



**DATE:** July 31, 2014

**TO:** ALL OFFERS

**FROM:** Mr. Brian Bassett  
Director of Administrative Services

**SUBJECT:** ADDENDUM TO INVITATION TO BID - CONTRACT NUMBER 2015-002  
Architectural/Engineering Services - Phase III, Part 1

**ADDENDUM #001**

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The following information is provided in response to questions received for the above referenced bid.



| Question   | Response   |
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| 1. Section 1 overview paragraph 3, pg 1-2: What is needed for the mandatory submission letter of interest?   | 1. The submission letter of interest is a 1 page letter of interest signed by firm's representative expressing interest in submitting an rfp.  |
| 2. section IV paragraph 1 pg. 13: Is it possible to allow the resumes to not countin the 10 page limit for this area?  | 2. Page count for this section will be increased from 10 pages to 20 pages.  |
| 3. pg. 13 section C paragraph 2: Is it necessary to provide a statement from surety company describing financial ability to be bonded for the amount of the project?   | 3. Delete the bonding statement "Provide a statement from your surety company describing your financial ability to be bonded for at least the amount of the total project costs" in its entirety.  |
| 4. pg. 13 section C paragraph 2: is it necessary to provide copies of last three audited financial statements?   | 4. An audited financial statement is required. Delete "three" from statement, which now will only require last audited financial statement.  |
| 5. pg. 3 section IV paragraph 6: is item 6 correct? "Provide response to E,mploying Delawareans Report (Attachment 9)  | 5. pg. 33 Attachement 9 should be retitled "attachment 10". Insert new attachment 9 "Employing Delawareans Report". (handout)  |
| 6. Pg. 17 section D paragraph 5: Passage being questioned - "By submitting a proposal, the proposing vendor agrees that in the event it is awarded a contract, it will indemnify and otherwise hold harmless the State of Delaware, its agents and employees from any and all liability, suits, actions, or claims, together with all costs, expenses for attorney's fees, arising out of the vendor's its agents and employees' performance work or services in connection with the contract, regardless of whether such suits, actions, claims, liabilities are based upon acts or failure to act attributable, whole or part, to the State, its employees or agents." Will the State clarify if the design professional is intended to be liable for the negligence of the State? Will clarification be provided on how the State expects this provision to be applied? | <p>6. Change section to the following: "Section V Paragraph D(5) General Contract Terms-</p> <p><b>Paragraph 5(e)(1) General Indemnification.</b> Please make the following modifications to this section:</p> <p>By submitting a proposal, the proposing vendor agrees that in the event it is awarded a contract, it will indemnify and otherwise hold harmless the State of Delaware, its agents, representatives and employees from any and all liability, suits, actions, or claims damages, together with all costs, expenses for attorney's fees recoverable under applicable law, arising out of the vendor's, its agents and employees' performance work or services in connection with the contract, but only to the extent caused by the negligent acts, errors or omissions of vendor, its agents or employees regardless of whether such suits, actions, claims or liabilities are based upon acts or failures to act attributable, whole or part, to the State, its employees or agents:</p> <p>- <b>Paragraph 5(r) Applicable Law.</b> Please make the following modifications to the last paragraph of this section:</p> <p>The selected vendor shall keep itself fully informed of and shall observe and comply with all applicable existing Federal and State laws perform the services in a manner that is consistent with all applicable existing Federal and State laws, and County and local ordinances, regulations and codes, and those laws, ordinances, regulations, and codes adopted during its performance of the work. "</p> |
| 7. Can the number of paper copies of submittals be reduced?  | 7. Yes, reduce the number from 10 copies to 7 copies.  |
| 8. Pg. 10 Section V.B.21 - Explanation of award  | 8. Delete the statement "to award a contract to other than the lowest price proposal."   |
| 9. Explanation of new attachments?   | 9. New attachement 9 is the Employing Delawareans Report, attachment 10 is the retitled Office suplier diversity application, attachment 11 is the new agency approval tentative schedule worksheet, attachement 12 is the land survey copy from the Rt. 24 land parcel for new elementary school. Attachement 11 must be submitted with proposals.  |

All other terms and conditions remain the same.

If you have any questions, please contact me at:  
302-644-6314 and BRIAN.BASSETT@CAPE.K12.DE.US