



LEDGE CREEK
DEVELOPMENT, INC.

10100 County Road
Clarence Center, NY 14032
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www.ledgecreek.com

St. John's Evangelical Lutheran Church
New Sanctuary, Narthex & Office Complex
Design-Build
Statement of Qualifications
Friday, January 22, 2010



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General Construction Site Development

10100 County Road • Clarence Center, New York 14032 • (716) 741-3174 • (716) 741-3175

January 22, 2010

St. John's Evangelical Lutheran Church
3512 Clinton St.
West Seneca, NY 14224

Attn: Richard Lipka, Project Manager

**St. John's Evangelical Lutheran Church -New Sanctuary, Narthex & Office Complex
Design-Build Statement of Qualifications
Due Friday, January 22, 2010 2:00 PM**

Dear Mr. Lipka:

Pursuant to your Request for Qualifications received January 7, 2010, enclosed please find six (6) copies of our Qualification Statement for Design-Build Services on the proposed *New Sanctuary, Narthex & Office Complex for St. John's Evangelical Lutheran Church*.

We thank you for the opportunity to be considered for this project and look forward to the opportunity to submit a Proposal if we are afforded the opportunity to do so.

We are confident that you will find that the team we have assembled has the experience, discipline, diligence and sense of responsibility to their clients to make this project a success.

The project delivery system you have selected and the objectives you have outlined bode well for its success on all levels. We are anxious to demonstrate the added benefits we can bring to your project.

Please advise if any further information or documentation is needed at this juncture.

Sincerely,


Scott Castiglione
Vice-President – Construction

cc: Donald Aubrecht Fontanese Folts Aubrecht Ernst Architects
Barry Small, President Ledge Creek Development, Inc.
Scott Roetzer, Secretary, Ledge Creek Development, Inc.
Dick Jakala, Project Manager



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Contact Information

Questions Regarding this Qualification Statement should be directed to Scott Castilone at:

Scott E. Castilone

Vice President - General Construction
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scastilone@ledgecreek.com

If Scott is not available, please contact Dick Jakala at:

Richard Jakala

Project Manager
LEDGE CREEK DEVELOPMENT, INC.
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3.1 Criteria One: Respondent's Statement of Qualifications and Availability to Undertake the Project

3.1.1 Ledge Creek Development Inc. has a high level of interest in performing Design/Build Services for The New Saint John's Evangelical Lutheran Church of West Seneca. Ledge Creek Development is uniquely qualified to perform the renovation and new construction required for the completion of your proposed construction project. We have recently completed the renovations and additions to First Presbyterian Church in Clarence and Randall Memorial Baptist Church in Williamsville. Both projects involved completing all of the work while the facilities were occupied and functional. Ledge Creek has teamed with Fontanese Folts Aubrecht Ernst Architects of Orchard Park (FFAE) to perform the design component of our Design / Build proposal. FFAE provided the design work for the First Presbyterian Church of Clarence and has provided designs for a multitude of worship space projects. The staffs of Ledge Creek and FFAE have a long history of working together through the pre-construction and construction phases of projects which has allowed our team to complete projects on time and in budget.

3.1.2 With all of our projects Ledge Creek Development provides a unique level of involvement by their principals and senior management. On all of our projects Ledge Creek ownership is on site on a daily basis, as the owner's of Ledge Creek oversee the field operations of all site and general construction work. Ledge Creek senior management also performs all of the pre-construction work including estimating, bid package creation, value engineering and document approval. Project management will be performed by our senior project manager who is experienced in Church renovation work. FFAE will assign a managing partner to the project that will be directly involved from the beginning of the design phase through the completion of construction. The assigned managing partner will be involved in all design decisions and will attend all project meetings throughout the process.

All of the ownership, senior management and managing partners detailed above are readily available to be committed to the St. John's Evangelical Lutheran Church project.



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3.2 Criteria Two: Respondent's Ability to Provide Design/Build Services

3.2.1 Volume

Ledge Creek Development's volume over the past three fiscal years is as follows:

2009 – 38 projects worth a total of \$7,515,000

2008 – 59 projects worth a total of \$5,967,000

2007 - 62 projects worth a total of \$3,573,000

All of the listed volume above is for work that was performed in New York State.

Bonding

Ledge Creek Development's bonding capacity is \$5,000,000 single and \$7,500,000 aggregate. Our available bonding capacity is \$4,000,000 with a current backlog of \$3,500,000.

3.2.2 Please refer to the attached Appendix 1, which is a letter from our bonding agent First Niagara, stating our ability to provide the required bonding for this project.

3.2.3 Ledge Creek Development has no past or pending litigation or claims filed against our organization.

3.2.4 Ledge Creek Development is not currently, or ever in the past, been in default on any loan or financing agreement.

3.2.5 Ledge Creek Development has no relationship between our firm and the Owner in any way.



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3.3 Criteria Three: Qualifications of Design/Build Team

3.3.1 Ledge Creek Development's philosophy for the Design/Build project delivery method is the same philosophy we use in all of our projects regardless of delivery method. Our main goal is to provide the owner with added value to the process by working with Ledge Creek. From the initial programming meetings through construction, our experienced staff provides leadership in the development of construction materials, systems and methods that lead to improved costs of construction and project delivery. By working as a team with the owner and designer through the design/build process Ledge Creek works through the important process of approvals, material selection, building systems, bidding, project scheduling and construction. Through all of these items Ledge Creek provides ideas and solutions that add value to the process. Successful projects result from the design/builder providing solutions to the owner's needs not just providing reporting to the owner of the project status. Ledge Creek does utilize industry standard project tracking and scheduling systems but it is our experience that allows us to control the project direction and provide the owner with value added solutions to issues that arise during the process.

