

STATE OF NEW HAMPSHIRE
DEPARTMENT OF CORRECTIONS
105 PLEASANT STREET
CONCORD, NEW HAMPSHIRE 03301

ADDENDUM # 3 TO BID INVITATION #NHDOC 2024-03

DATE OF BID OPENING: 10/30/2023

TIME OF BID OPENING: 2:00 PM

FOR: CANTEEN/COMMISSARY SERVICES

POSTED DATE: 10/16/2023

Question 1: Who owns the inventory of the products sold, the State or the vendor? Does the State purchase product for mark up and resale, or does the inventory remain property of the vendor, who pays a commission on sales?

Answer 1: Vendor owns all inventory and pays commission.

Question 2: Page 14 Item 5.20 states that “proposals... should not include items not identified in the outline.” Pages 16-17 then requests a Technical Proposal with additional requirements not detailed in the outline on Page 14. Please confirm that vendors may combine the two outlines to ensure all items are included.

Answer 2: Yes. Please combine the two outlines. You may strike the “Technical Proposal” and follow outline on Page 14. If submitting hard copy, one “Original” is required and to be noted. You may also submit redacted copies with “redacted” noted for either electronic or hard copy.

Question 3: Page 14 Item 5.20 states that Section VII of the response should be a Cost Proposal. Page 15 Item 5.21.10 requests the Reimbursement Proposal as part of the technical proposal. And Page 18 Item 5.23.3.4 requests a cost proposal as part of the Standard Terms and Conditions Proposal. Are these three proposals all the same, and should the same information be provided in all three sections? If not, please differentiate what should be included in each.

Answer 3: They are the same and no cost to the State. See Pages 4, Section 1.2, Page 22, Section 6.4.4 and Exhibit F on Page 47.

Question 4: If the vendor will be required for salary for the three Full-time staff members, can you please provide average wages?

Answer 4: Monthly average salary for three full-time staff is \$26,5532.00

Question 5: Can you please provide the hourly wages for the residents?

Answer 5: Residents are paid a flat rate -not hourly. Average monthly resident wage is \$1,456.00. Average daily rate is: \$4.25.

Question 6: Is there a burglar alarm at the warehouse?

Answer 6: For security reasons, the Agency is unable to answer this question

Question 7: Can we keep dropped trailers at the warehouse?

Answer 7: No. Trailers may not be left unattended.

Question 8: What type of levelers at the warehouse (Pit or Edge of Dock)?

Answer 8: Edge of dock.

Question 9: What are the hours of operation for trucks arriving and departing the facility?

Answer 9: The warehouse hours of operation are 06:00-15:00. Deliveries stop @ 14:30.

Question 10: Are vendor-supported access points and WIFI permitted in NH-DOC facilities and transitional housing units? The request for WIFI is for the purpose to allow for any future services or enhancements a vendor may want to propose.

Answer 10: Wi-Fi may be allowed if the proper security controls are in place and there is an agreement between all parties (currently vendors) relating to band and channel assignment, with priorities based on business needs in congested areas. DOC would not permit the use of unmanaged devices and vendors will be required to supply an appropriate level of support to deal with the common signal issues found in concrete buildings if they wish to deploy Wi-Fi based services.

Question 11: Is there existing network fiber infrastructure within each facility that could be utilized by a vendor to establish inter-building connectivity? The request for WIFI is for the purpose to allow for any future services or enhancements a vendor may want to propose.

Answer 11: Preexisting Fiber should not be presumed available for vendor supported networks, only chase ways or conduits to access areas serviced by the vendor. Where existing cabling or other infrastructure is available, currently without a purpose and still in good condition, DOC may permit the use of them by vendors on a case-by-case basis. These would be offered 'as-is' for the duration of the contract and any remediation, configuration or support for a vendor network would be the vendor's responsibility (e.g. dark fiber in otherwise good condition that can be re-terminated, validated and put back in service by the vendor).

Question 12: Are Securepak orders processed offsite or from the same inventory as commissary.

Answer 12: Requests are in bulk to each facility. Each facility processes the order. These are separate from the Canteen/Commissary orders and inventory.

Question 13: Page 14 Item 5.21.4 states that the executive summary must not exceed five pages, while Page 16 Item 5.23.2.6 states that it should not exceed eight pages. Each item also requests different information. Please confirm what information should be included in the executive summary and the page limit.

Answer 13: Amend to read "Up to 8 pages".

