

**EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD**

**ADDENDUM 3
FOR**

**CONSTRUCTION MANAGER-AT-RISK (CMAR) CONTRACTOR SERVICES
FOR HASKELL R. STREET WWTP VARIOUS IMPROVEMENT PROJECTS**

RFP NUMBER 125-22

December 9, 2022

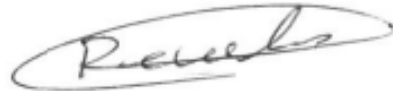
The following revision to the Request for Proposals shall become part of the Contract Documents and the Bidders shall acknowledge receipt thereof on their Proposal

El Paso Water Utilities

Arcadis U.S., Inc.

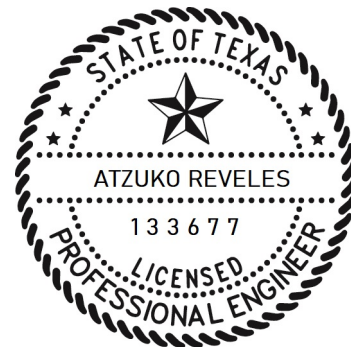


Mirtha Solis
Senior Purchasing Agent
December 9, 2022



Atzuko Reveles, P.E.
Project Manager
December 9, 2022

* The Purchasing Agent's signature certifies only that the document shall become part of the Contract Documents for the referenced project. Her signature is not a representation that the Content of this document is Technically correct.



Receipt of this Addendum must be acknowledged in writing to El Paso Water Utilities as required by the bid documents.

The following are attached to this Addendum:
Attachment 1: El Paso Water Standard Payment Bond
Attachment 2: El Paso Water Standard Performance Bond

AD-3: QUESTIONS AND ANSWERS:

QUESTION 1: Proposer's attention is directed to ATTACHMENT G – CMAR Contract Templates. The Standard Form of Agreement refers to the following exhibits that were not included in the attachment: Exhibit 7.1.1 Form of Security Bond; Exhibit 7.1.2(a) Form of Performance Bond; and Exhibit 7.1.2(b) Form of Payment Bond.

ANSWER 1: Attached to this Addendum are El Paso Water standard forms for Payment Bond and Performance Bond. Industry standard Security Bond form is to be utilized and submitted.

QUESTION 2: Proposer's attention is directed to Section 18.12. The General Conditions refers to documents tied to Union Pacific Railroad. Will EPWater please provide these documents?

ANSWER 2: Proposers are directed to the Union Pacific Railroad's web page to view the latest documents at www.up.com.

QUESTION 3: Proposer's attention is directed to Section 6 – Proposal Content, Part 4 – Relevant Project Experience. The RFP requires Proposers to submit a Reference Project Summary Table, third paragraph. Does this sheet count towards the 35-page limit?

ANSWER 3: No, this sheet does not count towards the page limit; however, Proposers are to include it as an appendix: **Appendix D – Reference Project Summary Table.**

END OF ADDENDUM 3

ATTACHMENT 1

PAYMENT BOND

Public Work – State of Texas

STATE OF TEXAS }
COUNTY OF _____ }

BOND NUMBER _____

KNOW ALL MEN BY THESE PRESENTS:

That _____ of the City of _____, County of _____ and State of _____ (hereinafter called the Principal), and _____ authorized under the laws of the State of Texas to act as Surety on bonds for Principals (hereinafter called the Surety) are held firmly bound unto El Paso Water Utilities / Public Service Board, hereinafter called the Owner), in the penal sum of _____ Dollars (\$ _____) for the payment whereof, the said Principal and Surety bind themselves and their heirs, administrators, executors, successors and assigns, jointly and severally, by these presents.

WHEREAS, the Principal has entered into a certain written Contract with the Owner, dated the _____ day of _____, 20____, for _____ to which Contract is hereby referred to and made part hereof as fully and to the same extent as if copied at length herein.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that if the said Principal shall pay all claimants supplying labor and material to him or a subcontractor in the prosecution of the work provided for in said Contract, then this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED, HOWEVER, that this Bond is executed pursuant to the provisions of Chapter 2253 of the Texas Government Code and all liabilities on this Bond shall be determined in accordance with the provisions of said Chapter to the same extent as if it were copied at length herein.

Surety, for value received, stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract, or to the work performed thereunder, or the plans, specifications or drawings accompanying the same, shall in anywise affect its obligation on this Bond and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract, or to the work to be performed thereunder.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this _____ day of _____, 20____.

BY: _____
Principal

WITNESS:

BY: _____
Surety

ATTACHMENT 2

TEXAS STATUTORY PERFORMANCE BOND

(Penalty of this Bond must be 100% of Contract Amount)

Public Work – State of Texas

STATE OF TEXAS }
COUNTY OF _____ }

BOND NUMBER _____

KNOW ALL MEN BY THESE PRESENTS:

That _____ (hereinafter called the Principal), as Principal and _____, a corporation organized and existing under the laws of the State of _____, and whose principal office is located in the City of _____, and duly authorized to do business in the State of Texas (hereinafter called the Surety).

As Surety, are held firmly bound unto El Paso Water Utilities / Public Service Board, hereinafter called the Owner), in the penal sum of _____ Dollars (\$_____) for the payment of which sum well and truly to be made, we bind ourselves, our heirs, administrators, executors, successors and assigns, jointly and severally, by these presents.

WHEREAS, the Principal has entered into a certain written Contract with the Owner, dated the _____ day of _____, 20____, a copy of which is hereto attached and made a part hereof, for _____.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that if the said Principal shall faithfully perform the work in accordance with the plans, specifications and contract documents, then this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED, HOWEVER, that this Bond is executed pursuant to the provisions of Chapter 2253 of the Texas Government Code and all liabilities on this Bond shall be determined in accordance with the provisions thereof to the same extent as if it were copied at length herein.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this _____ day of _____, 20____.

BY: _____
Principal

WITNESS:

BY: _____
Surety