3.3.2 We have included in Appendix 2 detailed resumes of the following Ledge Creek Development and Fontanese Folts Aubrecht Ernst staff that will be assigned to the Saint John's Evangelical Lutheran Church project.

Design/Build Contractor:

Ledge Creek Development, Inc.

- Scott Castilone, VP - Pre-Construction Services and project overview
- Richard Jakala, Project Manager – Construction Project Management
- Scott Roetzer, Principal – Sitework supervision and office management
- Barry Small, Principal – General superintendent and construction supervision



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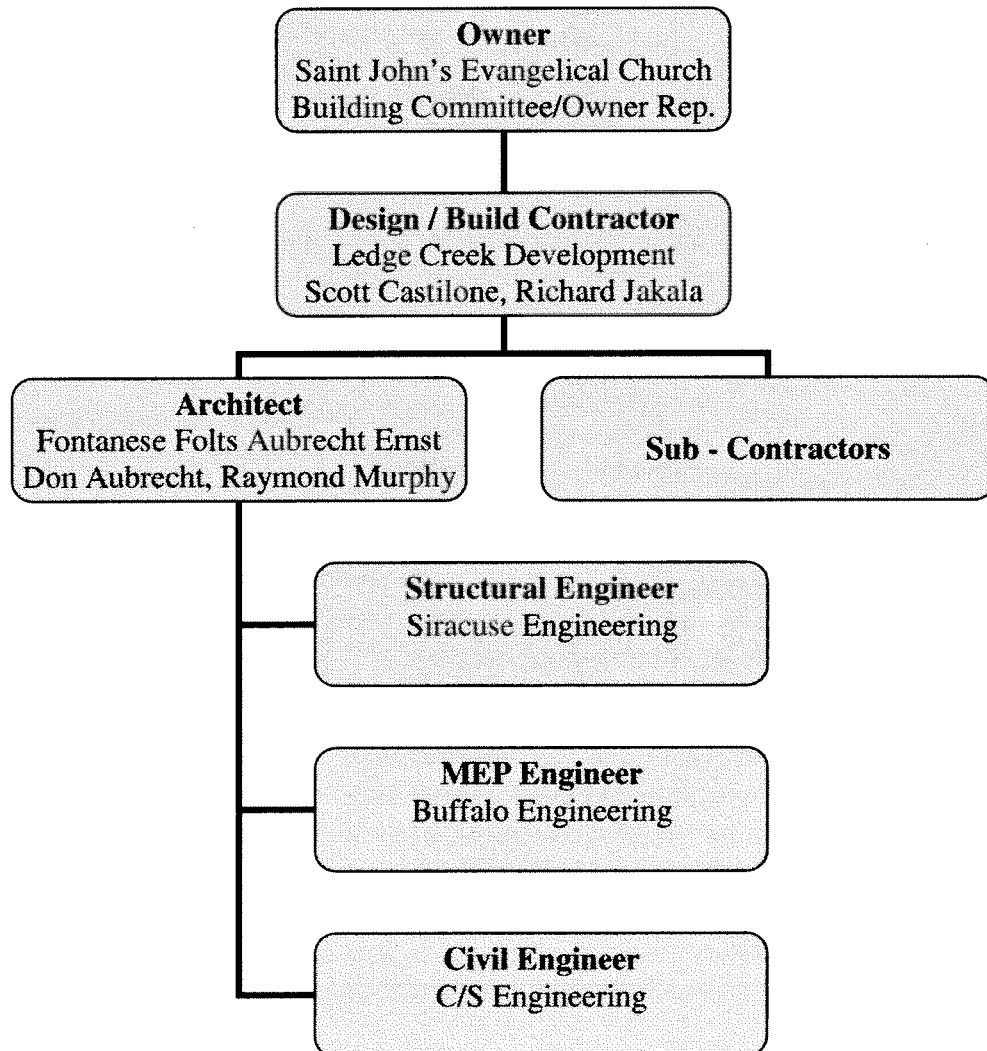
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Fontanese Folts Aubrecht Ernst

- Don Aubrecht – Principal in Charge
- Raymond Murphy – Associate / LEED Accredited
- Frank Butler – Architectural Designer
- Kathy Petrinec – Architectural Designer

3.3.3





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Ledge Creek Development, performing the role of Design/Build Contractor, will have direct contractual and communication responsibility with the owner throughout the pre-construction and construction phases of the project. Ledge Creek Development will provide design services for this project by working with Fontanese Folts Aubrecht Ernst Architects as project Architect. Ledge Creek will control the design process by being 100% involved in the process of providing a design that meets the owner's program requirements while maintaining the Owner's budget and time constraints.

Ledge Creek Development has assigned Scott Castilone to perform all pre-construction services. Mr. Castilone will be the direct contract for Saint John's as the project moves through initial project design, budgeting, approvals and establishing of a GMP. Mr. Castilone will be 100% involved with all pre-construction activities and will be the direct contact between the Owner representation and the architectural design team. All estimating, value engineering, scheduling and project development will be self performed by Mr. Castilone.

Ledge Creek Development has assigned Richard Jakala to perform project management duties throughout the duration of construction. Mr. Jakala will perform 100% of the project management requirements including cost controls, schedule monitoring, sub-contractor management and all other project management duties. Mr. Jakala will be the direct contact between the Owner, architectural design team and sub-contractors.

