

THE PORT AUTHORITY OF NY & NJ

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

10/21/2014

ADDENDUM # 4

To prospective Bidder(s) on Bid # 39655 to Supply and Deliver Flat Cars and Related Equipment for PATH:

Now due back on 10/29/2014, no later than 11:00 AM

The following changes/modifications are hereby made to the solicitation document:

1) The bid due date is extended to 10/29/2014, no later than 11:00 AM

2) PART II - CONTRACT SPECIFIC INFORMATION FOR BIDDERS:

On pages 2 and 3, Section 7. Specific Bidder's Prerequisites:

i. Delete paragraph a) in its entirety and replace it with the following:

“a. The Bidder shall have had at least five (5) years of experience immediately prior to the date of submission of its bid in the management, design and manufacturing of track-mounted railroad equipment of a similar design required herein and during that time have actually engaged in providing said or such equipment to commercial or industrial accounts under contract. The Bidder may fulfill this prerequisite if the Bidder can demonstrate to the satisfaction of the Port Authority that the persons or entities owning and controlling the Bidder have had a total of at least five (5) year(s) of experience immediately prior to the date of the submission of its bid in the management, design and manufacturing of track-mounted railroad equipment of a similar design required herein and were actually engaged in providing such equipment to commercial or industrial accounts under contract during that time, or have owned and controlled other entities which have actually engaged in providing the above described equipment during that time period.”

ii. Delete paragraph c) in its entirety.

iii. Delete paragraph d) in its entirety and replace it with the following:

“d. In the event a bid is submitted by a joint venture the foregoing prerequisites will be considered with respect to such Bid as follows: The prerequisite in subparagraphs (a) and (b) above, will be considered satisfied if the joint venture itself, or any of its participants individually, can meet the requirements. If a joint venture which has not been established as a distinct legal entity submits a bid, it and all participants in the joint venture shall be bound jointly and severally and each such participant in the joint venture shall execute the bid and do each act and thing required by this Invitation for Bid. On the original bid and wherever else the Bidder’s name would appear, the name of the joint venture Bidder should appear if the joint venture is a distinct legal entity. If the Bidder is a common law joint venture, the names of all participants should be listed followed by the words “acting jointly and severally”. All joint venture Bidders must provide documentation of their legal status.”

3) PART III - CONTRACT SPECIFIC TERMS AND CONDITIONS:

On page 7, delete Section 13 “Liquidated Damages” in its entirety.

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
ASSISTANT DIRECTOR
COMMODITIES & SERVICES DIVISION

BIDDER'S FIRM NAME: _____

INITIALED: _____

DATE: _____

QUESTIONS CONCERNING THIS ADDENDUM MAY BE ADDRESSED TO JOHN SANTIAGO AT John.Santiago@panynj.gov OR (201) 395-3416.