

**ADDENDUM 3 APPENDIX B
RESPONSE FORM FOR SOLICITATION 007-17**

WATER & WASTEWATER MATERIALS FOR JEA INVENTORY STOCK

Bid Form page 1 of 1

Submit an original Response Form, two (2) copies and one (1) CD or thumb drive along with other required forms in a sealed envelope to:

JEA Procurement Dept., 21 W. Church St., Bid Office,
Customer Center, 1st Floor, Room 002, Jacksonville, FL 32202-3139.

Company Name: HD Supply Waterworks, Ltd.

Company's Address 6854 Distribution Avenue, South, Jacksonville, FL 32256

License Number (if applicable) Business License #10903

Phone Number 904-268-7007 FAX No: 904-268-4764 EMAIL Address: brenda.haddock@hdsupply.com

BID SECURITY REQUIREMENT

None required
 Certified Check or Bond
 _____ % \$ _____

TERM OF CONTRACT

One Time Purchase
 Annual Requirements – One (1) year with Two (2), One (1) year optional renewals
 Other, Specify:

SAMPLE REQUIREMENTS

None required
 Samples required prior to Bid Opening
 Samples may be required subsequent to Bid Opening

SECTION 255.05, FLORIDA STATUTES CONTRACT BOND

None required
 Bond required \$ _____ % of Bid Award

QUANTITY REQUIREMENTS

Quantities indicated are exacting
 Quantities indicated reflect the approximate quantities to be purchased throughout Contract period and are subject to fluctuation in accordance with actual requirements

INSURANCE REQUIREMENT

None required
 Insurance required

PAYMENT DISCOUNTS

1% 20, net 30
 2% 10, net 30
 Other _____
 None Offered

Quote the following materials **F.O.B. Destination: Jacksonville, FL**

Item No.	ENTER HEREON YOUR RESPONSE FOR THE FOLLOWING DESCRIBED ARTICLES OR SERVICES	TOTAL RESPONSE PRICE
1.	007-17 Water & Wastewater Materials for JEA Inventory Stock TOTAL Response PRICE (Total from Response Workbook)	\$ <u>5,706,046.⁹³</u>

Respondent's Certification

By submitting this Response, the Respondent certifies that it has read and reviewed all of the documents pertaining to this Solicitation, that the person signing below is an authorized representative of the Respondent's Company, and that the Company is legally authorized to do business in the State of Florida. The Respondent also certifies that it complies with all sections (including but not limited to Conflict Of Interest and Ethics) of this Solicitation, and that the Respondent is an authorized distributor or manufacturer of the equipment as required in this Solicitation.

We have received addenda
1 through 4

Brenda Haddock 4/24/17
 Handwritten Signature of Authorized Officer of Company or Agent Date

Brenda Haddock, Branch Manager
 Printed Name and Title

Qualification of HD Supply Waterworks, Ltd.
Submitted to JEA
Solicitation for Participation in an Invitation to Negotiate for the Supply of
Water & Wastewater Materials for JEA Inventory Stock
Solicitation Number 007-17

Notwithstanding anything contained in any bid or contract documents to the contrary, HD Supply Waterworks, Ltd. ("HDS Waterworks") hereby qualifies its bid as follows. It is the express intention of the parties that, to the extent of the terms of this Qualification, this Qualification shall supersede and control over the terms of the Bid Documents, Contract Documents and Specifications and any prior addenda thereto. Acceptance of any Agreement by HDS Waterworks is made expressly conditioned on assent by JEA ("Owner") to the following additional or different terms:

1. Paragraph 2.3.1 – Order of Precedence: In the list of documents that begins with "Executed Change Orders/Amendments," insert a new document after "Executed Change Orders/Amendments" as follows: "Qualification of HD Supply Waterworks, Ltd. and the Company's Proposal."
2. Paragraph 2.5.3 – Warranty (Goods): At the beginning of the second paragraph of this section, insert the following: "Notwithstanding anything contained herein to the contrary, the manufacturer's warranty only shall apply to all materials purchased by JEA hereunder. JEA acknowledges that Company is a distributor of materials only, and therefore offers no additional warranties." At the end of the second paragraph of this section, insert the following: "In no event shall Company be liable for any indirect, incidental, special, exemplary or consequential damages of any kind." In the last paragraph of this section that begins, "If the Work includes items covered under a manufacturer's...", delete the last sentence entirely as follows: "Such warranties do not in any way limit the warranty provided by the Company to JEA."
3. Paragraph 2.6.1 – Insurance: In the seventh paragraph that begins, "Company shall specify JEA as an additional insured," on the last line, delete the phrase, "employees, agents, successors and assigns" and replace with, "and employees." Delete the ninth paragraph entirely that begins, "The insurance certificates shall provide that no material alteration..." and replace with the following: "All applicable policies will be endorsed to provide 30 days' advanced notice of cancellation by e-mail."
4. Paragraph 2.8.2 – Termination for Convenience: In the second paragraph of this section that begins, "In the event of termination for convenience...", on line 2, following the phrase, "Company has incurred," insert the phrase, "through the date of termination." On line 2, delete the phrase, "prior to receiving JEA's notice of termination," and insert the phrase, "including but not limited to freight and restocking charges incurred from the manufacturer for all non-stock materials."
5. Paragraph 2.10.3 – Prohibited Future Employment: At the end of this paragraph, insert the following: "The foregoing provision shall not prohibit Company or its subsidiaries from soliciting or hiring any employee of JEA or its subsidiaries who responds to a general advertisement or solicitation, including but not limited to advertisements or solicitations through newspapers, trade publications, periodicals, radio or internet database, or efforts by any recruiting or employment agencies, not specifically directed at employees of JEA or its subsidiaries."

6. Paragraph 2.10.4 – Hiring of Other Party’s Employees: On line 2, delete the phrase, “pursue or hire” and replace with, “directly solicit.” On line 3, following the phrase, “of its subsidiaries,” insert the phrase, “who are directly involved in the negotiation or award of the Contract, or performance of the Contract.” At the end of this paragraph, insert the following: “The foregoing provision shall not prohibit either party or its respective subsidiaries from soliciting or hiring any person who responds to a general advertisement or solicitation, including but not limited to advertisements or solicitations through newspapers, trade publications, periodicals, radio or internet database, or efforts by any recruiting or employment agencies, not specifically directed at employees of the other party or its subsidiaries.”

7. Paragraph 2.11.5 – Returned or Unused Materials: On line 1, following the phrase, “To the extent that items,” insert the phrase, “are new, unused, in resalable condition, and.”

8. Paragraph 2.11.10 – JEA Changes to Order: On line 3, following the word “Price” at the beginning of that line, insert the phrase, “including but not limited to paying Company for freight and restocking charges incurred from the manufacturer for all non-stock materials.”

9. Paragraph 2.12 – Vendor Performance Evaluation: Under “Unacceptable Performance,” in the first bullet point, beginning near the end of line 5, delete the phrase, “an officer of the Company,” and replace with, “a member of the Company’s leadership team such as the Regional Vice President or District Manager.”

Dated this 24 day of April, 2017.

HD SUPPLY WATERWORKS, LTD.



Brenda T. Haddock



2016-2017 BUSINESS TAX RECEIPT
MICHAEL CORRIGAN, DUVAL COUNTY TAX COLLECTOR
 231 E. FORSYTH STREET, SUITE 130, JACKSONVILLE, FL 32202-3370
 Phone: (904) 630-1916, option 3: Fax: (904) 630-1432
 Website: www.coj.net/tc: Email: taxcollector@coj.net

Note – A penalty is imposed for failure to keep this receipt exhibited conspicuously at your place of business.
 This business tax receipt is furnished pursuant to Municipal Ordinance Code, Chapters 770-772, for the period
 October 1, 2016 through September 30, 2017.

HD SUPPLY WATERWORKS
 DUCHARME MCMILLEN & ASSO
 P O BOX 80600
 INDIANAPOLIS, IN 46280

ACCOUNT NUMBER: 10903
LOCATION ADDRESS: 6854 S DISTRIBUTION AVE
 JACKSONVILLE, FL 32256-2745

DESCRIPTION:	TRADING-TANG PP DIST WHLSL	STATE LICENSE NO.:	
COUNTY RECEIPT DESC:	TRADING-TANG PP DIST WHLSL	COUNTY TAX:	30.00
MUNICIPAL RECEIPT DESC:	MC 772.334-2	MUNICIPAL TAX:	937.50
		TOTAL TAX PAID:	967.50

VALID UNTIL September 30, 2017

*****ATTENTION*****

THIS RECEIPT IS FOR BUSINESS TAX RECEIPT ONLY.
 CERTAIN BUSINESSES MAY REQUIRE ADDITIONAL STATE LICENSING.

This is a business tax receipt only. It does not permit the receipt holder to violate any existing regulatory or zoning laws of the County or City. It does not exempt the receipt holder from any other license or permit required by law. This is not a certification of the receipt holder's qualifications.

Michael Corrigan J.

TAX COLLECTOR

THIS BECOMES A RECEIPT AFTER VALIDATION.

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