The Architectural team will be lead by Donald Aubrecht as the Principal in Charge from Fontanese Folts Aubrecht Ernst Architects (FFAE). Mr Aubrecht will oversee all phases of design and construction from the Architectural perspective. Mr. Aubrecht will take the lead with design development and project execution from the design aspect of the project. He will also oversee the relationship between the Architect and their sub-



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consultants for Structural Engineering, Mechanical and Electrical Engineering and Civil Engineering.

FFAE has also assigned Raymond Murphy as an Associate Architect to the project. Mr. Murphy is a LEED certified architect. He will utilize his LEED experience to assist in the design of the project to insure energy efficiency and to achieve a LEED certification if required. Mr. Murphy will be dedicated to this project from the initial design concept and components to develop a LEED building through the oversight of the project to insure the appropriate materials, systems and documentation is provided for a LEED certified project.

3.4 Criteria Four: Respondents Past Performance on Representative Design/Build Projects:

3.4.1 We have included in Appendix 3 details regarding projects that we feel best represent our most relevant recent experience that is best related to the proposed project for Saint John's. Our information includes relevant projects from both Ledge Creek Development and Fontanese Folts Aubrecht Ernst Architects. The provided detailed projects are as follows:

Ledge Creek Development:

- First Presbyterian Church of Clarence
- Randall Memorial Baptist Church
- Ralph Wilson Stadium Old Administration Building Lobby Renovation
- Schofield Adult Day Care

Fontanese Folts Aubrecht Ernst Architects

- First Presbyterian Church of Clarence

3.4.2 Included in Appendix 4 we have provided a listing of the awards for design excellence received by Fontanese Folts Aubrecht Ernst Architects.



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3.5 Criteria Six: Respondent's Ability to Manage Construction Safety Risks:

3.5.1.A Approach for Anticipating, Recognizing and Controlling Safety Risks

All employees of our firm have, at minimum, OSHA 10 Hour Certified Training as well as further OSHA-Certified Training in Trade, Task and Site-Specific Risks/Hazards. Further proactive measures to ensure compliance with applicable facility, local, state & federal safety requirements include:

- Client & Site-Specific Training
- Site-Specific Safety Manual
- Site-Specific MSDS Manual
- Personnel Training
- Periodic Random and As-Requested Safety Inspections by Independent Safety Consulting Firm Retained by our Firm
- Daily Check List for On-Site Superintendants & Foreman
- Relevant Project & Task-Specific Tool Box Talks
- Task-Specific Safety Plans /Job Safety Analysis

3.5.1.B Safety Resources Provided for Each Projects Safety Program

Intangible

Training Seminars

Tool-Box Talks

Site-Specific Safety Plan

Daily Inspection by Project Superintendent

Periodic Inspections by General Superintendent

Periodic and As-Requested Safety Inspections by Independent Safety Consulting Firm

Task-Specific Safety Plans /Job Safety Analysis

Tangible

Personal Protective Equipment (PPE)

Barriers

Warning Signs

Fire Extinguishers

Lock-Out/Tag-Out Signage & Equipment



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Ventilation Equipment
Supplemental Temporary Lighting
Temporary Exit Signage
Fall Protection Equipment

3.5.2 Ledge Creek Development's Experience Modification Rate (EMR) for the past three years is as follows:

- 2010 EMR is .88
- 2009 EMR is .88
- 2008 EMR is 1.2

3.5.3 Ledge Creek Development's annual OSHA Recordable Incident Rates (RIR) for the past three years is as follows:

- 2009 RIR is 6.50
- 2008 RIR is 0.00
- 2007 RIR is 8.38

3.5.4 Ledge Creek Development's annual OSHA Lost Work Case Incident Rate (LWCIR) for the past three years is as follows:

- 2009 LWCIR is 0.0
- 2008 LWCIR is 0.0
- 2007 LWCIR is 0.0

3.6 Criteria Seven: Respondent's Ability to Establish Budgets and Control Costs on Past Projects:

3.6.1 Ledge Creek Development is very serious about the fiduciary responsibility inherent to the use of a Guaranteed Maximum Price contract as a Design/Build Contractor. The Design/Build Contractor has to earn the trust of the owner during the development of the project design. The Contractor has an ethical responsibility to the Owner to provide the owner with the most efficient use of the Owner's available budget by creating an efficient design utilizing the best materials and systems available. Throughout the design process frequent



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budgeting of the design from initial conception through construction documents allows for the Owner to develop confidence and trust in the budget created by the Contractor. Ledge Creek will provide the Owner with detailed estimates summarizing all components of the project. They will also pursue alternate construction materials, methods and systems to ensure that the Owner is provided with the best available quality within the defined budget. Our goal is to provide the Owner with the trust and confidence that that the best design decisions have been made from the beginning.

This initial budgeting provides the correct guidance to establishing construction documents and contractor scopes of work that will be utilized in determining a Guaranteed Maximum Price (GMP). The construction documents and scopes of work are carefully reviewed with the Owner to provide the Owner with confidence that all of the elements reviewed during pre-construction will be incorporated in the project. Ledge Creek then solicits quality sub-contractors to provide multiple prices for each bid package. The pricing received is then presented to the Owner as part of the GMP proposal along with detailed estimates of the self performed work and general conditions items.

We believe this process develops trust and confidence from the Owner in Ledge Creek Development that demonstrates our fiduciary responsibility.

