00 | 0.00 | 4,003.24 | 0.00 | 4,003.24 | -4,003.24 | | 0.00 | 100 | -4,003.24 | 0.00 |
| C0124-00 | Consulting Fees 12,000.00 | 0.00 | 1,000.00 | 0.00 | 0.00 | 0.00 | 12,000.00 | 1,000.00 | | 0 | 0.00 | 11,000.00 |
| C0124-01 | Consulting Fees 12,000.00 | 0.00 | 1,000.00 | 0.00 | 0.00 | 0.00 | 12,000.00 | 1,000.00 | | 0 | 0.00 | 11,000.00 |
| C0124-02 | 1510 N Dixie Highway Loan 135,000.00 | 0.00 | 5,000.00 | 0.00 | 0.00 | 0.00 | 135,000.00 | 5,000.00 | | 0 | 0.00 | 130,000.00 |
| C1123-00 | George's House Plumbing 0.00 | 0.00 | 0.00 | 72,515.95 | 0.00 | 72,515.95 | -72,515.95 | | 0.00 | 100 | -72,515.95 | 0.00 |
| C1223-00 | Seaford Manor Elementary 0.00 | 0.00 | 0.00 | 2,141.56 | 0.00 | 2,141.56 | -2,141.56 | | 0.00 | 100 | -2,141.56 | 0.00 |

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| <u>Job</u> | <u>Contract Amount</u> | <u>Estimated Cost</u> | <u>Billed To Date</u> | <u>Cost To Date</u> | <u>Est. Cost Remaining</u> | <u>Revised Estimate</u> | <u>Final Profit</u> | <u>Over Billed</u> | <u>Under Billed</u> | <u>Pct Comp</u> | <u>Earned Income</u> | <u>Contract Balance</u> |
|------------|----------------------------|-----------------------|-----------------------|---------------------|----------------------------|-------------------------|---------------------|--------------------|---------------------|-----------------|----------------------|-------------------------|
| FISERVICE | 0.00 | 0.00 | 0.00 | 7,559.39 | 0.00 | 7,559.39 | -7,559.39 | | 0.00 | 100 | -7,559.39 | 0.00 |
| S0124-00 | Emergency Service Leak | 0.00 | 0.00 | 419.89 | 0.00 | 419.89 | -419.89 | | 0.00 | 100 | -419.89 | 0.00 |
| S0124-01 | Main Sewer Line Back Up | 0.00 | 0.00 | 514.62 | 0.00 | 514.62 | -514.62 | | 0.00 | 100 | -514.62 | 0.00 |
| S0124-02 | Apt 2-A No Heat | 0.00 | 0.00 | 499.34 | 0.00 | 499.34 | -499.34 | | 0.00 | 100 | -499.34 | 0.00 |
| S0124-03 | No Heat | 0.00 | 0.00 | 2,980.01 | 0.00 | 2,980.01 | -2,980.01 | | 0.00 | 100 | -2,980.01 | 0.00 |
| S0124-04 | Building Winterization | 0.00 | 0.00 | 337.08 | 0.00 | 337.08 | -337.08 | | 0.00 | 100 | -337.08 | 0.00 |
| S0124-05 | Leak From Apt 11 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-06 | Leak from 27P to 27H | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-07 | Bathtub Stoppage | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-08 | Boiler Repair | 0.00 | 0.00 | 248.04 | 0.00 | 248.04 | -248.04 | | 0.00 | 100 | -248.04 | 0.00 |
| S0124-09 | Broken Urinal Handle | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-10 | Clogged Kitchen Sink | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-11 | 34 Lamar St Materials | 138.66 | 0.00 | 138.66 | 0.00 | 0.00 | 138.66 | 138.66 | | 0 | 0.00 | 0.00 |
| S0124-12 | Toilet Stoppage | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-13 | Loose Faucet | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-14 | Kitchen Sink Leaking | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-15 | 36 Brockmire Boiler Issues | 0.00 | 0.00 | 144.46 | 0.00 | 144.46 | -144.46 | | 0.00 | 100 | -144.46 | 0.00 |
| S0124-16 | Hewlett HS Pool | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-17 | BIB Services Gas Leak | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-18 | 111-93 CPR Sink Clog | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-19 | Spring Hill Valve Replace | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-20 | 5 Fort Salonga pipe burst | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-21 | Baldwin FD Emergency | 0.00 | 0.00 | 50.09 | 0.00 | 50.09 | -50.09 | | 0.00 | 100 | -50.09 | 0.00 |
| S0124-22 | Toilet Leak | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |

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|-----------|--|----------------|----------------|--------------|---------------------|------------------|--------------|-------------|--------------|---------|---------------|------------------|
| S0124-23 | Toilet Stoppage 560.00 | 0.00 | 560.00 | 0.00 | 0.00 | 0.00 | 560.00 | 560.00 | | 0 | 0.00 | 0.00 |
| S0124-24 | Building 27 Gas Leak 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-25 | Shower Body Replacement 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0124-26 | Boiler Relief Valve Replace 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0223-00 | Apt 239 Clogged Toilet 560.87 | 0.00 | 560.87 | 147.43 | 0.00 | 147.43 | 413.44 | | 0.00 | 100 | 413.44 | 0.00 |
| S0223-85 | No Hot Water 480.00 | 0.00 | 480.00 | 288.04 | 0.00 | 288.04 | 191.96 | | 0.00 | 100 | 191.96 | 0.00 |
| S0323-57 | Bar Sink Water & Waste Lines 2,967.90 | 0.00 | 2,967.90 | 1,100.26 | 0.00 | 1,100.26 | 1,867.64 | | 0.00 | 100 | 1,867.64 | 0.00 |
| S0423-24 | Boiler Issue 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0423-58 | RPZ Repair 0.00 | 0.00 | 0.00 | 1,523.32 | 0.00 | 1,523.32 | -1,523.32 | | 0.00 | 100 | -1,523.32 | 0.00 |
| S0423-101 | Hot Water Heater Issue 1,020.28 | 0.00 | 1,020.28 | 0.00 | 0.00 | 0.00 | 1,020.28 | 1,020.28 | | 0 | 0.00 | 0.00 |
| S0423-106 | Leak in the Coaches Locker Rm 835.50 | 0.00 | 835.50 | 0.00 | 0.00 | 0.00 | 835.50 | 835.50 | | 0 | 0.00 | 0.00 |
| S0523-48 | Misc Plumbing Work 2,197.57 | 0.00 | 2,197.57 | 946.53 | 0.00 | 946.53 | 1,251.04 | | 0.00 | 100 | 1,251.04 | 0.00 |
| S0523-77 | leak in boiler rm 523.64 | 0.00 | 523.64 | 195.81 | 0.00 | 195.81 | 327.83 | | 0.00 | 100 | 327.83 | 0.00 |
| S0523-95 | Bathroom Rough 9,962.17 | 0.00 | 9,962.17 | 4,138.95 | 0.00 | 4,138.95 | 5,823.22 | | 0.00 | 100 | 5,823.22 | 0.00 |
| S0623-12 | Misc. Plumbing 3,130.80 | 0.00 | 3,130.80 | 1,448.34 | 0.00 | 1,448.34 | 1,682.46 | | 0.00 | 100 | 1,682.46 | 0.00 |
| S0623-19 | Plumbing Work 851.34 | 0.00 | 851.34 | 517.02 | 0.00 | 517.02 | 334.32 | | 0.00 | 100 | 334.32 | 0.00 |
| S0623-21 | Sprinkler Work 307.96 | 0.00 | 307.96 | 492.76 | 0.00 | 492.76 | -184.80 | | 0.00 | 100 | -184.80 | 0.00 |
| S0623-22 | Plumbing Work 2,223.11 | 0.00 | 2,223.11 | 1,240.46 | 0.00 | 1,240.46 | 982.65 | | 0.00 | 100 | 982.65 | 0.00 |
| S0623-59 | Main Line Stoppage 272.50 | 0.00 | 272.50 | 0.00 | 0.00 | 0.00 | 272.50 | 272.50 | | 0 | 0.00 | 0.00 |
| S0623-74 | Leak In Ceiling 1,238.72 | 0.00 | 1,238.72 | 442.67 | 0.00 | 442.67 | 796.05 | | 0.00 | 100 | 796.05 | 0.00 |
| S0722-75 | Bowne Park Service Calls 4,756.65 | 0.00 | 4,756.65 | 1,529.08 | 0.00 | 1,529.08 | 3,227.57 | | 0.00 | 100 | 3,227.57 | 0.00 |
| S0723-40 | (2) Leaks in Garage 850.00 | 0.00 | 850.00 | 264.74 | 0.00 | 264.74 | 585.26 | | 0.00 | 100 | 585.26 | 0.00 |
| S0723-55 | Poor Hot Water 369.05 | 0.00 | 369.05 | 377.30 | 0.00 | 377.30 | -8.25 | | 0.00 | 100 | -8.25 | 0.00 |
| S0723-88 | TOHHA A/C Service 1,851.54 | 0.00 | 1,851.54 | 861.76 | 0.00 | 861.76 | 989.78 | | 0.00 | 100 | 989.78 | 0.00 |

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|----------|--------------------------------|----------------|----------------|--------------|---------------------|------------------|--------------|-------------|--------------|----------|---------------|------------------|
| S0822-42 | Lawrence Stanely Dr Leak | 0.00 | 0.00 | 8,110.80 | 0.00 | 8,110.80 | -8,110.80 | | 0.00 | 100 | -8,110.80 | 0.00 |
| S0822-63 | 58 Ford Dr West Toilet Service | 1,850.00 | 0.00 | 1,850.00 | 992.62 | 992.62 | 857.38 | | 0.00 | 100 | 857.38 | 0.00 |
| S0823-02 | Outside Hose Bib Leaking | 641.54 | 0.00 | 641.54 | 389.79 | 389.79 | 251.75 | | 0.00 | 100 | 251.75 | 0.00 |
| S0823-04 | Leak in Room 238 Ceiling | 2,252.81 | 0.00 | 2,252.81 | 1,306.54 | 1,306.54 | 946.27 | | 0.00 | 100 | 946.27 | 0.00 |
| S0823-11 | Pump Issue | 980.00 | 0.00 | 980.00 | 500.00 | 500.00 | 480.00 | | 0.00 | 100 | 480.00 | 0.00 |
| S0823-21 | Leak in front of the house | 540.00 | 0.00 | 540.00 | 260.19 | 260.19 | 279.81 | | 0.00 | 100 | 279.81 | 0.00 |
| S0823-56 | Leak | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S0823-69 | Propane Tank Repair | 594.80 | 0.00 | 594.80 | 326.05 | 326.05 | 268.75 | | 0.00 | 100 | 268.75 | 0.00 |
| S0823-73 | Roof Drain Repair | 3,813.56 | 0.00 | 3,813.56 | 1,769.76 | 1,769.76 | 2,043.80 | | 0.00 | 100 | 2,043.80 | 0.00 |
| S0922-20 | Bowne Park Jetting Service | 2,811.80 | 0.00 | 2,811.80 | 513.80 | 513.80 | 2,298.00 | | 0.00 | 100 | 2,298.00 | 0.00 |
| S0922-40 | Woodcrest Apt 231 Toilet/Sink | 605.00 | 0.00 | 605.00 | 113.48 | 113.48 | 491.52 | | 0.00 | 100 | 491.52 | 0.00 |
| S0922-53 | 430 East Dr Faucet Cartridge | 306.70 | 0.00 | 306.70 | 141.74 | 141.74 | 164.96 | | 0.00 | 100 | 164.96 | 0.00 |
| S0923-25 | Cap Off Lines | 0.00 | 0.00 | 0.00 | 20,569.21 | 20,569.21 | -20,569.21 | | 0.00 | 100 | -20,569.21 | 0.00 |
| S0923-36 | Leak in the Walk-In Boc | 2,204.96 | 0.00 | 2,204.96 | 1,041.34 | 1,041.34 | 1,163.62 | | 0.00 | 100 | 1,163.62 | 0.00 |
| S0923-40 | HS Pool Repair | 0.00 | 0.00 | 0.00 | 600.00 | 600.00 | -600.00 | | 0.00 | 100 | -600.00 | 0.00 |
| S0923-45 | Washer Dryer Ice Machine | 1,386.98 | 0.00 | 1,386.98 | 771.11 | 771.11 | 615.87 | | 0.00 | 100 | 615.87 | 0.00 |
| S0923-47 | Dave Filter Room | 0.00 | 0.00 | 0.00 | 3,981.29 | 3,981.29 | -3,981.29 | | 0.00 | 100 | -3,981.29 | 0.00 |
| S0923-56 | Shower Leak Room 208 | 445.00 | 0.00 | 445.00 | 28.91 | 28.91 | 416.09 | | 0.00 | 100 | 416.09 | 0.00 |
| S0923-67 | Annual Backflow Test | 100.00 | 0.00 | 100.00 | 0.00 | 0.00 | 100.00 | 100.00 | | 0 | 0.00 | 0.00 |
| S0923-77 | Nassau Collesium Backflow Test | 200.00 | 0.00 | 200.00 | 60.00 | 60.00 | 140.00 | | 0.00 | 100 | 140.00 | 0.00 |
| S0923-81 | Kitchen Sink Waste Correction | 455.10 | 0.00 | 455.10 | 76.98 | 76.98 | 378.12 | | 0.00 | 100 | 378.12 | 0.00 |
| S0923-96 | Flooded Boiler Room | 0.00 | 0.00 | 0.00 | 34,126.66 | 34,126.66 | -34,126.66 | | 0.00 | 100 | -34,126.66 | 0.00 |
| S1022-70 | Apt 229/231 Toilet Stoppages | 1,092.31 | 0.00 | 1,092.31 | 370.36 | 370.36 | 721.95 | | 0.00 | 100 | 721.95 | 0.00 |
| S1023-02 | Boiler install | 0.00 | 0.00 | 0.00 | 12,425.48 | 12,425.48 | -12,425.48 | | 0.00 | 100 | -12,425.48 | 0.00 |

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|------------|--|-----------------------|-----------------------|---------------------|----------------------------|-------------------------|---------------------|--------------------|---------------------|-----------------|----------------------|-------------------------|
| S1023-04 | Boiler Relief Valve Leaking 1,198.65 | 0.00 | 1,198.65 | 777.87 | 0.00 | 777.87 | 420.78 | | 0.00 | 100 | 420.78 | 0.00 |
| S1023-06 | Gas Meter Upgrade 1,354.50 | 0.00 | 1,354.50 | 1,011.02 | 0.00 | 1,011.02 | 343.48 | | 0.00 | 100 | 343.48 | 0.00 |
| S1023-15 | Faucet Install / Repair Toilet 135.00 | 0.00 | 135.00 | 123.83 | 0.00 | 123.83 | 11.17 | | 0.00 | 100 | 11.17 | 0.00 |
| S1023-18 | Toilet Gurgling 865.00 | 0.00 | 865.00 | 368.25 | 0.00 | 368.25 | 496.75 | | 0.00 | 100 | 496.75 | 0.00 |
| S1023-24 | Laundry Room Ceiling Leak 2,227.50 | 0.00 | 2,227.50 | 1,753.03 | 0.00 | 1,753.03 | 474.47 | | 0.00 | 100 | 474.47 | 0.00 |
| S1023-28 | TOHHA Valley Stream Heat Repair 17,993.90 | 0.00 | 17,993.90 | 8,847.42 | 0.00 | 8,847.42 | 9,146.48 | | 0.00 | 100 | 9,146.48 | 0.00 |
| S1023-47 | R/R Kitchen & Bathroom Fixture 1,299.91 | 0.00 | 1,299.91 | 777.00 | 0.00 | 777.00 | 522.91 | | 0.00 | 100 | 522.91 | 0.00 |
| S1023-52 | Leak 2,913.82 | 0.00 | 2,913.82 | 1,685.33 | 0.00 | 1,685.33 | 1,228.49 | | 0.00 | 100 | 1,228.49 | 0.00 |
| S1023-53 | Bldg 12 Leak on Heating System 684.46 | 0.00 | 684.46 | 462.03 | 0.00 | 462.03 | 222.43 | | 0.00 | 100 | 222.43 | 0.00 |
| S1023-54 | No Heat 454.42 | 0.00 | 454.42 | 154.09 | 0.00 | 154.09 | 300.33 | | 0.00 | 100 | 300.33 | 0.00 |
| S1023-55 | Jersey Mikes Backflow Test 100.00 | 0.00 | 100.00 | 0.00 | 0.00 | 0.00 | 100.00 | 100.00 | | 0 | 0.00 | 0.00 |
| S1023-57 | Main Line Back Up 540.00 | 0.00 | 540.00 | 395.28 | 0.00 | 395.28 | 144.72 | | 0.00 | 100 | 144.72 | 0.00 |
| S1023-72 | Bldg 15 Boiler Room Noise 1,155.88 | 0.00 | 1,155.88 | 803.37 | 0.00 | 803.37 | 352.51 | | 0.00 | 100 | 352.51 | 0.00 |
| S1023-80 | Leak in the Ceiling 370.00 | 0.00 | 370.00 | 153.96 | 0.00 | 153.96 | 216.04 | | 0.00 | 100 | 216.04 | 0.00 |
| S1023-87 | Winterization 450.00 | 0.00 | 450.00 | 361.03 | 0.00 | 361.03 | 88.97 | | 0.00 | 100 | 88.97 | 0.00 |
| S1023-89 | No Hot Water 1,661.97 | 0.00 | 1,661.97 | 1,281.24 | 0.00 | 1,281.24 | 380.73 | | 0.00 | 100 | 380.73 | 0.00 |
| S1023-90 | Leak Under the Kitchen Sink 330.59 | 0.00 | 330.59 | 204.59 | 0.00 | 204.59 | 126.00 | | 0.00 | 100 | 126.00 | 0.00 |
| S1023-92 | Middle School Boiler Room F/D 0.00 | 0.00 | 0.00 | 239.94 | 0.00 | 239.94 | -239.94 | | 0.00 | 100 | -239.94 | 0.00 |
| S1023-93 | Freeport Armory Raise C/O 2,679.47 | 0.00 | 2,679.47 | 1,365.97 | 0.00 | 1,365.97 | 1,313.50 | | 0.00 | 100 | 1,313.50 | 0.00 |
| S1023-98 | Heat Pump Replacement 2,672.69 | 0.00 | 2,672.69 | 1,749.50 | 0.00 | 1,749.50 | 923.19 | | 0.00 | 100 | 923.19 | 0.00 |
| S1023-99 | Winterization 450.00 | 0.00 | 450.00 | 296.71 | 0.00 | 296.71 | 153.29 | | 0.00 | 100 | 153.29 | 0.00 |
| S1023-100 | Winterization 450.00 | 0.00 | 450.00 | 355.98 | 0.00 | 355.98 | 94.02 | | 0.00 | 100 | 94.02 | 0.00 |
| S1023-109 | Heating Pipes Making Noise 3,809.76 | 0.00 | 3,809.76 | 2,779.99 | 0.00 | 2,779.99 | 1,029.77 | | 0.00 | 100 | 1,029.77 | 0.00 |
| S1023-117 | Merrick Manor 4 Backflow Tests 500.00 | 0.00 | 300.00 | 60.00 | 0.00 | 60.00 | 440.00 | 200.00 | 100 | | 440.00 | 200.00 |

