



ADDENDUM NO. 2

July 17, 2020

RE: Mobile Harbor Crane at Facility One

FROM: Tina Perkins, Project Administrator
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TO: Plan Holders

This Addendum forms a part of the Contract Documents and modifies the original Procurement Documents, as noted below. **Acknowledge receipt of this Addendum in the space provided on the Form Proposal.** Failure to do so may subject Bidder to disqualification.

BID DOCUMENT CLARIFICATION

1. **The Bid Opening Date remains to be via conference call on Friday, July 24, 2020 at 9:00 am**
2. SEE ATTACHED: Revised Supplemental General Conditions
 - a. Revisions made are in **bold print and underlined.**

TIME AND PLACE FOR RECEIPT OF PROPOSALS

- Sealed bids will be received at the Port Authority's administrative office, 1st floor reception area at One Maritime Plaza, Toledo, OH 43604 until **Friday, July 24, 2020 at 9:00 am**. Bids will be read aloud via conference call and the standard public bid opening procedures will be followed.

CONFERENCE CALL LINE

- The conference call line number for those that wish to hear the bids be publicly opened and read aloud is:

Conference Call No.: (866) 252-0050

Participant Code No.: 5156208

QUESTIONS AND ANSWERS:

1) Question: The Specifications for Bid (p.6) state that the Bidder is to provide its Price proposal and Sales Terms and Conditions (and other listed items). However the RFP also contains General Conditions, many of which are applicable to a construction project and not to the acquisition of a capital asset such as a harbor mobile crane. Is it the Port's intention that:

- a) the Bidder provide its terms and conditions of sale, and, aside from pricing, those terms will govern the Port's purchase of the Crane;

Answer: Yes the bidder can provide terms and conditions at time of bid. The TLCPA will review bidder's submission with bid; however this does not guarantee that all will be approved.

- b) the Bidder include with its proposal a proposed Addendum specifying necessary deviations to the General Conditions to account for this being a capital asset acquisition (and not a construction project) and other Bidder terms and conditions, which Addendum will be included as a "Contract Document" with the awarded Bidder; or

Answer: Bidder can either submit all terms and conditions it wishes to change with bid or

- c) aside from pricing and delivery timeline, the Port will negotiate the terms of the final contract with the awarded Bidder following notice of award.

Answer: TLCPA and lowest responsive and responsible bidder can negotiate after, except for price, delivery and timeline. If this option is chosen and contract terms cannot be negotiated, TLCPA will end negotiations with this bidder and move to the 2nd lowest, responsive and responsible bidder.

2) Question: Given the short time-frame between submission of questions and the bid due date (leaving even less time between a Bidder's receipt of the Port's answers and the Bid due date) and the travel and related limitations resulting from the current pandemic:

- a) may bids be submitted by overnight courier; and

Answer: Yes bids can be submitted overnight but will need to be received by 9am Friday July 24th at One Maritime Plaza. Any bid received after this time and date will not be opened, read or accepted and will be returned to the bidder.

- b) are pdf signatures acceptable for required signatures from individuals in different locations?

Answer: Yes pdf signatures will be accepted.

3) Question: Regarding the prevailing wage requirement:

- a) As they are not listed in the prevailing wage charts included in the RFP, under what classification would a harbor mobile crane service technician fall?

Answer: Harbor Mobile Crane Service technician would fall under Operating Engineer classification.

- b) Please confirm that, when performing training services, prevailing wage does not apply.

Answer: Correct. When training the prevailing wage rates do not apply.

- c) Please confirm that the requirements on page PWR-1 of the RFP about providing payroll data apply only to personnel who will be working and only while they are working, on site in Ohio.

Answer: Correct. The prevailing wage payroll is only required for work performed on site in the State of Ohio.

- d) As the timing of the on-site work is dependent on time of delivery of the crane to the site by a third party shipper, please confirm that providing the schedule of dates payments to employees will be made will not be necessary until after the arrival date is known.

Answer: Correct.

4) Question: Paragraph 6 of the Instructions to Proposers refers to a required Contract Bond in the amount of 100% of the contract awarded, and the first paragraph of Section 5.1 of the General Conditions refers to “performance and payment Bonds, each in an amount equal to 100% of the Contract Price. Please confirm these clauses refer to a single contract/payment/performance bond, and not multiple bonds.

Answer: Yes a single contract/payment/performance bond will be acceptable.

Similarly, paragraph 17 of the Instructions to Proposers refers to a required Maintenance and Guarantee Bond in the amount of 50% of the contract awarded, and the second paragraph of Section 5.1 of the General Conditions refers to “a maintenance and guarantee Bond, each in an amount equal to 50% of the Contract Price. Please confirm these clauses refer to a single maintenance/guarantee bond, and not multiple bonds.

Answer: Yes a single maintenance and guarantee bond will be acceptable.

5) Question: Given that this is not a construction project, please confirm that the Supplemental General Conditions (and, in particular items 1 and 5a thereon) do not apply.