3.6.2 Ledge Creek Development's cost estimating methods have been developed by their staff based upon their collective experience in the construction industry. Estimates are developed by utilizing the following methods:

- Performing labor, material and equipment takeoffs for self performed work
- Performing quantity take-offs and assigning unit pricing for subcontracted work
- Reviewing materials and methods with sub-contractors and suppliers to insure that all pricing is current and the best design is utilized
- Estimate costs for building systems based upon vendor feedback and past project history
- Review all trades to verify that a comprehensive scope is provided



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Estimates are developed as the design documents progress from conceptual through construction documents. Conceptual estimates based upon unit price calculations of building components and systems are provided at each stage of conceptual and design development documents. A conceptual estimate will be performed when basic programming requirements are defined and suggested building materials and systems are conceived. This initial conceptual estimate will be the starting point for the design development documents. The review of the conceptual estimate provides guidance as to modifications required to the conceptual design prior to the beginning of design development. As the Design/Build Contractor, Ledge Creek will control the design adjustments that either add or reduce scope and component costs as part of the design development documents. Estimates are then performed during design development at the 20%, 50%, 75% and 100% phase of document completion. The design development estimates are created by utilizing quantity take-offs and unit pricing, contractor and supplier feedback and detailed review of mechanical and electrical systems. The 100% estimate may be utilized as a preliminary GMP for the project. This continuous monitoring of the design development documents and establishment of an initial GMP is critical so that building scope, materials and systems are clearly defined prior to the start of construction documents.

We recommend that as part of the estimating process a 10% contingency is included in all conceptual estimates and design development estimates through 50% completion drawings. This contingency allows for material cost changes, labor rate increases and general contingency for potential design changes that may be desired or required. The contingency amount may be reduced to 5% for final design development and construction documents.

3.6.3 Cost Control Methods

Note:

For purposes of clarity, unless otherwise noted, the term *Subcontract* as used in this section will refer to both Subcontracts and Purchase Orders and the term *Vendor* will be used to refer to both Subcontractors and Suppliers.

Vendor referring to all Contractors retained by the Design-Builder (re: AIA D-B Agreement)
D-B refers to the Design-Build Team and GC refers to the General Contractor portion of the D-B Team.



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Subcontract Contract Verification & Payment Authorization

Our Cost Control Methods include:

Establish Detailed Scope of Works for all Subcontracts and Purchase Orders to Avoid Gaps and Overlaps in Work

Incorporation of Scopes of Work into Lump Sum Subcontracts & Scopes of Work Establish & Maintain (with weekly updates) Change Order Issue Log for Overall Project and for Subcontract & Purchase Order

Require submittal and Approval of Detailed Line-Item Breakdowns for each Subcontract and Purchase Order

Monthly Progress Payments based on Percentage of Completion Method (AIA G702 & 703 or similar)

Rough Drafts (Pencil Copies) of Applications for Payment from Subcontractors & Suppliers will be due by the 25th day of each month for work completed through the 25th.

Review and Approval by D-B Team and incorporation into overall Project App. for Payment for review and approval by Owner

Upon Receipt by D-B Team of Payment from Owner Second Review by GC before release of payment to double check for adds/deducts/back charges that may have arisen since in the interim between approval of pencil copy and release of payment. At this juncture review will be made to confirm subcontractor certificate of insurance coverage is current and compliant with project requirements and waiver of liens and claims received.

Our firm will maintain a multi-tiered process for tracking payments to subcontractors and suppliers and adds/deducts to/from respective subcontracts and purchase orders.

1. Upon receipt of payment from the Owner for work completed the previous month our Project Manager will review previously completed Ledge Creek Development Subcontract Contract Verification & Payment Authorization Form that tracks previous payments, adjusted contract amount to date, pending change order items and status of insurance & waivers. Please refer to attached sample copy (Appendix 6). Project Manager to verify adjusted contract amount to date and previous payment against manual entry ledger maintained for each subcontract and supplier.



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2. Ledge Creek Accounting Staff to enter into Accounting Software and confirm adjusted subcontract/p.o amount to date and previous payments prior to printing check.
3. Principal of Ledge Creek reviews PM Subcontract Contract Verification & Payment Authorization Form, Manual Ledger and Accounting Software Ledger before executing checks.
4. Ledge Creek Accounting Staff notifies subcontractor/supplier of availability of payment for release upon receipt of executed and notarized waiver & release of liens & claims, current insurance certificate and other necessary documentation needed for the project.
5. Project Manager reviews costs to date and establishes estimated costs to complete on a monthly basis.

3.6.4 Utilizing the Design/Build project delivery system allows Ledge Creek Development to have control over the design process when working with the project Architect to establish and maintain a GMP. Continuous communication and review of project estimates with the Architect provides an understanding of between the contractor and design team of the components of the project budget and the constraints imposed on the design by the budget. Each building component and system is clearly reviewed between the design team, the contractor and the Owner to verify function and quality and how those items fit within the budget constraint. By performing estimates at every step of the design development process it provides a continuous review of the design to make sure the project budget is achieved.

As part of the development of the GMP Ledge Creek Development will create bid package scope of work documents that will detail the work to be provided by all trades. The use of the scope documents provides coverage for all components of the project and clearly defines what trades are responsible for each item of work. This clear definition of scope insures that there are no gaps or overlaps in work and that all work will be constructed in the most efficient manner, thus providing a GMP that is accurate and will be maintained through the construction of the project. The scope documents are also reviewed by the design team to verify that all building system components are included in the bid documents.