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|------------|---|-----------------------|-----------------------|---------------------|----------------------------|-------------------------|---------------------|--------------------|---------------------|----------------|----------------------|-------------------------|
| S1023-124 | Heating Repair 561.27 | 0.00 | 561.27 | 325.13 | 0.00 | 325.13 | 236.14 | | 0.00 | 100 | 236.14 | 0.00 |
| S1023-125 | Unit 6 Leaking Down to 2 845.98 | 0.00 | 845.98 | 489.14 | 0.00 | 489.14 | 356.84 | | 0.00 | 100 | 356.84 | 0.00 |
| S1122-51 | 20 Chardonnay Rd Service 550.00 | 0.00 | 550.00 | 338.75 | 0.00 | 338.75 | 211.25 | | 0.00 | 100 | 211.25 | 0.00 |
| S1122-56 | Woodcrest North Tower HW Issue 925.00 | 0.00 | 925.00 | 412.21 | 0.00 | 412.21 | 512.79 | | 0.00 | 100 | 512.79 | 0.00 |
| S1122-65 | Woodcrest Elevator Pump Issue 665.00 | 0.00 | 665.00 | 412.23 | 0.00 | 412.23 | 252.77 | | 0.00 | 100 | 252.77 | 0.00 |
| S1123-14 | K/S S/O Valves Leaking 135.00 | 0.00 | 135.00 | 78.17 | 0.00 | 78.17 | 56.83 | | 0.00 | 100 | 56.83 | 0.00 |
| S1123-17 | Leak in the Pilates Studio 445.00 | 0.00 | 445.00 | 250.30 | 0.00 | 250.30 | 194.70 | | 0.00 | 100 | 194.70 | 0.00 |
| S1123-18 | Pipe Burst in the Crawo Space 2,213.83 | 0.00 | 2,213.83 | 1,297.78 | 0.00 | 1,297.78 | 916.05 | | 0.00 | 100 | 916.05 | 0.00 |
| S1123-20 | Circulator Pump Order 1,672.69 | 0.00 | 1,672.69 | 992.46 | 0.00 | 992.46 | 680.23 | | 0.00 | 100 | 680.23 | 0.00 |
| S1123-30 | Leak on Boiler 914.69 | 0.00 | 914.69 | 526.50 | 0.00 | 526.50 | 388.19 | | 0.00 | 100 | 388.19 | 0.00 |
| S1123-32 | Guggenheim Video Inspection 4,438.81 | 0.00 | 4,438.81 | 1,557.35 | 0.00 | 1,557.35 | 2,881.46 | | 0.00 | 100 | 2,881.46 | 0.00 |
| S1123-35 | Valve Replacement 1,390.00 | 0.00 | 1,390.00 | 1,163.48 | 0.00 | 1,163.48 | 226.52 | | 0.00 | 100 | 226.52 | 0.00 |
| S1123-38 | Leak in Crawl Space 2,953.49 | 0.00 | 2,953.49 | 1,836.90 | 0.00 | 1,836.90 | 1,116.59 | | 0.00 | 100 | 1,116.59 | 0.00 |
| S1123-41 | Storm Drain Issue 2,011.19 | 0.00 | 2,011.19 | 770.10 | 0.00 | 770.10 | 1,241.09 | | 0.00 | 100 | 1,241.09 | 0.00 |
| S1123-48 | Main Line Stoppage 4,316.32 | 0.00 | 4,316.32 | 2,268.62 | 0.00 | 2,268.62 | 2,047.70 | | 0.00 | 100 | 2,047.70 | 0.00 |
| S1123-51 | Cantiaque 4" Device Leaking 465.00 | 0.00 | 465.00 | 247.19 | 0.00 | 247.19 | 217.81 | | 0.00 | 100 | 217.81 | 0.00 |
| S1123-55 | Video Inspect Drain Line 1,123.75 | 0.00 | 1,123.75 | 281.48 | 0.00 | 281.48 | 842.27 | | 0.00 | 100 | 842.27 | 0.00 |
| S1123-58 | Brewery Meter Set 3,369.67 | 0.00 | 3,369.67 | 2,267.57 | 0.00 | 2,267.57 | 1,102.10 | | 0.00 | 100 | 1,102.10 | 0.00 |
| S1123-60 | Install Kitchen Sink 579.62 | 0.00 | 579.62 | 482.36 | 0.00 | 482.36 | 97.26 | | 0.00 | 100 | 97.26 | 0.00 |
| S1123-65 | Bldg 6 Leak In Crawl Space 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |
| S1123-67 | Sewer Fly Issue 220.00 | 0.00 | 220.00 | 78.16 | 0.00 | 78.16 | 141.84 | | 0.00 | 100 | 141.84 | 0.00 |
| S1123-68 | Water Leak in Elevator Shaft 810.00 | 0.00 | 810.00 | 378.62 | 0.00 | 378.62 | 431.38 | | 0.00 | 100 | 431.38 | 0.00 |
| S1123-69 | Furnace Not Firing Up 457.05 | 0.00 | 457.05 | 228.03 | 0.00 | 228.03 | 229.02 | | 0.00 | 100 | 229.02 | 0.00 |
| S1123-72 | Hempstead HS Pool Repair 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0 | 0.00 | 0.00 |

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| Job | Contract Amount | Estimated Cost | Billed To Date | Cost To Date | Est. Cost Remaining | Revised Estimate | Final Profit | Over Billed | Under Billed | Pct Cmp | Earned Income | Contract Balance |
|-----------|------------------------------|----------------|----------------|--------------|---------------------|------------------|--------------|-------------|--------------|---------|---------------|------------------|
| S1123-80 | Emergency Service | 2,218.07 | 0.00 | 2,218.07 | 1,398.56 | 0.00 | 1,398.56 | 819.51 | 0.00 | 100 | 819.51 | 0.00 |
| S1123-84 | Install Water Cooler | 478.61 | 0.00 | 478.61 | 291.12 | 0.00 | 291.12 | 187.49 | 0.00 | 100 | 187.49 | 0.00 |
| S1123-86 | Leak on 1/2" Copper Line | 807.07 | 0.00 | 807.07 | 273.56 | 0.00 | 273.56 | 533.51 | 0.00 | 100 | 533.51 | 0.00 |
| S1123-93 | Odor at the Kitchen Sink | 143.49 | 0.00 | 143.49 | 0.00 | 0.00 | 143.49 | 143.49 | | 0 | 0.00 | 0.00 |
| S1123-96 | Bathroom Sink Clogged | 228.75 | 0.00 | 228.75 | 0.00 | 0.00 | 228.75 | 228.75 | | 0 | 0.00 | 0.00 |
| S1123-101 | Boilers Making Loud Noises | 2,269.58 | 0.00 | 2,269.58 | 240.67 | 0.00 | 240.67 | 2,028.91 | 0.00 | 100 | 2,028.91 | 0.00 |
| S1123-107 | Hot Water Heater Leaking | 2,450.00 | 0.00 | 2,450.00 | 1,887.78 | 0.00 | 1,887.78 | 562.22 | 0.00 | 100 | 562.22 | 0.00 |
| S1123-112 | No Heat | 135.00 | 0.00 | 135.00 | 0.00 | 0.00 | 135.00 | 135.00 | | 0 | 0.00 | 0.00 |
| S1123-113 | Bathtub Backing Up | 296.25 | 0.00 | 296.25 | 159.26 | 0.00 | 159.26 | 136.99 | 0.00 | 100 | 136.99 | 0.00 |
| S1123-117 | Kitchen Sink Installation | 885.37 | 0.00 | 885.37 | 630.10 | 0.00 | 630.10 | 255.27 | 0.00 | 100 | 255.27 | 0.00 |
| S1123-125 | Main Line Backing Up | 3,775.65 | 0.00 | 3,775.65 | 2,809.05 | 0.00 | 2,809.05 | 966.60 | 0.00 | 100 | 966.60 | 0.00 |
| S1123-126 | Leak | 1,203.93 | 0.00 | 1,203.93 | 535.40 | 0.00 | 535.40 | 668.53 | 0.00 | 100 | 668.53 | 0.00 |
| S1123-127 | Bethpage HS Gas Leak | 3,051.05 | 0.00 | 3,051.05 | 1,975.42 | 0.00 | 1,975.42 | 1,075.63 | 0.00 | 100 | 1,075.63 | 0.00 |
| S1123-128 | Mattituck HS Cracked Elbow | 2,918.43 | 0.00 | 2,918.43 | 1,117.01 | 0.00 | 1,117.01 | 1,801.42 | 0.00 | 100 | 1,801.42 | 0.00 |
| S1123-130 | Sewage Grinder Pump Install | 3,323.39 | 0.00 | 3,323.39 | 2,208.99 | 0.00 | 2,208.99 | 1,114.40 | 0.00 | 100 | 1,114.40 | 0.00 |
| S1123-132 | Wlththrop Ave Stoppage | 965.05 | 0.00 | 965.05 | 259.75 | 0.00 | 259.75 | 705.30 | 0.00 | 100 | 705.30 | 0.00 |
| S1123-134 | Apt 25-K Leak In Ceiling | 715.34 | 0.00 | 715.34 | 609.33 | 0.00 | 609.33 | 106.01 | 0.00 | 100 | 106.01 | 0.00 |
| S1222-35 | Emergency Steam line leak | 13,265.51 | 0.00 | 13,265.51 | 9,534.58 | 0.00 | 9,534.58 | 3,730.93 | 0.00 | 100 | 3,730.93 | 0.00 |
| S1223-00 | Apt 24-N - Leak | 718.32 | 0.00 | 718.32 | 399.29 | 0.00 | 399.29 | 319.03 | 0.00 | 100 | 319.03 | 0.00 |
| S1223-01 | Apt 48 Baseboard Replacement | 0.00 | 0.00 | 0.00 | 10,775.60 | 0.00 | 10,775.60 | -10,775.60 | 0.00 | 100 | -10,775.60 | 0.00 |
| S1223-02 | ES | 0.00 | 0.00 | 0.00 | 5,767.51 | 0.00 | 5,767.51 | -5,767.51 | 0.00 | 100 | -5,767.51 | 0.00 |
| S1223-03 | Apt 30 Bathtub Clogged | 503.75 | 0.00 | 503.75 | 234.49 | 0.00 | 234.49 | 269.26 | 0.00 | 100 | 269.26 | 0.00 |
| S1223-04 | Leak Units 52-51 | 3,052.07 | 0.00 | 3,052.07 | 1,528.74 | 0.00 | 1,528.74 | 1,523.33 | 0.00 | 100 | 1,523.33 | 0.00 |
| S1223-06 | Leak in basement | 1,080.00 | 0.00 | 1,080.00 | 793.82 | 0.00 | 793.82 | 286.18 | 0.00 | 100 | 286.18 | 0.00 |

Work in Progress Report
 Seaford Ave Corp
 1/9/2024

| <u>Job</u> | <u>Contract Amount</u> | <u>Estimated Cost</u> | <u>Billed To Date</u> | <u>Cost To Date</u> | <u>Est. Cost Remaining</u> | <u>Revised Estimate</u> | <u>Final Profit</u> | <u>Over Billed</u> | <u>Under Billed</u> | <u>Pct Cmp</u> | <u>Earned Income</u> | <u>Contract Balance</u> |
|------------|--|-----------------------|-----------------------|---------------------|----------------------------|-------------------------|---------------------|--------------------|---------------------|----------------|----------------------|-------------------------|
| S1223-35 | No Hot water 3-Comp Sink 985.00 | 0.00 | 985.00 | 306.15 | 0.00 | 306.15 | 678.85 | | 0.00 | 100 | 678.85 | 0.00 |
| S1223-36 | Kitchen Plumbing Repairs 1,817.70 | 0.00 | 1,817.70 | 827.60 | 0.00 | 827.60 | 990.10 | | 0.00 | 100 | 990.10 | 0.00 |
| S1223-37 | Leak in Kitchen Soffit 1,216.07 | 0.00 | 1,216.07 | 597.18 | 0.00 | 597.18 | 618.89 | | 0.00 | 100 | 618.89 | 0.00 |
| S1223-38 | Gas Stove Flex Hose Repair 135.00 | 0.00 | 135.00 | 78.17 | 0.00 | 78.17 | 56.83 | | 0.00 | 100 | 56.83 | 0.00 |
| S1223-39 | Main Cesspool Line Clogged 10,528.92 | 0.00 | 10,528.92 | 2,716.61 | 0.00 | 2,716.61 | 7,812.31 | | 0.00 | 100 | 7,812.31 | 0.00 |
| S1223-40 | Too Much Heat 439.80 | 0.00 | 439.80 | 78.16 | 0.00 | 78.16 | 361.64 | | 0.00 | 100 | 361.64 | 0.00 |
| S1223-41 | Toilet Backing Up Into Bathtub 1,060.82 | 0.00 | 1,060.82 | 650.37 | 0.00 | 650.37 | 410.45 | | 0.00 | 100 | 410.45 | 0.00 |
| S1223-42 | Misc. Plumbing Repairs 405.00 | 0.00 | 405.00 | 234.99 | 0.00 | 234.99 | 170.01 | | 0.00 | 100 | 170.01 | 0.00 |
| S1223-43 | Mazda - Clogged Slop Sink 538.75 | 0.00 | 538.75 | 156.32 | 0.00 | 156.32 | 382.43 | | 0.00 | 100 | 382.43 | 0.00 |
| S1223-44 | Gas Leak 1,843.37 | 0.00 | 1,843.37 | 823.27 | 0.00 | 823.27 | 1,020.10 | | 0.00 | 100 | 1,020.10 | 0.00 |
| S1223-46 | Main Fl Hallway Ceiling Leak 1,097.29 | 0.00 | 1,097.29 | 693.89 | 0.00 | 693.89 | 403.40 | | 0.00 | 100 | 403.40 | 0.00 |
| S1223-47 | Leak in the hallway 763.69 | 0.00 | 763.69 | 491.46 | 0.00 | 491.46 | 272.23 | | 0.00 | 100 | 272.23 | 0.00 |
| S1223-49 | No Hot Water 1,700.00 | 0.00 | 1,700.00 | 1,132.71 | 0.00 | 1,132.71 | 567.29 | | 0.00 | 100 | 567.29 | 0.00 |
| S1223-50 | Shower Body Cartridge Replace 603.75 | 0.00 | 603.75 | 440.08 | 0.00 | 440.08 | 163.67 | | 0.00 | 100 | 163.67 | 0.00 |
| S1223-51 | Clogged Bathroom Sink 0.00 | 0.00 | 0.00 | 625.35 | 0.00 | 625.35 | -625.35 | | 0.00 | 100 | -625.35 | 0.00 |
| S1223-52 | Trip Lever Stuck 315.00 | 0.00 | 315.00 | 78.17 | 0.00 | 78.17 | 236.83 | | 0.00 | 100 | 236.83 | 0.00 |
| S1223-53 | Clogged Drain / Laundry Room 503.75 | 0.00 | 503.75 | 234.49 | 0.00 | 234.49 | 269.26 | | 0.00 | 100 | 269.26 | 0.00 |
| S1223-54 | Air in the Lines 1,946.96 | 0.00 | 1,946.96 | 1,538.31 | 0.00 | 1,538.31 | 408.65 | | 0.00 | 100 | 408.65 | 0.00 |
| S1223-55 | Annual Backflow Test 100.00 | 0.00 | 100.00 | 30.00 | 0.00 | 30.00 | 70.00 | | 0.00 | 100 | 70.00 | 0.00 |
| S1223-56 | No Heat 0.00 | 0.00 | 0.00 | 252.17 | 0.00 | 252.17 | -252.17 | | 0.00 | 100 | -252.17 | 0.00 |
| S1223-57 | Shower Body Cartridge Replace 603.75 | 0.00 | 603.75 | 432.20 | 0.00 | 432.20 | 171.55 | | 0.00 | 100 | 171.55 | 0.00 |
| S1223-58 | Unit 1-A Zone Valve Replacemen 0.00 | 0.00 | 0.00 | 1,002.37 | 0.00 | 1,002.37 | -1,002.37 | | 0.00 | 100 | -1,002.37 | 0.00 |
| S1223-60 | Sink Stoppage 652.50 | 0.00 | 652.50 | 234.51 | 0.00 | 234.51 | 417.99 | | 0.00 | 100 | 417.99 | 0.00 |
| S1223-61 | Water Leaking from Ceiling 978.75 | 0.00 | 978.75 | 625.99 | 0.00 | 625.99 | 352.76 | | 0.00 | 100 | 352.76 | 0.00 |

