



Procurement Services
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ADDENDUM NO: 1

IFB/RFP No: NKU-34-20

Commodity: Switchgear Replacement

Date: 4/17/2020

Due Date: 4/27/2020 @ 2PM

BIDDER/RESPONDER SHALL CONFORM TO THE FOLLOWING CHANGES AS SAME SHALL BECOME BINDING UPON THE CONTRACT TO BE ISSUED IN RESPONSE TO THIS INVITATION FOR BID.

1. Landrum Hall Drawings have been posted in the Addendum section.
2. We are working on the schedule now, but below, we do have some answers in red. The rest will follow.
3. Will Square D, Eaton, GE/ABB, and Siemens be an acceptable manufacture for the substation lineups in all 3 buildings? **Square D & Eaton**
4. Also, I didn't see a schedule, is this project supposed to take place over this summer? **NKU Christmas Break**
5. Please give a description of the Liquidated Damages? **Liquidated Damages Not Penalty**

The Parties acknowledge and agree that because of the unique nature of the Facility and the unavailability of a substitute Facility, it is difficult or impossible to determine with precision the amount of damages that would or might be incurred by the Owner as a result of Contractor's failure to perform per the terms of Agreement by the Completion Date. It is understood and agreed by the parties that (i) Owner shall be damaged by failure of Contractor to timely complete the Project, (ii) any sums which would be payable under this Agreement are in the nature of liquidated damages, and not a penalty, and are fair and reasonable, and (iii) such payment represents a reasonable estimate of fair compensation for the losses that may reasonably be anticipated from such failure, and shall, without duplication, be the sole and exclusive measure of damages and exclusive remedy of Owner with respect to the failure by Contractor to timely complete the Project.

Based on the progress of the Project and the stated Completion Date, the liquidated damages will be calculated on a sliding scale as follows:

(a) If the switchgear is not installed by the Completion Date, the parties agree that the amount of liquidated damages shall be \$10,000 per day until the switchgear is installed and all building circuits have been terminated; and/or,

(b) If the switchgear is installed and all building circuits have been terminated but the Project is not complete, the liquidated damages shall be \$5,000 per day until the Project is complete.

6. Should we plan to provide floor protection when moving gear or will this be done in-house? **Provide floor protection.**

END OF ADDENDUM

RS-4/17/2020