

**EXHIBIT**

3-11-05, 3/28/05

STATE OF NEW YORK }  
COUNTY OF ROCKLAND }  
TOWN OF ORANGETOWN }

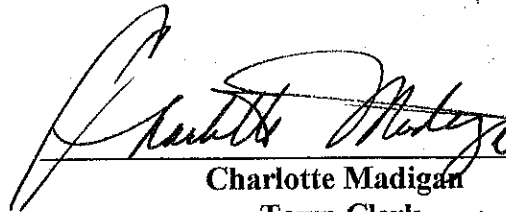
SS.

Charlotte Madigan being duly sworn upon her oath, deposes and says;

That, she is, at all times hereinafter mentioned was, duly elected, Qualified and acting Town Clerk of the *TOWN of ORANGETOWN*, in the County of Rockland, State of New York.

That, on the 16th day of February 2005, she caused to be conspicuously posted and fastened up a notice, a true copy of which is annexed hereto and made a part of hereof, in the following places, at least one of which is a public place within the *TOWN of ORANGETOWN*, New York.

1. Town Hall Bulletin Boards
- 2.
- 3.
- 4.
- 5.



Charlotte Madigan  
Town Clerk

Subscribed and sworn to before me

This 16th day of February, 2005

**ROBERT R. SIMON**  
Notary Public, State of New York  
No. 01915005857  
Residing in Rockland County  
Commission Expires December 21, 2006



## INVITATION TO BID

NOTICE IS HEREBY GIVEN THAT SEALED Bids for REPAIR/REPLACEMENT OF SEWERS INCLUDING STREET LATERALS WITHIN THE ORANGETOWN SEWER DISTRICT, Bid Number: DEME-6-05, for the Town of Orangetown, Department of Environmental Management and Engineering (DEME), will be received by the Town Board of the Town of Orangetown on Wednesday, March 16, 2005, at 10:30 A.M. local time, in the Offices of the Town Clerk located at 26 Orangeburg Road, Orangeburg, New York 10962, at which time and place they will be publicly opened and read aloud at 11:00 A.M. The service to be furnished to the DEME, shall be in accordance with the Invitation to Bid, Bid Number DEME-6-05, prepared by the DEME for said service.

The Bid Documents can be obtained by visiting [www.bidnet.com](http://www.bidnet.com) or calling 890-677-1997 and register for Town bids or they can be picked up at the Office of the Town Clerk between the hours of 9:00 a.m. and 4:00 p.m. daily except Saturdays, Sundays and holidays on or after February 15, 2005.

Any Bids not delivered in person shall be mailed to the Town Clerk, Town of Orangetown, 26 Orangeburg Road, Orangeburg, New York 10962. All Bids shall be submitted in sealed envelopes and shall be plainly marked on the outside with the statement "Bid Documents Enclosed" and with the Contractor's name and the title of the Bid.

Copies of the contract documents may be examined at no expense at the offices of the Town Clerk between the hours of 9:00 a.m. and 4:00 p.m. daily, except Saturdays, Sundays and holidays on or after February 15, 2005

The Town of Orangetown is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties of the State on all equipment and materials which are to be sold by the Contractor to the Town, pursuant to the provisions of this Bid. These taxes are not to be included in the Bid.

The attention of Bidders is directed to the applicable Federal and State requirements, and to "NON-COLLUSION STATEMENT" in the Bid Forms.

Each Bid must be accompanied by a certified check for a sum equal to \$500.00, payable to the Town of Orangetown, or a bond with sufficient sureties to be approved by the attorneys for the Town, in a sum equal to \$500.00, and that the Contractor will execute such further security as may be required for the faithful performance of the Contract as set forth in these contract documents.

No Bidder may withdraw his Bid for forty-five (45) days after the date set for opening thereof.

It is understood that there must be a written contract executed by the Supervisor of the Town of Orangetown, pursuant to a Town Board Resolution. This is subject to appropriations approved by the Town Board.