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| Job | Job Name | Contract Amount | Customer Name | Description of Work | Contact | Phone# |
|----------|--------------------------------|-----------------|--------------------------------|--|----------------------|--------------|
| 0118-115 | NY Psych - 80 ton chillerA | 113,753.00 | Zoi Contracting, Inc | NYS OGS project | Rosemarie Arbeeny | 718-768-8851 |
| 0119-22 | Sag Harbor Cinema Plumbing | 329,277.23 | ConRac Construction Group, LLC | new construction theater | Charles Kozikowski | 631-756-0101 |
| 0119-35 | Northport/ East NP UFSD Gas | 283,524.72 | Northport-East Northport UFSD | school gas conversion | Jane Corcione | 631-338-6003 |
| 0119-36 | Northport/ East NP UFSD Water | 145,000.00 | Northport-East Northport UFSD | school gas conversion | Jane Corcione | 631-338-6004 |
| 0119-38 | Sag Harbor Cinemas Sprinklers | 123,770.00 | ConRac Construction Group, LLC | new construction theater | Charles Kozikowski | 631-756-0101 |
| 0120-17 | Kane Street Townhouse | 410,490.00 | Ambrosino Consultant Corp | new hi end residential construction | Craig Hurst | 516-779-7078 |
| 0220-54 | Round Swamp Rd. Plumbing Imprv | 1,940,558.11 | TOB Housing Authority | renovation of existing building | Ethel Wright | 516-349-1000 |
| 0317-01 | Racanelli - Homewood Suites B | 1,337,795.75 | Racanelli Construction | new construction hotel | Charles Kozikowski | 631-756-0101 |
| 0318-13 | USTA Tennis Center A | 134,823.00 | AECOM Hunt | sports complex gas piping | Joseph Tofanelli | 718-309-2213 |
| 0319-33 | Chemical Bulk Storage Upgrade | 283,928.80 | Town of Hempstead Parks | renovation of existing building | Gerard D'Elia | 516-673-1596 |
| 0319-57 | Sachem CSD 2018/19 Cap Improve | 690,000.00 | Sachem Central School District | school renovation | Laura Sager | 631-471-1300 |
| 0417-29 | Atria Great Neck-Interior B | 819,990.99 | Renu Restoration | renovation of existing building | Michael Donovan | 631-782-1020 |
| 0418-16 | Raymour & Flanigan B Marine Pk | 420,241.37 | Raymour & Flanigan | new commercial construction | Dan Haro | 315-453-2500 |
| 0418-19 | Riverview Loft B | 1,888,866.97 | JORCO | new construction residential housing | Bob Weiner | 516-487-0050 |
| 0418-47 | Atkinson School contract A | 112,483.41 | Freeport UFSD | school renovation | Erika Elmore | 516-867-5222 |
| 0419-67 | Starlight Park Comfort Station | 205,140.98 | Renu Restoration | NYC Parks dept comfort station | Michael Donovan | 631-782-1020 |
| 0419-73 | Keyfood Pleasantville | 172,554.23 | Key Food Plaza International | renovation existing commercial building | Bob Frunzi | 516-481-8100 |
| 0420-07 | Gas pipe Mt Kisco Hsing A (DB) | 324,000.00 | Mount Kisco Housing Auth | replacement of existing natraul gas system | Eugene Grigortsevich | 914-557-9333 |
| 0516-26 | Paerdegat AC gas piping PLA A | 141,384.52 | Zoi Contracting, Inc | NYS OGS project | Rosemarie Arbeeny | 718-768-8851 |
| 0517-27 | National Grid-Brentwood Whse B | 112,828.30 | Martone & Sons Roofing | renovation of existing commecial building | Nate Martone | 516-523-3482 |
| 0517-34 | Oceanside UFSD A | 282,776.00 | Oceanside UFSD | school renovation | Mark Montemarano | 516-594-2333 |
| 0517-50 | Sayville Lanes / Bowlero B | 101,074.02 | Double R | renovation of existing commercial building | Rodney Regan | 631-249-1117 |
| 0518-45 | Nassau Coliseum New Islanders | 264,485.55 | AECOM Hunt | renovation of existing sports complex | Joseph Tofanelli | 718-309-2213 |
| 0520-05 | Lawrence MS Locker Rooms A | 158,000.00 | Lawrence UFSD | school renovation | Lance Mcallister | 516-661-1392 |
| 0613-71 | Long Beach High School-contrac | 164,417.00 | Long Beach School District | school renovation | Don Kramer | 516-897-2120 |
| 0617-15 | BARNUM PLUMB Improvements B | 552,343.00 | TOB Housing Authority | renovation HA building | Ethel Wright | 516-349-1000 |
| 0617-39 | Jericho - Gas A | 275,750.00 | Jericho School District | school gas piping | Brian Lazrovitch | 516-203-3600 |
| 0617-43 | Moxey A. Rigby Apartments A | 2,713,171.50 | JOBCO | new construction residential housing | Bob Weiner | 516-487-0050 |
| 0618-08 | Hempstead MS Toilets/Science A | 141,372.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| 0619-03 | Sylvan Ave ES Plumbing Repairs | 139,990.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| 0619-06 | Northport Hotel | 808,808.06 | Northport Harbor Construction | new hotel construction | Mike Peck | 516-807-8817 |
| 0619-14 | Bond Issue Cap Improv Phase 4B | 205,000.00 | Island Trees Business Office | school renovation | Samantha Iaboni | 516-520-2109 |
| 0619-21 | Taconic CF Sanitary Sys EE131G | 115,858.00 | OGS | NYS OGS project | Juan Aivarenga | 917-731-7023 |
| 0620-06 | Laurel Homes Prefabbs (DB) | 679,019.27 | Georgica Green Ventures, LLC | new construction residential housing | Lisa Kronenberg | 516-470-9106 |
| 0717-33 | Raymour Flan bath reno's B | 137,971.94 | Raymour & Flanigan | renovation exsiting commercial building | Dan Haro | 315-453-2500 |
| 0718-10 | LIRR Facility Improvement A | 116,030.64 | Malcolm Patrick Corp. | LIRR renovation | John Engelhart | 914-633-3755 |
| 0719-28 | Valley Stream CHSD Fountains | 168,868.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| 0815-45 | Snap Contract Glen Oaks "A" | 399,475.27 | Zenith Group | renovation of existing commercial building | Carlo Castronova | 631-369-6601 |
| 0817-06 | Library ejector A | 283,168.85 | Queens Central Library | NYC library reconstruction | William Funk | 718-990-0782 |
| 0817-16 | Bellmore Merrick Various A | 471,482.00 | Johnson Controls, Inc. | school gas conversion | Michael Weason | 914-263-8598 |
| 0818-04 | Farmingdale Schools (A) | 220,630.39 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| 0818-32 | Tumanelli Destist Office | 119,090.30 | Fabrizio Construction | renovation existing commercial space | Michael Fabrizio | 631-789-8562 |
| 0818-66 | Carlton House | 144,627.59 | Renu Restoration | renovation existing commercial space | Michael Donovan | 631-782-1020 |

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| 0819-07 | Woodcrest Apts | 4,729,346.39 | Racanelli Construction | new construction residential housing | Charles Kozikowski | 631-756-0101 |
| 0819-08 | Roofing & Soffit Replacements | 137,402.00 | Town of Hempstead Housing Auth | renovation existing residential public housing | Andrew Museilla | 516-485-9666 |
| 1018-06 | US Coast Guard Station | 192,309.03 | Korman Government Solutions | renovation existing commercial building | Chris DeCarolis | 508-366-7442 |
| 1019-12 | Hicksville Phase 2 Rebid Pool | 475,000.00 | Hicksville UFSD | school renovation | David Bell | 516-733-2180 |
| 1019-33 | Wind Watch Residences | 4,880,940.88 | SLC Commercial Construction | new construction residential housing | Kristy Dickinson | 615-778-1209 |
| 1117-01 | Pool Filters - Various Parks A | 772,684.46 | Town of Oyster Bay DPW | reconstruction public park | Jim Walen | 516-677-5935 |
| 1117-46 | OCEANSIDE UFSD 2016 FEMA A | 123,000.00 | Oceanside UFSD | school renovation | Mark Montemarano | 516-594-2333 |
| 1117-49 | CENTER MORICHES UFSD A | 148,592.00 | Center Moriches UFSD | school renovation | Marylou Lemmen | 631-878-0052 |
| 1119-31 | Chemical Bulk Stge Phase 1B A | 470,774.86 | Town of Hempstead Parks | reconstruction public park | Gerard D'Elia | 516-673-1596 |
| 1216-55 | Marine Terrace LAARS B | 697,807.50 | Zoi Contracting, Inc | NYS OGS | Rosemarie Arbeeny | 718-768-8851 |
| 1217-13 | Rocky Pt Bond Issue Capital A | 199,200.00 | Rocky Point UFSD | school renovation | Laura Hamilton | 631-744-1600 |
| 1217-39 | Food Emporium plumb B | 237,979.00 | Dan's Supreme | renovation existing commercial building | Bob Frunzie | 516-807-1299 |
| 1217-56 | Marine Terrace B | 256,560.00 | AMK Contracting Corp. | renovation existing housing | Manny | 917-337-5237 |
| 1219-28 | South Salem Elementary | 102,000.00 | Pt. Washington UFSD | school renovation | James Ristano | 516-767-5000 |
| A0223-10 | Commack UFSD Phase 4 | 417,900.00 | Commack UFSD | school renovation | Roger Mercer | 631-858-3602 |
| A0321-03 | Hicksville HS Music Suite | 109,275.08 | Hicksville UFSD | school renovation | David Bell | 516-733-2180 |
| A0322-00 | Sachem CSD 21-22 Cap Improveme | 674,739.84 | Sachem Central School District | school renovation | Laura Sager | 631-471-1300 |
| A0322-01 | CSH HS Phase 2A Cap Improvemnt | 1,006,024.00 | Cold Spring Harbor CSD | school renovation | Katie Fina | 631-367-5928 |
| A0323-05 | Newbridge Rd Park Spray Pad | 716,500.00 | Town of Hempstead Parks | reconstruction public park | Gerard D'Elia | 516-673-1596 |
| A0323-06 | JFKHS Pool Filter & Pump Room | 724,025.00 | Plainview-Old Bethpage CSD | school renovation | Kim Parahus | 516-434-3110 |
| A0323-09 | Valley Stream #30 Various ES | 179,700.00 | Valley Stream School Distr #30 | school renovation | Natalie Vargas | 516-872-5682 |
| A0323-10 | TOBHA Plumbing Improvements | 250,193.90 | TOB Housing Authority | renovate public housing | Ethel Wright | 516-349-1000 |
| A0423-02 | Police Headquarters Dual Temp | 651,562.00 | Nassau County Public Works | renovate public building | Michael Puleo | 516-274-8048 |
| A0423-03 | Holtsville Fuel Cell | 133,203.37 | Welsbach Electric Corp of LI | new fuel cell construction | Dan Piquette | 516-454-0023 |
| A0423-04 | East Setauket Fuel Cell | 147,637.16 | Welsbach Electric Corp of LI | new fuel cell construction | Dan Piquette | 516-454-0024 |
| A0423-08 | Renu Amityville Coils MS | 378,868.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A0523-04 | Isolation Valves Mattlin MS | 102,774.84 | Plainview-Old Bethpage CSD | school renovation | Kim Parahus | 516-434-3110 |
| A0620-31 | Newbridge Pool Fixtures A | 151,706.00 | Town of Hempstead | reconstruction public park | Gerard D'Elia | 516-673-1596 |
| A0621-01 | Syosset CSD Multi-Location Gas | 363,574.46 | HVAC Incorp. | school renovation | Lee Morgan | 631-243-3400 |
| A0621-02 | East Hampton HS Gas | 146,979.03 | HVAC Incorp. | school renovation | Lee Morgan | 631-243-3400 |
| A0621-06 | Daly ES Plumbing Re-bid Improv | 644,157.35 | Pt. Washington UFSD | school renovation | James Ristano | 516-767-5000 |
| A0622-02 | West Islip District Cap Improv | 146,161.83 | West Islip Public Schools | school renovation | James Bosse | 631-930-1503 |
| A0622-08 | Renu North Babylon ES Phase 4A | 347,607.73 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A0623-02 | Baldwin Brookside ES Toilet | 110,700.00 | Baldwin UFSD | school renovation | Kathleen Hand | 516-512-8983 |
| A0623-03 | Baldwin Lenox ES Toilet Reno | 188,860.00 | Baldwin UFSD | school renovation | Kathleen Hand | 516-512-8983 |
| A0623-04 | Baldwin Plaza ES Toilet Reno | 155,300.00 | Baldwin UFSD | school renovation | Kathleen Hand | 516-512-8983 |
| A0623-05 | Baldwin High School Toilet Ren | 664,300.00 | Baldwin UFSD | school renovation | Kathleen Hand | 516-512-8983 |
| A0623-06 | Baldwin Steele ES Toilet Reno | 244,700.00 | Baldwin UFSD | school renovation | Kathleen Hand | 516-512-8983 |
| A0623-07 | Baldwin Middle School Toilet R | 365,700.00 | Baldwin UFSD | school renovation | Kathleen Hand | 516-512-8983 |
| A0623-10 | Long Beach CSD HS Bath Upgrade | 400,588.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A0623-14 | Mineola MS Gym Addition | 120,872.00 | Laser Industries, Inc. | school renovation | Anthony Gulino | 631-924-0644 |
| A0720-00 | Locust Valley Locker Room Reno | 214,897.01 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A0721-01 | Washington St ES Plumbing | 113,728.17 | Belfor Long Island, LLC | school renovation | Rebecca Guerin | 631-964-8900 |
| A0721-03 | Commack MS Toilet Renos | 131,757.57 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A0722-00 | East Ramapo SD Sinks | 269,826.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |

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|----------|--------------------------------|--------------|--------------------------------|------------------------------|--------------------|--------------|
| A0723-05 | Cap Improvement Lido MS | 109,500.00 | Long Beach Public Schools | school renovation | Don Kramer | 516-897-2120 |
| A0820-04 | Freeport touchless fixtures | 325,846.57 | Freeport UFSD | school renovation | Kathleen Hand | 516-512-8983 |
| A0820-19 | East Islip District Toilet Ren | 1,434,819.20 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A0822-09 | Spinney Hill Homes Boilers | 230,000.00 | Spinney Hill Homes | renovation public housing | Sean Rainey | 516-627-6433 |
| A0920-06 | MTA Fresh Pond bus depot roof | 131,028.56 | HVAC Incorp. | renovate public building | Lee Morgan | 631-242-3400 |
| A0922-02 | Bristol Warehouse Plumbing | 316,076.56 | Independent General Contract | new construction commercial | Laura Lucente | 631-234-3567 |
| A0922-06 | Baker ES Additions & Alts | 737,500.00 | Great Neck UFSD | school renovation | Alfredo Cavaliaro | 516-441-4044 |
| A0922-07 | Cradle Aviation Heat Repairs | 105,251.31 | Nassau County Public Works | renovate public building | Michael Puleo | 516-274-8048 |
| A0922-15 | Brentwood UFSD Addtl Fountains | 103,872.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A1020-07 | Farmingdale District Toilets | 425,000.00 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A1020-08 | Lido EMS Restrooms Round 4 | 103,780.97 | Town of Hempstead Parks | reconstruction public park | Gerard D'Elia | 516-673-1596 |
| A1021-05 | NCPD Evidence Room Sprinklers | 145,000.00 | Nassau County Public Works | renovate public building | Michael Puleo | 516-274-8048 |
| A1021-09 | Pat Med HS Art & Science Rms | 151,542.40 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A1022-03 | Goose Hill Primary Phase 2 | 140,326.20 | Cold Spring Harbor CSD | school renovation | Katie Fina | 631-367-5928 |
| A1022-10 | East Meadow Schools Gas Projec | 749,084.50 | Johnson Controls, Inc. | school renovation | Michael Weason | 914-263-8598 |
| A1221-03 | Chemical Bulk Phase 3 Upgrades | 493,385.00 | Town of Hempstead Parks | reconstruction public park | Gerard D'Elia | 516-673-1596 |
| A1222-12 | Amityville MS Emerg Freeze Up | 262,626.17 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| A1222-14 | N Bicycle Path School | 102,151.65 | Renu Restoration | school renovation | Michael Donovan | 631-782-1020 |
| B0321-08 | Emblem Health Chiller & Coils | 274,786.13 | Air Comfort | repair commercial | Anthony Spadro | 516-799-2100 |
| B0322-04 | Tanner Park Comm Cntr Boiler | 121,090.00 | Renu Restoration | reconstruction public park | Michael Donovan | 631-782-1020 |
| B0323-07 | Phase 2 Plumbing Repairs S BLD | 474,500.00 | Woodlands Apartment Corp. | renovation existing housing | Courtney Mcdermott | 631-767-2904 |
| B0521-03 | S23 Middle Neck Rd Apts | 580,291.28 | JOBCO | new residential construction | Bob Welner | 516-487-0050 |
| B0571-16 | Waverly Ave Various Plumb Impr | 119,580.00 | 260 Waverly Owners, Inc. | renovation existing housing | Courtney Mcdermott | 631-767-2904 |
| B0720-08 | Brookside Gardens boilers | 115,500.00 | Town of Hempstead Housing Auth | renovation existing housing | Andrew Musella | 516-485-9666 |
| B0721-01 | Woodlands Islip Plumb Improve | 369,170.00 | Woodlands Apartment Corp. | renovation existing housing | Courtney Mcdermott | 631-767-2904 |
| B0821-05 | Nassau Col Repair Dig | 136,724.00 | Nassau Coliseum | renovate public building | Vlto Cobo | 516-744-6289 |
| B0922-09 | Spinney Hill Homes Boiler | 230,000.00 | Spinney Hill Homes | renovation existing housing | Sean Rainey | 516-627-6433 |

#3

266 Bayview Avenue
Massapequa, NY 11758
Phone 516-790-1892

Michael R. Scott

Education:

- 1983 Lynbrook High School, Lynbrook, New York
- 1983-1985 Nassau Community College, East Meadow, New York

Work Experience:

- 2002- Present: Seaford Avenue Corp. Massapequa, NY – Owner/Operator
- 1993- Present: G&M Mechanical Inc., Massapequa, NY – Owner/Operator
- 1989-1993: Industry City Associates – Building Engineer/Mechanical Supervisor
- 1897-1978: JD Mechanical – Mechanic
- 1985-1987: Lakeside Heating – Junior Mechanic
- 1984-1985: Atlantis Heating - Apprentice

#3

2094 Jones Street
Wantagh, NY 11710
Phone: 516-790-1892

George Luksch

Education:

- 1973-1976: Wantagh High School, Wantagh
- 1976-1977: Nassau Community College, East Meadow, New York

Work Experience:

- 2002- Present: Seaford Avenue Corp. Massapequa, NY – Owner/Operator
- 1993- Present: G&M Mechanical Inc., Massapequa, NY – Owner/Operator
- 1981-2001: Long Island Railroad, Jamaica, NY – Plumber's Helper/Plumber
- 1973-1988: B.R. Schwab Plumbing & Heating, Wantagh, NY – Plumber's Helper/Plumber

#4

@ 25 Brooklyn Ave
Massapequa NY.

SEAFORD AVENUE CORP.

EQUIPMENT RATES

| CATEGORY | ITEM | DISPOSABLES | DAILY RATE |
|-------------------------------------|----------------------|-------------|-------------------|
| DEMOLITION | | | |
| | 90LB AIR HAMMER | | \$ 87.50 |
| | 70LB ELECTRIC HAMMER | | \$ 100.00 |
| | 50LB ELECTRIC HAMMER | | \$ 75.00 |
| | CHISEL POINT | \$22.50 | |
| | FLAT POINT | \$22.50 | |
| | SPADE POINT | \$22.50 | |
| | GAS DEMO SAW | | \$ 106.25 |
| | ELECTRIC DEMO SAW | | \$ 81.25 |
| | METAL BLADE | \$25.00 | |
| | CEMENT BLADE | \$195.00 | |
| | WOOD BLADE | \$25.00 | |
| | WALK BEHIND SAW | | \$ 250.00 |
| | CONCRETE BLADE | | \$ 406.25 |
| | ASPHALT BLADE | | \$ 406.25 |
| | OXY/ACT TORCH RIG | | \$ 156.25 |
| | GAS REFILL | \$81.25 | |
| | GAS POWER BROOM | | \$ 106.25 |
| | | | |
| WHEELED EQUIP & VEHICLES | | | |
| | LG. PICK UP TRUCK | | \$ 175.00 |
| | SM. PICK UP TRUCK | | \$ 175.00 |
| | VAN | | \$ 175.00 |
| | BOX TRUCK | | \$ 187.50 |
| | UTILITY TRAILER | | \$ 125.00 |
| | EQUIPMENT TRAILER | | \$ 156.25 |
| | BOBCAT | | \$ 318.75 |
| | CAT 304 CR EXCAVATOR | | \$ 625.00 |
| | MAN LIFT | | \$ 375.00 |
| | FORK LIFT | | \$ 287.50 |
| | EXTENSION LADDER | | \$ 62.50 |
| | DUMP TRUCK | | \$ 526.25 |
| | NUMATIC COMPRESSOR | | \$ 137.50 Per Day |
| SMALL MISC EQUIPMENT | | | |
| | 800 KW GENERATOR | | \$ 500.00 |
| | 500 KW GENERATOR | | \$ 375.00 |
| | ROUSTABOUT CRANE | | \$ 125.00 |
| | PAINT SPRAYER | | \$ 143.75 |
| | DUCT LIFT | | \$ 125.00 |
| | CORE DRILL RIG | | \$ 150.00 |
| | BIT CHARGE | | \$ 93.75 |
| | HAMMER DRILL | | \$ 81.25 |
| | PLATE TAMPER | | \$ 87.50 |
| | JUMPING JACK TAMPER | | \$ 68.78 |
| | POWER WASHER | | \$ 81.25 |

SEAFORD AVENUE CORP.