Question 14: Page 16 Item 5.23.2.3 states that vendors are to use Appendix A for their transmittal letter. However, Appendix A is Background Information (pages 23- 26). Please confirm that vendors are to use Appendix J- State of New Hampshire Transmittal Form Letter instead.

Answer 14: Confirmed. Appendix J is the Transmittal Form Letter

Question 15: Page 16 Item 5.23.2.4 requests vendors use Appendix B to create a Terms and Conditions Letter. However, Appendix B is Minimum Standards for Proposal Consideration (page 27) and there is no Terms and Conditions template. Please provide the template to be used or confirm that vendors may create their own letter.

Answer 15: Please see attached Appendix N

Question 16: Can the State's final expected outline combining the formats listed on Page 14 and Pages 16-17 please be provided?

Answer 16: Yes. Please also refer to Appendix M below

Question 17: The requested layout for the Standard Terms and Conditions Proposal on Page 18 lists Special Provisions Exhibit A, but this exhibit is not included in the RFP. Can the exhibit please be provided?

Answer 17: Exhibit A will be part of the contract and that will be populated upon award with the apparent low bidder and any exceptions that are taken and agreed to. This is not part of the RFP.

Question 18: The requested layout for the Standard Terms and Conditions Proposal on Page 18 references a Proposal Check Sheet. Are Pages 57-58 Appendix G-3: Certificates this check sheet? If not please provide the check sheet.

Answer 18: No these are not part of the check sheet and will be required as part of the contract. Standard Terms and Conditions are noted in Section 5.23.3

Question 19: The hyperlink for Alternate W-9 Registration on Page 58 does not work. Can a new link please be provided?

Answer 19: ALTERNATE W-9 REGISTRATION, link <https://www.das.nh.gov/purchasing/docs/info/Vendor-Application-and-W9.pdf>

Question 20: Page 29 Item C-2 states that “Table C-2 General Requirements Vendor Response Checklist” is included as an attachment to the RFP, but no checklist is included. Can the checklist please be provided?

Answer 20: Please see attached Appendix M

Question 21: Can a footprint of the warehouse and office layout, including sizes, please be provided? What is the clearance height in the warehouse?

Answer 21: There is no footprint of warehouse or one that can be published; however, we can provide the following:

- What is the square footage of all the rooms? Canteen main floor is 40’ wide by 52.7’ long or right around 2,100 SQ.FT. The stockroom (warehouse) is 14’ wide by 32’ long or 448 SQ.FT. Sally Port is 8’ wide by 15.3’ long or 122.67 SQ.FT. I did not include the office area.
- What are the measurements of the doors (H x W) Doors to the sally port are 47” wide by 88” tall.

Question 22: Considering vendors do not have all requested forms and the definitive format for proposals, will the State consider extending the deadline for responses?

Answer 22: NHDOC understands this is a very aggressive timeline and due to the current contract expiring 12/31/2023 and review process with presentations, evaluation team and gaining review and approval from Attorney General and Governor & Executive Council, the State is not able to extend.

Question 23: Additional Information on bins

Answer 23: Small red bins (6”x10”x19”) – 406 total. Large grey bins (11”x15”x26”) – 830 total

Question 24: Can vendors request exceptions to the standard contract terms in Appendix H: State of New Hampshire Terms and Conditions and/or propose alternative language? If so, what is the process for doing so?

Answer 24: Yes. Please see attached Appendix N

Question 25: Is there a maximum file size restriction for submitting proposals via email?

Answer 25: The maximum file size is 20 Mb, however state will accept link to cloud storage, USB, or Mail hard copy

Question 26: Please confirm that proposed commissary prices are not required or scored in this solicitation? In our experience, when the reimbursement (or commission) offer is scored and the commissary prices are not, vendors are incentivized to offer a high reimbursement (commission) rate, and charge higher prices for commissary items at the expense of residents and their friends and family members.

Answer 26: NHDOC has a goal of ensuring reasonable rates for products based on market analysis to ensure efficiency in the treatment of those incarcerated. How will the Vendor help NHDOC achieve this is to ensure reasonable rates by balancing with reimbursement. Scoring will be considered.

Question 27: Page 4 of the RFP, Section 1.2.1 provides that the resulting contract will be a non-exclusive contract, and the state reserves the right to retain other vendors to provide any of the services or deliverables identified under this procurement, or make an award by item, part or portion of an item, group of items, or total proposal. In what ways could a contract potentially be awarded to more than one vendor?

Answer 27: Award will be to a single vendor. This section refers to the contracted vendor not providing items at a reasonable time/rate and the State must procure items when the vendor does not have the ability, comply or in default.