By order of the Town Board of the Town of Orangetown DATED: February 14, 2005

**CHARLOTTE MADIGAN, TOWN CLERK**  
**RONALD C. DELO, P.E., DEE, DEPARTMENT OF ENVIRONMENTAL**  
**MANAGEMENT AND ENGINEERING**

# AFFIDAVIT OF PUBLICAT

from

# The Journal News

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By order of the Town Board of the Town of Orangetown

DATED: February 14, 2006

CHARLOTTE MADIGAN  
TOWN CLERK  
RONALD C. DELO, P.E. DEE, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT AND ENGINEERING

STATE OF NEW YORK  
COUNTY OF WESTCHESTER

**Northern Area**

- |                  |                  |
|------------------|------------------|
| Amawalk          | North Salem      |
| Armonk           | Ossining         |
| Baldwin Place    | Peekskill        |
| Bedford          | Pound Ridge      |
| Bedford Hills    | Purdys           |
| Clarkstown Manor | Shenock          |
| Cochran          | Shrub Oak        |
| Chappaqua        | Somers           |
| Crompond         | South Salem      |
| Cross River      | Verplanck        |
| Croton Falls     | Waccabuc         |
| Croton on Hudson | Yorktown Heights |
| Goldens Bridge   | Brewster         |
| Granite Springs  | Carmel           |
| Jefferson Valley | Cold Spring      |
| Katonah          | Garrison         |
| Lincolndale      | Lake Peekskill   |
| Milwood          | Mahopac          |
| Mohegan Lake     | Mahopac Falls    |
| Montrose         | Putnam Valley    |
| Mount Kisco      | Patterson        |

**Central Area**

- |                  |                    |
|------------------|--------------------|
| Ardley           | Pleasantville      |
| Ardley on Hudson | Port Chester       |
| Dobbs Ferry      | Purchase           |
| Elmsford         | Pye                |
| Greenburgh       | Scarsdale          |
| Harrison         | Tarrytown          |
| Hartsdale        | Thonwood           |
| Hawthorne        | Valhalla           |
| Irvington        | White Plains       |
| Larchmont        | Hastings on Hudson |
| Mamaroneck       |                    |

**Southern Area**

- |              |              |
|--------------|--------------|
| Mount Vernon | Eastchester  |
| Yonkers      | New Rochelle |
| Tuckahoe     | Pelham       |
| Brookville   |              |

**Rockland Area**

- |             |                 |
|-------------|-----------------|
| Suffern     | Pomona          |
| Blauvelt    | Stearnsburg     |
| Congers     | Sparkill        |
| Garnerville | Spring Valley   |
| Haverstraw  | Stony Point     |
| Hilborn     | Talman          |
| Nanuet      | Tappan          |
| New City    | Theris          |
| Nyack       | Tomkins Cove    |
| Orangeburg  | Valley Cottage  |
| Palisades   | West Haverstraw |
| Pearl River | West Nyack      |
| Piermont    |                 |

*Clarence Brunson*  
duly sworn, says that he/she is the  
News, a newspaper published in the  
State of New York, and the notice of  
printed copy, was published in the  
left and on the dates checked below

*Ad for Feb 5007*

	1	2	3	4	5	6	7	8	9
<i>Feb</i>									
	19	20	21	22	23	24	25	26	27

Signed

Sworn to before me

this 22<sup>nd</sup> day of February 2006  
*Debra Mitchell*

Notary Public, Westchester County

DEBRA A. MITCHELL  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01M16113018  
QUALIFIED IN WESTCHESTER COUNTY  
TERM EXPIRES: JULY 19, 2008

The Bid Documents can be obtained by visiting [www.bidnet.com](http://www.bidnet.com) or calling 800-677-1997 and register for Town bids or they can be picked up at the Office of the Town Clerk between the hours of 9:00 a.m. and 4:00 p.m. daily except Saturdays, Sundays and holidays on or after February 15, 2006.