EQUIPMENT RATES

| | | | | |
|----------------------------|------------------------|--|-----------|-----------------------------|
| | GAS TRASH PUMP | | \$ 175.00 | |
| | ELECTRIC SUMP PUMP | | \$ 62.50 | |
| | MANHOLE VENTILATOR | | \$ 325.00 | |
| | ATMOSPHERE TEST | | \$ 125.00 | |
| | PROPANE SPACE HEATER | | \$ 37.50 | |
| | KEROSENE SPACE HEATER | | \$ 62.50 | |
| | 100 FT TEMP. FENCING | | \$ 125.00 | PER DAY |
| | CONFINED SPACE EQUIP. | | \$ 187.50 | |
| | SHOP VAC | | \$ 62.50 | PER DAY |
| SEWER AND DRAIN | | | | |
| | SPARTAN ELEC. SNAKE | | \$ 156.25 | *2 HRS. \$65 EACH HR AFTER |
| | ADDITIONAL DRUMS | | \$ 93.75 | |
| | VIDEO INSPECT. CAMERA | | \$ 562.50 | *2 HRS. \$200 EACH HR AFTER |
| | LOCATING DEVICE | | \$ 187.50 | *2 HRS. \$85 EACH HR AFTER |
| | K40 SNAKE/K30 | | \$ 93.75 | |
| | SPARTAN JETTING MACH. | | \$ 812.50 | *200 PER EACH HOUR AFTER |
| | THAWING MACHINE | | \$ 187.50 | |
| PIPING/ FABRICATING | | | | |
| | SODDER | | \$ 50.00 | |
| | ACT TORCH & TANK | | \$ 93.75 | |
| | POLY PIPE FUSION | | \$ 287.50 | |
| | COPPER CRIMPING TOOL | | \$ 250.00 | |
| | RIGID 300 PIPE MACHINE | | \$ 375.00 | |
| | RIGID 700 PIPE MACHINE | | \$ 187.50 | |
| | RIGID FLOOR CUTTER | | \$ 375.00 | |
| | RIGID DONKEY THREADED | | \$ 375.00 | |
| | ROLL GROOVER | | \$ 375.00 | |
| | INPLACE GROOVER | | \$ 375.00 | |
| | ELECTRIC WELD MACHINE | | \$ 218.75 | |
| | GAS WELDING MACHINE | | \$ 218.75 | |
| | SF2500 PIPE FREEZE | | \$ 750.00 | |
| | PRIVATE MARK-OUT | | \$ 625.00 | *1/2 DAY |
| | PROGRESS TOOL | | \$ 137.50 | |
| RIGGING EQUIPMENT | | | | |
| | ALUMINUM GANTRIES | | \$ 625.00 | |
| | TRENCH BOX | | \$ 168.75 | |

#5

To whom it may concern,

I have overseen and assisted in the maintenance and repair of waste piping, water distribution lines/systems, industrial water drainage, sanitary drainage, chemical waste drainage, drainage venting, medical gas piping, swimming pool piping systems, water wells, industrial gas piping, industrial vacuum piping, sewage disposal systems, steam distributions, and more in major new construction projects, renovations, and repairs. Projects include schools, libraries, park production facilities, medical offices, County and State prisons, arenas, and hospitals.

I have also overseen and assisted in the installation of waste piping, water distribution lines and systems, sanitary drains, and drainage venting in major new construction projects that include hotels, schools, multifamily buildings, and commercial spaces.

Below is a list of a handful of projects that I have been directly involved with during the past 4 years that correlate to the job experience –

- 1) **Windwatch Apartments** – Construction of (150 unit) apartment complex (new construction). Piping large scale waste, water, gas and storm. Pool specialty equipment, commercial area drains, service mains and finish fit-out work. Multi-building with connected parking garage.
- 2) **Woodcrest Apartments** - Construction of (200+ unit) apartment complex (new construction). Piping large scale waste, water, gas and storm. Specialty equipment, commercial area drains, service mains and finish fit-out work.
- 3) **Homeward Suites Hotel** - New ground up, 190 room hotel. Project includes installation of new water mains from street, waste, water and vent piping to all rooms as well as to public areas, gas piping to commercial kitchen and water heaters, the installation of fixtures throughout building and commission building for opening.
- 4) **Cold Spring Harbor Capital Improvements Program** - Science and biology room (ground up) extensions. Includes supply and install of specialty acid waste piping, plumbing fixtures, fire suppression systems, various piping types, and specialty equipment. Strict school district building requirements and documentation.
- 5) **Department of Public Works Nassau County NY** - Requires Plumber for ALL County Buildings and Facilities - Respond to calls for emergency repairs as well as major renovations. Projects include water main installations and repairs, installation of sub surface gas piping, installation of correctional grade plumbing fixtures, installation of boilers and hot water heaters and repair of building piping systems as required.
- 6) **Police Headquarters Dual Temp** - Police (Nassau County) Headquarters renovation including environmental remediation, replacement of large diameter copper mains and isolation valves, Requiring stringent site protection procedures, worker entry procedures and quality control.

- 7) **Service Plumbing-** Supervise and assist the dispatch and operation of service and repair technicians for on call daily operation. Coordinated scheduling and purchasing as required to maintain large customer base, commercially and residentially. Providing services such as drain cleaning and inspection, repairs leaks on gas, water, fuel oil, heating and drainage piping, and more.
- 8) **Town of Oyster Bay Public Pools-** Install new multi stage pool filtering system to service large public swimming pool facilities. Projects include removal of all existing filter room equipment and piping. Install new pumps, filters, chlorine systems and associated piping for 5 complexes. Commissioned equipment and obtained dept. of health approval for operation.
- 9) **Small to Mid-size Commercial Installations** - Install and complete new plumbing systems for national chain food and other service providers (Starbucks, Bar Louie, Raymour & Flanigan, etc.). Install new plumbing as required and specified to include water, waste, vent and gas. Install underground waste/water, RPZ work, water/sanitary, fixture installation, hose bibs, gas piping, etc.
- 10) **Small Multifamily and Single Family Housing** - Install complete new plumbing systems as designed. Projects include complete systems from water main connection, all Interior piping for waste, water, vent, sewer and gas.

All Projects Include:

- Estimating materials and labor
- Contracting negotiations and signing
- Coordinating with other trades and architects
- Obtaining and managing required plumbing permits and inspections
- Managing invoicing and costs
- Providing required insurances and bonding
- Close out and final approvals

If additional information is required, please let me know and I will supply anything you require.

Thank you,



Michael Scott, President

NO TEXT ON THIS PAGE

**SEAFORD AVENUE CORP. &
G & M MECHANICAL, INC.**

**Financial Statements and Supplementary Schedules
for the Years Ended December 31, 2022 and 2021**

**SEAFORD AVENUE CORP. &
G & M MECHANICAL, INC.**

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Giannakopoulos & Giannakopoulos, CPAs, PLLC

Accounting · Auditing · Tax · Consulting

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Independent Accountants' Review Report

To the Shareholders of

Seaford Avenue Corp. & G & M Mechanical, Inc.

Massapequa, NY

We have reviewed the accompanying combined financial statements of Seaford Avenue Corp. & G & M Mechanical, Inc., which comprise the balance sheets as of December 31, 2022 and 2021, and the related statements of operations, retained earnings, and cash flows for the years then ended and the related notes to the financial statements. A review includes primarily applying analytical procedures to management's financial data and making inquiries of company management. A review is substantially less in scope than an audit, the objective of which is the expression of an opinion regarding the financial statements as a whole. Accordingly, we do not express such an opinion.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal controls relevant to the preparation and fair presentation of the financial statements that are free of material misstatements whether due to fraud or error.

Accountants' Responsibility

Our responsibility is to conduct the review engagements in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. Those Standards require us to perform procedures to obtain limited assurance. As a basis of reporting whether we are aware of any material modifications that should be made to the financial statements for them to be in accordance with accounting principles generally accepted in the United States of America, we believe that the results of our procedures provide a reasonable basis for our conclusion.

We are required to be independent of Seaford Avenue Corp. & G & M Mechanical, Inc. and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our review.

Accountants' Conclusion

Based on our reviews, we are not aware of any material modifications that should be made to the accompanying financial statements in order for them to be in accordance with accounting principles generally accepted in the United States of America.

Supplementary Information

The supplementary information included in Schedules 1-4 is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The supplemental information has been subjected to the review procedures applied in the review of the basic financial statements. We are not aware of any material modifications that should be made to the supplementing information. We have not audited the supplementing information and do not express an opinion on such information.

Giannakopoulos & Giannakopoulos, CPAs

Giannakopoulos & Giannakopoulos, CPAs

Astoria, NY

October 12, 2023

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Combined Balance Sheets
At December 31, 2022 and 2021

EXHIBIT "A"

| | DECEMBER 31, | |
|--|---------------------|---------------------|
| | 2022 | 2021 |
| CURRENT ASSETS | | |
| Cash | \$ 213,199 | \$ 222,560 |
| Contracts Receivable (Schedule 4) | 3,830,880 | 3,106,382 |
| Retainage Receivable (Schedule 4) | 577,118 | 683,881 |
| Costs and Estimated Earnings in Excess of Billings (Schedule 3) | 198,493 | 199,400 |
| Income Tax Benefit | - | 7,923 |
| TOTAL CURRENT ASSETS | 4,819,690 | 4,220,146 |
| FIXED ASSETS (Note 1) | | |
| Machinery & Equipment | 410,257 | 410,257 |
| Vehicles | 210,618 | 210,618 |
| TOTAL COST OF FIXED ASSETS | 620,875 | 620,875 |
| Less: Accumulated Depreciation | (450,400) | (409,045) |
| TOTAL FIXED ASSETS | 170,475 | 211,830 |
| OTHER ASSETS | | |
| Security Deposit | 7,500 | 7,500 |
| Loan to Officers (Note 10) | - | 400,000 |
| TOTAL OTHER ASSETS | 7,500 | 407,500 |
| TOTAL ASSETS | \$ 4,997,665 | \$ 4,839,476 |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Combined Balance Sheets
At December 31, 2022 and 2021

EXHIBIT "A"

LIABILITIES AND SHAREHOLDERS' EQUITY

| LIABILITIES | DECEMBER 31, | |
|--|--------------|--------------|
| | 2022 | 2021 |
| CURRENT LIABILITIES | | |
| Accounts Payable | \$ 978,215 | \$ 1,125,121 |
| Accrued Expenses | 35,124 | 31,961 |
| Revolving Line of Credit (Note 3) | 640,000 | 640,000 |
| Notes Payable - Current Portion (Note 6) | 37,761 | 35,521 |
| Income Taxes Payable - Current (Note 2) | 75 | 75 |
| | 1,691,175 | 1,832,678 |
| TOTAL CURRENT LIABILITIES | | |
| LONG TERM LIABILITIES | | |
| Notes Payable (Note 6) | 428,154 | 173,794 |
| Deferred Income Taxes Payable (Note 2) | 133,486 | 179,652 |
| | 561,640 | 353,446 |
| TOTAL LONG TERM LIABILITIES | | |
| TOTAL LIABILITIES | 2,252,815 | 2,186,124 |
| SHAREHOLDERS' EQUITY | | |
| Common Stock - 200 Shares Authorized, 100 Shares Issued and Outstanding | 12,000 | 12,000 |
| Retained Earnings | 2,732,850 | 2,641,352 |
| | 2,744,850 | 2,653,352 |
| TOTAL SHAREHOLDERS' EQUITY | | |
| TOTAL LIABILITIES AND SHAREHOLDERS' EQUITY | \$ 4,997,665 | \$ 4,839,476 |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Combined Statements of Operations For the Years Ended December 31, 2022 and 2021

EXHIBIT "B"

| | DECEMBER 31, | |
|---|-------------------|-------------------|
| | 2022 | 2021 |
| CONTRACT REVENUES | | |
| Revenues From Contracts | \$ 22,518,275 | \$ 22,044,955 |
| CONTRACT COSTS | | |
| Labor | 9,091,071 | 8,303,484 |
| Union Benefits | 3,302,438 | 3,240,918 |
| Materials | 5,676,120 | 5,640,064 |
| Equipment Rental | 174,944 | 93,245 |
| Demolition Expense | - | - |
| Licenses & Permits | 14,070 | 15,444 |
| Subcontracting | 435,626 | 1,501,564 |
| Small Tools & Equipment | 260,933 | 191,892 |
| Indirect Costs | 966,825 | 725,377 |
| TOTAL CONTRACT COSTS | <u>19,922,027</u> | <u>19,711,988</u> |
| GROSS PROFIT | 2,596,248 | 2,332,967 |
| OPERATING EXPENSES | | |
| Auto Expense | 52,430 | 14,573 |
| Bad Debt Expense | 12,690 | - |
| Bank Fees | 3,350 | 4,287 |
| Contributions & Donations | - | 1,225 |
| Depreciation Expense | 41,355 | 19,949 |
| Dues & Subscriptions | 345 | 505 |
| Employee Benefits | 75,475 | 83,651 |
| Freight & Delivery | 5,348 | 4,803 |
| Insurance | 576,051 | 457,884 |
| Miscellaneous | 19,467 | 18,204 |
| Office Expense | 123,114 | 97,292 |
| Office Salaries | 459,074 | 417,949 |
| Officer Salaries | 373,508 | 441,120 |
| Payroll Taxes | 31,874 | 74,161 |
| Professional Fees | 89,270 | 63,423 |
| Repairs & Maintenance | 6,881 | 11,036 |
| Rent Expense | 118,500 | 206,779 |
| Telephone | 44,800 | 49,824 |
| Utilities | 32,749 | 38,558 |
| TOTAL OPERATING EXPENSES | <u>2,066,281</u> | <u>2,005,223</u> |
| OTHER INCOME / (EXPENSES) | | |
| Interest Expense | (27,788) | (19,307) |
| SBA PPP Grants (Note 13) | - | 298,752 |
| TOTAL OTHER INCOME /(EXPENSES) | <u>(27,788)</u> | <u>279,445</u> |
| NET INCOME BEFORE PROVISION FOR INCOME TAX | \$ 502,179 | \$ 607,189 |
| Less: Provision for Income Tax (Note 2) | (104,496) | (72,602) |
| NET INCOME | <u>\$ 397,683</u> | <u>\$ 534,587</u> |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

**Combined Statements of Retained Earnings
For the Years Ended December 31, 2022 and 2021**

EXHIBIT "C"

| | | |
|--|-----------|------------------|
| RETAINED EARNINGS - 12/31/20 | \$ | 2,106,765 |
| Net Income - Exhibit B | | 534,587 |
| Shareholders' Distributions / Dividends | | - |
| RETAINED EARNINGS - 12/31/21 | \$ | 2,641,352 |
| Net Income - Exhibit B | | 397,683 |
| Shareholders' Distributions / Dividends | | (306,185) |
| RETAINED EARNINGS - 12/31/22 | \$ | 2,732,850 |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Combined Statements of Cash Flows For the Years Ended December 31, 2022 and 2021

EXHIBIT "D"

| | DECEMBER 31, | |
|---|--------------|--------------|
| | 2022 | 2021 |
| CASH FLOWS FROM OPERATING ACTIVITIES: | | |
| Net Income | \$ 397,683 | \$ 534,587 |
| Adjustments to reconcile net income to net cash provided by operating activities: | | |
| Depreciation Expense | 41,355 | 19,949 |
| (Increase) / Decrease in Accounts Receivable | (724,498) | 358,211 |
| (Increase) / Decrease in Retainage Receivable | 106,763 | (248,614) |
| (Increase) / Decrease in Costs and Estimated Earnings in Excess of Billings | 907 | (67,161) |
| (Increase) / Decrease in Income Tax Benefit | 7,923 | 18,108 |
| Increase / (Decrease) in Accounts Payable | (146,906) | (438,005) |
| Increase / (Decrease) in Accrued Expenses | 3,163 | 3,147 |
| Increase / (Decrease) in Revolving Line of Credit | - | 180,000 |
| Increase / (Decrease) in Current Income Taxes Payable | - | (225) |
| Increase / (Decrease) in Deferred Income Taxes Payable | (46,166) | 149,527 |
| | \$ (359,776) | \$ 509,524 |
| CASH FLOWS FROM INVESTING ACTIVITIES: | | |
| | - | - |
| Net Cash Provided By / (Used In) Investing Activities | \$ - | \$ - |
| CASH FLOWS FROM FINANCING ACTIVITIES: | | |
| Payments on Long Term Debt | 256,600 | (40,686) |
| Proceeds From Loan to Officers | 400,000 | - |
| Proceeds From SBA PPP Loan | - | (298,752) |
| Distributions / Dividends to Shareholders | (306,185) | - |
| | \$ 350,415 | \$ (339,438) |
| Net Cash Provided By / (Used In) Financing Activities | | |
| NET INCREASE / (DECREASE) IN CASH | \$ (9,361) | \$ 170,086 |
| CASH, Beginning of Year | \$ 222,560 | \$ 52,473 |
| CASH, End of Year | \$ 213,199 | \$ 222,560 |

Supplementary Cash Flow Information

| | | |
|------------------------|----|--------|
| Cash Paid For Interest | \$ | 27,788 |
| Cash Paid For Taxes | \$ | 9,795 |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Notes to Combined Financial Statements
For the Years Ended December 31, 2022 and 2021

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Nature of Operations

Seaford Avenue Corp., (the "Company"), was formed on January 1, 2003 under the laws of the State of New York. The Company is principally engaged in the commercial and industrial construction industry. The work is performed under fixed-price contracts modified by incentive provisions. All projects are located in the Northeast Region. The Company follows the practice of filing statutory liens on all construction projects where collection problems are anticipated. The liens serve as collateral contracts receivable.

G & M Mechanical, Inc., (the "Company"), was formed on October 1, 1994 under the laws of the State of New York. The Company is also principally engaged in the commercial and industrial construction industry.

Basis of Accounting

The books and records of the Company are maintained on the accrual basis in accordance with accounting principles generally accepted in the United States of America.

Revenue Recognition

The Company adopted Financial Accounting Standards Board (FASB) Accounting Standards Update (ASU) No. 2014-09, Revenues from Contracts with Customers (Topic 606), effective January 2020. Topic 606 was adopted on a modified retrospective basis, and the Company determined that there was no cumulative effect to retained earnings as of January 1, 2020 that was required to be disclosed as a result of adopting the standard.

The Company enters into various types of long-term contracts of which revenue may be based on either a fixed-price, time and materials, guaranteed maximum price, or cost-plus-fee basis. Contracts are satisfied over time as the Company transfers control of the buildings over the duration of the contracts. The Company doesn't sell any other goods or services.

