



## **ADDENDUM II**

**SUBJECT:** Request for Competitive Sealed Proposal (RFCSP 6100015642) – Annual Contract for Supplemental On-Call Commercial HVAC Services - Citywide, Scheduled to Open: August 19, 2022; Date of Issue: June 17, 2022

**FROM:** Denise Gómez Esquivel, C.P.M., CPPB  
Procurement Administrator

**DATE:** November 28, 2022

**THIS NOTICE SHALL SERVE AS ADDENDUM NO. II - TO THE ABOVE REFERENCED  
REQUEST FOR COMPETITIVE SEALED PROPOSAL**

**THE ABOVE-MENTIONED REQUEST FOR PROPOSAL IS HEREBY AMENDED AS FOLLOWS:**

1. In Section 004 - SPECIFICATIONS / SCOPE OF SERVICES, RS MEANS COST DATA PRICE BOOKS – HVAC, C. On Call Contracting Services (OCCS) Process, the first paragraph is revised to read:

Except for emergencies, any trade related work required by the City shall be ordered through the issuance of a formal Purchase Order, which will include a description of work to be performed. **POs valued over \$250,000.00 will require approval by the San Antonio City Council by passage of an ordinance. Contractor may be subject to payment bond requirements for purchase orders for repairs or replacements exceeding \$50,000 and performance bond requirements for purchase orders for repairs or replacements exceeding \$100,000.**

2. In Section 005 - SUPPLEMENTAL TERMS & CONDITIONS, Payment Bond, is revised to read:

**Payment Bond:**

For repairs or replacements exceeding \$50,000, Contractor shall provide a payment bond as security for all persons supplying labor and material in the performance of this contract. Said bond shall be executed by a corporate surety acceptable to City, licensed pursuant to the Texas Insurance Code and listed on the United States Department of Treasury's Listing of Approved Sureties (Dept. Circular 570) in the full amount of the contract price. If this is an annual contract with estimated quantities, the bond shall be in the amount of the estimated contract price for a one-year period. Said bond must be in a form acceptable to City. Said bond must have attached thereto a Power of Attorney as evidence of the authority of the person executing the bond to bind the surety. This bond must be furnished in compliance with the statutory requirements of the Texas Government Code, chapter 2253 and the Texas Property Code, chapter 53. This bond must be executed and delivered to City prior to commencement of work under this contract. Contractor is required to maintain the bond's value for the life of the contract, by supplementing the bond or providing a new one, as may be required, in the event of a draw. In addition, for any repairs exceeding the bond's value, Contractor must supply a supplemental Payment Bond, meeting the same requirements herein, to cover the incremental increase between this bond's value and the cost of the repair.

3. In Section 005 - SUPPLEMENTAL TERMS & CONDITIONS, Performance Bond, is revised to read:

**Performance Bond:**

For repairs or replacements exceeding \$100,000, Contractor shall provide a performance bond made payable to the City of San Antonio, executed by a corporate surety acceptable to City who is licensed pursuant to the Texas

Insurance Code and listed on the United State Department of Treasury's Listing of Approved Sureties (Dept. Circular 570) in the full amount of the contract price. If this is an annual contract with estimated quantities, the bond shall be in the amount of the estimated contract price for a one-year period. Said bond must be in a form acceptable to City. Said bond shall further provide that the surety shall indemnify the obligee for all damages or losses resulting from the principal's default. Said bond shall further guarantee the principal's performance of all terms and obligations under this contract. Said bond must have attached thereto a Power of Attorney as evidence of the authority of the person executing the bond to bind the surety. This bond must be furnished in compliance with the statutory requirements of the Texas Government Code, chapter 2253. This bond must be executed and delivered to City prior to commencement of work under this contract.

*Denise Gómez Esquivel*

Denise Gómez Esquivel, C.P.M., CPPB  
Procurement Administrator  
Finance Department – Purchasing Division

**Acknowledged and Agreed:**

Date 11/28/2022

Company Name Fox Industries DBA Fox Commercial Service

Address 2511 Boardwalk

City, State, Zip Code SAN ANTONIO, TX 78217

MJ 92  
Signature