

**EL PASO WATER  
PURCHASING DEPARTMENT  
P.O. BOX 511  
EL PASO, TEXAS 79961**

**Dry Polymer**

**RFP NUMBER 40-17**

**ADDENDUM NUMBER 1**

**August 28, 2017**

**Attention of all bidders is directed to the following addendum to this RFP:**

- A. Attached forms to be included in RFP submission on September 11, 2017 @ 11:00 am.

Bidder shall acknowledge receipt of this addendum and submit this acknowledgment with their bid submittal. Failure to acknowledge addendum(s), may result in rejection of bid.

  
\_\_\_\_\_  
Christina Rivas  
Procurement Analyst

\_\_\_\_\_  
BIDDER'S ACKNOWLEDGEMENT OF RECEIPT

  
\_\_\_\_\_  
LChacon

**Bidder must answer the following questions:**

1. Does the bidder that is making and submitting the bid qualify as a "**Resident Bidder**" or a "**NonResident Bidder**" under Texas Law? If the bidder is a "**Resident Bidder**", please complete and return the **Statement of Residency Form** with your bid.

**Answer:** \_\_\_\_\_

2. If the bidder is a "**NonResident Bidder**" does the state, in which the nonresident bidder's principal place of business is located, have a law requiring a nonresident bidder of that state to bid a certain amount or percentage under the bid of a resident bidder of that state in order for the nonresident bidder of that state to be awarded the contract on his bid in such state?

**Answer:** \_\_\_\_\_

3. If the answer to Question Number 2 is "Yes", by what amount or percentage must a Texas resident bidder bid under the bid of a resident bidder of that state in order to be awarded a contract on such bid in said state?

**Answer:** \_\_\_\_\_

A "**NonResident Bidder**" will not be awarded this Bid unless the nonresident's bid is lower than the lowest bid submitted by a responsible **Texas Resident Bidder** by the same amount that a **Texas Resident Bidder** would be required to underbid the nonresident bidder to obtain a comparable contract in the state where the nonresident's principal place of business is located. The definitions for the terms "**Bidder**", "**Texas Resident Bidder**" and "**NonResident Bidder**" are included in the "**Instructions to Bidders**" on the last two pages of this bid proposal.

**STATEMENT OF RESIDENCY**

The following information is required by El Paso Water Utilities in order to comply with the provisions of Texas Government Code §§ 2252.001 *et. seq.* Failure to provide the required information may constitute a basis for rejection of your bid. Bidders' cooperation in this regard will avoid costly time delays in the award of bids by El Paso Water Utilities. Failure to provide all required information may result in the apparent low bidder being considered non-responsive and non-responsible, and the second low bidder being considered for award.

**Definitions**

*Resident Bidder:* a person whose principal place of business is in the State of Texas, including a contractor whose ultimate parent company or majority owner has its principal place of business in the State of Texas.

*Nonresident Bidder:* a person who is not a resident.

*Principal Place of Business in Texas:* a permanent business office located in Texas from which a bid is submitted and from which business activities are primarily conducted for the organization other than submitting bids to governmental agencies, where at least one employee works for the business entity.

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Bidder's Complete Company Name: \_\_\_\_\_

State the address of your principal place of business in the space provided below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

State the nature of the business conducted at your principal place of business in the space provided below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

State the number of employees you have at your principal place of business: \_\_\_\_\_

*I swear and attest that the information provided above is true and correct as of the date \_\_\_\_\_ ("Bidder") submitted its bid on Bid No. \_\_\_\_\_. I further attest that I am an authorized representative of Bidder or have been duly authorized to represent Bidder in this matter. I understand that the information provided is being relied on by El Paso Water Utilities in order for it to comply with state purchasing laws and will materially affect its decisions in this regard. Should the information provided be false or materially misleading, any contract entered into between El Paso Water Utilities and Bidder will be void and El Paso Water Utilities may pursue any legal claims it may have against Bidder.*

[SIGNATURE ON NEXT PAGE]

By: \_\_\_\_\_  
Contractor Name

Name: \_\_\_\_\_  
Owner

Title: \_\_\_\_\_

Company: \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ §

COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
\_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_, a  
\_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

My Commission Expires:  
\_\_\_\_\_