



MARCH 27, 2023

ADDENDUM NO. 1

**MATERIALS TESTING SERVICES FOR THE CONSTRUCTION OF THE SERVICE CENTER
FIELD SERVICES BUILDING(S)**

RFQ NO. 2023-075

Proposers are directed to revise and incorporate into their responses the following answers to questions posed during the allotted Q & A timeframe:

QUESTIONS & ANSWERS:

Question 1: The checklist includes “Contractor’s Signature Page” is that the “Certification Statement – Materials Testing Services for the Construction of the Service Center Field Services Building” page that is included in the RFQ?

Answer: Please disregard “Contractor’s Signature Page” reference in Check List. Reference revised “CERTIFICATION STATEMENT” (page 5r).

Question 2: Will the “Special Conditions, Terms, Delivery and Signature Page” be included in the addendum?

Answer: Please disregard “Special Conditions, Terms, Delivery and Signature Page” reference in Check List. Reference revised Check List (page 5r).

Question 3: Will House Bill 89 be included in the addendum?

Answer: Please reference “PROHIBITION ON CONTRACTS WITH COMPANIES BOYCOTTING ISRAEL”. (attached)

Question 4: Is the “Secretary of State Filing Certificate/Partnership Agreement” also known as Form 207 – Certificate of Formation Limited Partnership? Or is it also known as the “Certificate of Fact?”

Answer: The Partnership Agreement is used in lieu of Secretary of State filing requirement. The City is not at liberty to guide Proposers on appropriate Secretary of State forms, i.e. Form 207.

Question 5: Can we use the City of Mesquite as one of the references?

Answer: Yes. Please include department and contact name.

Question 6: Is there a HUB or DBE participation goal?

Answer: No. There is not a HUB or DBE participation goal.

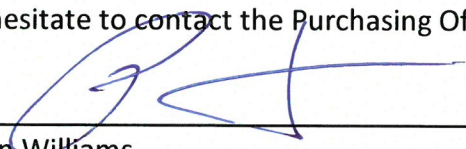
Question 8: Does the CERTIFICATION STATEMENT (page 20) need to be submitted at this time?

Answer: Yes.

Question 9: Do we need to include the checklist page (5)?

Answer: The documents are required, not specifically the Check List page.

If you should have any other questions, do not hesitate to contact the Purchasing Office at 972-216-6201.



Ryan Williams
Manager of Purchasing

ACCEPTANCE:

We, the undersigned, do hereby acknowledge receipt of this Addendum No. 1 to RFQ No. 2023-075; Materials Testing Services for the Construction of the Service Center Field Services Building(s) and agree to the instructions herein written.

Company Name

Authorized Signature

Date

SPECIAL PROVISIONS

1. The successful respondent's rights and duties awarded by the contract may not be assigned to another without written consent of the City signed by the City's authorized agent. Such consent shall not relieve the assigned of liability in the event of default by the assignee.
2. Any deviations from specifications and alternate responses must be clearly shown with complete information provided by the respondent. They may or may not be considered by the City.
3. No oral statement of any person shall modify or otherwise change, or affect the terms, conditions or specifications stated in the resulting contract. All change orders to the contract will be made in writing and shall not be effective unless signed by an authorized representative of the City.
4. The City shall have the right to modify this order subject to an adjustment in the price in accordance with the applicable provisions of the purchase order, if any, or pursuant to mutual agreements. No agreement or understanding to modify this order shall be binding on the City unless it is in writing and signed by an authorized representative of the City.
5. The City reserves the right to require additional technical information and negotiate all elements which comprise the Vendor's response to ensure that the best possible consideration be afforded to all concerned. The City reserves the right to accept all or part of any proposal, to reject any or all proposals and to re-solicit for proposals.
6. Services or products under the Contract Documents shall not be performed or manufactured by any worker who is not legally eligible to perform such services or employment.
7. All questions must be submitted via email by 12:00 p.m. on Friday, March 24, 2023, to Ryan Williams, Manager of Purchasing at purchasing@cityofmesquite.com prior to proposal closing date.
8. Respondents shall submit a total of three (3) work references.
9. Respondents shall fill out the following required documents. If the following forms are not included, the response may be considered non-responsive.

Check List:

- Conflict of Interest Questionnaire
- Non-Exclusion Affidavit for General Contractors
- Prohibition On Contracts with Companies Boycotting Israel – House Bill 89
- References
- Certification Statement
- IRS W-9
- Secretary of State Filing Certificate/Partnership Agreement (This is provided by the Vendor)

**PROHIBITION ON CONTRACTS WITH
COMPANIES BOYCOTTING ISRAEL**

Chapter 2271 of the Texas Government Code, provides that the City may not enter into a contract* with a company for goods or services unless the contract contains a written verification from the company that it: (i) does not Boycott Israel; and (ii) will not Boycott Israel during the term of the contract.

“Boycott Israel” is defined to mean refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes. “Company” is defined to mean a for-profit organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations that exists to make a profit.

*** The requirement applies only to a contract that: (1) is between the City and a company with 10 or more full-time employees; and (2) has a value of \$100,000 or more that is to be paid wholly or partly from City funds.**

I, _____, the _____
(Name of Certifying Official) (Title or Position of Certifying Official)

of _____, does hereby verify on behalf of said
(Name of Company)

company to the City of Mesquite that said company does not Boycott Israel and will not Boycott Israel during the term of this contract.

Signature of Certifying Official

Title

Date of Certification