Question 28: Page 8 of the RFP, Section 5.3, states that if submitting the proposal by email, the proposal must consist of “One (1) electronic copy of the Proposal in MS Word, including all required attachments EMAILED” Because some sections of the proposal may consist of an Excel spreadsheet/table or signed forms, would it be permissible for the emailed proposal to be in a searchable PDF format instead of MS Word?

Answer 28: Yes

Question 29: Page 13 of the RFP, Section 5.19, states that the proposal should be provided in a three-ring binder and tabs should separate each section of the proposal. Obviously, this cannot be complied with if submitting the proposal by email (which is the State’s preferred submission method). Are there any formatting preferences for emailed submissions?

Answer 29: State’s preferred method is electronic, however noting that this will be high volume, we will accept hard copies. Formatting preferences should be considered to Word, Excel, Adobe

Question 30: Understanding accounting and warehouse program will be working with your CORIS program. Is CORIS instructed to work with this new accounting vender at the expense of the DOC or is the vender having to pay for any integration or modification if necessary?

Answer 30: Answer 30: The selected vendor’s system will be provided a reasonable level of integration effort at DOC’s expense for necessary demographic, location, accounting and reporting services. DOC supports flat files and RESTful web APIs. Proprietary, irregular or any integrations falling outside of this scope would only be considered at the vendor’s expense.

Question 31: It appears that the DOC has in place three full time workers and residents who work in the warehouse. Will this labor and workers still be paid and under the direction of the DOC?

Answer 31: Yes. These are DOC employees.

Question 32: Just wanted to confirm that the vender will ship the commissary to the other facilities and once delivered, the facility staff is responsible for the delivery of the canteen to the residents?

Answer 32: Yes

Question 33: Does the current vender have their own accounting system in place? If so, what is their accounting system? Does it currently integrate with the CORIS program?

Answer 33: Trust accounting and the general ledger are part of the CORIS system

Question 34:

Does the current vender offer web commissary to the friends and families of the residents? **Yes. Paper and Tablet options**

If so, what are the web sales for the last 6 months? **N/A**

What is the commission rate the DOC receives on these web sales? **15%**

Administrator II - Contracts & Grants: Loretta Razin
TEL. NO.: 603/271-7602

NOTE: IN THE EVENT THAT YOUR BID INVITATION HAS BEEN SENT TO THIS OFFICE PRIOR TO RECEIVING THIS ADDENDUM, RETURN ADDENDUM WITHIN THE SPECIFIED TIME WITH ANY CHANGES YOU MAY WISH TO MAKE AND MARK ON THE REMITTANCE ENVELOPE BID INVITATION NUMBER AND OPENING DATE. RETURNED ADDENDA WILL SUPERSEDE PREVIOUSLY SUBMITTED BID.

BIDDER _____ ADDRESS _____

BY _____
(this document must be signed)

(please type or print name)

TEL. NO. _____

APPENDIX M: PROPOSAL CHECK SHEET

If applicable and/or hard copies are delivered; Contractors shall submit one (1) original hard copy, labeled "Original", three (3) copies of the original labeled "Copy" and one (1) thumb drive of the original completed proposal in response to this RFP. The originals shall be signed in **blue ink**. These originals must be typed or clearly printed in **black ink**. Proposals that are not completed or unsigned shall be considered “technically non-compliant.” Any proposal(s) received after the deadline shall not be considered. Proposals must be sealed, or they shall not be accepted. Proposals shall not be stapled, or three-hole punched. Use only binder clips to secure and separate sections to the Technical and Cost Proposal. Contract Signatory shall initial and date the bottom right-hand corner of each page to the Appendix C documents and any other required documents for their Proposal.

If interested in submitting a proposal for these services, please fully complete, execute and return the following documentation in the sequence below:

Part A (**sealed** in separate envelope)

- Technical Proposal Cover Sheet, labeled:
 - “Technical Proposal”
 - Name of Organization;
 - RFP Title and Number, Date of Submission; and
 - Marked as “Original”.
- Table of Contents
- Transmittal Letter (*refer to Appendix J*)
- Exceptions to Terms and Conditions(s) Letter (*refer to Section 5.23.3*) and below
- Non-Disclosure of Right to Know of Information Letter to State Agency (*refer Section 5.13 Public Disclosure*)
- Technical Proposal Contents
 - Executive Summary
 - Organizational Capability
 - Organizational Approach
 - Personnel (*redact all **personal** information, use Organization’s business address, and contact information*)
 - Financial Statements
 - References
 - Sub-contractor Letter(s) of Commitment, (*if applicable*)
 - Licenses/Certifications, (*if applicable*)

