

PUTNAM/NORTHERN WESTCHESTER B.O.C.E.S.  
PURCHASING DEPARTMENT  
200 BOCES Drive  
Yorktown Heights, NY 10598-4399  
(914) 248-2317

6/21/2010

**2009-10 REQUEST FOR PROPOSAL: CLERK OF THE WORKS – CAPITAL PROJECTS**  
**THREE (3) YEAR RENEWABLE CONTRACT**  
**CONTRACT PERIOD: JULY 1, 2009 – JUNE 30, 2010**  
**PROPOSALS RECEIVED UNTIL MARCH 27, 2009**

**1. SCOPE**

Putnam/Northern Westchester BOCES, herein P/NW BOCES, is accepting proposals for Clerk of the Works position, as independent contractor to P/NW BOCES. The contract shall be for an hourly rate to conduct and fulfill all duties and responsibilities stated herein. Clerk of the Works activities of this contract is for all Capital Projects.

**2. BASIC QUALIFICATIONS and SKILL REQUIREMENTS**

The Clerk of the Works will be expected to possess the following abilities and be capable of performing, but not limited to performing, the illustrative duties listed herein:

Must have a valid drivers license.

Must have five (5) years experience in building trades.

Must have ability to read, understand and interpret blueprints, schematics, and detailed specifications.

Must have an understanding and knowledge of all trades relating to the project assigned.

Must be able to work closely with Architects, Engineers, Civil Authorities and people connected to the project.

Must have the ability to keep detailed notes and records and write daily reports on all aspects pertaining to the project.

Must be able to maintain files and all records on product literature, manuals, specification books, daily logs and records pertaining to the project.

Must have a thorough understanding of and be able to enforce site safety, site cleanliness etc.

Must have understanding of all functions of Clerk of the Works.

Must have knowledge of building and safety codes as well as state and federal rules and regulations relative to buildings, construction etc.

Must be able to communicate via e-mail and fax to all appropriate personnel relative to any project.

PUTNAM/NORTHERN WESTCHESTER B.O.C.E.S.  
PURCHASING DEPARTMENT  
200 BOCES Drive  
Yorktown Heights, NY 10598-4399  
(914) 248-2317

6/21/2010

**2009-10 REQUEST FOR PROPOSAL: CLERK OF THE WORKS – CAPITAL PROJECTS**  
**THREE (3) YEAR RENEWABLE CONTRACT**  
**CONTRACT PERIOD: JULY 1, 2009 – JUNE 30, 2010**  
**PROPOSALS RECEIVED UNTIL MARCH 27, 2009**

**3. DUTIES AND RESPONSIBILITIES**

Perform site inspections daily.

Attend all job meetings taking minutes to confirm all instructions and directions. May run meetings in the absence of the Architect. Directly communicate any and all discussions relative to the project to the Director of Facilities and Operations.

Act as liaison to all trades, P/NW BOCES and Architect.

Protect the interests of P/NW BOCES at all times, both on and off the site.

Maintain Material Safety Data Sheets (MSDS) for all materials used on project.

Review all materials before installation to ensure compliance with contractor submittals as previously approved by Architect.

Check all work and materials for compliance with specifications.

Review all schedules at job meetings and coordinate any changes with all affected contractor's representatives.

Review any and all change order requests and make recommendations to Director of Facilities and Operations.

Prepare written daily reports which will include the number of workers on site by trade each day, all visitors, daily project activities, any problems encountered, notes on any job discussions with contractors, accident reports, weather conditions and job progress. This must be kept in detail as a permanent record for P/NW BOCES. Maintain records at the construction site in an orderly manner. Include correspondence, contract documents, change orders, construction change authorizations, Architect's supplemental instructions, reports of site conferences, shop drawings, product data, samples, supplementary drawings, color schedules, requests for payment, and names and addresses of contractors, subcontractors and principal material suppliers.

Prepare punch lists and follow through with contractors and Architect on items listed to completion. Monitor the progress and completion of all punch list items and take necessary action with all contractors if punch list items are not being completed according to established schedules.

Maintain cost figures for all work in project.

PUTNAM/NORTHERN WESTCHESTER B.O.C.E.S.  
PURCHASING DEPARTMENT  
200 BOCES Drive  
Yorktown Heights, NY 10598-4399  
(914) 248-2317

6/21/2010

**2009-10 REQUEST FOR PROPOSAL: CLERK OF THE WORKS – CAPITAL PROJECTS**  
**THREE (3) YEAR RENEWABLE CONTRACT**  
**CONTRACT PERIOD: JULY 1, 2009 – JUNE 30, 2010**  
**PROPOSALS RECEIVED UNTIL MARCH 27, 2009**

Maintain files on all project related correspondence, meeting minutes, payment applications, change orders and close out information.

