



ADDENDUM I

SUBJECT: Formal Invitation for Bid for Annual Contract Automotive & Heavy Equipment Filters (IFB # 6100017222), Scheduled to Open: August 25, 2023; Date of Issue: August 09, 2023

FROM: Marilyn Timplake, Procurement Manager

DATE: August 23, 20223

THIS NOTICE SHALL SERVE AS ADDENDUM NO. I - TO THE ABOVE REFERENCED INVITATION FOR BID.

THE ABOVE-MENTIONED INVITATION FOR BID IS HEREBY AMENDED AS FOLLOWS:

1. SUBMISSION DEADLINE IS HEREBY EXTENDED TO WEDNESDAY AUGUST 30, 2023; 02:00 PM CT

QUESTIONS SUBMITTED IN ACCORDANCE WITH IFB SECTION 003

Question 1: Can you supply delivery addresses for the product on the bid?
Response: See Section 006 General Terms and Conditions Destination Contract. *Vendor shall deliver all goods and materials F.O.B., City of San Antonio's designated facility.*

Question 2: We have key exceptions related to the Supplemental Terms & Conditions and the General Terms & Conditions. These are not meant to be exhaustive but are the most critical in determining our ability to participate in the bid.

005 - SUPPLEMENTAL TERMS & CONDITIONS

Insurance. Bidder requests deletion of the statement "Nothing contained in this Agreement shall be construed as limiting the extent to which Contractor may be held responsible for payments of damages to persons or property resulting from Contractor's or its subcontractors' performance of the work covered under this Agreement." Bidder's insurance and all endorsements thereto shall be limited to the liabilities assumed by Offeror under the awarded contract accepted by Bidder.

006 - GENERAL TERMS & CONDITIONS

Rejection of Disclaimers of Warranties & Limitations of Liability – Bidder requests deletion of this disclaimer statement. Bidder requests the following to be added - Limitation of Liability. In no event shall a party to this contract be liable for indirect, special, consequential, incidental, multiple or punitive damages, or any damage deemed to be of an indirect or consequential nature, arising out of or related to its performance under this contract, whether based upon breach of contract, warranty, negligence and whether grounded in tort, contract, civil law or other theories of liability, including strict liability. The term "consequential damages" shall include, but not be limited to, loss of anticipated profits, loss of use, loss of revenue and cost of capital. Notwithstanding any other provision hereof to the contrary, Vendor's total, cumulative liability for any claim arising out of or related to the performance or non-performance of this contract shall be limited to the total amount paid by the City during the twelve (12) month period prior to claim.

Response: See Section 003 - INSTRUCTIONS FOR BIDDERS, Rejection of Bids, Variances and Exceptions to Bid Terms: *In order to comply with State law, bidders must submit bids on the same material terms and conditions. Bids that contain material variances or exceptions to the terms and conditions, including additional terms and conditions, will be rejected.*

Question 3: We would be bidding on Carquest filters. Would this be an approved alternative? Pricing is held firm July 1, 2023-June 30, 2024. Is this acceptable? We can send a price file, however, pricing is also found online. Would a hard copy of pricing still be required?

Response: Yes, Carquest filters will be a City Approved Equal.
Bidders may submit alternate bids. Bidders are responsible for providing all information to substantiate that proposed alternates meet all specifications and are equal to or better than original equipment. See Section 003 – INSTRUCTIONS FOR BIDDERS, Alternate Bids. See Section 004 – Specifications / Scope of Services: *Any materials or parts used in complying with the contract must be equal to or better than original equipment.*
See Section 003 – INSTRUCTIONS FOR BIDDERS, Catalog Pricing: *Bidders shall be responsible for providing one copy of the manufacturer's catalog for each manufacturer for which a bid is submitted. Bidder shall provide said catalog at the time of submission of its bid. Manufacturers' catalogs may be submitted in any of the following formats: paper copy, flash drive or CD ROM. Catalogs shall be mailed to the Finance Department, Purchasing Division, P.O. Box 839966, San Antonio, Texas 78283-3966 prior to bid opening. Bidder shall submit a PDF file for proposals submitted electronically.*

Question 4: Failure to delivery clause, page 14. We can not agree to paying additional costs. Is this acceptable?

Response: See Section 003 - INSTRUCTIONS FOR BIDDERS, Rejection of Bids, Variances and Exceptions to Bid Terms: *In order to comply with State law, bidders must submit bids on the same material terms and conditions. Bids that contain material variances or exceptions to the terms and conditions, including additional terms and conditions, will be rejected.*

Question 5: I would like to get more clarification about these filters. Are you speaking about Bypass filters that we supply or is this an OEM filter for Auto and heavy equipment?

Response: See Section 004 – SPECIFICATIONS / SCOPE OF SERVICES, *Prices shall not exceed the suggested OEM retail price or bid will be rejected. Any materials or parts used in complying with the contract must be equal to or better than original equipment. Acceptable Products (Brands/Models): WIX, Mobile 1 Extended Performance Filter, Royal Purple Extended Filter, Bosch Premium FILTECH, ACDelco Professional, FRAM Standard Oil Filter, Purolator PureONE Oil Filter, Detroit Diesel, Baldwin, or City Approved Equal.*



Marilyn Timlake, Procurement Manager
Finance Department, Purchasing Division

MT/kh