Part B (**sealed** in separate envelope)

- Standard Terms and Conditions Proposal Cover Sheet, labeled:
 - “Standard Terms and Conditions Proposal”
 - Name of Organization;
 - RFP Title and Number, Date of Submission; and
 - Marked as “Original”.
- Standard Terms and conditions Contents:
 - General Provisions, Error! Reference source not found.
 - ✓ **Please fully execute:** Items 1.3, 1.4, 1.5, 1.11 and 1.12; and
 - ✓ **Note:** THE NAME OF THE CONTRACTOR’S ORGANIZATION SHALL BE WRITTEN ON THE P-37 AS FOUND ON THE CERTIFICATE OF GOOD STANDING (ISSUED BY THE NH SECRETARY OF STATES OFFICE) TO INCLUDE D/B/A NAMES OF THE ORGANIZATION, IF APPLICABLE.

- Certificate of Good Standing (COGS) (NOT INCLUDED HEREIN).

In order to obtain a Certificate, a potential Contractor can contact, in writing, the NH Secretary of State’s Office, Corporate Division, State House Annex, Room 317, 25 Capital Street, 3rd Floor, Concord, NH 03301; call the Corporate Division at 603-271-3246; visit the Secretary of State’s Office in person; or utilize their website <https://quickstart.sos.nh.gov/online/Account/LandingPage>. Requests must include the

complete name of the company as it is registered with the Office of the Secretary of State and a check for (CALL FOR FEES) made payable to the State of New Hampshire. **If you wish to visit the Secretary of State's Office in person and pay in cash, you must bring exact change for each Certificate of Good Standing document(s) and or filings requested, or you may use either Visa or MasterCard as a method of payment.** In the event that you need to expedite the request, you may fax the request to (603) 271-3246 (CALL FOR FEES) for the expedited service.

- Certificate of Authority/Vote (COA/COV) (NOT INCLUDED HEREIN).
The COA/COV authorizes, by position, a representative(s) of the organization to enter into an agreement/amendment with the State of NH and ensures that the person signing the agreement/amendment with the State of NH is authorized as of the date he/she signed.

The officer's (contract signatory) signature should either be notarized or include a corporate seal that confirms the title of the person(s) authorized to sign the agreement. Preferably, the date of the officer signing the COA/COV must be on the date that the agreement/amendment and other required documents is signed attesting that the officer on behalf of the organization had authority to enter into an agreement/amendment with the State of NH when it was signed.

Use the following link, execute, and submit only the one that applies to your organization:
http://www.nh.gov/nhdoc/business/rfp_bidding_tools.htm:

- ✓ [2015 Certificate of Authority Vote #1 - Corp or LLC \(Non-specific\);](#)
 - ✓ [2015 Certificate of Authority Vote #2 - Corp or LLC \(Specific\);](#)
 - ✓ [2015 Certificate of Authority Vote #3 - Corp General or Limited Partnership;](#)
 - ✓ [2015 Certificate of Authority Vote #4 - Limited Partnership or LLC with Manager;](#)
 - ✓ [2015 Certificate of Authority Vote #5 - Sole Proprietor;](#) and
 - ✓ [Limited Liability Company \(LLC\) with Member or Manager.](#)
 - ✓ **Note:** THE NAME OF THE CONTRACTOR'S ORGANIZATION MUST BE WRITTEN ON THE CERTIFICATE OF AUTHORITY/VOTE AS FOUND ON THE CERTIFICATE OF GOOD STANDING TO INCLUDE D/B/A NAMES OF THE ORGANIZATION, IF APPLICABLE.
- Other sources of authority (if not using the above generic forms):
 1. Source of Authority (must come from the **governing body**, either)
 - a. A **majority voted** at a meeting; or
 - b. The body provided **unanimous consent in writing**; or
 - c. The organization's **policy or governing document**.
 2. Source of Authority (in effect **on the day the agreement/amendment was signed**)
 - a. Authority was **granted the same day** as the day the agreement/amendment was signed.
 - b. Authority was **granted after** the day the agreement/amendment was signed and the governing body ratifies and accepts the earlier execution.
 - c. Authority was **granted prior** to the day the agreement/amendment was signed and it has not been amended or repealed as of the day the agreement/amendment was signed.
 - Certificate of Insurance (COI) (NOT INCLUDED HEREIN). The Contractor must contact their Insurance provider and follow their process to get a certificate **pursuant to the General Provisions of Error!** Reference source not found., Paragraph 14 and 15. The NH Department of Corrections, P.O. Box 1806, Concord, NH, 03302-1806 **must** be listed at the Certificate Holder on the document.
 - ✓ **Note:** THE NAME OF THE CONTRACTOR'S ORGANIZATION TO INCLUDE DBA NAMES, IF APPLICABLE, AND ADDRESS AS FOUND ON THE CERTIFICATE OF GOOD STANDING, MUST BE IDENTIFIED IN THE INSURED SECTION OF THE CERTIFICATE OF LIABILITY INSURANCE DOCUMENT.
 - ✓ **Note:** THE NH DEPARTMENT OF CORRECTIONS. P.O. BOX 1806, CONCORD, NH 03302 MUST BE LISTED AS THE CERTIFICATE HOLER.
 - ✓ **Note:** THE STATE OF NH, NH DEPARTMENT OF CORRECTIONS MUST BE LISTED AS ADDITIONALLY INSURED.