Perform other project related duties as required and deemed necessary by Director of Facilities.

Observe the progress and quality of the work as is reasonably necessary at that stage of construction to determine in general that it is proceeding in accordance with the Contract Documents. Notify the Architect immediately if, in the Clerk of the Work's opinion, Work does not conform to the Contract Documents or requires special inspection or testing.

Monitor the construction schedule and report to the Architect conditions which may cause delay in completion.

Review Contract Documents with the Contractor's superintendent. Obtain necessary interpretations from the Architect and transmit them to the Contractor.

Consider the Contractor's suggestions and recommendations, evaluate them and submit them, with recommendations, to the Architect for a final decision.

Attend meetings as directed by the Architect and report to the Architect on the proceedings.

Observe tests required by the Contract Documents. Record and report to the Architect on test procedures and, where applicable, the results. Verify testing invoices to be paid by the P/NW BOCES.

Assist the Architect in reviewing shop drawings, product data and samples. Notify the Architect if any portion of the Work requiring shop drawings, product data or samples is commenced before such submittals have been approved by the Architect. Receive and log Samples which are required to be furnished at the site, notify the Architect when they are ready for examination, and record the Architect's approval or other action. Maintain custody of approved samples.

Observe the Contractor's record drawings at intervals appropriate to the stage of construction and notify the Architect of any apparent failure by the Contractor to maintain up-to-date records.

Review Applications for Payment submitted by the Contractor and forward them to the Architect with recommendations for disposition.

Review the list of items to be completed or corrected which is submitted by the Contractor with a request for issuance of a Certificate of Substantial Completion. Inspect the work and if the list is accurate, forward it to the Architect for final disposition; if not, so advise the Architect, and return the list to the Contractor for correction.

PUTNAM/NORTHERN WESTCHESTER B.O.C.E.S.  
PURCHASING DEPARTMENT  
200 BOCES Drive  
Yorktown Heights, NY 10598-4399  
(914) 248-2317

6/21/2010

**2009-10 REQUEST FOR PROPOSAL: CLERK OF THE WORKS – CAPITAL PROJECTS**  
**THREE (3) YEAR RENEWABLE CONTRACT**  
**CONTRACT PERIOD: JULY 1, 2009 – JUNE 30, 2010**  
**PROPOSALS RECEIVED UNTIL MARCH 27, 2009**

Review and report to the Architect on conditions of the portions of the project being occupied or utilized by P/NW BOCES or separate contractors, to minimize the possibility of claims for damages.

Assist the Architect in final inspection of the Work. Receive from the Contractor and prepare for transmittal to P/NW BOCES the documentation the Contractor is required to furnish at the completion of the Work.

**4. LIMITATIONS OF AUTHORITY**

The Clerk of the Works shall NOT:

Authorize deviations from the Contract Documents.

Approve substitute materials or equipment except as authorized in writing by the Architect.

Personally conduct or participate in test or third party inspections except as authorized in writing by the Architect.

Assume any of the responsibilities of the Contractor's superintendent or of Subcontractors.

Expedite the Work for the Contractor.

Advise on, or issue directions concerning, aspects of construction means, methods, techniques, sequences or procedures, or safety precautions and programs in connection with the Work.

Authorize or suggest that P/NW BOCES occupy the Project in whole or part.

Issue a Certificate for Payment or Certificate of Substantial Completion.

Prepare or certify to the preparation of record drawings.

Reject Work or require special inspection or testing except as authorized in writing by the Architect.

Order the Contractor to stop the Work or any portion thereof unless authorized by Architect or Director of Facilities & Operations.

PUTNAM/NORTHERN WESTCHESTER B.O.C.E.S.  
PURCHASING DEPARTMENT  
200 BOCES Drive  
Yorktown Heights, NY 10598-4399  
(914) 248-2317

6/21/2010

**2009-10 REQUEST FOR PROPOSAL: CLERK OF THE WORKS – CAPITAL PROJECTS**  
**THREE (3) YEAR RENEWABLE CONTRACT**  
**CONTRACT PERIOD: JULY 1, 2009 – JUNE 30, 2010**  
**PROPOSALS RECEIVED UNTIL MARCH 27, 2009**

**5. AGREEMENT**

This Agreement does not create an employee/employer relationship between the parties. It is the parties' intention that the Clerk of the Works will be an independent contractor, and not a P/NW BOCES employee, for all purposes, including but not limited to, the application of the Fair Labor Standards Act minimum wage and overtime payment, Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the provisions of the Internal Revenue Code, the New York State Revenue and Taxation Law, the New York State Workers' Compensation Law and the New York State Unemployment Insurance Law.

