



City of Cleveland
Justin M. Bibb, Mayor

Department of Finance
Division of Purchases & Supplies
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December 1, 2023

ADDENDUM 3

BID TITLE: File No. 171-23 Small and Large Meters Re-Bid

BID DUE: Friday, December 8, 2023 at 12 o'clock noon (Eastern Time)

Attention Bidders:

We have been requested to issue the addendum for the following:

Please ensure that a copy of this addendum is included and returned with the bid specifications furnished to you by this office, as it will have the same force and effect as if it were part of the specifications originally issued.

1. Answer additional questions submitted.

If you have any questions regarding the attached, please contact Simon Mastroianni at 216-664-2444, extension 75630. Thank you for your prompt attention and assistance in this matter.

Signature of Potential Bidder & Name of Company

Today's Date

Thank you,

Donia Patterson, Assistant Administrator
Purchases & Supplies
CC:
Attachments

**CITY OF CLEVELAND, OHIO
DEPARTMENT OF PUBLIC UTILITIES/DIVISION OF WATER**

SMALL AND LARGE WATER METERS RE-BID

FILE NO. 171-23

ADDENDUM NO. 3

The bid due date is Friday, December 8, 2023. Bids must be delivered to City Hall, before Noon EST, at 601 Lakeside Avenue, Room #128, Cleveland, OH 44114.

The last day for questions was November 22, 2023

The purpose of this addendum is to advise all vendors of the following information:

Sections A "Instructions to Bidders" and B "General Conditions" are standard City of Cleveland documents. Any bid specific conditions, and requirements, are found in Section C and D of the bid documents.

Answer to additional questions submitted

Question:

Good Afternoon,

Thank you for directing me to this information. We have received Addendum 2 and we find that the only the yellow highlighted part of the question below was answered. However, the portion highlighted in green has not been answered.

"Thank you for your response to our question, however, we need more clarification regarding our question to be able to proceed with a bid submission for this 1TB. Currently, we will still have to take an exception to the warranty language in Section B-29 of the General Conditions as the response to our question did not confirm or deny that the terms "merchantable product" and "fit and suitable for their intended purposes" are specifically limited to the explicit specifications and requirements stated in the 1TB. As such, our legal department continues to be concerned with the vagueness of those two terms. If we can get confirmation that the above is true and our standard warranties would apply otherwise, we would have no other concerns. If we are unable to get further clarification, we might be forced to submit a No-Bid for this 1TB, regrettably, so as not to waste the City's time reviewing a response that will be disqualified for including exception language which deviates from the bid document."

We need to know if our standard manufacturer warranties will apply beyond the clarification regarding merchantability and intended use.

Answer:

C-13 ACCURACY AND FLOW RATE GUARANTEE

See revised C-13 B. below for clarity

The register shall be warranted against defects in materials and workmanship for a period of at least 20 years and 6 months from the date of shipment, as evidenced by a copy of **the manufacturer's published warranty**. A pro-rated warranty is acceptable for this period

**CITY OF CLEVELAND, OHIO
DEPARTMENT OF PUBLIC UTILITIES/DIVISION OF WATER**

SMALL AND LARGE WATER METERS RE-BID

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Manufacturer's warranties will apply provided the product meets the minimum requirements of section C-13.

Conditional bids will be considered non-responsive.