



REQUEST FOR PROPOSAL ADDENDUM  
PURCHASING OFFICE  
CITY OF AUSTIN, TEXAS

REQUEST FOR PROPOSAL: NST0401 ADDENDUM NO. 3  
DATE OF ADDENDUM: July 10, 2014

This addendum is to incorporate the following information:

1. Pre-bid Conference Attendance Sheet is attached to this Addendum.
2. In reference to Section 0400, Standard Purchase Terms and Conditions, paragraph 9 "*Liquidated Damages*", the below referenced language is to replace the previous language contained therein in its entirety as follows:

**LIQUIDATED DAMAGES:** Time is of the essence in the performance of the Contract; therefore, the Contractor shall strictly adhere to the Contract delivery schedule [reference the Scope of Work (Section 0500, part 7.1)]. No changes in the delivery schedule shall be effective unless in writing executed by both the City and the Contractor. The parties agree that if, due to no fault of the City, delivery of any material or performance of any service is delayed beyond the time specified in the Contract, the actual damages sustained by the City because of such delay will be uncertain and difficult to determine, and that the reasonable foreseeable damage incurred by the City is hereby stipulated to be \$5,000 per calendar day. The Contractor therefore agrees to pay, and the City agrees to accept, as liquidated damages, the sum of \$5,000 per calendar day for each calendar day of delay. In the event delays exceed ten (10) calendar days, the City may deem the delay a Default as defined in Section 0300, paragraph 26, entitled Default.

3. Question: Would any open item be subject to Liquidated Damages (LD) including minor punch list items that may not affect full operation of the unit?

Answer: Open minor punch list items not limiting full-load operation and/or return-to-service date of the unit is not subject to LD assessment.

4. Question: Should we include Personnel Protection to areas of the stack that will become accessible by the addition of new platforms?

Answer: Yes, personnel should be protected from burns due to hot surfaces and from damper moving parts.

5. Question: Can we assume the stack interior will be cool enough for safe access at 7:00 AM on the first day of the project schedule?

Answer: Yes. Note that all necessary entry permits and LOTO clearances must first be obtained before entering the HRSG.

6. The anticipated work schedule is as follows:  
3/29/2015 (Sunday): External work only—cannot access inside of HRSG  
3/30/2015 (Monday): Start internal HRSG work  
4/13/2015 (Monday): Complete work

7. Question: Is 480v during outage?

Answer: Yes

8. Question: Can materials be delivered before date referenced in the solicitation?  
Reference (Section 0500, 7.0 Schedule)

Answer: No

9. Question: Will Austin Energy (AE) provide scrap dumpsters?

Answer: Yes

All other terms and conditions remain the same.

BY THE SIGNATURES affixed below, this Addendum is hereby incorporated and made a part of the above-referenced Solicitation.

APPROVED BY:



Nicole Turner, Senior Buyer  
Purchasing Office, 512-322-6586

ACKNOWLEDGED BY:

\_\_\_\_\_  
SUPPLIER

\_\_\_\_\_  
AUTHORIZED SIGNATURE

\_\_\_\_\_  
DATE

RETURN ONE (1) COPY OF THIS ADDENDUM TO THE PURCHASING OFFICE, CITY OF AUSTIN, PRIOR TO RESPONSE CLOSING OR WITH YOUR SEALED RESPONSE. FAILURE TO DO SO MAY CONSTITUTE GROUNDS FOR REJECTION OF YOUR OFFER.