



REQUEST FOR PROPOSALS

Electric Transit Buses

DULUTH TRANSIT AUTHORITY

Addendum #4

July 29, 2024

This addendum changes the due date for Proposal submissions to 1:00 p.m. CDT on Monday, September 16, 2024.

1. PLEASE NOTE: THE PROPOSAL DUE DATE HAS BEEN CHANGED TO 1:00 P.M. CDT ON MONDAY, SEPTEMBER 16, 2024.

Please change all references in the RFP and Addendum 2 and 3 to reflect this new date.

2. The DTA will entertain further requests for clarifications and approved equals until August 30, 2024. Responses to clarifications will be provided no later than September 5, 2024.

3. Clarifications to date:

a. Example Contract, Article 8, "Indemnification", please add the following after the fifth sentence in the paragraph: "In the case of joint or concurrent negligence of the parties given rise to a claim or loss against either one or both, each shall have full rights of contribution from the other." No further changes are made to this Article.

b. Example Contract, Article 16, "Force Majeure", please add the word "reasonable" before the word "satisfaction" in the second sentence: "Such causes must be clearly documented to the reasonable satisfaction of the DTA General Manager..."

Please add the words "or changes in applicable law or regulation that directly causes the Contractor's failure to perform the requirements of this Contract" after "unusually severe weather".

In the last line of the paragraph, please add the word "reasonable" before the word "control": ... "but in every case the failure to perform must be beyond the reasonable control and without the fault or negligence of the Contractor.

c. Example Contract, Article 23, "Governing Law", no changes are approved for this Article. Please refer to FTA Clause A.26 for dispute resolution measures in the event of a dispute.

d. No further revisions to the Example Contract for limitations of liability are approved.