

THE PORT AUTHORITY OF NY & NJ

PROCUREMENT DEPARTMENT
2 MONTGOMERY STREET, 3RD FL.
JERSEY CITY, NJ 07302

9/2/2014

ADDENDUM # 1

To prospective Bidder for Bid # 39184 entitled, “Electric Generation Services at Selected New York and New Jersey Facilities of the Port Authority of New York and New Jersey”:

- Prequalification Information due back on 9/18/14, no later than 2:00 PM

I. CHANGES/MODIFICATIONS:

- A. Part II, Contract Specific Information for Bidder’s, section 3, entitled, “Expected Date of Commencement of Contract”, delete in its entirety and replace with the following:
“On or after November 1, 2014; for a subset of accounts identified in Appendix 1, the commencement date will be on or after December 1, 2014.”
- B. Part III, Contract Specific Terms and Conditions, Section 3, entitled, “Billing”, paragraph ‘d’, delete in its entirety and replace with the following:
“Dual-bill option: The Port Authority has elected to receive, and Contractor(s) must provide, a separate billing statement (invoice) for Electric Generation Service, only, strictly in accordance with the provisions of this Section 3. Such invoice shall not include any charges for distribution, transmission (except for accounts located in New Jersey), or other Electric Distribution Company (EDC) charges. The Contractor(s) must notify the EDC with adequate advance notice of the dual-bill choice by the Port Authority so as not to jeopardize any switchover deadlines.”

II. BIDDER’S QUESTIONS AND ANSWERS

The following information is available in response to questions submitted by prospective Bidders. The responses should not be deemed to answer all questions, which have been submitted by Bidders to the Port Authority. It addresses only those questions, which the Port Authority has deemed to require additional information and/or clarification. The fact that information has not been supplied with respect to any questions asked by a Bidders does not mean or imply, nor should it be deemed to mean or imply, any meaning, construction, or implication with respect to the terms.

The Port Authority makes no representations, warranties or guarantees that the information contained herein is accurate, complete or timely or that such information accurately represents the conditions that would be encountered during the performance of the Contract. The furnishing of such information by the Port

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Authority shall not create or be deemed to create any obligation or liability upon it for any reason whatsoever and each Bidder, by submitting its Bid, expressly agrees that it has not relied upon the foregoing information, and that it shall not hold the Port Authority liable or responsible therefore in any manner whatsoever. Accordingly, nothing contained herein and no representation, statement or promise, of the Port Authority, its Commissioners, officers, agents, representatives, or employees, oral or in writing, shall impair or limit the effect of the warranties of the Bidder required by this Bid or Contract and the Bidder agrees that it shall not hold the Port Authority liable or responsible therefore in any manner whatsoever.

Q1: In order to receive data, do suppliers have to make a request for Appendix 1?

A1: Yes. Per Part II, section 4, item 12, requests for Appendix 1 should be directed to PAEnergyData@panynj.gov.

Q2: If a supplier has already submitted a request for the Appendix 1 to PAEnergyData@panynj.gov and was advised that the data is not yet available, does that supplier need to make another request for the Appendix 1?

A2: No. All requests have been confirmed via a reply email. If you have already submitted your request to the correct email address and received a confirmation reply, please expect to receive Appendix 1 on/before close of business on September 2. Additional requests for Appendix 1 should only be made if you have not received a confirmation reply or Appendix 1 by September 2.

Q3: In Part III, section 4, the Port Authority states that a supplier must provide 30 days notice for a Change in Law. Is that 30 days after the change in law has occurred or 30 days before implementation?

A3: It is 30 days before implementation. Contractor shall send a written notice to the Port Authority at least thirty (30) days prior to the implementation of the Change in Law explaining how such Change in Law will directly affect the cost of supplying electricity to the Port Authority under this Contract and including an explanation of its calculation of how such Change in Law would affect amounts payable by the Port Authority to the Contractor under this Contract.

Q4: Are there any anticipated add/drops of accounts?

A4: If the Port Authority has any anticipated additions or drops, we endeavor to make sure those are reflected in the Appendix 1. That said, if there are unanticipated additions or deletions of accounts throughout the course of the contract, those additions and deletions will be covered by Part III, section 7, entitled, "Increase and Decrease in Number of Accounts".

Q5: Understanding that the Port Authority does not allow any exceptions to the contract, if a supplier submits a question or makes a request during the Q&A period which results in a change to the contract, will all suppliers be notified of that change?

A5: Yes. If a supplier submits a question which prompts the Port Authority to make a change to the contract, the Port Authority will issue that change via an addendum to RFPI #39184. Please regularly check the Port Authority's Bid/Proposal website for addenda by pointing to the appropriate bid number under "Goods & Services" at <http://www.panynj.gov/business-opportunities/bid-proposal-advertisements.html>. Please remember that all addenda must be acknowledged in order for your prequalification response to be considered complete.

Q6: Will Appendix 1 contain account/meter data?

A6: Yes, Appendix 1 will contain monthly usage data. Interval data, will be posted in a separate file due to size and may take a few more days than the monthly data.

Q7: What are the products the Port Authority is requesting?

A7: Please refer to Part V, section 1b, entitled, "Pricing Product Instructions".

Q8. Are consolidated account info, meters, and account #'s part of the prerequisites for bidders?

A8. See Part II, page 3, section 10, entitled, "Specific Bidder's Prerequisites" for what is required to be submitted as part of your prequalification information.

This communication should be initialed by you and annexed to your Bid upon submission.

In case any Bidder fails to conform to these instructions, its Bid will nevertheless be construed as though this communication had been so physically annexed and initialed.

THE PORT AUTHORITY OF NY & NJ
Kathy Leslie Whelan, Manager
Commodities & Services Division

BIDDER'S FIRM NAME: _____

INITIALED: _____

DATE: _____

QUESTIONS CONCERNING THIS ADDENDUM MAY BE ADDRESSED TO
Mr. Richard A. Grehl, WHO CAN BE REACHED AT (201) 395-3441 or at
rgrehl@panynj.gov.