

## Questions and Answers (2)

### RFP#8382 Liquid Polymer Sludge Thickening Contract

1. We note that Regional San is requiring a 3 year contract with the price being held for that amount of time. Would you consider shortening the contract time such as a one year contract with 2 renewals? (This would enable the suppliers to bid a lower price if we do not have to cushion for potential inflation over that time period).

No, per page 8 of the RFP "Any contract resulting from this RFP shall be for a three-year period at a fixed cost. REGIONAL SAN reserves the right to extend the contract period up to two (2) additional one-year periods. Such extension(s) will be at REGIONAL SAN'S option, subject to the same specifications, terms, conditions, favorable prices, and agreement between the Contractor and REGIONAL SAN"

2. Is the renewal term at the sole discretion of Regional San or by mutual agreement?

Yes, per page 8 of the RFP and the section denoted above, "Such extension(s) will be at REGIONAL SAN'S option, subject to the same specifications, terms, conditions, favorable prices, and agreement between the Contractor and REGIONAL SAN"

3. Lastly, will you consider accepting a claims-made insurance policy? Our broker has advised us that most insurance companies are shying away from providing occurrence policies to chemical manufacturers.

Yes, we can accept a claims-made **pollution liability** policy as stated in the Insurance Requirements:

**CONTRACTOR'S POLLUTION LIABILITY (CPL):** Insurance which includes coverage arising out of the handling, remediation, cleanup or transport of hazardous materials or hazardous wastes.

If CPL coverage is written on a claims made form, the following provisions apply:

(1) The "Retro Date" must be shown and must be on or before the date of the Contract or beginning of the work.

(2) Contractor shall maintain the required CPL policy at not less than the required minimum limits, for not less than one (1) year after Final Acceptance of the work.

(3) If coverage is cancelled or non-renewed, and not replaced with another claims-made policy form with a "Retro Date" prior to the Contract effective date, the Contractor must purchase "extended reporting" coverage for a minimum of one (1) year after Final Acceptance of work.

If the proposer is referring to a different type of insurance, we would need to see details of the policy.