

**Office of Procurement Services**

P.O. Box 7800 • 315 W. Main St., Suite 416 • Tavares, FL 32778

**SOLICTATION: Project Development & Environmental Study Services for CR 466A – Timbertop Lane to Poinsettia Avenue** 07/01/2024

Vendors are responsible for the receipt and acknowledgement of all addenda to a solicitation. Confirm acknowledgement by including an electronically completed copy of this addendum with submittal. Failure to acknowledge each addendum may prevent the submittal from being considered for award.

THIS ADDENDUM DOES NOT CHANGE THE DATE FOR RECEIPT OF PROPOSALS.

**QUESTIONS/RESPONSES**

1. Would the County please remove the "Warranty" and "Deficiencies in Work to be Corrected by the Contractor" provisions on page 7 of Exhibit C? We believe those sections are not applicable to the services provided by design professionals. Design professionals providing professional services, unlike contractors who provide materials and goods, cannot warrant or guarantee their services as part of a contract, other than to warrant that the services will be conducted per the professional standard of care.

Response: No

1. The "Indemnification" section on page 11 of Exhibit C does not comply with Florida Statute 725.08 by requiring a defense. Will the County please consider rewording same to conform with the statute and deleting the requirement to “defend"?

Response: No

1. As currently worded, we believe that the indemnity provision, Section 5.8, in Exhibit E of the Sample Contract is not in compliance with FL Statute 725.08. Would the County please consider rewording same to conform with the statute? Suggested language per FL Statutes 725.08: “The design professional shall indemnify and hold harmless the agency, and its officers and employees, from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorneys' fees, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of the design professional and other persons employed or utilized by the design professional in the performance of the contract.”

Response: No

1. Why is the County advertising for a PD&E Study to four lane a section of CR466A that has been designed and permitted? Is this a PD&E Reevaluation from a previous study?

Response: The County has received federal funding for the construction of this section of roadway. The purpose of this PD&E is to meet federal PD&E requirements and thereby allow the federal funding to be used for the road construction. A preliminary engineering study and other environmental studies were previously performed.

**ACKNOWLEDGEMENT**

Firm Name: Click or tap here to enter text.

I hereby certify that my electronic signature has the same legal effect as if made under oath; that I am an authorized representative of this vendor and/or empowered to execute this submittal on behalf of the vendor.

Signature of Legal Representative Submitting this Bid: Click or tap here to enter text.

Date: Click or tap to enter a date.

Print Name: Click or tap here to enter text.

Title: Click or tap here to enter text.

Primary E-mail Address: Click or tap here to enter text.

Secondary E-mail Address: Click or tap here to enter text.