

November 16, 2018

To: All Bidders

From: Kate Bailey
Director of Procurement

Re: **ADDENDUM NO. 3**
Project 18-145.1
Packer Avenue Marine Terminal Berths 1-3 Infrastructure Improvements

This Addendum No. 3 is issued to:

1. To provide a revised Section 17 and Section 27 of the Instructions to Bidders. The revisions pertain to the Approved Apprenticeship Training Program Requirement (attached)

All other terms and conditions remain unchanged.

Bidders shall acknowledge receipt of this addendum by immediately faxing a copy of the completed acknowledgment to Kate Bailey at 215-426-6800 or email procurement@philaport.com

ACKNOWLEDGMENT OF RECEIPT OF ADDENDUM NO. 3
Packer Avenue Marine Terminal Berths 1-3 Infrastructure Improvements
Project 18-145.1

Date _____

By _____

Company _____

Telephone _____

Fax _____

Email _____

Addendum 3:

1. Section 17 of the Instructions to Bidders is replaced in its entirety with:

Section 17 Requests for Additional And Corrected Information:

A. Evaluation of Responsibility. In evaluating the Bid Proposal Form, in addition to price, PhilaPort may consider completion time, Bidder's experience, past record of Bidder in meeting commitments and any other general factors that may be deemed pertinent to the Bidder's responsibility as a contractor and the best interests of PhilaPort. PhilaPort reserves the right to request Bidder to provide additional information prior to award of contract.

B. Evaluation of Responsiveness. The failure to execute or complete a blank on the Bid Form shall cause the Bid to be rejected only if the amount of the base Bid or a Unit Price cannot be determined. The failure of the Bidder to sign the Bid Proposal Form shall be conclusively treated as a nonresponsive Bid, and the Bid shall be rejected. The failure to attest to the signature made on behalf of a corporate Bidder or a Bidder which is Limited Liability Company shall not make the Bid nonresponsive.

C. Conditioned Bid. The Bidder shall not condition, qualify, or otherwise assert a stipulation of any kind in the Bid. Any condition, qualification or stipulation added to the Bid and Certification Form shall be disregarded and the Bid accepted as if the condition, qualification or stipulation did not appear. Only in the event that, notwithstanding the disregarding of the condition, qualification or stipulation, the amount of the Base Bid cannot be determined shall the Bid be rejected.

D. Incomplete and Insufficient Submittals. Provided that the integrity of the amounts of the Base Bid, Alternatives, and Unit Prices are not compromised, the failure of the Bidder to submit with his completed and executed Bid and Certification Form, (1) a document required by these Instructions, including but not limited to a Non-Collusion Affidavit, (2) documents required to establish participation in an approved Apprenticeship Program, (3) documents otherwise required to be included with the Bid, or to provide a complete document, shall be conclusively treated as an irregularity which, in the discretion of PhilaPort may be ignored and the Bid accepted, provided that the omitted document or missing portion of the document is submitted after the Bid within three (3) days of written notice from PhilaPort of the deficiency and of the opportunity to cure. In the event the Bidder fails, refuses or neglects to submit any requested information within the three (3) business days of the request, Bidder's bid guaranty may be forfeited to the use of PhilaPort.

2. Section 27 of the Instructions to Bidders is replaced in its entirety with:

Section 27 Apprenticeship Training Program Participation:

To qualify as a responsive bidder for the purposes of this bid, the Bidder must certify (1) that the Bidder (or the labor force) participates at the time of the bid submission in an approved Apprenticeship Program as defined in the General Conditions for each craft or trade of the labor force contemplated to perform the work, (2) that such Program is currently registered with the Pennsylvania Apprenticeship and Training Council and (3) that such Program has apprentices and trainees currently participating.

To qualify as a responsible contractor and to comply with contractual requirements, the awarded Contractor shall utilize labor enrolled in an approved Apprenticeship Program registered with the Pennsylvania Apprenticeship and Training Council for each craft or trade of the labor force necessary to perform the work for the full duration of the contract Work.

3. A new bid certification form is attached to this addendum.
4. Paragraph 2 of Section III, E. of the General Conditions is replaced in its entirety with:
 2. The Contractor and all Subcontractors of whatever tier agree to employ or utilize labor that participates in an approved Apprenticeship Program as defined herein for each craft or trade of the labor force performing the Work. An approved Apprenticeship Program is one that is registered at the time the Contract is executed with the Pennsylvania Apprenticeship and Training Council. Apprentices employed on the Project shall be those participating in the approved Apprenticeship Program and whose training and employment are in full compliance with the provisions of the Act dated July 14, 1961 (P.L. 604), as amended, known as “The Apprenticeship and Training Act” and the rules and regulations issued pursuant thereto. Any employee using the tools of a craft who does not qualify as an apprentice within the provisions shall be paid the minimum wage predetermined for journeymen in that particular craft and/or classification.