

**Posted Date:** December 7, 2022

**Solicitation No.:** RFP220598DWJ

**Solicitation Name:** Wastewater Collection System Rehabilitation

**Subject:** Addendum Number 1

The following represents clarification, additions, deletions, and/or modifications to the above referenced bid. This addendum shall hereafter be regarded as part of the solicitation. Items not referenced herein remain unchanged, including the response date. Words, phrases or sentences with a strikethrough represent deletions to the original solicitation. Underlined words and bolded, phrases or sentences represent additions to the original solicitation.

**1. ARTICLE REVISION 1**

**THE FOLLOWING ARTICLE 1. BASIS OF AWARD SHALL BE REVISED TO INCLUDE THE FOLLOWING REVISION AND ADDITIONAL ARTICLE:**

**REVISION:**

**1.1** This is a "Master" contract, which is not for any specific project. It is the County's intent to award to a pool of qualified Vendor(s) that meet all proposal specifications. All awarded Vendor(s) under this contract will follow the process in Special Conditions Section 2 to obtain the opportunity to submit a proposal for each specific project. Work to be performed under this contract will be authorized, scheduled, funded, and accounted for by the requesting department.

**ADDITIONAL ARTICLE:**

**1.4** ~~VENDOR~~ must bid all line items in Groups A - F to be eligible for award. Failure to bid all line items in Groups A - F of the Bid Schedule shall deem ~~VENDOR~~ non-responsive and therefore ineligible for award.

**2. ARTICLE REVISION 2**

**THE FOLLOWING ARTICLE 5. BOND/SURETY SHALL BE REMOVED FROM THE SPECIAL CONDITIONS OF THIS PROJECT:**

**BOND/SURETY**

~~5.1— Bonding/Surety is required in accordance with the Lee County Procurement Ordinance 22-06.~~

~~5.2— Bid Bond/Security: The Procurement Management Department shall determine if a Bid Bond shall be required for any Competitive Procurement. Each Bidder shall submit not less than five percent (5%) of the proposed dollar amount (including applicable Alternates) as Bid Bond/Security. One ORIGINAL Bid Bond/Security shall be submitted to the County with each Bid submission. The Bid Bond/Security of the Bidder will be retained until the Bidder and the County have entered into the Contract, whereupon the Bid Bond/Security may be returned. The Bid Bond/Security of a Bidder whom the County believes to have a reasonable chance of receiving the Award may be retained by the County until the effective date of the Contract, whereupon any Bid Bonds/Securities furnished by a Bidder may be returned. The following types of Bid Security shall be accepted:~~

~~5.2.1 A Certified Check or a Cashier's Check in the stated dollar amount of not less than 5% of proposed dollar amount. Any Certified Check or Cashier Check submitted in lieu of a Bid Bond Shall be drawn on a solvent bank or trust company, made payable to Lee County Board of County Commissioners and shall have all necessary documentary revenue stamps attached (if required by law); or~~

~~5.2.2 A Bid Bond may be submitted on a Lee County paper Bid Bond Form. Must be signed by all required parties, of not less than 5% of proposed dollar amount (including Alternate(s) as applicable) shall accompany each~~

~~submission. The Bid Bond shall be issued by a duly authorized surety authorized to do business and in good standing with the Florida Department of state.~~

~~5.3 — Payment and Performance Bond: In accordance with F.S. 255.05 and Lee County Ordinance 22-06, a Public Payment and Performance Bond is to be issued in a sum equal to one hundred (100%) percent of the total awarded contract amount by a surety company considered satisfactory by Lee County and otherwise authorized to transact business in the State of Florida shall be required from the successful bidder/vendor. This shall insure the faithful performance of the obligations imposed by the resulting contract and protect the County from lawsuits for non-payment of debts incurred during the successful bidder/vendor performance under such Contract.~~

~~5.3.1 A public Payment and Performance bond must be properly executed, by the Surety Company and successful bidder/vendor, and recorded with the Lee County Clerk of Court, within seven calendar days after notification by Lee County of the approval to award the Contract.~~

~~5.3.2 A Clean Irrevocable Letter of Credit or Cash Bond may be accepted by the County in lieu of the Public Payment and Performance Bond.~~

~~5.4 — Only Lee County form(s) may be accepted. Forms are available at <https://www.lee.gov.com/procurement/forms>.~~

~~5.5 — Personal Checks are not acceptable to Lee County as a Bid Security.~~

~~5.6 — Surety: In order to be acceptable to the County, a Surety Company issuing Evidence of Bondability, Bid Guaranty Bonds or 100% Public Payment and Performance Bonds or Letters of Credit called for herein shall meet and comply with the minimum standards set forth in as part of the Contract Documents.~~

~~5.6.1.1 The surety company shall be authorized to do business and in good standing with the Florida Department of State. All such bonds shall be issued or countersigned by an agent with satisfactory evidence of its authority to execute the bond being submitted.~~

**THE FOLLOWING ARTICLE SHALL REPLACE ARTICLE 5 AND BECOME INCORPORATED INTO THE SOLICITATION:**

**5. LETTER OF BONDABILITY**

**5.1** This bid does not require a Bid Bond; however, the Contractor is requested to provide a Letter of Bondability from their Surety Company showing their bonding capacity with their bid submission. Any issuer of a Letter of Bondability must be licensed to transact a fidelity and surety business in the State of Florida, with an A.M. Best rating of B or better.

**3. ATTACHMENT: (1)**

- **Technical Specifications**

**4. QUESTIONS/ANSWERS**

1.	Can a contractor bid on individual groups or, even just one group?
<b>Answer</b>	<b>See Article Revision 1 above for Article 1 Basis of Award.</b>
2.	Can we suggest the bid bond be based on the prescribed maximum annual contract values as detailed on page 16, paragraph 2.2.4 over the potential full term of the contract; equivalent to \$5,000,000? Actual bid bond % can be at the discretion of Lee County
<b>Answer</b>	<b>See Article Revision 2 above for Article 5 Letter of Bondability.</b>

**BIDDER/PROPOSER IS ADVISED, YOU ARE REQUIRED TO ACKNOWLEDGE RECEIPT OF THIS ADDENDUM WHEN SUBMITTING A BID/PROPOSAL. FAILURE TO COMPLY WITH THIS REQUIREMENT MAY RESULT IN THE BIDDER/PROPOSER BEING CONSIDERED NON-RESPONSIVE.**

**ALL OTHER TERMS AND CONDITIONS OF THE SOLICITATION DOCUMENTS ARE AND SHALL REMAIN THE SAME.**

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