Revenue is recognized as the contract is satisfied based on costs incurred and estimated total contract costs using the percentage of completion method, in which significant judgement is required to evaluate assumptions, including the amount of net contract revenues and the total estimated costs to determine progress toward contract completion and to calculate the corresponding amount of revenue to recognize. Monthly progress payments are due when the contract is being satisfied based on these costs. Payments are generally due within 30 days or service fees may be assessed. At any time, the customer has the right to make changes to the contract known as change orders; change orders are still within the scope of the original contract and as such do not create an additional contract. The Company adjusts the overall contract price and revenue to be recognized when change orders are issued. If a customer decides to terminate a contract, the Company is entitled to receive compensation for all costs incurred on the project through the date of termination.

Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash in banks and all higher liquid investments with maturity of three months or less at the time of purchase. The Company maintains its cash balances at a financial institution located in New York State. Accounts at the institution are insured by the FDIC up to \$250,000 and is subject to the corresponding credit risk when balances exceed the insured amount, which is mitigated by the high credit of that financial institution.

Property and Equipment

Property and equipment are recorded at cost. Depreciation is provided using the straight-line methods over the estimated useful lives of the respective assets as follows:

| | |
|-----------------------|--------------|
| Machinery & Equipment | 3 - 10 years |
| Vehicles | 5 - 7 years |

Maintenance and repairs are charged to expense as incurred; major renewals and betterments are capitalized. When items of property and equipment are sold or retired, the related cost and accumulated depreciation are removed from the accounts and any resulting gain or loss is included in the results of operations.

Depreciation expense for 2022 and 2021 is \$41,355 and \$19,949, respectively.

See independent accountants' review report

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (cont'd)

Accounts Receivable

Accounts receivable is recorded at the amount management expects to collect. Management believes no allowance is necessary. If deemed uncollectible, the account is written off. Although the direct write off method is not GAAP, management believes it does not result in a material difference.

Use of Accounting Estimates

The preparation of the financial statements in conformity with U.S generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Income Taxes

Seaford Ave Corp. recognizes income on its construction contracts for income tax purposes using the accrual method of accounting. Income taxes are accrued for federal, New York State and New York City corporation tax liabilities. Deferred federal, New York State and New York City corporation taxes are provided for timing differences in reporting income for financial statement and tax purposes arising from temporary differences in the methods of accounting for long-term construction contracts.

G & M Mechanical, Inc. recognizes income on its construction contracts for income tax purposes using the accrual method of accounting. Income taxes are accrued for Federal, New York State and New York City corporation tax liabilities. Deferred federal, New York State and New York City corporation taxes are provided for timing differences in reporting income for financial statement and tax purposes arising from temporary differences in the methods of accounting for long-term construction contracts.

Concentration of Credit Risk

The Company performs work on contracts awarded by various governmental agencies and private owners. Revenue from these contracts equals 10 percent or more of the Company's revenues.

2. INCOME TAXES

The current income taxes payable consist of the minimum amount due to NY State and the liability to the City of New York. The latter imposes an entity level tax on S corporations and thus corporate income taxes are calculated based on a formula. The deferred tax liability represents the tax effect of timing differences that arise from computing contract revenues between the percentage of completion method used for financial reporting and the accrual method used for tax reporting.

| | <u>Current</u> | <u>Deferred</u> | <u>Total</u> |
|--------------------------|----------------|-------------------|-------------------|
| Federal | - | 101,935 | 101,935 |
| New York State | - | 31,551 | 31,551 |
| New York City | 25 | - | 25 |
| Total Income Tax Expense | <u>\$ 25</u> | <u>\$ 133,486</u> | <u>\$ 133,511</u> |

3. REVOLVING LINES OF CREDIT

The Company has a revolving line of credit facility with Empire National Bank of \$985,000 at prime plus 1.50%. There is an outstanding balance of \$640,000 and \$640,000 at December 31, 2022 and 2021, respectively.

4. LEASE OBLIGATIONS

Capital Leases:

The Company has acquired certain machinery & equipment, and vehicles are under lease agreements that classify as capitalized leases. They are reported under Fixed Assets on the Balance Sheet and are depreciated accordingly as of December 31, 2022 and 2021:

| | <u>2022</u> | <u>2021</u> |
|---------------------------|-------------|-----------------|
| Machinery & Equipment | 55,051 | 55,051 |
| Vehicles | 29,448 | 29,448 |
| Less: Accum. Depreciation | (84,499) | (79,442) |
| | <u>\$ -</u> | <u>\$ 5,057</u> |

See independent accountants' review report

4. LEASE OBLIGATIONS (Cont'd)

Management has adopted ASU 2016-02 and its update, ASU 2018-02, as of January 1, 2022. However, the Company does not currently have any leases that would fall under the rules of ASU 2016-02 for capitalization of such leases, as they all are twelve months or less in duration.

The Company leases office and yard space from a related party, 21 Brooklyn Avenue Corp., for a monthly rent of \$6,000 plus real estate taxes, insurance and maintenance expenses. The Company pays rent on a month-to-month basis. Total rent paid for the years ended December 31, 2022 and 2021 was \$86,000 and \$86,000, respectively.

5. COSTS AND ESTIMATED EARNINGS IN EXCESS OF BILLINGS

The following summarizes cost and estimated earnings on uncompleted contracts as of December 31, 2022 and 2021:

| | <u>2022</u> | <u>2021</u> |
|---|-------------------|-------------------|
| Costs Incurred on Uncompleted Contracts | \$ 6,282,420 | \$ 8,157,623 |
| Estimated Earnings | 687,800 | 1,056,986 |
| | <u>6,970,220</u> | <u>9,214,609</u> |
| Billings to Date | (6,771,727) | (9,015,208) |
| | <u>\$ 198,493</u> | <u>\$ 199,401</u> |

Included in the accompanying balance sheet under the captions:

| | | |
|--|-------------------|-------------------|
| Costs and Estimated Earnings in Excess of Billings on Uncompleted Contracts | \$ 198,493 | \$ 199,401 |
| Billings in Excess of Costs and Estimated Earnings on Uncompleted Contracts | - | - |
| | <u>\$ 198,493</u> | <u>\$ 199,401</u> |

6. NOTES PAYABLE

The Company has the following notes payable for the years ended December 31, 2022 and 2021:

| | <u>2022</u> | <u>2021</u> |
|---|-------------------|-------------------|
| Note payable in monthly installments of \$1,001.00 at 3.99% per annum through December 2023, secured by a Tesla Model 3 | 12,818 | 25,144 |
| Note payable in monthly installments of \$1,091.78 at 3.99% per annum through December 2023, secured by a Tesla Model 3 | 12,926 | 25,146 |
| Note payable in monthly installments of \$556.38 at 12.20% per annum through April 2023, secured by a 2017 Ford 250 Truck | 2,171 | 9,025 |
| Note payable in monthly installments of \$731.00 at 3.50% per annum through June 2051, secured by the Company's assets | <u>438,000</u> | <u>150,000</u> |
| TOTAL NOTES PAYABLE | <u>\$ 465,915</u> | <u>\$ 209,315</u> |

The Company's principal payments for the next five years are as follows:

| | |
|------------|-------------------|
| 2023 | \$ 37,761 |
| 2024 | 13,994 |
| 2025 | 14,518 |
| 2026 | 14,922 |
| 2027 | 15,343 |
| Thereafter | <u>369,377</u> |
| | <u>\$ 465,915</u> |

See independent accountants' review report

7. CONTINGENCIES

The Company is contingently liable to a surety under a general indemnity agreement. The Company agrees to indemnify the surety for any payments made on contracts of suretyship, guaranty, or indemnity. The Company believes that all contingent liabilities will be satisfied by their performance on the specific bonded contracts involved.

Contingencies also include the usual obligation of contractors for performance and completion of construction contracts. The outstanding bonds are collateralized by contracts receivable and are personally guaranteed by the shareholder. The Company's bonding capacity varies every year based on total volume of signed contracts and annual profitability.

8. VARIABLE INTEREST ENTITIES

Accounting principles generally accepted in the United States of America require the consolidation of certain variable interest entities. A variable interest entity is generally any legal entity that conducts activities, which among other criteria, does not have sufficient amounts of equity to conduct its daily principal activities without acquiring additional financial support.

The Company has identified its related parties through common ownership, G & M Mechanical, Inc. as such variable interest entities. Subcontracting expenses paid to G & M in 2022 and 2021 amount to \$1,918,108 and \$467,417.

The Company leases office and yard space from a related party, 25 Brooklyn Avenue Corp., for a monthly rent of \$6,000 plus real estate taxes, insurance and maintenance expenses. The Company pays rent on a month-to-month basis. Total rent paid for the years ended December 31, 2022 and 2021 was \$118,500 and \$86,000. (see Note 4).

9. MULTIEMPLOYER PENSION PLANS

For union employees, the Company contributes to multiemployer pension plans jointly administered by industry and union representatives. The risk of participating in U.S. multiemployer pension plans is different from single-employer pension plans in the following aspects:

- Assets contributed to the multiemployer plan by one employer may be used to provide benefits of employment to other participating employers
- If a participating employer stops contributing to the plan, the unfunded obligations of the plan may be borne by the remaining participating employers
- If the Company stops participating in some of its multiemployer pension plans, it may be required to pay those plans an amount based on the underfunded status of the entire plan

The Company's participation in these plans for the years ended December 31, 2022 and 2021 is outlined in the following table. All information in the table is as of December 31 of the relevant year unless otherwise noted. The Plan Protection Act ("PPA") zone status column ranks the funded status of multiemployer pension plans depending upon a plan's current and projected funding. The zone status is based on information that the Company received from the plan. Among other factors, the plan is in the Red Zone (Critical) if it has a current funded percentage less than 65%. A plan is in the Yellow Zone (Endangered) or Orange Zone (Seriously Endangered) if it has a current funded percentage of less than 80%, or projects a credit balance deficit within seven years. A plan is in the Green Zone (Healthy) if it has a current funded percentage greater than 80% and does not have a projected credit balance deficit within seven years. The Funding Improvement Plan ("FIP") / Rehabilitation Plan ("RP") status column indicates plans for which a FIP or RP is either pending or implemented.

The following table contains information about the Company's multiemployer pension plans for the years ended December 31, 2022 and 2021:

| Plan Name | EIN# - Plan # | PPA Status | | FIP / RP Status | Company Contributions | | Expiration Dates of Collective Bargaining Agreements | Company Contributions > 5% | |
|--|---------------|------------|-------|-----------------------|-----------------------|-----------|--|----------------------------|------|
| | | 2022 | 2021 | | 2022 | 2021 | | 2022 | 2021 |
| Plumbers Local Union No. 200 | 11-3125387 | 2022 | 2021 | Pending / Implemented | 2022 | 2021 | 4/30/2024 | 2022 | 2021 |
| | | Green | Green | N/A | \$82,898 | \$866,451 | | No | No |
| Total Contributions to Multiemployer Pension Plans | | | | | \$882,898 | \$866,451 | | | |

10. LOAN TO OFFICERS

The Company had advanced to its officers an amount of \$400,000 for the purchase and renovation of its current offices located at 25 Brooklyn Ave., Massapequa, NY. The loan was interest bearing at an annual rate of 3% for a term of 10 years. Repayment of the loan was made in 2022.

11. SCHEDULE OF CONTRACT BACKLOG

The following schedule shows a reconciliation of backlog of signed contracts in existence at December 31, 2022 and 2021:

| | <u>2022</u> | <u>2021</u> |
|-------------------------------|---------------------|---------------------|
| At January 1, | \$ 4,459,598 | \$ 8,925,519 |
| New Contracts | 23,461,094 | 17,579,034 |
| | <u>27,920,692</u> | <u>26,504,553</u> |
| Less: Contract Revenue Earned | (22,518,275) | (22,044,955) |
| Balance, December 31, | <u>\$ 5,402,417</u> | <u>\$ 4,459,598</u> |

In addition, between January 1, 2023 and October 12, 2023, the date these financial statements were available to be issued, the Company entered into additional construction contracts in excess of \$10,800,000.

12. CONTRACTS RECEIVABLE

Contracts receivable at December 31, 2022 and 2021 consists of the following:

| Contracts Receivable | <u>2022</u> | <u>2021</u> |
|-----------------------|---------------------|---------------------|
| Billed | | |
| Completed Contracts | \$ 2,655,884 | \$ 2,055,010 |
| Uncompleted Contracts | 1,174,996 | 1,051,372 |
| Retainage | 577,118 | 683,881 |
| Unbilled | | |
| Completed Contracts | - | - |
| | <u>\$ 4,407,998</u> | <u>\$ 3,790,263</u> |

An allowance for doubtful accounts is not considered necessary because all are deemed collectible within one year.

13. PPP AND EIDL FEDERAL GRANTS

In March 2020, G&M Mechanical, Inc. applied for the SBA Paycheck Protection Program Loan and received an amount of \$298,752 on April 30th of the same year. The Company submitted the Forgiveness Application for the entire amount of the PPP Loan and received approval of forgiveness of the loan amount in 2021. The Company has elected to adopt IAS 20 regulation, under which, any governmental loans that are forgiven should be considered as grants and should be reported on the financial statements as Other Income; they cannot be reported as Revenues (see Exhibit B on pg. 4) and they are tax-free grants.

14. SUBSEQUENT EVENTS

The Company has evaluated subsequent events and transactions for potential recognition and/or disclosure in the financial statements through October 12, 2023, the date the financial statements were available for issuance. No subsequent events require recognition or disclosure in the financial statements.

See independent accountants' review report

SUPPLEMENTARY SCHEDULES

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Schedule of Construction Contracts

For the Year Ended December 31, 2022

SCHEDULE 1

| | <u>REVENUE EARNED</u> | <u>COST OF CONSTRUCTION</u> | <u>GROSS PROFIT</u> |
|--|-----------------------------|---------------------------------|----------------------------|
| Contracts Completed During the Year (Schedule 2) | \$ 18,524,006 | \$ 16,296,033 | \$ 2,227,973 |
| Contracts in Progress (Schedule 3) | <u>3,994,269</u> | <u>3,625,995</u> | <u>368,274</u> |
| <u>TOTALS</u> | <u>\$ 22,518,275</u> | <u>\$ 19,922,028</u> | <u>\$ 2,596,247</u> |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Schedule of Contracts Completed

For the Year Ended December 31, 2022

SCHEDULE 2

| <u>CONTRACT DESCRIPTION</u> | <u>CONTRACT TOTALS</u> | | | <u>PRIOR TO JANUARY 1, 2022</u> | | | <u>YEAR ENDED DECEMBER 31, 2022</u> | | |
|-----------------------------|------------------------|-----------------------------|---------------------|---------------------------------|---------------------|---------------------|-------------------------------------|----------------------|---------------------|
| | <u>TOTAL CONTRACT</u> | <u>COST OF CONSTRUCTION</u> | <u>GROSS PROFIT</u> | <u>EARNED</u> | <u>COST</u> | <u>GROSS PROFIT</u> | <u>EARNED</u> | <u>COST</u> | <u>GROSS PROFIT</u> |
| Woodcrest Apts | \$ 4,731,917 | \$ 4,283,064 | \$ 448,853 | \$ 4,550,685 | \$ 4,117,914 | \$ 432,770 | \$ 181,232 | \$ 165,150 | \$ 16,083 |
| Hicksville Pool Phase II | 475,000 | 402,386 | 72,614 | 312,360 | 263,351 | 49,009 | 162,640 | 139,035 | 23,605 |
| Woodlands Islip Impr. | 369,170 | 305,188 | 63,982 | 281,123 | 227,974 | 53,149 | 88,047 | 77,214 | 10,833 |
| Emblem Health Chiller | 274,786 | 230,664 | 44,122 | 209,801 | 175,415 | 34,386 | 64,985 | 55,249 | 9,736 |
| Fishkill CF | 46,606 | 39,029 | 7,577 | 46,606 | 39,029 | 7,577 | - | - | - |
| West Islip SD | 146,162 | 118,931 | 27,231 | - | - | - | 146,162 | 118,931 | 27,231 |
| Syosset CSD | 363,574 | 287,453 | 76,121 | 348,195 | 275,701 | 72,494 | 15,379 | 11,752 | 3,627 |
| Starlight Pack Comfort | 205,141 | 171,225 | 33,916 | 91,082 | 72,893 | 18,189 | 114,059 | 98,332 | 15,727 |
| 523 Middle Neck Rd Apt. | 580,291 | 483,362 | 96,929 | 129,797 | 107,070 | 22,727 | 450,494 | 376,292 | 74,202 |
| North Babylon ES Phase IV | 347,608 | 296,835 | 50,773 | - | - | - | 347,608 | 296,835 | 50,773 |
| Small Jobs <\$200,000 | <u>17,222,408</u> | <u>15,162,265</u> | <u>2,060,143</u> | <u>269,008</u> | <u>205,023</u> | <u>63,985</u> | <u>16,953,400</u> | <u>14,957,242</u> | <u>1,996,158</u> |
| TOTAL | <u>\$ 24,762,663</u> | <u>\$ 21,780,402</u> | <u>\$ 2,982,261</u> | <u>\$ 6,238,657</u> | <u>\$ 5,484,369</u> | <u>\$ 754,288</u> | <u>\$ 18,524,006</u> | <u>\$ 16,296,033</u> | <u>\$ 2,227,973</u> |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Schedule of Contracts in Progress