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Journal  
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*2006*

	5	16	17	18
				X

BID OPENING TIME:

**11:00 AM**

DATE

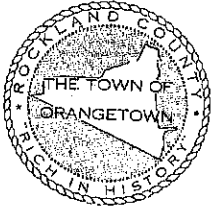
**03/16/05**

**CONTRACTOR  
NAME  
&  
ADDRESS**

*Mike Ditta  
Excavating  
Montvale NJ  
Environment Inc  
Const.  
Stony Pt. N.Y.  
William Harris  
& Son  
P.R. NY  
Ruckels AVE  
Congers NY  
Cal Mart Ent  
W. Nyack*

<b>DATE RECEIVED</b>	3/16/05	3/16/05	3/16/05	3/16/05	3/16/05
<b>TIME RECEIVED</b>	10:11 AM	10:03 AM	9:55 AM	9:45 AM	9:06 AM
<b>NON COLLUSION STATEMENT</b>	✓	✓	✓	✓	✓
<b>BID BOND or CERTIFIED CHECK</b>	✓ \$ 500.00	✓ \$ 500.00	✓ \$ 500.00	✓ \$ 500.00	✓ \$ 500.00
<b>Item 1a/Laborer/Straight Time</b>					
<b>Rate Per Hour</b>	\$ 43.00	\$ 49.77	\$ 58.66	\$ 63.00	\$ 64.00
<b>Item 1b/Laborer/Premium Time</b>					
<b>Rate Per Hour</b>	\$ 65.00	\$ 61.30	\$ 82.19	\$ 107.00	\$ 92.00
<b>Item 2a/Foreman/Straight Time</b>					
<b>Rate Per Hour</b>	\$ 46.00	\$ 54.43	\$ 75.15	\$ 69.00	\$ 64.00
<b>Item 2b/Foreman/Premium Time</b>					
<b>Rate Per Hour</b>	\$ 69.00	\$ 66.30	\$ 105.00	\$ 117.00	\$ 92.00
<b>Item 3a/Operator/Straight Time</b>					
<b>Rate Per Hour</b>	\$ 57.50	\$ 65.07	\$ 81.87	\$ 88.00	\$ 90.00
<b>Item 3b/Operator/Premium Time</b>					
<b>Rate Per Hour</b>	\$ 81.00	\$ 79.20	\$ 114.88	\$ 154.00	\$ 128.00
<b>Item 4a/Teamster/Straight Time</b>					
<b>Rate Per Hour</b>	\$ 50.00	\$ 49.62	\$ 40.40	\$ 67.00	\$ 69.00
<b>Item 4b/Teamster/Premium Time</b>					
<b>Rate Per Hour</b>	\$ 75.00	\$ 60.70	\$ 55.93	\$ 113.00	\$ 85.00
<b>Mark up Materials</b>	5%	10% overhead 15% profit	15%	23.75%	18%





Department of Environmental Management and Engineering  
Town of Orangetown

Route 303 Orangeburg New York 10962  
Tel: (845) 359-6502 • Fax: (845) 359-6951

March 25, 2005

To: Thom Kleiner  
Town Board

From: Ronald C. Delo, P.E., DEE *RD*  
Director

**Re: Bid Number: DEME-6-05 Repair/Replacement of Sewers  
Including Street Laterals Within The Orangetown Sewer  
District**

I recommend the above referenced bid be awarded to Mike Dutra Excavating, Inc., 10 Stone Hollow Road, Montvale, N.J. 07645, the lowest bidder for this work.

The Town received six (6) bids for this work. See attached summary sheet of the results of same.

Mike Dutra Excavating, Inc. has the necessary equipment and experience to perform this work.

References were contacted and all indicated that Mike Dutra Excavating, Inc. had performed similar work for them satisfactorily.

Please note that this is a time and materials bid and that the vast majority of the work is performed during the normal work day.

Should you have any questions on the above, please contact me.

Thank you for your consideration in this mater.