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These defined efforts to monitor the design process to provide a methodology to deliver an accurate GMP is all contingent upon having good communication between the contractor and the design team. We feel that this is a strength in our proposal due to the history of Ledge Creek and FFAE of working together to successfully design and construct multiple projects and the years of experience of the team members working together to complete projects.

3.6.5 Ledge Creek Development has included a sample cost estimate that was utilized to establish a contract amount in Appendix 5. Items include a general conditions estimate sheet, a detailed construction estimate and contractor/suppliers cost estimate summary.

3.6.6 The development of a Guaranteed Maximum Price prior to completion of Construction Documents.

1. As outlined above all work will be defined in comprehensive scope of work bid documents. The scope of work documents will not only define the contractor, supplier and self performed work but also the requirements presented by the Owner. These scope documents will be reviewed with the Owner so that a clear understanding of all bid packages is established. Any questions and concerns presented by the Owner will be addressed and properly incorporated into the documents. The use of the scope documents to establish a GMP prior to Construction Documents is vital. The scope documents define all items that are required but may not yet be clearly defined on drawings that are not final Construction Documents.
2. With the creation of the scope documents, they are utilized as a guide to complete the Construction Documents ensuring that the final documents are aligned with the Guaranteed Maximum Price. Ledge Creek will monitor the construction documents at multiple levels of completion and any deviation from the GMP scope will be identified and changes are made accordingly. The staff dedicated to the project from Ledge Creek will have continuous communication between the Design team and the Owner to review all components of the project and maintaining the GMP.



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This communication benefits the Owner so that they develop confidence in the quality and scope of their project and benefits the Designers as they have clear direction in the scope of their design.

3.7 Criteria Eight: Ability to Meet Schedules

3.7.A – Ability to Meet Schedules

3.7.1 Methods and Procedures for Developing, Maintaining and Updating the Project Schedule during Design and Construction

3.7.2 Approach to Assuring Timely Completion

3.7.3 Methodology for Developing and Maintaining Work Schedules During design and Construction to Coordinate with the Owner's Project Schedule

[Given the interrelated and interdependent nature of the three items listed above, they are addressed as one overall plan divided into Pre-Construction, Construction and Post-Construction Phases.]

Pre-Construction Schedule

Based on the Key Project Planning Schedule Milestones included in Section 2.3 of the RFQ, it is evident that the Owner's representative has already established key milestones that avoid potential impacts on the cost and the quality of the facility.

Upon receipt of Notice of Award of the Design-Build Contract for this project our firm will, however, promptly schedule a meeting with the Owner's designated representatives and the Design-Build team to review scheduling objectives and milestones so that the detailed schedule can be formulated.

[This process will already have been initiated as part of the preparation of the Design/Build Proposals.]

Following this initial Pre-Construction Kick-Off Meeting, our firm will adjust accordingly, the Pre-Construction and Construction Phase schedules that were included with the Design/Build Proposal.

The Pre-Construction Schedule will incorporate the critical milestone dates listed in Section 2.3 of the RFQ as well as critical milestone dates in the Site Plan Approval, Building Permit and other pertinent local, state and federal permitting processes. The Pre-Construction Schedule will include the establishment of the



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GMP and the award of subcontracts and purchase orders to dovetail with the Design and Permitting process. The Key Project Planning Schedule Milestones included in Section 2.3 of the RFQ allow ample time for the award of subcontracts, approval of insurance and submittal review and approval and procurement of long lead-time materials prior to the scheduled start of construction. Critical milestones relevant to these tasks will be included in the Pre-Construction Schedule

Regularly scheduled meetings and conference calls involving the Design-Build team and the Owner's Representative will be held throughout the Pre-Construction Phase to vet any issues as they arise and to keep the design team on task.

As many tasks as possible will be run concurrently as is possible and practical. Two-Week Look-Ahead/Micro-Schedules will be utilized as needed to ensure that all parties remain on task.

Construction Phase Schedule

The Construction Phase Schedule will be developed as the Design Progresses and will be finalized in time for review and incorporation into the Bidding documents for Subcontractors and Suppliers.

Post Subcontract Award/Pre-Submittal Kick-Off Meeting will be held with subcontractor and supplier management personnel within one week of award of subcontracts on a staggered prioritized basis.

Initial and periodic M-E-P-S Coordination Drawing Meetings will be incorporated into, and run-concurrently with, the submittal phase of the construction schedule.

Pre-Construction Kick-Off meeting will be held with all Subcontractor and Supplier office and field representatives approximately two weeks prior to the start of actual construction.

At a minimum, weekly field "Subcontractor" Foreman's Meetings will be conducted by the General Contractor with Subcontractors and Suppliers.

Weekly or Bi-Weekly "Owner" Design-Build Team-Owner Meetings - with pertinent subcontractors and suppliers requested to attend on as-needed basis.

With both the "Subcontractor" and "Owner" Progress Meetings Scheduling issues will be one of the three key meeting agenda items - together with safety and quality.



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Each Friday an updated Two-Week Look-Ahead Schedule will be generated by our firm Project Superintendent with input from the Project Manager. This Two-Week Look-Ahead Schedule will be distributed to all involved subcontractors and suppliers as well as the representatives of the Design Build Team and the Owner.

Special Scheduling Meetings will be held in advance of the start of major phases or tasks in the project. Special scheduling Meetings will also be held on an as-needed basis if slippage in the schedule is anticipated or if unforeseen conditions or events arise.

Well defined protocols and rules for the authorization of additional work will be established to avoid delays relating to unforeseen conditions and changes in the work.

