



City of San Antonio

ADDENDUM I

SUBJECT: Formal Request for offer (RFO) 6100009581 Rear Load Refuse Trucks opened November 3, 2017; date of issue October 24, 2017.

DATE: November 30, 2017

**THE ABOVE MENTIONED INVITATION FOR BID (IFB) IS HEREBY AMENDED AS FOLLOWS:**

1. RFO Document Section 005 – Supplemental Terms & Conditions, Liquidated Damages for Delay:

**Changed to read:**

Liquidated Damages for Delay:

The parties agree that the actual damages that might be sustained by the City by reason of the breach by Vendor of its covenant to make delivery within the time specified herein, is uncertain and would be difficult of ascertainment, and that the sum of \$100.00 per day for each day that delivery is late would be a reasonable compensation for such breach. Vendor hereby promises to pay, and City hereby agrees to accept, such sum as liquidated damages, and not as a penalty, in the event of such breach. Furthermore, the parties agree that City may withhold said liquidated damages from any payments due to Vendor hereunder. If Vendor's delay exceeds 30 days, City may, at its option, elect to terminate this contract in whole or in part. In such event, City may pursue actual damages, rather than applying this liquidated damages provision.

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Paul J. Calapa  
Purchasing Administrator  
Finance Department, Purchasing Division

*mjr*

Company Name Rush Truck Center

Address 8922 I.H. 10 East

City/State/Zip Code Converse, TX 78109

**Acknowledged and Agreed:**

Signature: *[Signature]*

Date: 12-1-17