



## City of San Antonio

### **ADDENDUM I**

**SUBJECT:** Request For Offer 6100010748 Peterbilt-McNeilus Automated Side Load Refuse Trucks which opened Friday, September 28, 2018, date of issue September 13, 2018, and is scheduled for City Council agenda November 1, 2018.

**DATE:** October 2, 2018

### **THE ABOVE MENTIONED REQUEST FOR OFFER (RFO) IS HEREBY AMENDED AS FOLLOWS:**

1. RFO Document Section 005 – Supplemental Terms & Conditions, the following **Cooperative Contract Provisions are hereby deleted:**

#### **Cooperative Contract Provisions.**

**Term Consistent with Cooperative Contract.** Notwithstanding anything to the contrary herein, no new orders may be placed hereunder after the expiration or termination of the underlying cooperative contract. Renewals cannot extend beyond the term of the underlying cooperative contract. Extensions cannot extend beyond the term of the underlying cooperative contract.

**Contract Documents.** The terms and conditions for performance and payment of compensation for this contract are set forth in the following contract documents, true and correct copies of which are attached hereto and fully incorporated herein for all purposes:

This Request for Offer, including any attachments identified herein and addenda issued by City prior to acceptance of an offer from Offeror;

Any Purchase Orders Issued hereunder by City of San Antonio ("City"); and

Exhibit I – All applicable terms and conditions of the Cooperative Purchasing Contract number 521-16 through BUYBOARD.

**Order of Priority of Contract Documents.** Should a conflict arise among the provisions of the contract documents, this RFO and any Purchase Order issued hereunder shall govern over Exhibit I, unless otherwise specifically provided herein.

**This RFO includes the following:** Instructions to Offerors, General Terms and Conditions, Supplemental Terms and Conditions, Product Specifications and Description of Services, Definitions, Price Schedule, any Attachments identified herein.

2. RFO Document Section 005 – Supplemental Terms & Conditions, **Warranty** is hereby revised to read as follows:

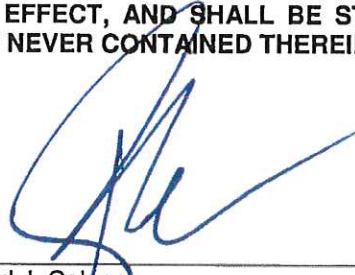
**Warranty.**

A minimum of 90-days product guarantee or the manufacturer's standard commercial warranty, whichever is greater, shall apply to all products and/or services purchased under this RFO, unless otherwise specified in the Specifications/Scope of Services section of this RFO. This warranty shall provide for replacement of defective merchandise, parts, and labor, and shall include pick-up of the defective merchandise from City and delivery of the replacement(s) to the same location. The warranty shall be effective from the date of acceptance of the merchandise, or completion of the service, as applicable.

3. RFO Document Section 005 – Supplemental Terms & Conditions, **Rejection of Disclaimers of Warranties & Limitations of Liability** is hereby revised to read as follows:

**Rejection of Disclaimers of Warranties & Limitations of Liability.**

**ANY TERM OR CONDITION IN ANY DOCUMENT FURNISHED BY VENDOR, DISCLAIMING THE IMPLIED WARRANTY OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, OR ATTEMPTING TO LIMIT VENDOR'S LIABILITY SHALL BE OF NO FORCE OR EFFECT, AND SHALL BE STRICKEN FROM THE CONTRACT DOCUMENTS AS IF NEVER CONTAINED THEREIN.**




Paul J. Calapa  
Purchasing Administrator  
Finance Department, Purchasing Division

Company Name Rush Truck Center (San Antonio)

Address 8922 IH 10 East

City/State/Zip Code Converse, TX 78109

**Acknowledged and Agreed:**

Signature:  \_\_\_\_\_

Date: 10-04-2018