

NYS Subcontractors and Suppliers Contract Rider

Construction Manager shall seek participation goals for New York State subcontractors and suppliers totaling \$118,750,000 in the aggregate for the Project, with \$78,750,000 in the first year and \$40,000,000 in the second year. To qualify for credit towards the participation goal, the subcontractor or supplier must meet the following minimum criteria:

1. The entity must be a Sole Proprietorship, General Partnership, Limited Partnership, Limited Liability Company or Corporation appropriately formed and registered in New York State.
2. The entity may not be a broker. Although further subcontracting is permitted, at least 50% of the work or service must be performed by the entity awarded the contract.
3. The entity may not be a subsidiary entity of an out-of-state business.
4. The entity must have been in continuous operation for no less than the last twelve months.
5. The entity must have a physical place of business in New York.

Construction Manager shall provide a monthly report identifying the gross dollar value of contracts awarded to New York State subcontractors or suppliers that meet the above criteria. The Construction Manager shall certify that it has conducted an adequate investigation to verify that the above criteria have been met by the identified subcontractors or suppliers. Construction Manager shall pre-qualify bidders for work on the Project with best efforts to have New York State subcontractors or suppliers on bid lists for all elements of the Project. Construction Manager shall provide any supplemental reports or certifications as may be reasonably requested by the Owner to verify that it is meeting or exceeding the participation goal for the project set forth above.