



**Pittsburg Unified School District  
Request for Proposal #2016-WAN  
E-Rate Proposal for Wide Area Network (WAN) Services**

FCC FORM 470 # 160024760

DATE: March 7, 2015

**Addendum #1**

**Introduction**

Notice to contractors. You are hereby notified of the following changes in the plans and specifications, which shall take precedence over anything published prior to this date.

**Question**

The RFP states a 100% performance bond will be required. This is a request for leased lit services so you would in effect be requiring the vendor to bond a service under their control, not the district. Further, as a California CLEC you would have protection from CPUC should we fail to perform. We respectfully request the bonding requirement be removed as it is inappropriate.

**Answer**

The successful Bidder will no longer be required to furnish a Performance Bond.

**Clarifying RFP Language**

Wherever it states on the RFP that successful Bidder is required to furnish a Performance Bond is required, Addendum #1 changes that specification to state that successful Bidder will no longer be required to furnish a Performance Bond.

RFP Section named "Notice to Bidder", Item 5 on Page 2:

**5. If awarded the contract, the successful Bidder shall be required to furnish**

- i. A 100% Performance Bond,
- ii. Criminal Background Investigation/Fingerprinting Certification.

RFP Section named "Notice to Bidder", Item 5 on Page 2 is changed as follows:

**5. If awarded the contract, the successful Bidder shall be required to furnish**

- ~~i. A 100% Performance Bond,~~ (performance bond is NO longer required)
- ii. Criminal Background Investigation/Fingerprinting Certification.

RFP Section named "General Terms and Conditions", Performance Guarantee on Page 6:

**PERFORMANCE GUARANTEE** – The successful bidder(s) may be required to provide a performance guarantee. Such requirement shall be at the discretion of the District's Purchasing Agent. A continuous performance bond in the amount of 100% of the total amount of the award executed by a surety satisfactory to the District and filed with the Purchasing Agent is the preferred form of performance guarantee. Said bond, if required, shall be furnished within ten (10) calendar days from the date of Notice of Award. Failure to promptly submit a performance guarantee when requested may result in the rejection of an otherwise acceptable low bid.

RFP Section named "General Terms and Conditions", Performance Guarantee on Page 6 is changed as follows:

**PERFORMANCE GUARANTEE** – The successful bidder(s) may be required to provide a performance guarantee. Such requirement shall be at the discretion of the District's Purchasing Agent. ~~A continuous performance bond in the amount of 100% of the total amount of the award executed by a surety satisfactory to the District and filed with the Purchasing Agent is the preferred form of performance guarantee. Said bond, if required, shall be furnished within ten (10) calendar days from the date of Notice of Award.~~ Failure to promptly submit a performance guarantee when requested may result in the rejection of an otherwise acceptable low bid.

RFP Section named "General Terms and Conditions", MISCELLANEOUS PROVISIONS on Page 8:

- A. **Assignment of Contracts** – The Contractor shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of the surety on the performance bond and the District.
  
- A. **Assignment of Contracts** – The Contractor shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of the ~~surety on the performance bond and the District.~~

END OF ADDENDUM #1