At December 31, 2022

SCHEDULE 3

| CONTRACT DESCRIPTION | CONTRACT TOTALS | | | | | PRIOR TO 01/01/22 | | FOR THE YEAR ENDED DECEMBER 31, 2022 | | | | |
|--------------------------|----------------------|-------------------------|------------------------|-----------------------------|----------------------------|---------------------|-------------------|--------------------------------------|-------------------------------|-------------|-----------------------------|---|
| | TOTAL CONTRACT | CURRENT ESTIMATED COSTS | ESTIMATED GROSS PROFIT | ACTUAL DIRECT COSTS TO DATE | ESTIMATED COST TO COMPLETE | REVENUE EARNED | GROSS PROFIT | REVENUE EARNED | GROSS PROFIT ON INCOME EARNED | % COMPLETED | ACTUAL BILLINGS ON CONTRACT | COSTS & ESTIMATED EARNINGS IN EXCESS OF BILLING |
| SLC Windwatch | \$ 4,949,713 | \$ 4,702,446 | \$ 247,267 | \$ 3,857,887 | \$ 844,559 | \$ 2,059,517 | \$ 114,097 | \$ 2,001,227 | \$ 88,760 | 82.04% | \$ 4,042,979 | \$ 17,766 |
| Laurel Homes | 608,905 | 510,993 | 97,912 | 467,712 | 43,281 | 374,893 | 60,883 | 182,438 | 28,736 | 91.53% | 528,206 | 29,125 |
| Northport Hotel | 814,654 | 656,041 | 158,613 | 647,316 | 8,725 | 432,487 | 128,319 | 371,332 | 28,185 | 98.67% | 792,115 | 11,704 |
| Daly ES Plumbing Impr. | 749,000 | 637,549 | 111,451 | 409,498 | 228,051 | 109,054 | 16,227 | 372,028 | 55,358 | 64.23% | 445,846 | 35,237 |
| Kane Street Townhouse | 410,490 | 345,427 | 65,063 | 215,650 | 129,777 | - | - | 256,269 | 40,619 | 62.43% | 245,490 | 10,779 |
| Cold Spring HS Ph. II | 1,006,024 | 846,368 | 159,656 | 248,917 | 597,451 | - | - | 295,872 | 46,955 | 29.41% | 261,324 | 34,548 |
| East Ramapo SD Sinks | 196,385 | 164,256 | 32,129 | 115,522 | 48,735 | - | - | 138,118 | 22,596 | 70.33% | 122,843 | 15,275 |
| Fresh Pond Bus Depot | 125,380 | 106,749 | 18,631 | 93,373 | 13,376 | - | - | 109,670 | 16,297 | 87.47% | 106,026 | 3,644 |
| Bristol Warehouse | 211,327 | 178,550 | 32,777 | 24,711 | 153,839 | - | - | 29,248 | 4,536 | 13.84% | 23,997 | 5,251 |
| Baker ES | 737,500 | 627,096 | 110,404 | 30,853 | 596,243 | - | - | 36,285 | 5,432 | 4.92% | 29,500 | 6,785 |
| Goose Hill Primary Ph. 2 | 140,326 | 119,445 | 20,881 | 47,277 | 72,169 | - | - | 55,541 | 8,265 | 39.58% | 44,716 | 10,825 |
| East Meadow Schools | 723,610 | 612,102 | 111,508 | 123,706 | 488,396 | - | - | 146,242 | 22,536 | 20.21% | 128,685 | 17,557 |
| Amityville MS | 259,476 | 217,078 | 42,398 | - | 217,078 | - | - | - | - | 0.00% | - | - |
| TOTAL | \$ 10,932,790 | \$ 9,724,101 | \$ 1,208,689 | \$ 6,282,420 | \$ 3,441,680 | \$ 2,975,952 | \$ 319,526 | \$ 3,994,269 | \$ 368,274 | | \$ 6,771,727 | \$ 198,493 |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Aging of Receivables

At December 31, 2022

SCHEDULE 4

| <u>CONTRACT</u> | <u>CONTRACT RECEIVABLES</u> | <u>CURRENT</u> | <u>31-60</u> | <u>61-90</u> | <u>OVER 90</u> | <u>RETAINAGE</u> |
|---------------------------|-----------------------------|-------------------|-------------------|---------------------|---------------------|-------------------|
| Homewood Suites B | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 4,580 |
| Riverview Loft A | 1,308 | - | - | - | 1,308 | - |
| SLC Windwatch | 638,974 | - | 322,703 | 316,271 | - | 236,017 |
| Laurel Homes | 50,133 | 5,564 | 44,569 | - | - | 26,410 |
| Northport Hotel | 63,803 | - | - | - | 63,803 | 79,212 |
| West Islip SD | 101,994 | - | - | 101,994 | - | 14,616 |
| Syosset CSD | 8,550 | - | - | - | 8,550 | 36,357 |
| Daly ES Plumbing Impr. | 13,191 | 13,191 | - | - | - | 22,292 |
| Starlight Pack Comfort | 24,852 | 24,852 | - | - | - | 20,514 |
| 523 Middle Neck Rd Apt. | - | - | - | - | - | 58,029 |
| North Babylon ES Phase IV | 79,525 | - | 17,715 | 61,810 | - | 34,761 |
| Kane Street Townhouse | 120,490 | - | - | - | 120,490 | - |
| Cold Spring HS Ph. II | 6,224 | 6,224 | - | - | - | 13,066 |
| East Ramapo SD Sinks | 74,212 | 10,762 | 63,450 | - | - | 12,284 |
| Bristol Warehouse | 21,597 | 21,597 | - | - | - | 2,400 |
| Baker ES | 28,075 | 28,075 | - | - | - | 1,475 |
| Goose Hill Primary Ph. 2 | 42,480 | 42,480 | - | - | - | 2,236 |
| East Meadow Schools | 115,817 | 115,817 | - | - | - | 12,869 |
| Small Jobs <\$200,000 | <u>2,439,655</u> | <u>608,293</u> | <u>222,150</u> | <u>587,244</u> | <u>1,021,968</u> | <u>-</u> |
| TOTALS | <u>\$ 3,830,880</u> | <u>\$ 876,855</u> | <u>\$ 670,587</u> | <u>\$ 1,067,319</u> | <u>\$ 1,216,119</u> | <u>\$ 577,118</u> |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Combining Balance Sheet At December 31, 2022

EXHIBIT E

ASSETS

| | G & M MECHANICAL | SEAFORD AVENUE | COMBINING ADJUSTMENTS | DECEMBER 31, 2021 COMBINED |
|---|---------------------|---------------------|--------------------------|-------------------------------|
| CURRENT ASSETS | | | | |
| Cash in Bank | \$ 78,487 | \$ 134,712 | \$ - | \$ 213,199 |
| Contracts Receivable | 485,973 | 3,344,907 | - | 3,830,880 |
| Retainage Receivable | - | 577,118 | - | 577,118 |
| Costs and Estimated Earnings in Excess of Billings | - | 198,493 | - | 198,493 |
| TOTAL CURRENT ASSETS | 564,460 | 4,255,230 | - | 4,819,690 |
| FIXED ASSETS | | | | |
| Machinery & Equipment | 422,247 | 16,844 | - | 439,091 |
| Vehicles | 38,384 | 143,400 | - | 181,784 |
| TOTAL COST OF FIXED ASSETS | 460,631 | 160,244 | - | 620,875 |
| Less: Accumulated Depreciation | (298,416) | (151,984) | - | (450,400) |
| TOTAL FIXED ASSETS | 162,215 | 8,260 | - | 170,475 |
| OTHER ASSETS | | | | |
| Security Deposits | 7,500 | - | - | 7,500 |
| TOTAL OTHER ASSETS | \$ 7,500 | \$ - | \$ - | \$ 7,500 |
| TOTAL ASSETS | \$ 734,175 | \$ 4,263,490 | \$ - | \$ 4,997,665 |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Combining Balance Sheet

EXHIBIT E

At December 31, 2022

LIABILITIES AND SHAREHOLDERS' EQUITY

| LIABILITIES | <u>G & M MECHANICAL</u> | <u>SEAFORD AVENUE</u> | <u>COMBINING ADJUSTMENTS</u> | <u>DECEMBER 31, 2021 COMBINED</u> |
|--|---------------------------------|---------------------------|----------------------------------|---------------------------------------|
| CURRENT LIABILITIES | | | | |
| Accounts Payable | \$ 148,777 | \$ 829,438 | \$ - | \$ 978,215 |
| Accrued Expenses | 11,647 | 23,477 | - | 35,124 |
| Revolving Line of Credit | - | 640,000 | - | 640,000 |
| Notes Payable - Current Portion | 2,171 | 35,590 | - | 37,761 |
| Income Taxes Payable - Current | 25 | 50 | - | 75 |
| TOTAL CURRENT LIABILITIES | 162,620 | 1,528,555 | - | 1,691,175 |
| LONG-TERM LIABILITIES | | | | |
| Notes Payable | - | 428,154 | - | 428,154 |
| Deferred Income Taxes Payable | - | 133,486 | - | 133,486 |
| TOTAL LONG-TERM LIABILITIES | - | 561,640 | - | 561,640 |
| TOTAL LIABILITIES | 162,620 | 2,090,195 | - | 2,252,815 |
| SHAREHOLDERS' EQUITY | | | | |
| Common Stock - 200 Shares Authorized, 100 Shares Issued and Outstanding | 2,000 | 10,000 | - | 12,000 |
| Retained Earnings | 569,555 | 2,163,295 | - | 2,732,850 |
| TOTAL SHAREHOLDERS' EQUITY | 571,555 | 2,173,295 | - | 2,744,850 |
| TOTAL LIABILITIES AND SHAREHOLDERS' EQUITY | \$ 734,175 | \$ 4,263,490 | \$ - | \$ 4,997,665 |

See independent accountants' review report and notes to the financial statements

SEAFORD AVENUE CORP. & G & M MECHANICAL, INC.

Combining Statement of Operations and Retained Earnings

EXHIBIT F

For the Year Ended December 31, 2022

| | G & M MECHANICAL | SEAFORD AVENUE | COMBINING ADJUSTMENTS | DECEMBER 31, 2021 COMBINED |
|--|---------------------|---------------------|--------------------------|-------------------------------|
| REVENUES | | | | |
| Revenues From Contracts | \$ 5,747,730 | \$ 18,688,653 | \$ (1,918,108) | \$ 22,518,275 |
| CONTRACT COSTS | | | | |
| Labor | 1,396,337 | 7,694,734 | - | 9,091,071 |
| Union Benefits | - | 3,302,438 | - | 3,302,438 |
| Materials | 1,496,057 | 4,180,063 | - | 5,676,120 |
| Equipment Rental | 164,409 | 10,535 | - | 174,944 |
| Licenses & Permits | 495 | 13,575 | - | 14,070 |
| Subcontracting | 1,918,108 | 435,626 | (1,918,108) | 435,626 |
| Truck Expense | 9,080 | 251,853 | - | 260,933 |
| Indirect Costs | 133,558 | 833,267 | - | 966,825 |
| TOTAL CONTRACT COSTS | <u>5,118,044</u> | <u>16,722,091</u> | <u>(1,918,108)</u> | <u>19,922,027</u> |
| GROSS PROFIT | 629,686 | 1,966,562 | - | 2,596,248 |
| OPERATING EXPENSES | | | | |
| Auto Expense | - | 52,430 | - | 52,430 |
| Bad Debt Expense | - | 12,690 | - | 12,690 |
| Bank Fees | - | 3,350 | - | 3,350 |
| Contributions & Donations | - | - | - | - |
| Depreciation Expense | 14,076 | 27,279 | - | 41,355 |
| Dues & Subscriptions | - | 345 | - | 345 |
| Employee Benefits | 70,275 | 5,200 | - | 75,475 |
| Freight & Delivery | 118 | 5,230 | - | 5,348 |
| Insurance | 121,576 | 454,475 | - | 576,051 |
| Miscellaneous | 1,568 | 17,899 | - | 19,467 |
| Office Expense | 67,866 | 55,248 | - | 123,114 |
| Office Salaries | - | 459,074 | - | 459,074 |
| Officer Salaries | 155,192 | 218,316 | - | 373,508 |
| Payroll Taxes | 20,674 | 11,200 | - | 31,874 |
| Professional Fees | - | 89,270 | - | 89,270 |
| Repairs & Maintenance | - | 6,881 | - | 6,881 |
| Rent Expense | 48,000 | 70,500 | - | 118,500 |
| Telephone | 2,207 | 42,593 | - | 44,800 |
| Utilities | 5,851 | 26,898 | - | 32,749 |
| TOTAL OPERATING EXPENSES | <u>507,403</u> | <u>1,558,878</u> | <u>-</u> | <u>2,066,281</u> |
| OTHER INCOME / (EXPENSES) | | | | |
| Interest Expense | - | (27,788) | - | (27,788) |
| SBA PPP Grants (Note 13) | - | - | - | - |
| TOTAL OTHER INCOME / (EXPENSES) | <u>-</u> | <u>(27,788)</u> | <u>-</u> | <u>(27,788)</u> |
| NET INCOME BEFORE INCOME TAX | 122,283 | 379,896 | - | 502,179 |
| Less: (Provision) / Benefit for Income Tax | (25) | (104,471) | - | (104,496) |
| NET INCOME | \$ 122,258 | \$ 275,425 | \$ - | \$ 397,683 |
| RETAINED EARNINGS - 12/31/21 | 753,482 | 1,887,870 | - | 2,641,352 |
| Less: Shareholders' Distributions / Dividend | (306,185) | - | - | (306,185) |
| RETAINED EARNINGS - 12/31/22 | <u>\$ 569,555</u> | <u>\$ 2,163,295</u> | <u>\$ -</u> | <u>\$ 2,732,850</u> |

See independent accountants' review report and notes to the financial statements

NO TEXT ON THIS PAGE

CERTIFICATE OF SOLVENCY

ATTENTION: Insert the "Certificate of Solvency" after this page in with your bid submission.

F 021025000 578

Certificate of Incorporation

of

SEAFORD AVENUE CORP.

Pursuant to Section 402 of the Business Corporation Law

FILED
2007 OCT 25 PM 2:25

BLU-39
DRAWDOWN

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED OCT 25 2002

TAXS 10.00

BY LAP

NASSAU

Filed By:

BlumbergExcelsior Corporate Services, Inc.
52 South Pearl Street, 2nd Floor
Albany, NY 12207

Oct 25 12 24 PM '02

RECEIVED

3

021025000599

CERTIFICATE OF INCORPORATION

OF

SEAFORD AVENUE CORP.

Pursuant to Section 402 of the Business Corporation Law

I, the undersigned, a natural person of at least 18 years of age, for the purpose of forming a corporation under Section 402 of the Business Corporation Law of the State of New York hereby certify:

FIRST: The name of the corporation is:

SEAFORD AVENUE CORP.

SECOND: The purpose of the corporation is to engage in any lawful act or activity for which corporations may be organized under Article IV of the Business Corporation Law, except that it is not formed to engage in any act or activity requiring the consent or approval of any state official, department, board, agency or other body without such consent or approval first being obtained.

THIRD: The office of the corporation is to be located in the County of **NASSAU**, State of New York.

FOURTH: The aggregate number of shares which the corporation shall have the authority to issue is **TWO HUNDRED**, each of which shall be common stock with no par value.

FIFTH: The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is:

**C/O ANTHONY AVENA, CPA
1606 HENRY ROAD
WANTAGH, NY 11793**

SIXTH: No director of the corporation shall have personal liability to the corporation or to its shareholders for damages for any breach of duty in such capacity, provided, however, that the provision shall not eliminate or limit:

(a) the liability of any director of the corporation if a judgment or other final adjudication adverse to him establishes that his acts or omissions were in bad faith or involved intentional misconduct or a knowing violation of law or that he personally gained in fact a financial profit or other advantage to which he was not legally entitled or, with respect to any director of the corporation, that his acts violated Section 719 of the Business Corporation Law of the State of New York, or

(b) the liability of a director for any act or omission prior to the final adoption of this article.

SEVENTH: The holders of any of the corporation's equity shares shall be entitled to preemptive rights in accordance with the provisions of BCL section 622.

IN WITNESS WHEREOF, the undersigned incorporator has executed this certificate of incorporation.

10/25/02.

Sharon Babala

Sharon Babala, Incorporator
BlumbergExcelsior Corporate
Services, Inc.
52 South Pearl Street
Albany, New York 12207

EXHIBIT C
Filing Receipt

GUARANTOR'S CERTIFICATION

SEAFORD AVENUE CORP. ("Guarantor") hereby certifies to GOLD COAST BANK ("Lender") that:

1. Attached to this Certification as Exhibit A is a true and correct copy of the Certificate of Incorporation of the Guarantor filed on 10/25/02 with the Secretary of State of State of New York, and that said Certificate of Incorporation has not been amended, modified, or terminated and remains in full force and effect as of the date hereof;
2. Attached to this Certification as Exhibit B is a true and correct copy of the By Laws of the Guarantor, and that said By Laws have not been modified, amended or terminated and remains in full force and effect as of the date hereof; and
3. Attached to this Certification as Exhibit C is a true and correct copy of the New York Secretary of State's filing receipts for the Guarantor's Certificate of Incorporation.

The foregoing representations are made to Lender with the understanding that Lender shall rely upon this Certification and to induce Lender to make a loan to PGM INDUSTRIES INC. and 21 & 21A BROOKLYN AVE. CORP. (collectively "Borrower") in the original principal sum of \$615,000.00 which loan is secured by a mortgage on Borrower's property.

Dated: Islandia, New York
November 18, 2010

SEAFORD AVENUE CORP.

By: 
Name: MICHAEL SCOTT
Title: PRESIDENT

**MINUTES OF ANNUAL MEETING
OF THE BOARD OF DIRECTORS
OF
SEAFORD AVENUE CORP**

The annual meeting of the board of Directors of the corporation was held at the office of the corporation, at 21-34 Broadway, Long Island City, NY 11106, on January 10, 2011 at 11:30 a.m.

There were present and participating at the meeting:

Michael Scott

George Luksch

Being all the directors of the Corporation.

Michael Scott, President of the Corporation, acted as Chairman and Secretary of the meeting.

The Secretary presented a waiver of the notice of the meeting, signed by all the directors.

The Chairman announced that a quorum of the directors was present, and that the meeting, having duly convened, was ready to proceed with its business.

Upon Motion duly made and seconded, it was unanimously RESOLVED, that all purchases, contracts, contributions, compensations, acts, decisions, proceedings, elections and appointments by the Board of Directors since the last Annual Meeting of Stock of the Corporation, be and the same hereby are approved and satisfied.

The next order of business was the election of officers of the Corporation. There being no contest, the following were elected by proclamation to serve as officers until the next meeting of the Board or until their Successors are elected and qualified.

| | |
|----------------|---------------|
| President | Michael Scott |
| Vice President | George Luksch |
| Secretary | Michael Scott |
| Treasurer | George Luksch |

F021025000578

CERTIFICATE OF INCORPORATION

OF

SEAFORD AVENUE CORP.

Pursuant to Section 402 of the Business Corporation Law

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WANTAGH, NY 11793

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(a) the liability of any director of the corporation if a judgment or other final adjudication adverse to him establishes that his acts or omissions were in bad faith or involved intentional misconduct or a knowing violation of law or that he personally gained in fact a financial profit or other advantage to which he was not legally entitled or, with respect to any director of the corporation, that his acts violated Section 719 of the Business Corporation Law of the State of New York, or

(b) the liability of a director for any act or omission prior to the final adoption of this article.

SEVENTH: The holders of any of the corporation's equity shares shall be entitled to preemptive rights in accordance with the provisions of ECL section 622.

IN WITNESS WHEREOF, the undersigned incorporator has executed this certificate of incorporation.

10/25/02.

Sharon Babala

Sharon Babala, incorporator
BlumbergExcelsior Corporate
Services, Inc.
52 South Pearl Street
Albany, New York 12207

PLUMBERS LOCAL UNION No. 200

OF THE

UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE
PLUMBING AND PIPE FITTING INDUSTRY OF THE UNITED STATES AND CANADA

RICHARD P. BROOKS
Business Manager
Fin. Sec./Treasurer

MARIO MATTERA
Business Agent

JOE SQUICCIARINI
Business Agent

2123 5TH AVENUE, RONKONKOMA, N.Y. 11779
(631) 981-2158

Email: rpbrooks@plu200union.us

ED TEDLA
Organizer

JAY MARELLI
President

PAUL MASON
Vice President

EDWARD YOUNG
Rec. Secretary

March 28th, 2024

Nassau County

Project: North Woodmere Park Remedial Pool Repairs

Contract # S41858-02G

Please be advised that Plumbers Local Union # 200 has Apprenticeship Training Program, (Sponsor Code 00337, ATP Code 13180) that is approved by the New York State Department of Labor and the Federal Department of Labor.