- ✓ Shall provide the minimum General Liability coverage to be no less than \$1,000,000.00 per each occurrence and \$2,000,000.00 general aggregate for the life of the Contract and any renewals thereof.
 - ✓ Shall provide Workers' Compensation and Employer's Liability insurance coverage for the life of the Contract and any renewals thereof.
 - ✓ Shall provide proof and identify limits and expiration dates of General Liability, Excess Umbrella Liability coverage (if applicable), Workers' Compensation and Employer's Liability, and Professional Liability, Malpractice Liability and Business Owners Policy (if applicable).
- Administrative Rules, Rules of Conduct and Confidentiality of Information Form, http://www.nh.gov/nhdoc/business/rfp_bidding_tools.htm;
 - Health Insurance Portability and Accountability Act (HIPAA) Form, http://www.nh.gov/nhdoc/business/rfp_bidding_tools.htm;
 - PREA Acknowledgement Form, http://www.nh.gov/nhdoc/business/rfp_bidding_tools.htm;
 - Criminal Justice Information Services (CJIS) Security Policy, http://www.nh.gov/nhdoc/business/rfp_bidding_tools.htm;
 - Mission Statement (*only applicable to Non-Profit organizations*);
 - List of Board of Directors and or Trustees and Business Addresses and Telephone Numbers (*only applicable to Non-Profit organizations and redact all personal information*);
 - List of Key Personnel, Resumes, and Annual Salary per Position (*only applicable to Non-Profit organizations and redact all personal information*);
 - Contractor Alternate W-9 Registration (NOT INCLUDED HEREIN). The Contractor shall complete their Contractor Registration process on-line through the following link: <https://das.nh.gov/purchasing/vendorregistration>; which will direct a potential Contractor to the State of NH Vendor Registration site. A Contractor should submit proof of their submission with their proposal. Please follow the instructions provided.

APPENDIX N: Exception to Terms and Conditions

A Responder shall be presumed to be in agreement with the Terms and Conditions of RFP NHDOC 2024-03 Canteen/Commissary Services and the Standard Terms and Conditions in Section 5.23.3 Standard Terms and Conditions unless the Responder takes specific exception to one or more of the conditions on this form. Responders are cautioned that by taking any exception they may be materially deviating from the RFP specifications. If a Responder materially deviates from an RFP specification, its Proposal may be rejected.

A material deviation is an exception to a specification, which 1) affords the Responder taking the exception a competitive advantage over other Responders or 2) gives the State something significantly different than NHDOC requested.

INSTRUCTIONS: Responders must explicitly list all exceptions to NHDOC concerning the Terms and Conditions of RFP NHDOC 2024-03 Canteen/Commissary Services and the Standard Terms and Conditions in Section 5.23.3 Standard Terms and Conditions. Reference the actual number of the Terms and Conditions for which an exception(s) is being taken. If no exceptions exist, state “**NONE**” specifically on the form below. Whether or not exceptions are taken, the Responder must **SIGN** this form and submit it as part of organization’s Proposal response. *(Add additional pages if necessary).*

Term & Condition Number	Explanation of Exception

*By signing this form, I (Contract Signatory) acknowledge and accept, without qualification, all Terms and Conditions of RFP NHDOC 2024-03 Canteen/Commissary Services and terms and conditions of the **Error! Reference source not found.** and other required documents stated in the RFP except those clearly outlined as exceptions above.*

Contract Signatory Signature and Title