Environmental Protection

Emily Lloyd
Commissioner

Mary F. Pazan
Assistant Commissioner
Agency Chief Contracting Officer

59-17 Junction Boulevard
Flushing, N.Y. 11373

Tel. (718) 595-3925
Fax (718) 595-3278
mpazan@dep.nyc.gov

September 22, 2014

Michael Marinakis
Vice President
Volmar Construction Inc.
4400 2nd Avenue
Brooklyn, NY 11232-4213

Re: Contract HRP-JOC-1
PIN 82614HRPJOC1
NYC Houses Rehabilitation Program – Region 1
Approval of Amendment No. 2

Dear Mr. Marinakis:

This letter is to inform you that the Amendment to the Contract between Volmar Construction Inc. and the New York City Department of Environmental Protection ("DEP") (Registration No. 20141404641) for the NYC Houses Rehabilitation Program – Region 1 (the "Contract") which amends Article 20 Performance and Payment Bonds of the Schedule A has been approved.

All other terms and conditions of the Contract remain in effect throughout the extension period.

Very truly yours,

Mary F. Pazan
Agency Chief Contracting Officer

cc: Chan/Ohringer

COMPTROLLER'S OFFICE
CONTRACT REGISTRATION COVER SHEET

E-PIN NO._____ DATE: 9/22/14
SUBMITTING AGENCY CODE: 826

CONTRACT NUMBER: 20141404641 MOD NUMBER EXT (5 digits) 00004

OCA NUMBER: 1003585341 VENDOR No. (10digits) 0/0/0/0/5/5/4/1/3/3/

AGENCY CONTACT PERSON: MARIA OHRINGER

ADDRESS: 59-17 JUNCTION BLVD.,17TH Fl, FLUSHING, NY 11373 TEL.: 718-595-3177 FAX: 718-595-3278

Please indicate your reason for submitting the attached documents by filling out the form below:

A. NEW SUBMISSION: (check off only one Box each for FMS Contract Code and Contract Class)

FMS/3 CONTRACT CODE			FMS/3 CONTRACT CLASS		
	CT1	GENERAL CONTRACT		G	EXPENSE
	RCT1	REVENUE CONTRACT		C	CAPITAL
	CTR	CONTRACT REVISION (INCREASES/DECREASES/ENCUMBRANCES AND DATA CHANGES)		X	MIXED/SPLIT FUNDING
	MA1	MASTER AGREEMENT		V	REVENUE
	MAR	MASTER AGREEMENT REVISION (INCREASES/DECREASE AND DATA CHANGES)		RN	MASTER AGREEMENTS
	MMA1	MULTIPLE AWARD MASTER AGREEMENT		RG	REQUIREMENTS EXPENSE
	CTA1	MULTIPLE AWARD CONTRACT		RC	REQUIREMENTS CAPITAL
				RB	REQUIREMENTS MIXED FUNDS

B. IS THIS A SUBMISSION OF A CONTRACT PACKAGE WHICH HAS BEEN PREVIOUSLY REJECTED OR WITHDRAWN? YES_____ NO_____

OR:

C. ADDITIONAL ITEM FOR A CONTRACT PACKAGE STILL UNDER REVIEW BY THE COMPTROLLER (CIF fax # (212) 815-8780).
Was item requested by Comptroller staff? YES _____ NO _____

If yes, indicate requestor's name: _____

OR:

D. ✓ ADDITIONAL DOCUMENT(s) TO A REGISTERED CONTRACT FOR FILING PURPOSES ONLY. REGISTRATION IS NOT NECESSARY.

OR:

E. _____DOCUMENT(s) SUPPORTING THE REGISTRATION OF MULTIPLE CONTRACTS.

THE CITY OF NEW YORK
FINANCIAL MANAGEMENT SYSTEM
ADVICE OF AWARD REVISION

EXPENSE/GENERAL CONTRACT

DATE: 09/22/2014

PAGE: 1

FINAL

BATCH ID: CT1 826

TAXPAYER ID: 112932630

CONTRACT NUMBER: CT1 826 20141404641

AMENDMENT NUM: Amendment No.2 VERSION NUM: 1

VENDOR ADDR IND: 1 OCA NUMBER: 1003585341

VENDOR: 0000554133

MOD NUMBER: CTR 826 20141404641-00004

VOLMAR CONSTRUCTION INC

ALIAS/DBA:

CONTACT: EFFIE MARINAKIS

PHONE: 718-832-2444

ADDRESS: 4400 2ND AVENUE

BROOKLYN
NY
11232-4213

CONTRACT TITLE: HRP-JOC-1

PIN: 82614HRPJOC1

DESCRIPTION: NYC Houses Rehabilitation Program - Region 1

ORIGINAL AMT:	$30,000,000.00	ORIGINAL START:	09/30/2013	END:	05/31/2015
REVISED AMT:	$30,000,000.00	REVISED START:	10/10/2013	END:	05/31/2015
CURRENT CHANGE:		RESP AGENCY:	826		
INC/DEC INDICATOR:		SUBMITTING AGCY:	826		

CONTRACT OFFICER: KATHRYN MALLON PHONE: 718-595-6183

COMMENTS:

Decrease of unused funds of $4,566,000.00 from FY14, to be re-encumbered in FY15.

CONTRACT TYPE: 05 CLASS: G AWARD METHOD: 01 AWARD LEVEL: 3

CATEGORIES 1: N/A 2: 3: 4: 5:

CONSTRUCTION RELATED: Y REDUCED ADVERTISING: N

HEARING DATE:

MINORITY: WOMAN LOCAL: NOT-FOR-PROFIT: MWBE UTILIZATION CLAUSE: N

LOCATION INFORMATION

SERVICE LOCATION: VARIOUS LOCATIONS IN STATEN ISLAND, NY

ZIP CODE: 10308 BOROUGH: BLOCK: LOT: COUNCIL DISTRICT:

THE CITY OF NEW YORK
FINANCIAL MANAGEMENT SYSTEM
ADVICE OF AWARD REVISION

EXPENSE/GENERAL CONTRACT

FINAL

TAXPAYER ID: 112932630

BATCH ID: CT1 826
CONTRACT NUMBER: CT1 826 20141404641
AMENDMENT NUM: Amendment No.2 **VERSION NUM:** 1
VENDOR ADDR IND: 1 **OCA NUMBER:** 1003585341
MOD NUMBER: CTR 826 20141404641-00004

VENDOR: 0000554133
VOLMAR CONSTRUCTION INC

ALIAS/DBA:

DELIVERY DATE:

DELIVER TO:

INVOICE TO:

DEPT: 826 **SHIP CODE:**

DEPT: **BILL CODE:**

THE CITY OF NEW YORK
FINANCIAL MANAGEMENT SYSTEM
ADVICE OF AWARD REVISION

EXPENSE/GENERAL CONTRACT

FINAL

BATCH ID: CT1 826

TAXPAYER ID: 112932630

CONTRACT NUMBER: CT1 826 20141404641

AMENDMENT NUM: Amendment No.2 **VERSION NUM:** 1

VENDOR ADDR IND: 1 **OCA NUMBER:** 1003585341

VENDOR: 0000554133
VOLMAR CONSTRUCTION INC

MOD NUMBER: CTR 826 20141404641-00004

ALIAS/DBA:

CONTRACT INFORMATION

REFERENCE INFORMATION

REFERENCE CODE: MOD

REFERENCE CONTRACT:

INTERNAL AWARD NUMBER: 82614HRPJOC1

SOLICITATION NUMBER:

REPLACES CONTRACT:

NUMBER OF RESPONSES: 8

OUT OF NUM OF SOLICITATION: 1122

COMPLIANCE INFORMATION

COMPLIANCE CRITERIA							
	1.	MCBRIDE	Y	2.	0LIVINGWAG	N	3.	N
	4.		N	5.		N		

NON COMPLY REASON: N/A

WORKSITES / COMMUNITY / BOARD CODES

WORKSITES					
	1. S00	2.	3.	4.	5.
	6.	7.	8.	9.	10.

THE CITY OF NEW YORK
FINANCIAL MANAGEMENT SYSTEM
ADVICE OF AWARD REVISION

EXPENSE/GENERAL CONTRACT

DATE: 09/22/2014

PAGE: 4

FINAL

		BATCH ID:	CT1	826	
TAXPAYER ID:	112932630	CONTRACT NUMBER:	CT1	826	20141404641
		AMENDMENT NUM:	Amendment No.2	VERSION NUM:	1
		VENDOR ADDR IND:	1	OCA NUMBER:	1003585341
VENDOR:	0000554133	MOD NUMBER:	CTR 826	20141404641-00004	
	VOLMAR CONSTRUCTION INC				
ALIAS/DBA:					

I HAVE EXAMINED THIS ADVICE OF AWARD OF CONTRACT AND CERTIFY THAT THE AWARD WAS MADE TO THE LOWEST RESPONSIBLE BIDDER, AND/OR IN ACCORDANCE WITH THE PROVISIONS OF THE APPROPRIATE SECTIONS OF THE NYC CHARTER, AT THE PRICE BID BY SUCH BIDDER, AND THAT IT IS CORRECT AS TO CALCULATION AND EXTENSION AND THAT THE AWARD WAS PROPERLY MADE.
I CERTIFY THAT I HAVE CHECKED THE CONTRACTOR'S RECORD PURSUANT TO SECTIONS 6-116.1 AND 6-116.2 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK.
I FURTHER CERTIFY THAT THIS AWARD IS A PROPER EXPENDITURE AND THE LIABILITY HAS BEEN CHARGED TO THE PROPER FUND OR FUNDS.