Seaford Avenue Corp., is signatory to an agreement with Plumbers Local Union # 200 and contributes, subscribes, and actively participates in apprenticeship training program and is a contractor in good standing.

Being signatory to our agreements, Seaford Avenue Corp., may, at their discretion, employ apprentices that are indentured in our program.

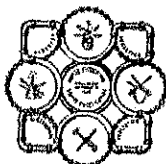
If you have any questions about our program or Seaford Avenue Corp., please contact me at the Union office.

Sincerely,

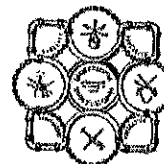


Richard P. Brooks
Business Manager
Financial Secty/Treasurer

RPB/ds



The Plumber Protects the Health of the Nation



MIKE'S LICENSES

| MUNICIPALITY | | EXPIRATION DATE | CONTACT |
|--|---|-----------------------|-------------------------------------|
| Babylon Town | 1749 | 6/30/2024 | Barbara - 631-957-4291 |
| Village of East Hills | 15373 | 12/31/2024 | |
| Freeport Village | A-854 (Reciprocal of TOB) | 4/30/2024 | Melinda - 516-377-2250 |
| State of Florida (need updated Lic put in binder) | CFC1430310 | 8/31/2024 | DBPR - (850) 487-1395 |
| City of Glen Cove | 9931 (Reciprocal of TOB) | 12/31/2024 | Rosa - 516-670-1408 |
| Garden City Village | NO LICENSE NEEDED-JUST PLUMBING PERMIT | | |
| Great Neck Village | 648 | 12/31/2024 | Sheila - 516-482-0187 |
| Hempstead town (3 years) | 2633 | 12/31/2025 | Jane - 516-812-3081 |
| Hempstead village | 1482 (Tri-Town License of TOB) | 12/15/2024 | Kelly - 516-489-3400 x230 |
| Huntington Town | M001039 In Person | 1/5/2024 | Cindy - 631-351-3144 |
| Islip Town | 1161 | 7/31/2025 | Debbie - 631-224-5464 |
| Long Beach Village | 2657 | 12/31/2024 | Rose - 516-431-0600 |
| Lawrence Village | 2016289 | ON HOLD Exp. 12/31/16 | Tom - 239-4600 |
| Lindenhurst Village | 793R | 12/31/2026 | 631-957-7500 |
| Long Beach City | 1494 | 5/31/2024 | 516-431-1002 |
| Lynbrook Village | 1883 | 12/31/2024 | Lynn/Ellen - 599-8828 |
| Malverne Village | 9799 | 12/31/2023 | Florence - 516-599-1200 |
| Massapequa Park Village | 334 | 12/31/2024 | Janet/Christine - 516-798-0244 |
| Mineola Village | 15477 | 12/31/2024 | Donna 516-746-0750 |
| Nassau County Certificate of Fitness (Mike) | Type GS EL 7108274 | 4/30/2024 | Fire Marshall Schurr - 516-573-9954 |
| Nassau County Certificate of Fitness (George) | Type GS EL | 4/30/2024 | Fire Marshall Schurr - 516-573-9954 |
| New Hyde Park Village | 2022-050 | 1/31/2024 | Pat Anderson - 516-3254-0022 x18 |
| New York City | 2285 In person | 9/8/2026 | 212-393-2145 x2259/x2717 |
| New York State Backflow Prevention | 10442 | 4/30/2026 | |
| North Hempstead Village | PRA10-125932 | 12/31/2026 | Kristin - 516-869-7806 |
| Oyster Bay Town | B1482TOB | 12/31/2024 | Kathy - 516-624-6217 x6200 |
| Rockville Center Village | 80 | 12/31/2023 | Dayna - 516-678-9248. In person * |
| Roslyn Village | P60 | ON HOLD Exp. 12/31/15 | Gay/Regina - 516-621-1961 |
| Sea Cliff Village | 4164 | ON HOLD Exp. 12/31/14 | Patricia Guy - 516-671-0080 |
| S. Hampton - Town | RP21023 | 10/31/2024 | |
| Suffolk County Backflow Tester ID | BF-53391 | 9/1/2025 | Matt, Alex, Larry, Tom Barry |
| Suffolk County Liquid Waste | LW-56997 | 5/1/2025 | *needs to take 12 credit courses* |
| Suffolk County Master Plumber | MP-49205 | 9/1/2025 | Kathy - 631-853-4604 |
| Valley Stream Village | Reciprocal License (use TOB #) | 12/31/2024 | Nick - 516-825-4200 |
| Westbury Village | 698 | 12/31/2025 | Roberta - 516-334-1700 |
| Weschester County | 1320 | 12/31/2024 | John 914-995-2657 |
| Williston Park | NO LICENSE NEEDED | | |



Plumber's License
Town of Oyster Bay
Department of Planning and Development
Town Hall
Oyster Bay, New York 11771

License No. **81482TOB**

Date Expires **12/31/2024**

Date Issued **12/17/2021**

IS A DULY LICENSED PLUMBER AND IS AUTHORIZED TO DO PLUMBING WORK IN THE TOWN OF OYSTER BAY.

Name **SCOTT, MICHAEL**

Fee Paid \$ **150.00**

Address **226 BAYVIEW AVE MASSAPEQUA, NY 11758**

TOBOPD -- Plumber's License -- Plumber's Copy

Commissioner
Department of Planning and Development



Village of Great Neck


767 Middle Neck Road, Great Neck, NY 11024
516-482-0019 - 516-485-0235 - Fax 516-504-7595

Seaford Avenue Corp
25 Brooklyn Avenue
Massapequa, NY 11758
Attn: Michael Scott

December 7, 2023

Plumber: Michael Scott
License Number: 648
Expiration Date: 12/31/2024

The person, firm, or corporation named below is granted this license pursuant to the provisions of the local License Ordinance to engage in, carry on, or conduct the business, trade, call, profession, exhibition or occupation described below. Issuance of this license is not an endorsement, nor certification of compliance with other ordinances or laws. This license may be revoked at any time by the Mayor or Board of Trustees for violations of Federal, State, or Municipal laws. Notify this office at once of any change in location, name or ownership, which would render this license invalid.



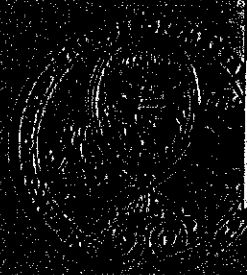
Michael Sweeney - Building Department



Inc. Village of Massapequa Park
 151 Front Street, Massapequa Park, NY 11762 516-790-0211 Ext. 121

Plumbers License 2024

**MICHAEL SCOTT
 SEAFORD AVENUE CORPORATION
 25 BROOKLYN AVENUE
 MASSAPEQUA, NY 11758
 LICENSE NO. 334**



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[Faint, illegible text, likely a name or address.]

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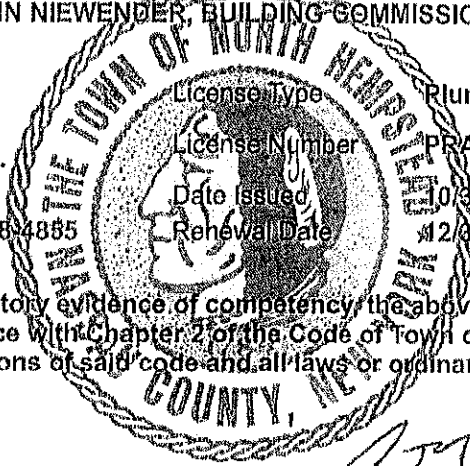
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DEPARTMENT OF BUILDINGS
 SAFETY INSPECTION AND ENFORCEMENT
 TOWN OF NORTH HEMPSTEAD, MANHASSET, NY
 JOHN NIEWENDER, BUILDING COMMISSIONER

Michael Scott
 Seaford Avenue Corp.
 25 Brooklyn Ave
 Massapequa NY 11758-4855



License Type: Plumber Reciprocal
 License Number: PRA10-125932
 Date Issued: 10/31/2023
 Renewal Date: 12/31/2026

Having given satisfactory evidence of competency, the above licensee is hereby licensed in accordance with Chapter 2 of the Code of Town of North Hempstead, subject to the provisions of said code and all laws or ordinances applicable thereto.


[Signature]
 Member, Examining Board of Plumbers

Number of Vehicles Registering: 02

23 24 25 26 27 28 29

EXPIRES DEC. 31, 20

VEHICLE STICKER ID 7308




TOWN OF NORTH HEMPSTEAD
 LICENSED PLUMBER

23 24 25 26 27 28 29

EXPIRES DEC. 31, 20

VEHICLE STICKER ID 7307



TOWN OF NORTH HEMPSTEAD
 LICENSED PLUMBER

This is to certify that

TRI-TOWN

MICHAEL R. SCOTT

is a duly Registered Plumber in the
TOWN OF HEMPSTAD

for the year ending 12-31-2025

Lic. No.

2633

Signature of Holder
Examining Board of Plumbing
Assistant Commissioner

BD-5

Frederick J. [Signature]

[Signature]

TOWN OF HEMPSTEAD
DEPARTMENT OF
BUILDINGS

One Washington Street, Hempstead, NY 11550
Office: 516.489.3000 Fax: 516.483.1573

FREDERICK A. JAWITZ
ACTING COMMISSIONER

DANIEL LEO
DEPUTY COMMISSIONER

Master Plumber's License

Renewal No.

License No. 2633

Account No. 3186

Date of Issue 10/18/2022

TRI-TOWN

SCOTT, MICHAEL R.
SEAFORD AVENUE CORP.
21 BROOKLYN AVENUE
MASSAPEQUA, NY 11758

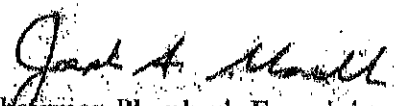
TRI-TOWN

Renewal License Expiration Date 12/31/2025

Fee Paid \$150.00

Having given satisfactory evidence of competency, is hereby licensed as a Master Plumber in accordance with the Plumbing Code of the Town of Hempstead subject to the said provisions of said Plumbing Code and Laws and Ordinances applicable thereto.


ACTING Commissioner of Buildings


Chairman Plumber's Examining Board

BID FORM

**North Woodmere Park Remedial Pool Repairs
CONTRACT NO. S41858-02G**

NAME OF BIDDER: Seaford Avenue Corp

TO BE COMPLETED BY BIDDER SUBMITTING BID ON
NORTH WOODMERE PARK REMEDIAL POOL REPAIRS
CONTRACT NO. S41858-02G

| ITEM NO. | TYPE | DESCRIPTION | Quantity | UOM | UNIT BID PRICE | | TOTAL AMOUNT | |
|---------------|------------|---|----------|-----|----------------|-------|--------------|-------|
| | | | | | Dollars | Cents | Dollars | Cents |
| 1S | Unit Price | Job Information Sign | 1 | EA | \$ 525 | .00 | \$ 525 | .00 |
| 1M/F | Unit Price | Mobilization with Field Office | 1 | LS | \$ 4,200 | .00 | \$ 4,200 | .00 |
| 2 | Unit Price | Unclassified Excavation | 200 | CY | \$ 315 | .00 | \$ 63,000 | .00 |
| 4B | Unit Price | Cement Concrete Breaking (Structure) | 175 | CY | \$ 420 | .00 | \$ 73,500 | .00 |
| 5D | Unit Price | Selected Granular Fill | 100 | CY | \$ 220 | .50 | \$ 22,050 | .00 |
| 10A-1 | Unit Price | Excavation Protection System | 4,300 | SF | \$ 6 | .35 | \$ 27,305 | .00 |
| 12H | Unit Price | Cleaning Existing Drainage System | 2,100 | LF | \$ 12 | .00 | \$ 25,200 | .00 |
| 12S80-1.5 Mod | Unit Price | Schedule 80 PolyvinylChloride (PVC) Drain Pipe – 1.5" Diameter – Modified | 50 | LF | \$ 90 | .30 | \$ 4,515 | .00 |
| 12S80-2 Mod | Unit Price | Schedule 80 PolyvinylChloride (PVC) Drain Pipe – 2" Diameter – Modified | 250 | LF | \$ 75 | .18 | \$ 18,795 | .00 |
| 12S80-3 | Unit Price | Schedule 80 PolyvinylChloride (PVC) Drain Pipe – 3" Diameter – Modified | 122 | LF | \$ 43 | .10 | \$ 5,258 | .20 |
| 12S80-4 Mod | Unit Price | Schedule 80 PolyvinylChloride (PVC) Drain Pipe – 4" Diameter – Modified | 50 | LF | \$ 163 | .80 | \$ 8,190 | .00 |
| 12S80-6 Mod | Unit Price | Schedule 80 PolyvinylChloride (PVC) Drain Pipe – 6" Diameter – Modified | 250 | LF | \$ 67 | .20 | \$ 16,800 | .00 |
| 12S80-8 Mod | Unit Price | Schedule 80 PolyvinylChloride (PVC) Drain Pipe – 8" Diameter – Modified | 130 | LF | \$ 128 | .50 | \$ 16,705 | .00 |
| 12S80-10 Mod | Unit Price | Schedule 80 PolyvinylChloride (PVC) Drain Pipe – 10" Diameter – Modified | 20 | LF | \$ 475 | .50 | \$ 9,510 | .00 |
| 17A | Unit Price | Class A Concrete for Structures | 200 | CY | \$ 2050 | .65 | \$ 410,130 | .00 |
| 33 | Unit Price | Bar Reinforcement | 20,700 | LBS | \$ 8 | .63 | \$ 178,641 | .00 |
| 34MOD | Unit Price | Miscellaneous Metals | 4000 | LBS | \$ 8 | .40 | \$ 33,600 | .00 |
| 58RPC | Unit Price | Saw Cutting Existing Roadway Pavement & Concrete | 1,000 | LF | \$ 31 | .50 | \$ 31,500 | .00 |

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| | | | | | | | | |
|---|------------|---|--------|-----|-----------|-------|--------------|------|
| 81 | Unit Price | Structural Steel | 6300 | LBS | \$ 7 | .67 | \$ 48,321 | .00 |
| 141B | Unit Price | Silt Protection for Surface Inlet Drainage Structures | 23 | EA | \$ 1,260 | .00 | \$ 28,980 | .00 |
| 142A | Unit Price | Structural Steel Painting, Paint System A | 1 | LS | \$ 5,250 | .00 | \$ 5,250 | .00 |
| 143 | Unit Price | Epoxy Injection of Structures | 500 | LF | \$ 18 | .90 | \$ 9,450 | .00 |
| 701 | Unit Price | Surge Trench Pipe Removal and Resetting | 850 | LF | \$ 617 | .65 | \$ 525,002 | .50 |
| 702 | Unit Price | Concrete Patch Repairs | 1,300 | SF | \$ 96 | .93 | \$ 126,009 | .00 |
| 703 | Unit Price | Pool Floor and Trench Lining | 29,950 | SF | \$ 18 | .10 | \$ 542,095 | .00 |
| 704 | Unit Price | Pool Joint Reconstruction | 740 | LF | \$ 34 | .10 | \$ 25,234 | .00 |
| 705 | Unit Price | Main Drain Valve Repairs | 13 | EA | \$ 1,056 | .00 | \$ 13,728 | .00 |
| 706 | Unit Price | Low Density Cellular Concrete Fill | 300 | CY | \$ 1,260 | .00 | \$ 378,000 | .00 |
| 707 | Unit Price | 5'-Wide GPM "T"-Bar Grating | 132.5 | LF | \$ 129 | .85 | \$ 17,205 | .13 |
| 708 | Unit Price | 2'-Wide GPM "T"-Bar Grating | 620 | LF | \$ 129 | .85 | \$ 80,507 | .00 |
| 709 | Unit Price | 2" x 4" x 8' Pressure Treated Southern Pine Lumber | 450 | EA | \$ 24 | .04 | \$ 10,818 | .00 |
| 710 | Unit Price | 4" x 4" x 8' Pressure Treated Southern Pine Lumber | 70 | EA | \$ 115 | .22 | \$ 8,065 | .40 |
| 711 | Unit Price | Bilco Type J-AL Sidewalk Door | 3 | EA | \$ 4,200 | .00 | \$ 12,600 | .00 |
| 712 | Allowance | Repair Allowances for Utilities | 1 | LS | \$50,000 | 00 | \$50,000 | 00 |
| 713 | Unit Price | CCTV Inspection | 1 | LS | \$ 11,850 | .00 | \$ 11,850 | .00 |
| 714 | Unit Price | Marine Adhesive | 400 | LF | \$ 10 | .13 | \$ 4,052 | .00 |
| 715 | Unit Price | Tile | 350 | SF | \$ 90 | .00 | \$ 31,500 | .00 |
| 716 | Unit Price | Pavement Markings, Painting | 24 | EA | \$ 525 | .00 | \$ 12,600 | .00 |
| 717 | Unit Price | Swimming Pool Paint | 2500 | LF | \$ 10 | .08 | \$ 25,200 | .00 |
| TOTAL BID PRICE OF ALL ITEMS Written IN NUMBERS | | | | | \$ 85,534 | 11.13 | \$ 2,915,890 | 1.23 |

TOTAL BASE BID PRICE (ALL ITEMS) WRITTEN IN WORDS:

TWO MILLION NINE HUNDRED FIFTEEN
THOUSAND EIGHT HUNDRED NINETY ONE
DOLLARS AND TWENTY THREE CENTS

NOTE TO BIDDER: Include a separately sealed envelope containing a list of all subcontractors the bidder will use to perform (a) plumbing and gas fitting, (b) heating, ventilating and air conditioning, and (c) electric wiring and standard illuminating fixtures; and the respective agreed-upon amount to be paid to each subcontractor. Write on the outside of the envelope the bidder's name, the contract number, and the words "List of Subcontractors".

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions
(Sub-Recipient)**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department of agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

George Luksch Vice President 4/1/2024
Name and Title of Authorized Representative m/d/yy

[Signature] 4/1/2024
Signature Date

Seaboard Avenue Corp
Name of Organization

25 Brooklyn Ave
Address of Organization

Massapequa NY 11758.