The significant amount of time between finalization of Construction documents and Start of construction will allow time for finalization of all submittals and an early pro-active vetting of issues through a formal Request for Information (RFI) process. An aggressive proactive approach to both of these processes will help avoid potential delays.

The Construction Schedule will take into account Owner-Occupied Facility concerns and multiple phases to minimize disruptions to the Owner.

Development of well defined scopes of work for Subcontractor and Supplier bid packages will avoid gaps and/or overlaps in scopes that would otherwise negatively impact project progress.

Thorough review in the submittal process for coordination of materials systems & dimensions will help to avoid delays in the construction phase.

Schedule will take into account and allow for end of construction / transition to occupancy tasks and events including:

- Certificate of Occupancy Inspections
- Testing & Commissioning



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- Punch List Generation and Completion
- Final Cleaning
- Owner Fixtures, Furnishings, Equipment & Systems
- Seamless Transition of Insurance Coverage

Liquidated Damages Provisions will be included in Subcontracts and Purchase Orders for failure to meet well-defined milestone dates.

Post-Construction Schedule

Post Construction schedule will include milestones for the timely and prompt completion and turn-over of:

- Close-Out Documents
- As-Built Drawings
- Operation and Maintenance Manuals
- Extra/Stock Materials & Equipment Components

A sample schedule outline of critical milestones is included as Appendix 7.

3.7.B Ability to Meet Schedules on Past Projects

Ledge Creek Development as a firm, it's Principals and Senior Management all have extensive experience and success in meeting project schedules.

Recent examples of the ability of Ledge Creek Development to meet Schedules, include:

University at Buffalo Alumni Arena Triple Gym Structural Repairs – Spring, 2009

Completion of Structural Steel Modifications and Related M—E-P-S and Finish Work was completed two weeks prior to the contract substantial completion date. This allowed for an early start to the next phase of the university's overall renovation of the Triple Gym in the Summer of 2009.

Ledge Creek's success was attributable to screening and carefully selecting subcontractors and second-tier subcontractors to ensure availability of manpower and ability to meet the schedule, utilizing well defined schedules and scopes of work and expediting the submittal process.



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First Presbyterian Church of Clarence 2008-2009

Critical Phase I Completion Date for New Worship Space was met in time to allow for a wedding scheduled for July, 2009. Due to early delays attributable to unforeseen conditions, the scheduled was revised and compressed to meet this completion date. Means and Methods used to achieve this compressed schedule included working with critical subcontractors to utilize second-tier subcontractors to augment crew sizes.

Critical Phase II Completion Date for Renovation of Existing Facility for Fellowship Hall/Community Space was met in time to allow for Dedication and Open-House events scheduled for September, 2009.

3.8 Criteria Nine: Knowledge of Current Design and Construction Methodologies, Technologies and Best Practices

3.8.1 Quality Assurance Program

Our Quality Assurance Program includes:

- Cooperation with Owner retained Testing Agent for Conducting Special Inspections required under NYS Code.
- Pre-Qualification of Bidders on Subcontractor and Supplier Bid Packages.
- Post-Bid/Pre-Award Review of Subcontractor Proposed Manufacturer's/Materials and Project-Specific Quality Control Plan.
- Establishment of Quality Control Submittals, Inspection and Testing Check-List distinct from Special Inspection Checklist.
- Inclusion of Distinct Meeting Minutes Agenda Item for Quality Control Items
- Conducting Pre-Start/Kick-Off Meetings for Critical Tasks to ensure awareness of, and compliance with, quality requirements.



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3.8.2 Procedures for implementing Industry's "Best Practices" as Defined by the Construction Industry Institute and Similar Organizations

Although we are not a Member of the Construction Industry Institute, we will utilize the CII's Best Practices Publications together with the Best Practices Guidelines of the Associated General Contractors of America.

Establishing and Tracking Project Objectives

In consultation with the Project Owner Project Objectives will be confirmed, refined and/or established for at minimum the following aspects of the project:

- Safety
- Quality
- Cost
- Schedule
- Environmental

Logs will be established for each aspect/category and an objective quantitative means of measuring established objectives. Logs will be updated and progress reviewed with the Owner on a monthly basis or shorter intervals if requested or needed.

Partnering

Within the confines of, or as an Amendment to, the Owner-Deign-Builder Agreement (as well as the Deign-Builder – Architect Agreement and subsidiary agreements) all parties will be linked to a binding Memorandum of Understanding identifying the common goals and interests that underlie the Project Goals and Objectives. This MOU will identify the interests of the various stakeholders, further define lines of communication and clarify dispute mitigation and resolution mechanisms. Structured means of Team-Building and Problem Solving will be established.

Cost Tracking

Please refer to Section 3.6.3 of this Qualification Statement for a general overview of our Cost Control Methods.



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Change Order Management Systems

Please refer to Section 3.6.3 of this Qualification Statement for a general overview of our Cost Control Methods (including change order management). Please note that a Change Order Log will be maintained of Owner-Design-Builder Change Order Issues (as defined in the Owner-Design-Builder Agreement) as distinct from a separate log that will be maintained of Design-Builder –Contractor

(Subcontractor) Change Issues. Both logs as well as the individual Subcontractor summaries will be updated and available for review and reconciliation on a monthly basis.

Total Quality Management for Each Phase – Including Close-Out & Commissioning

A TQM Consultant and a Commissioning Agent will be retained and utilized as needed.

If this is a LEED Certification Project, then conventional TQM and Commissioning practices will be superseded by the LEED process.