Answer: The Supplemental General Conditions do apply and will remain. Please see the updated Supplemental General Conditions in this addendum.

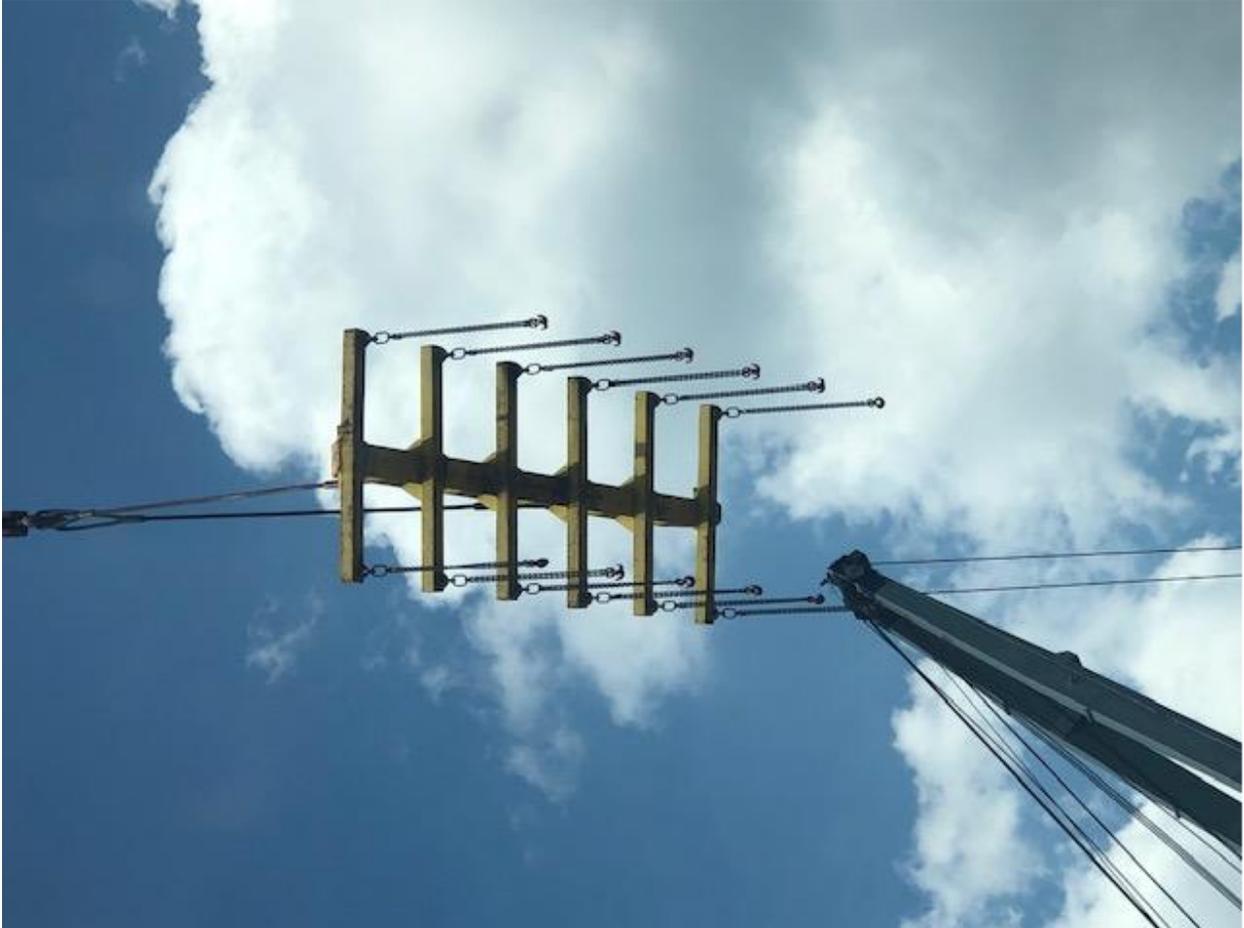
- 6) Question: In addition to the crane/operator/signalman charges in connection with the use of the LHM 280, what other TLC port charges will be assessed in connection with Bidder's delivery and assembly of the Crane?

Answer: The successful bidder is responsible for liner charges as well. (getting the crane to Toledo and off of the vessel).

- 7) Question: Possible contradiction in the geometrical requirements of the spreader bar for the super sacks. We understand that 16 super sacks shall be handled with the bar in one row, each sack having a length of 1.25 m. As per our understanding this results in a minimum required spreader bar length of $15 \times 1.25 \text{ m} = 18.75 \text{ m} = 61'-6"$. However, in the tender documents the requirement is a maximum spreader bar length of 30'-4".

Answer: Add 2 more square beams for a total of 8 which will have 2 chains on each with max width of 30'-4". See attached pictures.

Question No. 7 - Pictures





END OF ADDENDUM #2