



CITY OF DELRAY BEACH  
100 N.W. 1<sup>st</sup> AVENUE, DELRAY BEACH, FL 33444

## Solicitation Addendum

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**Addendum No.:** 4

**Solicitation No.:** 2017-035

**Project No.:** 16-095

**Solicitation Title:** Design of Osceola Neighborhood Improvements

**Addendum Date:** March 3, 2017

**Purchasing Contact:** Ryan Lingholm

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**THE FOLLOWING ITEMS ARE MADE AND HEREBY BECOME A PART OF THIS SOLICITATION:**

**CHANGE TO:**

**SUMMARY, TIME**

TIME: 2:00 P.M., ET

**CHANGE TO:**

**APPENDIX A, SECTION III(3)(C)**

The Consultant shall prepare a detailed opinion of probable cost in accordance with ~~paragraph LG~~ Section III, Item (1)(F), which shall be reviewed by the City prior to going out for bids.

**QUESTIONS AND RESPONSES:**

**Q1. Would the City consider revising the Indemnity/Hold Harmless Agreement language in Section 1, Item B(41) of the RFQ document as follows?**

**INDEMNITY/HOLD HARMLESS AGREEMENT**

**Proposer shall at all times hereafter indemnify, hold harmless and, at the City Attorney's option, defend or pay for an attorney selected by the City Attorney to defend City, its officers, agents, servants, and**

**employees from and against any and all causes of action, demands, claims, losses, liabilities and expenditures of any kind, including attorney fees, court costs, and expenses, caused or alleged to be caused by any negligent, or reckless act of, or omission of, Proposer, its employees, agents, servants, or officers, or accruing, resulting from, or related to the services performed under the Agreement.**

R1. No. The City does not accept the proposed revision to the referenced section.

**Q2. Will the City please clarify what content is being referred to in Appendix A, Section III, Item (3)(C) when it mentions “paragraph LC?”**

R2. Appendix A, Section III, Item (3)(C) has been revised per this Addendum No. 4.

**Q3. Would the City consider revising the Indemnification language from Appendix A, Section X, Item (T). The paragraph references Florida Statutes 725.06, and this is the preferred language for that Statute:**

**“.....Consultant agrees to defend, indemnify and hold harmless the City, their agents and employees from any claims to the extent caused by a negligent act, error or omission of the Consultant in the performance of services under this Agreement.”**

R3. No. The City does not accept the proposed revision to the referenced section.

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NOTE: Items that are ~~struck through~~ are deleted. Items that are underlined have been added. All other terms and conditions remain as stated in the RFQ.

### **End of Addendum**

#### **INSTRUCTIONS:**

Receipt of this addendum must be acknowledged as instructed in the solicitation document. Failure to acknowledge receipt of this Addendum may result in the disqualification of Respondent's response.