3.8.3 Example of Successful Constructability Program

Maintenance of Project Budgets without Sacrificing Quality

Ledge Creek Development, Inc., as well as members of its Senior Management, have extensive experience in working with the Owner and Design Professionals to review the interface and coordination of the following components and systems to avoid safety, quality and scheduling impacts while maintaining the project budget.

- Site Work & Utilities
- Structural Components
- Building Envelope Systems
- M-E-P-S Systems
- Finishes



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3.8.4 Methodology for Advertising, Evaluating and Selecting Trade Contractors

Our Contractor Bid & Award process includes:

- Establishing Well-Defined/Detailed Scopes of Work – including Project Specific Insurance Requirements and General Requirements
- Establishing Pre-Qualified Bidders Lists
- Fax and e-Mail Invitations to Bids
- Listing in FW Dodge and Construction-Exchange Reports
- Plans & specifications/Bidding Documents Available for Review at Ledge Creek Development, FW Dodge and Construction Exchange
- Conducting Pre-Bid Meeting & Site Walk-Thru

- Issuing Addenda
- Conducting Post-Bid / Pre-Award Scope/Quality/Schedule Meetings
- Request and Review of Recent Projects and References
- Site Visits to Recently Completed Projects

3.8.5 Relationship with Local Subcontracting Community

Ledge Creek Development, Inc. as an entity, its principals and Senior Management have well-established working relationships with Subcontractors based on mutual respect, trust and cooperation.

We strive to be helpful to our subcontractors without compromising our fiduciary responsibility to the Project Owner. In deed, our cooperative and helpful approach with our subcontractors is in the best of the Project Owner as it lends itself to cost, schedule and quality objectives of the project by avoiding disputes and delays.

We have a reputation of working with subcontractors to obtain prompt answers to questions for resolving clarification of design documents, suggested revisions to design and proposed means and methods - as well as suggested revisions to enhance constructability. This approach helps ensure a successful project for all involved.

We have well established practices and systems to ensure prompt payment to subcontractors and suppliers.



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Subcontractors – both Open Shop and Union – and Suppliers with which we have a working relationship and that we feel would be qualified for this project include but are not limited to.

Division -2-

Arric Corp.
Stohl Environmental
Guard Contracting
Turf-Tech
Birch Grove Landscaping
Armor Fence
Oneida Fence
American Paving

Division -3-

Upstate Rebar
Klein Reinforcing
Brawdy Construction
Engasser Construction

Division -4-

Thomas Johnson, Inc.
King Bros Masonry
GDH Masonry

Division -5-

Alp Steel
Community Steel

Division -6-

Forest Materials
Bloch Industries
BGI Interiors



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Division -7-

Sahlem's Roof & Siding
Joseph Sanders & Son Roofing
Murray Roofing
FSR Contracting
Highland Masonry

Division -8-

Kelley Bros.
Grosso Door & Hardware
Sterling Glass
CBO Glass

Division -9-

Dommer Construction
Mader Construction
Gypsum Systems
DeSpirt Marble & Mosiac
Heritage Contract Flooring
Alba Painting
Esscorp
Color Tech

Divisions -10-, -11- & -12-

Gorenflo's
ASI/Modulex
J&R Specialties
Engineered Air/Construction Specialties

Division -14-

Schindler Elevator
Tyssen-Krupp
Access Elevator



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Division -15-

H&M Plumbing

Kimil Construction

Aurora Plumbing

Kandfer Plumbing

Northeast Mechanical

M-J Mechanical

Allied Mechanical

Davis-Ulmer

Davis Fire Protection

Division -16-

Gordon-Zoerb

IPL

Frey Electric

3.8.6 Special Services, Products and Advantages

As mentioned earlier, the Principals of Ledge Creek Development provide a daily presence on the project site to ensure safety, quality, scheduling and cost objectives of the Owner are achieved.

In turn, the Principals of the company as well as a number of the members of the Senior Management Team have experience in the roles of subcontractor, developer and owner. As such, they understand the perspectives of the other parties involved and strive to treat all fairly and equitably as a matter of principle and for the good of the project.

As a relatively young company we have, as an added incentive, the motivation to constantly prove ourselves and demonstrate our value to our clients and as members of the community. This is a motivation we intend to always retain.



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3.8.7 Experience with Planning and Design of Energy Conservation Measures

Please refer to Appendix -8-

3.8.8 Process for Evaluating Life Cycle Costs of Systems and Materials

Please refer to appendix -8-

3.9 Criteria Ten : Ability to Identify and Resolve Problems on Past Projects

3.9.1 Administrative Challenges and Opportunities Associated with Providing Preconstruction and Construction Services for Design-Build Projects

The Design-Build Project-Delivery System ensures that the entire project team – Owner, Contractor and Architect are figuratively and literally “at the table” during the evolution of the design. This ensures that quality, cost, scheduling, safety and constructability concerns are considered, prioritized and addressed in advance. Structuring the timing and flow of the exchange of information, data and suggestions during the design phase can be a challenge. Based on the past experience of our firms, however, we can assure you that Ledge Creek Development, Fontanese Folts Aubrecht Ernst Architects and the balance of the Design Build Team will have a structured disciplined approach to the Design and Construction of the St. John's Evangelical Lutheran Church New Sanctuary, Narthex & Office Complex. This will ensure that the Owner will have ample time to review and consider options while still keeping all parties and the process on schedule.