AGENCY DEP TELEPHONE # (718) 595-4795

PREPARED BY (PRINT) Constantino Mendoza

PREPARED BY (SIGNATURE)

AUTHORIZED OFFICIAL'S NAME & TITLE Maria Ohringer, Asst. ACCO

TELEPHONE # (718) 595-3177

AUTHORIZED AGENCY OFFICIAL (SIGNATURE)

AMENDMENT NO. 2

This Amendment No. 2 ("Amendment") to a job order contract for rehabilitation work on Dwellings in Build it Back **Region No.** 1 **(Registration No.** 20141404641 **; EPIN** 82613B0040) ("Job Order Contract") made and entered into this 7th day of July , 2014, by and between the City of New York ("City"), acting by and through the Department of Environmental Protection ("DEP"), whose address is 59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373, and Volmar Construction Inc. ("Contractor"), **located at** 4400 2nd Ave., Brooklyn, NY 11232 (hereafter, the "Parties").

WHEREAS, consistent with 24 C.F.R. section 85.36(h)(2) & (3), Article 20.1 of the Job Order Contract requires that Contractor maintain performance and payment bonds for the full amount of the Job Order Contract, which is funded with HUD CDBG-DR funds; and

WHEREAS, the full amount of the Job Order Contract is currently unknown because it is dependent on how many homeowners apply for and are accepted into the Build it Back Program and how much work the Contractor is able to perform; and

WHEREAS, Schedule A to the Job Order Contract provides that the Contractor shall initially obtain performance and payment bonds for not less than $5 million and increase the amount of performance and payment bonds in $5-million increments so that the Contractor's performance and payment bonds are equal to or exceed the full amount of the Job Order Contract; and

WHEREAS, the City established the requirement that performance and payment bonds be maintained in increments of $5 million based on the anticipated incremental amount of work the Contractor would be assigned; and

WHEREAS, based on the actual amount of work currently available to the Contractor, the City has determined that reducing the initial amount and incremental amount of required performance and payment bonds to $1 million will meet the requirements of law, protect public funds, and ease an unnecessary financial burden on the Contractor;

NOW, THEREFORE, the parties agree as follows:

1. The following provision in Schedule A is amended to add the words and numbers in bold and to delete the bracketed words and numbers as follows:

ARTICLE 20 PERFORMANCE AND PAYMENT BONDS	Contractor shall obtain performance and payment bonds for not less than [$5,000,000] **$1,000,000** and shall adjust the amount of the bonds in increments of [$5,000,000] **$1,000,000**—on its own action or at the direction of the City—as the value of the Work is increased so that at all times the value of the performance and payment bonds is equal to or

	exceeds the price to be paid for all Job Orders assigned to the Contractor.

Except as set forth herein, all terms of the Job Order Contract shall remain in full force and effect.

Contractor: Valmar Construction INC
By: [signature]
Name: Michael Marinakis
Title: Vice President
Date: 7/1/14

New York City Department of Environmental Protection
By: [signature]
Name: MARY PAZAN
Title: ASST. COMMISSIONER
Date: 8/13/14

APPROVAL AS TO FORM OF A CONTRACT BY STANDARD TYPE OF CLASS

Agency: New York City Department of Environmental Protection

Contract: Build it Back Job Order Contract Amendment No. 2

Pursuant to section 394 of the New York City Charter, I hereby approve as to form the annexed contract amendment by standard type of class. This approval is valid for a period of one (1) year from the date hereof and for a maximum of 12 contracts.

The above approval is made on the express understanding that the substantive language of the contract will not be altered or changed in any way without prior submission to the Office of the Corporation Counsel for approval, provided, however, that blank spaces in the contracts requiring names, dates, dollar amounts or other similar details may be completed.

APPROVED AS TO FORM AND
CERTIFIED AS TO LEGAL AUTHORITY

ACTING CORPORATION COUNSEL

DATE: JUN 25 2014

2014-022960