Clerk of the Works will retain sole and absolute discretion in the judgment of the manner and means of carrying out the service activities and responsibilities hereunder. Clerk of the Works agrees to be a separate and independent enterprise from P/NW BOCES that has full opportunity to find other business, and that a high level of skill will be necessary to perform the work. This Agreement shall not be construed as creating any joint employment relationship between the Clerk of the Works and P/NW BOCES. P/NW BOCES will not be liable for any obligation incurred by the Clerk of the Works, if any, including but not limited to unpaid minimum wages and/or overtime premiums.

**6. IDEMNIFICATION**

The Clerk of the Works shall indemnify and save P/NW BOCES harmless against:

- a. all claims on account of injury, loss or damage arising or alleged to arise out of or in connection with the Clerk of the Works' performance of the agreement, including all expenses and fees incurred by P/NW BOCES in the defense, settlement or satisfaction thereof;
- b. all losses, injuries or damages, and wages or overtime compensation due the Clerk of the Works, employees in rendering services pursuant to this agreement, including payment of reasonable attorneys' fees and costs in the defense of the claim made under the Fair Labor Standards Act or any other federal or state law.

**7. SEVERABILITY**

P/NW BOCES retains the right to terminate this agreement at any time deemed in the best interest of P/NW BOCES with five (5) days written notice via certified mail.

PUTNAM/NORTHERN WESTCHESTER B.O.C.E.S.  
PURCHASING DEPARTMENT  
200 BOCES Drive  
Yorktown Heights, NY 10598-4399  
(914) 248-2317

6/21/2010

**2009-10 REQUEST FOR PROPOSAL: CLERK OF THE WORKS – CAPITAL PROJECTS**  
**THREE (3) YEAR RENEWABLE CONTRACT**  
**CONTRACT PERIOD: JULY 1, 2009 – JUNE 30, 2010**  
**PROPOSALS RECEIVED UNTIL MARCH 27, 2009**

**8. PROPOSAL EVALUATION**

Proposals will be evaluated by Vincent Garnot, Director of Facilities and Operations, who shall be the sole judge as to whom is most qualified and will perform responsibilities in the highest degree of professionalism for P/NW BOCES. Based on Vincent Garnot's recommendation and approval hereto by the Board of P/NW BOCES, a contract will be entered into.

**9. REQUIRED SUBMITTALS**

Proposers shall submit a resume of experience, list of employers, principals' name and telephone number and references as deemed feasible.

**10. CONTRACT**

The contract period shall be from July 1, 2009 through June 30, 2010. P/NW BOCES reserves the right to renew this contract each fiscal year for a total of three (3) years if deemed in the best interest of the P/NW BOCES.

PUTNAM/NORTHERN WESTCHESTER B.O.C.E.S.  
PURCHASING DEPARTMENT  
200 BOCES Drive  
Yorktown Heights, NY 10598-4399  
(914) 248-2317

6/21/2010

**2009-10 REQUEST FOR PROPOSAL: CLERK OF THE WORKS – CAPITAL PROJECTS**  
**THREE (3) YEAR RENEWABLE CONTRACT**  
**CONTRACT PERIOD: JULY 1, 2009 – JUNE 30, 2010**  
**PROPOSALS RECEIVED UNTIL MARCH 27, 2009**

**BID PROPOSAL**

Total fees to perform all duties and responsibilities listed herein, and additional related responsibilities that may be delegated, at an hourly rate. Anticipated hours are 150 – 200 hours, which will be determined by P/NW BOCES.

July 1, 2009 – June 30, 2010      **HOURLY RATE \$** \_\_\_\_\_

July 1, 2010 – June 30, 2011      **HOURLY RATE \$** \_\_\_\_\_

July 1, 2011 – June 30, 2012      **HOURLY RATE \$** \_\_\_\_\_

**Proposal is all-inclusive. There shall be no reimbursable expenses allowed under this contract.**

\_\_\_\_\_  
Officer of Company (Signature)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Address

\_\_\_\_\_  
Fax Number