



**CITY OF TACOMA**  
**Public Works Engineering**

**ADDENDUM NO. 1**

**DATE: 1/30/2024**

**REVISIONS TO:**

**Request for Bids Specification No. PW23-0130F  
Historic Water Ditch Trail Phase IIIA**

**NOTICE TO ALL BIDDERS:**

This addendum is issued to clarify, revise, add to or delete from, the original specification documents for the above project. This addendum, as integrated with the original specification documents, shall form the specification documents. The noted revisions shall take precedence over previously issued specification documents and shall become part of this contract.

**REVISIONS TO THE SUBMITTAL DEADLINE:**

The submittal deadline is revised as follows:

**11:00 a.m., Pacific Time, Tuesday, February 27, 2024**

**REVISIONS TO THE SPECIAL PROVISIONS:**

**Change #1**

**1-07.11(2) Contractual Requirements**

*Section 1-07.11(2) is supplemented with the following:*

(January 24, 2024)

11. The Contractor shall comply with the following nondiscrimination provisions, and the Contractor shall ensure the nondiscrimination provisions are included in all subcontracts:

- a. **Nondiscrimination Requirement.** During the term of this Contract, the Contractor, including all subcontractors, shall not discriminate on the bases enumerated at RCW 49.60.530(3). In addition, the Contractor, including all subcontractors, shall give written notice of this nondiscrimination requirement to any labor organizations with which the Contractor, or subcontractor, has a collective bargaining or other agreement.
- b. **Obligation to Cooperate.** The Contractor, including all subcontractors, shall cooperate and comply with any Washington state agency investigation regarding any allegation that the Contractor, including any subcontractor, has engaged in discrimination prohibited by this Contract pursuant to RCW 49.60.530(3).

- c. Default. Notwithstanding any provision to the contrary, the Contracting Agency may suspend the Contract in accordance with Section 1-08.6, upon notice of a failure to participate and cooperate with any state agency investigation into alleged discrimination prohibited by this Contract, pursuant to RCW 49.60.530(3). Any such suspension will remain in place until the Contracting Agency receives notification that Contractor, including any subcontractor, is cooperating with the investigating state agency. In the event the Contractor, or subcontractor, is determined to have engaged in discrimination identified at RCW 49.60.530(3), the Contracting Agency may terminate this Contract in whole or in part in accordance with Section 1-08.10(1), and in addition to the sanctions listed in Section 1-07.11(5), the Contractor, subcontractor, or both, may be referred for debarment as provided in RCW 39.26.200. The Contractor or subcontractor may be given a reasonable time in which to cure this noncompliance, including implementing conditions consistent with any court-ordered injunctive relief or settlement agreement.
- d. Remedies for Breach. Notwithstanding any provision to the contrary, in the event of Contract termination or suspension for engaging in discrimination, the Contractor, subcontractor, or both, shall be liable for contract damages as authorized by law including, but not limited to, any cost difference between the original contract and the replacement or cover contract and all administrative costs directly related to the replacement contract, which damages are distinct from any penalties imposed under Chapter 49.60, RCW. The Contracting Agency shall have the right to deduct from any monies due to Contractor or subcontractor, or that thereafter become due, an amount for damages Contractor or subcontractor will owe Contracting Agency for default under this Provision.

## **Change #2**

### **Required Subcontract Clauses**

#### **1-08.1(9) Clauses Required in Subcontracts of All Tiers**

*The second paragraph of Section 1-08.1(9)B is supplemented with the following:*

(January 24, 2024)

- e. 16. 1-07.11 Requirements for Nondiscrimination – Item 11 from Section 1-07.11(2).

NOTE: Acknowledge receipt of this addendum by initialing the corresponding space as indicated on the signature page. Vendors who have already submitted their bid/proposal may contact the Purchasing Division at 253-502-8468 and request return of their bid/proposal for acknowledgment and re-submittal. Or, a letter acknowledging receipt of this addendum may be submitted in an envelope marked Request for Bids Specification No. PW23-0130F Addendum No. 1. The City reserves the right to reject any and all bids, including, in certain circumstances, for failure to appropriately acknowledge this addendum.

cc: Chris Storey, Public Works/Engineering

Specification PW23-0130F Historic Water Ditch Trail Phase IIIA  
Addendum #1