
SAN ANTONIO WATER SYSTEM PURCHASING DEPARTMENT

Issued By: Gina Cappa
BID NO.: 18-1459

Date Issued: October 30, 2018

FORMAL INVITATION FOR BIDS
ANNUAL CONTRACT FOR ADOBE AND OTHER SOFTWARE LICENSES
ADDENDUM 1

Sealed bids addressed to the Purchasing Department, San Antonio Water System, 2800 US Hwy 281 North, Administration Bldg., 5th Floor, San Antonio, TX 78212 will be received until **3:00 PM (CT), November 8, 2018** and then publicly opened and read aloud for furnishing materials or services as described herein below,

The San Antonio Water System Purchasing Department is willing to assist any bidder(s) in the interpretation of bid provisions or explanation of how bid forms are to be completed. Assistance may be received by visiting the Purchasing Office in the SAWS Main Office, 2800 US Hwy 281 North, San Antonio, TX 78212, or by calling (210) 233-3819.

This invitation includes the following:

Invitation for Best Value Bids
Terms and Conditions of Invitation for Bids

Specifications and General Requirements
Price Schedule

The undersigned, by his/her signature, represents that he/she is authorized to bind the Bidder to fully comply with the Specifications and General Requirements for the amount(s) shown on the accompanying bid sheet(s). By signing below, Bidder has read the entire document and agreed to the terms therein.

Signer's Name: _____ Firm Name: _____
(Please Print or Type)

Address: _____

Signature of Person Authorized to Sign Bid _____ City, State, Zip Code: _____

Email Address: _____ Telephone No.: _____

Fax No.: _____

Please complete the following:

Prompt Payment Discount: _____% _____days. (If no discount is offered, Net 30 will apply.)

Please check the following blanks which apply to your company:

Ownership of firm (51% or more):

Non-minority Hispanic African-American Other Minority (specify) _____

Female Owned Handicapped Owned Small Business (less than \$1 million annual receipts or 100 employees)

Indicate Status: Partnership Corporation Sole Proprietorship Other (specify) _____

Tax Identification Number: _____

To report suspected ethics violations impacting the San Antonio Water System, please call 1-800-687-1918.

***** This **Addendum 1** is issued for Bid 18-1459 to do the following:

1. Provide questions and responses.

IT IS NOT NECESSARY TO RETURN THIS ADDENDUM 1 AS PART OF YOUR BID SUBMISSION

QUESTIONS:

1) Do you have an existing agreement? If so, please provide current EA#.

***Response:** We do not have an existing ETLA agreement.*

2) Would you kindly provide the VIP Agreement number?

***Response:** The VIP agreement is being replaced by the ETLA agreement, so the VIP number will not be applied to this new contract.*

3) Is there a current VIP number associated with these licenses?

***Response:** Refer to the response for question #2.*

4) Is there a preferred contract vehicle?

***Response:** This is an open market bid.*

5) Page 12 of the RFP states, “SAWS shall have the right to extend this contract under the same terms and conditions beyond the original term of any renewal thereof, on a month to month basis, not to exceed 6 months. Said month to month extensions shall be in writing, signed by SAWS Purchasing Director or her designee, and shall not require Board approval, subject to and contingent upon appropriation of funding therefore.”

While the ETLA can be renewed after the Initial 1 year term and 2 additional 1 year extensions, the ETLA does not allow for a month to month renewal. At the time of renewal, SAWS would have to decide the total quantity of months for that renewal. Could SAWS please modify the language in the RFP to the following? “SAWS shall have the right to extend this contract under the same terms and conditions beyond the original term of any renewal thereof, on a month to month basis, not to exceed 6 months. Said month to month extensions shall be in writing, signed by SAWS Purchasing Director or her designee, and shall not require Board approval, subject to and contingent upon appropriation of funding therefore.”

***Response:** The language will not be modified at this time, but if the month to month option is not available under the ETLA, then the language will not apply.*

6) Page 10 of the RFP, under section 28. INTERLOCAL PARTICIPATION – The ETLA requested is not available for Interlocal Participation. As we cannot agree to these terms, even though it states that it is subject to the bidder’s acceptance, we graciously request the removal of this requirement or clarification of an understanding that this requirement is not applicable to this bid.

***Response:** This requirement is not applicable to bid 18-1459.*

- 7) Page 13 of the RFP 5. states the following, “The quantities in the price schedule are the exact amounts that will be purchased each year. Any true-up licenses will scale this up or down as we move forward. All licenses, initially purchased or that result from a true-up will last only from award of the contract. SAWS may increase or decrease quantities on an annual basis through true-up reviews. All items not listed on the Price Schedule deemed by SAWS to purchase on a regular basis during the contract period will be added subsequently by issuance of change order(s). The quotes(s) issued by the vendor to be evaluated by the SAWS Purchasing Department, will suffice as establishing the contract price of the additional item(s). SAWS reserves the right to remove items from the scope of this contract.”

The Enterprise Term License Agreement allows for an increase in quantities via annual true-up reviews, however a decrease in quantities or scaling down during the term of the agreement and any extensions or renewals of the ETLA does not result in a decrease, credit or refund in the purchase price for this type of agreement. If SAWS chooses to extend the agreement for the second and third year, any licenses added via the annual true-up will be included in the total license count and cost for the extension and the cost of the purchase price cannot be decreased or refunded in the future. Can SAWS please clarify if an ETLA is the type of License Agreement desired?

Response: *Yes, ETLA is the type of License Agreement desired.*

- 8) Page 8 of the RFP Section 18. PERFORMANCE DEPOSIT – Does this opportunity require a Performance Deposit upon award?

Response: *No.*

END OF ADDENDUM 1