



Oregon State University

Request for Proposals (RFP) 2021-003847 Subsea Power Cable Manufacture, Delivery, and Installation: PacWave South

RFP #2021-003847

ADDENDUM NO. 12

ISSUE DATE: January 27, 2021

CONTRACT ADMINISTRATOR:

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NOTE: Supporting documents for this RFP are available at:

<https://oregonstate.box.com/s/w6ak5y176s2mcgjd85u77nju26shnqfv>

This Addendum is hereby issued to inform you of the following revisions and or clarifications to the above-referenced RFP and/or the Contract Documents for the Project, to the extent they have been modified herein. Any conflict or inconsistency between this Addendum and the Solicitation Document or any previous addenda will be resolved in favor of this Addendum. Proposals shall conform to this Addendum. Unless specifically changed by this Addendum, all other requirements, terms and conditions of the Solicitation Document and or Contract Documents, and any previous addenda, remain unchanged and can be modified only in writing by OSU. The following changes are hereby made:

Item 1: Replace Attachment C 'Sample Contract' with the attached PDF. Summary of changes in this Sample EPC Contract include, but are not limited to, the following:

- Section 5.6.1 add phrase 'in accordance with contract requirements.'
- Section 9.5.3 reference to 'joint check' replaced with 'payment directly'
- Section 10.1 added 'including the subsea cables and connectors.'
- Section 10.3.6 added 'subject to availability of lawful funds'
- Section 3.1.17.8 – the following is deleted: *" but shall not be responsible for such defense or loss when a particular design, process or product of a particular manufacturer or manufacturers was specifically*

required by the Owner in Owner's Criteria, or where the copyright violations are required in the Owner's Criteria. "

- The terms Designer, Consultants, and Contractors now replaces the terms Contractor's, Subcontractors, and Sub-Subcontractors in all instances.
- Prior Sections 10.3.3 and 10.3.4 are now removed in their entirety.
- Section 13.2.2 last paragraph is replaced.
- Section 9.2 Schedule of Values, last sentence change "shall" to "will"
- Article 12 – revisions throughout.
- 13.2.2.1 romannette "ix" add "Contractor's Default"
- Section 13.2.2.3 remove text "a final arbitrated award" in final paragraph.
- Section 14.2 'Dispute Escalation' provision is added.
- Section 14.2.1 remove references to 'arbitration' throughout.
- Section 15.6 'Confidential Information' is removed and replaced with new language in its entirety.
- Section 15.18 'Accounting, Audit Access' add 'including in-person access.'
- Section 15.21 'Availability of Funds' add new language in last sentence.
- Exhibit B-2 Article 2 #4 remove 'shall.'
- Section 16.5.3 Title of section has changed to align with current OSU policy naming.
- Removing opening paragraph in Exhibit C 'Insurance Requirements'

END OF ADDENDUM NO. 12