



STATE OF NEW YORK
OFFICE OF GENERAL SERVICES
DESIGN AND CONSTRUCTION GROUP
THE GOVERNOR NELSON A. ROCKEFELLER
EMPIRE STATE PLAZA
ALBANY, NY 12242



ADDENDUM NO. 99 – GENERAL CONDITIONS REVISION
VARIOUS PROJECT NUMBERS - VARIOUS TRADES - VARIOUS LOCATIONS

PROJECT NUMBERS

44684-B, 44603-C, 44313-E, 44540-P, 44439-EU, 44346-H, 44251-E, 44391-C, 44634-P, 44688-C,
Q1566-E, 44513-CHPE, 44155-CHPE, 43609-CEHU, 44345-C

April 22, 2013

NOTE: This Addendum forms a part of the Contract Documents. Insert it in the Project Manual.
Acknowledge receipt of this Addendum in the space provided on the Bid Form.

CONTRACTING REQUIREMENTS, GENERAL CONDITIONS - This Addendum serves as a notification of modifications to the General Conditions for the Projects referenced above.

Add attached **DOCUMENT 007323 - Vendor Responsibility** to the Table of Contents and the Project Manual.

END OF ADDENDUM

James Dirolf, P.E.
Director of Design

DOCUMENT 007323

SUPPLEMENTARY CONDITIONS – VENDOR RESPONSIBILITY

This supplement modifies the General Conditions. Where any part of the General Conditions is modified by this supplement, the unaltered provision of that part shall remain in effect.

ARTICLE 25 - MISCELLANEOUS PROVISIONS

Add the following paragraphs:

- 25.10 **VENDOR RESPONSIBILITY:** Contractor shall at all times during the Contract term remain responsible. Contractor agrees, if requested by the Commissioner of OGS or his or her designee, to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance, and organizational and financial capacity.

The Commissioner of OGS or his or her designee, in his or her sole discretion, reserves the right to suspend any or all activities under this Contract, at any time, when he or she discovers any information that calls into question the responsibility of Contractor. In the event of such suspension, Contractor will be given written notice outlining the particulars of such suspension. Upon issuance of such notice, Contractor must comply with the terms of the suspension order. Contract activity may resume at such time as the Commissioner of OGS or his or her designee issues a written notice authorizing a resumption of performance under the contract.

Upon written notice to Contractor, and a reasonable opportunity to be heard with appropriate OGS officials or staff, the Contract may be terminated by the Commissioner of OGS or his or her designee at Contractor's expense where Contractor is determined by the Commissioner of OGS or his or her designee to be non-responsible. In such event, the Commissioner of OGS or his or her designee may complete the contractual requirements in any way he or she may seem advisable and pursue available legal or equitable remedies for breach.

In no case shall termination of the contract by the state be deemed a breach thereof, nor shall the state be liable for any damages or lost profits or otherwise, which may be sustained by Contractor as a result of such termination.

END OF DOCUMENT