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposes," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of reports in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

APPENDIX U

NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS

CONSULTANT/ CONTRACTOR DETAILED MBE/WBE/SDVOB UTILIZATION PLAN

Part 1- General Information:

| | |
|---|--|
| Consultant/Contractor Name: | <i>Seaford Ave Corp</i> |
| Address (street/city/state/zip code): | <i>25 Brooklyn Ave Massapequa, NY 11758</i> |
| Authorized Representative (name/title): | <i>Michael Scott, President</i> |
| Authorized Signature: | <i>[Signature]</i> |
| Contract Number: | <i>S41858-02G</i> |
| Contract/Project Name: | <i>North Woodmere Park/Remedial Pool Repairs</i> |
| Contract/Project Description: | <i>Pool Repairs for North Woodmere Park</i> |

Part 2- Projected MBE/WBE/SDVOB Contract Summary:

| | Amount (\$) | | Percentage (%) |
|--|-------------|--|----------------|
| Total Dollar Value of the Prime Contract | <i>TBD</i> | | <i>TBD</i> |
| Total MBE Dollar Amount | <i>TBD</i> | MBE Contract Percentage | <i>TBD</i> |
| Total WBE Dollar Amount | <i>TBD</i> | WBE Contract Percentage | <i>TBD</i> |
| Total SDVOB Dollar Amount | <i>TBD</i> | SDVOB Contract Percentage | <i>TBD</i> |
| Total Combined M/WBE/SDVOB Dollar Amount | <i>TBD</i> | Combined M/WBE/SDVOB Contract Percentage | <i>TBD</i> |

Part 3- MBE Information (use additional blank sheets as necessary):

| MBE Firm | Description of Work (MBE) | Projected MBE Contract Amount (\$) and Award Date | MBE Contract Scheduled Start Date and Completion |
|--|----------------------------------|---|---|
| Name: <i>192 Branch Services Inc</i> Address: <i>2099 9th Ave</i> City: <i>Ronkonkoma, NY</i> State/Zip Code: <i>NY 11779</i> Authorized Representative: <i>Arthur Chiu</i> Telephone No. <i>631-467-6600</i> | <i>Remediation + Restoration</i> | Amount (\$): <i>TBD</i> <hr/> Award Date: <i>TBD</i> | Start Date: <i>TBD</i> <hr/> Completion Date: <i>TBD</i> |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |

Business & Contact Information

BUSINESS NAME **192 Branch Interior Services, Inc.**

OWNER **Mr. Arthur Chu**

ADDRESS **2099 9th Avenue
Ronkonkoma, NY 11779 [\[map\]](#)**

PHONE **631-467-6600**

FAX **631-467-6611**

EMAIL **j.savnik@branchservicesinc.com**

WEBSITE **<http://www.branchservicesinc.com>**

Certification Information

CERTIFYING AGENCY **New York State**

CERTIFICATION TYPE **MBE - Minority Business Enterprise**

CERTIFICATION DATE **7/28/2016**

CERTIFIED BUSINESS DESCRIPTION **Environmental Remediation including but not limited to Asbestos, Lead, Mold, Oil. Restoration services including but not limited to Water, Fire, Smoke, Wind Damage.**

Commodity Codes

| Code | Description |
|--------------|---|
| NAICS 562910 | Environmental remediation services |
| NIGP 91024 | Fire and or Water Damage Restoration Services |
| NIGP 92678 | Remediation Services, Environmental, Including Rehabilitation Services Hazardous Waste and Mold Remediation |

Additional Information

WORK DISTRICTS/REGIONS **Long Island, NYC, Southern Tier, Mid-Hudson, Mohawk Valley**

INDUSTRY

Construction

BUSINESS SIZE

Over \$5 million

GENERAL LOCATION

Downstate New York

LOCATION

Long Island

Part 4- WBE Information (use additional blank sheets as necessary):

| WBE Firm | Description of Work (WBE) | Projected WBE Contract Amount (\$) and Award Date | WBE Contract Scheduled Start Date and Completion Date |
|--|--|--|--|
| Name: <i>X-Cell Insulation</i> Address: <i>110 Keyland Court</i> City: <i>Bohemia</i> State/Zip Code: <i>Ny 11716</i> Authorized Representative: <i>Jennifer Andersen</i> Telephone No. <i>631-780-6601</i> | <i>Plumbing and Insulation and fire stopping for various plumbing projects</i> | Amount (\$): <p style="text-align: center;"><i>TBD</i></p> <hr/> Award Date: <i>TBD</i> | Start Date: <p style="text-align: center;"><i>TBD</i></p> <hr/> Completion Date: <i>TBD</i> |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |

WBENC

WOMEN'S BUSINESS ENTERPRISE
NATIONAL COUNCIL

JOIN FORCES. SUCCEED TOGETHER.

hereby grants

National Women's Business Enterprise Certification

to

X-Cell Insulation Corporation

who has successfully met WBENC's standards as a Women's Business Enterprise (WBE).
This certification affirms the business is woman-owned, operated and controlled and is valid through the date herein.

Certification Granted: December 16, 2016
Expiration Date: December 16, 2024
WBENC National Certification Number: WBE1600548

WBENC National WBE Certification was processed and validated by Women's Business Enterprise Council Metro NY, a WBENC Regional Partner Organization.



Sandra Eberhard, President & CEO Women's
Business Enterprise Council Metro NY

WBE@METRONY
WOMEN'S BUSINESS ENTERPRISE CENTER
METRO NY

NAICS: 238310, 238290
UNSPSC: 30140000, 30141500, 30141516, 30141600, 30141605, 31371001, 72152102, 72153208



Business & Contact Information

BUSINESS NAME **X-Cell Insulation Corporation**
OWNER Jennifer Anderson
ADDRESS 110 Keyland Court
Bohemia, NY 11716 [\[map\]](#)
PHONE 631-780-6601
FAX 631-406-6843
EMAIL xcellinsulation@optonline.net

Certification Information

CERTIFYING AGENCY New York State
CERTIFICATION TYPE WBE - Women Business Enterprise
CERTIFICATION DATE 12/16/2015
CERTIFIED BUSINESS DESCRIPTION HVAC / Plumbing Insulation & Firestopping
Boiler and pipe insulation installation
Firestop contractors
Duct insulation installation
Mechanical equipment insulation
Glass fiber insulation installation
Panel or rigid board insulation installation

Commodity Codes

| Code | Description |
|--------------|--|
| NAICS 238290 | Boiler and pipe Insulation Installation |
| NIGP 91023 | Firestop Systems, Including Installation and Fireproofing Services |
| NIGP 91450 | Heating, Ventilating and Air Conditioning (HVAC) |
| NIGP 91453 | Insulation |
| NIGP 93462 | Pipe and Pipe Fittings Maintenance and Repair |

Additional Information

| | |
|------------------------|---------------------------|
| WORK DISTRICTS/REGIONS | Long Island, NYC |
| INDUSTRY | Construction |
| BUSINESS SIZE | \$1,000,000 - \$4,999,999 |
| GENERAL LOCATION | Downstate New York |
| LOCATION | Long Island |

Part 5- SDVOB Information (use additional blank sheets as necessary):

| SDVOB | Description of Work (SDVOB) | Projected SDVOB Contract Amount (\$) and Award Date | SDVOB Contract Scheduled Start Date and Completion |
|--|--|--|---|
| Name: <i>Ny Con Diamond and Tools Corp</i> Address: <i>238 Pennel Road</i> City: <i>Ronkonkoma</i> State/Zip Code: <i>Ny 11779</i> Authorized Representative: <i>John Pierpaoli</i> Telephone No. <i>855-937-6922</i> | <i>Construction Materials + Repair</i> | Amount (\$): <i>TBD</i> <hr/> Award Date: <i>TBD</i> | Start Date: <i>TBD</i> <hr/> Completion Date: <i>TBD</i> |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |
| Name: Address: City: State/Zip Code: Authorized Representative: Telephone No. | | Amount (\$): <hr/> Award Date: | Start Date: <hr/> Completion Date: |

< [Back to Directory Search](#)

NYCON Diamond & Tools Corp.

Certification Status: Certified

Business Details

| | |
|---|---|
| Legal Name | NYCON Diamond & Tools Corp. |
| DBA Names | N/A |
| Physical Address | 238 Pond Road Ronkonkoma, NY 11779 |
| Mailing Address | 2380 POND ROAD RONKONKOMA, NY 11779 |
| Phone | (855) 937-6922 |
| Email | office@nycondiamond.com |
| Website | http://nycondiamond.com |
| Control Number | 221440 |
| Categories | Construction Horizontal: Highways & Roadways; Maintenance, Repair & New Construction, Facilities, Maintenance, Repair & Building Operations, Construction Vertical: Building Construction; Rehabilitation & New Construction |
| Business Size | \$1,000,000 - \$4,999,999 |
| Specific Function/Business Description | Construction Materials, Repair Shop |
| Classifications | Commodities, Construction |
| Keywords | tools, hardware, full service repair shop, abrasives, bits, power tools, blades |
| Home County | Suffolk |
| Home Region | Long Island |
| Counties Served | Greene, Dutchess, Steuben, Orange, Cortland, New York, Bronx, Ulster, Ontario, Niagara, Chenango, Yates, Saratoga, Essex, Sullivan, Albany, Schuyler, Montgomery, Herkimer, Wyoming, Richmond, Broome, Orleans, Warren, St. Lawrence, Genesee, Otsego, Lewis, Onondaga, Schenectady, Erie, Kings, Clinton, Nassau, Oneida, Suffolk, Livingston, Wayne, Monroe, Jefferson, Putnam, Franklin, |

Cattaraugus, Tompkins, Queens, Tioga, Allegany,
Chautauqua, Madison, Delaware, Hamilton, Washington,
Rensselaer, Columbia, Seneca, Cayuga, Fulton, Schoharie,
Westchester, Rockland, Oswego, Chemung

NAICS Codes

423710 Hardware Merchant Wholesalers

423830 Industrial Machinery and Equipment Merchant Wholesalers

Primary Contact

Owner Pierpaoli, John

NYS Centralized Contract

N/A

Office of General Services

Privacy Policy

Accessibility

Contact Us





**NEW YORK STATE
MINORITY- AND WOMEN-OWNED BUSINESS ENTERPRISE ("MWBE")
CERTIFICATION**

Empire State Development's Division of Minority and Women's Business Development grants a

Minority Business Enterprise (MBE)

pursuant to New York State Executive Law, Article 15-A to:

NY PLUMBING WHOLESALE AND SUPPLY INC

Certification Awarded on: June 26, 2023
Expiration Date: June 26, 2028
File ID#: 55198



**Division of Minority
and Women's
Business Development**

A Division of Empire State Development

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

POLICY CHANGES

Policy Change
Number

| | | |
|--|--|--|
| POLICY NUMBER ER78080944 | POLICY CHANGES EFFECTIVE From 09/02/2024 To 09/02/2025 | COMPANY American Zurich Insurance Company |
| NAMED INSURED Seaford Avenue Corp 25 brooklyn ave Massapequa, NY 11758 | | AUTHORIZED REPRESENTATIVE ALLSTATE INS. CO. ATTN: IVANTAGE PO BOX 661039 DALLAS, TX 75266-1039 |
| COVERAGE PARTS AFFECTED Builders Risk Coverage | | |
| CHANGES | | |
| Additional Insured: COUNTY OF NASSAU DEPARTMENT OF PUBLIC WORKS 1194 Prospect Ave Westbury, NY 11590-2723 | | |

Authorized Representative Signature

BUILDERS RISK COVERAGE SUPPLEMENTAL DECLARATIONS – NEW YORK

Policy Number: ER78080944

Policy Type: Reporting Form (continuous policy) OR One Shot (non-reporting form/single structure policy)

ADDITIONAL COVERAGES (COVERAGE FORM)

LIMIT OF INSURANCE

| | | |
|---|----|----------|
| a. Collapse | | Included |
| b. Scaffolding, Construction Forms And Temporary Structures | \$ | 50,000 |
| Re-erection Of Scaffolding | \$ | 25,000 |
| c. Debris Removal | \$ | 50,000 |
| d. Back-Up Or Overflow Of Sewers, Drains Or Sumps | \$ | 25,000 |
| e. Fire Department Service Charge | \$ | 25,000 |
| f. Valuable Papers And Records | \$ | 50,000 |
| g. Pollutant Clean-Up And Removal | \$ | 25,000 |
| h. Ordinance Or Law – Direct Damage | | |
| Loss To The Undamaged Portion Of The Building | | Included |
| Demolition Cost | \$ | 272,900 |
| Increased Cost Of Construction | \$ | 272,900 |
| i. Preservation Of Property | | Included |
| j. Rewards | \$ | 25,000 |
| k. Property At A Temporary Storage Location | \$ | 25,000 |
| l. Property In Transit | \$ | 25,000 |
| m. Claim Preparation Expense | \$ | 10,000 |
| n. Contract Penalties | \$ | 50,000 |

OPTIONAL ADDITIONAL COVERAGES (ENDORSEMENTS)

| | | |
|---|----|------------|
| <input type="checkbox"/> Business Income (HBIS-95) | \$ | |
| Anticipated Project Completion Date | | |
| Monthly Limit Of Indemnity | | (fraction) |
| Deductible Period | | days |
| Civil Authority | | Included |
| <input type="checkbox"/> Business Income And Extra Expense (HBIS-82) | \$ | |
| Anticipated Project Completion Date | | |
| Monthly Limit Of Indemnity | | (fraction) |
| Deductible Period | | days |
| Business Income | | Included |
| Extra Expense | | Included |
| Civil Authority | | Included |
| <input type="checkbox"/> Development Or Subdivision Fences, Walls And Signs (HBIS-58) | \$ | |
| <input type="checkbox"/> Expediting Expense (HBIS-93) | \$ | |
| <input type="checkbox"/> Extra Expense (HBIS-92) | \$ | |
| <input type="checkbox"/> Marine Model Home Contents Coverage (<input type="checkbox"/> HBIS-52 – OR -- <input type="checkbox"/> HBIS-77) | \$ | |
| <input type="checkbox"/> Soft Costs Coverage (HBIS-88) | \$ | |
| Anticipated Project Completion Date | | |
| Deductible Period | | days |
| Expense To Mitigate Loss | | Included |
| Civil Authority | | Included |
| <input type="checkbox"/> Builders Risk Green Building Coverage Extension (HBIS-96) | | |
| Limit Of Liability | \$ | |
| "LEED® Building Rating" | | |

Policy Number ER78080944

SCHEDULE OF FORMS AND ENDORSEMENTS

Named Insured: Seaford Avenue Corp

Effective Date: 09/02/2024

12:01 A.M., Standard Time

Agent Name: ALLSTATE INS. CO. ATTN: IVANTAGE

Agent No.: A0217613



FM170001(04/10), IL1201(11/85), HBIS-91 NY(01/20), U-GU-619-A CW(10/02), U-GU-319-F(01/09), 40471 (01/20), 15100(01/24), HBIS-75(09/17), HBIS-1(04/09), HBIS-78(04/09), HBIS-83(06/17), HBIS-84(04/09), U-GU-630-E CW(01/20), U-GU-767-B CW(01/15), IL0185(08/08), CM0001(09/04), CM0104(09/15), IL0183(08/08), IL0017(11/98), IL0268(01/14), 1001NR(01/20), U-GU-1191-A CW(03/15)

U-GU-619-A CW (10/02)



Important Notice – In Witness Clause

In return for the payment of premium, and subject to the terms of this policy, coverage is provided as stated in this policy. IN WITNESS WHEREOF, this Company has executed and attested these presents and, where required by law, has caused this policy to be countersigned by its duly Authorized Representative(s).

[] []

President *Corporate Secretary*

QUESTIONS ABOUT YOUR INSURANCE? Your agent or broker is best equipped to provide information about your insurance. Should you require additional information or assistance in resolving a complaint, call or write to the following (please have your policy or claim number ready):

Zurich in North America
Customer Inquiry Center
1299 Zurich Way
Schaumburg, Illinois 60196-1056
1-800-382-2150 (Business Hours: 8am - 4pm [CT])
Email: info.source@zurichna.com



CERTIFICATE OF INSURANCE COVERAGE
NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by NYS disability and Paid Family Leave benefits carrier or licensed insurance agent of that carrier

1a. Legal Name & Address of Insured (use street address only)
SEAFORD AVENUE CORP
25 BROOKLYN AVENUE
MASSAPEQUA, NY 11758
1b. Business Telephone Number of Insured
516-785-6581
1c. Federal Employer Identification Number of Insured or Social Security Number
020649257

2. Name and Address of Entity Requesting Proof of Coverage
County of Nassau
Department of Public Works
1194 Prospect Avenue
Westbury, NY 11590
3a. Name of Insurance Carrier
ShelterPoint Life Insurance Company
3b. Policy Number of Entity Listed in Box "1a"
DBL288406
3c. Policy effective period
01/02/2024 to 01/01/2025

4. Policy provides the following benefits:
[X] A. Both disability and paid family leave benefits.
[] B. Disability benefits only.
[] C. Paid family leave benefits only.
5. Policy covers:
[X] A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law.
[] B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed 1/29/2024 By [Signature]
(Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier)

Telephone Number 516-829-8100 Name and Title Richard White, Chief Executive Officer

IMPORTANT: If Boxes 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be emailed to PAU@wcb.ny.gov or it can be mailed for completion to the Workers' Compensation Board, Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200.

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4B, 4C or 5B have been checked)

State of New York
Workers' Compensation Board

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law(Article 9 of the Workers' Compensation Law) with respect to all of their employees.

Date Signed By
(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number Name and Title

Please Note: Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. Insurance brokers are NOT authorized to issue this form.



Additional Instructions for Form DB-120.1

By signing this form, the insurance carrier identified in Box 3 on this form is certifying that it is insuring the business referenced in Box 1a for disability and/or Paid Family Leave benefits under the NYS Disability and Paid Family Leave Benefits Law. The insurance carrier or its licensed agent will send this Certificate of Insurance Coverage (Certificate) to the entity listed as the certificate holder in Box 2.

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier.

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This Certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This Certificate may be used as evidence of a NYS disability and/or Paid Family Leave benefits contract of insurance only while the underlying policy is in effect.

Please Note: Upon the cancellation of the disability and/or Paid Family Leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Insurance Coverage for NYS disability and/or Paid Family Leave Benefits or other authorized proof that the business is complying with the mandatory coverage requirements of the NYS Disability and Paid Family Leave Benefits Law.

NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

§220. Subd. 8

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.



CERTIFICATE OF NYS WORKERS' COMPENSATION INSURANCE COVERAGE

Form with fields for: 1a. Legal Name & Address of Insured, 1b. Business Telephone Number of Insured, 1c. NYS Unemployment Insurance Employer Registration Number of Insured, 1d. Federal Employer Identification Number of Insured or Social Security Number, 2. Name and Address of Entity Requesting Proof of Coverage, 3a. Name of Insurance Carrier, 3b. Policy Number of Entity Listed in Box "1a", 3c. Policy effective period, 3d. The Proprietor, Partners or Executive Officers are included/excluded.

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. (To use this form, New York (NY) must be listed under Item 3A on the INFORMATION PAGE of the workers' compensation insurance policy). The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is canceled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from the coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in box "3c", whichever is earlier.

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Workers' Compensation contract of insurance only while the underlying policy is in effect.

Please Note: Upon cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.

Approved by: Shannon C. Peck (Print name of authorized representative or licensed agent of insurance carrier)

Approved by: [Signature] 8/29/2024 (Signature) (Date)

Title: Director of Customer Retention and Experience

Telephone Number of authorized representative or licensed agent of insurance carrier: (315) 734-2000

Please Note: Only insurance carriers and their licensed agents are authorized to issue Form C-105.2. Insurance brokers are NOT authorized to issue it.

Workers' Compensation Law

Section 57. Restriction on issue of permits and the entering into contracts unless compensation is secured.

1. The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any compensation to any such employee if so employed.
2. The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter.