

ADDENDUM NO. 1

2016 STREET PRESERVATION
APPLICATION OF ASPHALT REJUVENATION AGENT

City of Forest Hills, Tennessee
May 10, 2016

This addendum is for bids due on Tuesday, May 10, 2016 at 10:00 A.M. CST at the City of Forest Hills, 6300 Hillsboro Pike, TN 37215.

This addendum must be signed and submitted with the bid to the above address at the date and time listed above.

The specifications are hereby clarified as follows:

1. **Section 3.3 Time:** Section 3.3 Time is amended adding the following paragraph:

“In the event that Contractor fails to achieve substantial completion of all work specifically identified by street name within the specified time frame given by the City Manager, and such delay is not due to conditions beyond the Contractor’s reasonable control, the City will have the right either (a) to terminate this Contract, in which case the Contractor will be paid for the cost of the Services provided through the date of termination, and seek all other remedies available to it, or (b) not to terminate this Contract, and to deduct as liquidated damages the sum of **three hundred dollars (\$300.00) per day** of delay in achieving substantial completion of the work. The parties acknowledge that the foregoing liquidated damages are not intended as a penalty, but as a reasonable estimation of the damages that will be incurred by the City as a result of Contractor’s default under this Contract, and that the City’s actual damages resulting from the Contractor’s default are presently indeterminable or difficult to ascertain.”

DATE

CONTRACTOR

BY: _____

ADDRESS: _____

*******TO BE INCLUDED WITH REVISED BID FORM*******