3.9.2 Plan for Communicating Constructability, Phasing, Value Engineering and Budget Options in a form that will Quickly Facilitate the Owner's Decision Making

At various prescribed phases of the development of the design documents they will be e-mailed by the Architect to the Contractor for review and analysis. The Contractor will prepare presentable spread-sheets, schedules and other documentation for submission to the Architect and Owner, prior to, or at, the regularly scheduled design progress meetings. Charting of the evolution of the design options, costs and schedules will be maintained in case it becomes necessary to refresh memories of earlier decisions and, if needed, to revisit those decisions.



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**3.9.3 Experience with Methods to Resolve Conflicts with Owner, Consultants,
Architect/Engineer or Subcontractors**

Based on prior experience, we try to establish agreement at the beginning of the Design and Construction Phases that even with a disciplined proactive approach some mistakes and oversights will happen and unforeseen conditions will arise. We ask that all parties commit to raising concerns or potential problems as soon as they are discovered so that they can be fully vetted and resolved as soon as possible. This will help to avoid or minimize scheduling, quality and cost impacts. All parties will commit to solving the problem first and then, if needed, assigning responsibility. Given the potential for cost implications, responsibility will, if necessary, be vetted concurrently to expedite resolution and avoid contentious situations further down the time line of the Project.

**3.9.4 Examples of Design and Construction Services Provided that Creatively
Incorporated Mechanical, Electrical and Plumbing Solutions in Similar Structures**

Please refer to Appendix -8-



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3.10 Criteria Eleven: Executed Offer Note

- 3.10.1 By signature hereon, Respondent acknowledges and agrees that (1) this RFQ is a solicitation for Qualifications and is not a contract or an offer to contract; (2) the submission of Qualifications by Respondent in response to this RFQ will not create a contract between the Owner and Respondent; (3) the Owner has made no representation or warranty, written or oral, that one or more contracts with the Owner will be awarded under this RFQ; and (4) Respondent shall bear, as its sole risk and responsibility, any cost which arises from Respondent's preparation of a response to this RFQ.
- 3.10.2 By signature hereon, Respondent offers and agrees to furnish to the Owner the products and/or services more particularly described in its Qualifications, and to comply with all terms, conditions and requirements set forth in the RFQ documents and contained herein.
- 3.10.3 By signature hereon, Respondent affirms that he has not given, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to Owner in connection with the submitted Qualifications.

By signature hereon, Respondent represents and warrants that:

- 3.10.4 Respondent is a reputable company regularly engaged in providing products and/or services necessary to meet the terms, conditions and requirements of the RFQ;
- 3.10.5 Respondent has the necessary experience, knowledge, abilities, skills, and resources to satisfactorily perform the terms, conditions and requirements of the RFQ;
- 3.10.6 Not used.



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- 3.10.7 Respondent is aware of, is fully informed about, and is in full compliance with all applicable federal, state and local laws, rules, regulations and ordinances;
- 3.10.8 Respondent, if selected by the Owner, will maintain insurance as required by the Contract;
- 3.10.9 All statements, information and representations prepared and submitted in response to this RFQ are current, complete, true and accurate. Respondent acknowledges that the Owner will rely on such statements, information and representations in selecting the successful Respondent. If selected by the Owner as the successful Respondent, Respondent will notify the Owner immediately of any material change in any matters with regard to which Respondent has made a statement or representation or provide information
- 3.10.10 By signature hereon, Respondent certifies that the individual signing this document and the documents made part of the RFQ is authorized to sign such documents on behalf of the company and to bind the company under any agreements or other contractual arrangements, which may result from the submission of Respondent's Qualifications
- 3.10.11 By signature hereon, Respondent affirms that no compensation has been received for participation in the preparation of the specifications for this RFQ.
- 3.10.12 By signature hereon, Respondent signifies his compliance with all federal laws and regulations pertaining to Equal Employment Opportunities and Affirmative Action.
- 3.10.13 By signature hereon, Respondent agrees to defend, indemnify, and hold harmless the Owner, all of its officers, agents and employees from and against all claims, actions, suits, demands, proceedings, costs, damages, and liabilities, arising out of, connected with, or resulting from any acts or omissions of Respondent or any agent, employee, subcontractor, or supplier of Respondent in the execution or performance of any agreements or other contractual arrangements which may result from the submission of Respondent's Qualifications.



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Respondent's Name: Ledge Creek Development, Inc.

If a Corporation:

Respondent's State of Incorporation: New York

Respondent's Charter No: _____

Identify each person who owns at least 25% of the Respondent's business entity by name:

- Barry Small, President

- Scott Roetzer, Secretary

Submitted and Certified by:

Scott Roetzer, Secretary – Ledge Creek Development, Inc.

(Respondent's Name and Title)

10100 County Rd. ; Clarence Center, NY 14032

(Street Address, City, State, Zip Code)

716-741-3174

(Telephone Number)

716-741-3175

(Fax Number)

Authorized:

Signature Scott Roetzer Secretary

Date 1.22.10



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Appendix

<u>Appendix #</u>	<u>Title/Description</u>
-1-	Bonding Company/Surety Letter
-2-	Resumes
-3-	Recent/Representative Projects
-4-	Design Awards
-5-	Subcontract Verification & Payment Authorization Form
-6-	Sample Cost Estimate Summary & Work Sheets
-7-	Sample Pre-Construction, Construction and Post-Construction Schedules
-8-	3.8.7 Planning and Design of Energy Conservation Measures 3.8.8 Evaluation of Life Cycle Costs of Systems & Materials 3.9.4 Incorporating M-E-P-S Solutions in Similar Structures