

**ADDENDUM THREE (#3), 101883 O3, SECOND ROUND OF
QUESTIONS and ANSWERS**

Date: September 30, 2019

To: All Bidders

From: Peggy Arp, Buyer
Nebraska Department of Correctional Services

RE: Addendum for Request for Proposal Number 101883 O3
to be opened **November 1, 2019** at 2:00 p.m. Central Time
*See Addendum Four (#2)101883 O3 REVISED SCHEDULE OF EVENTS

Questions and Answers

Following are the questions submitted and answers provided for the above mentioned Request for Proposal. The questions and answers are to be considered as part of the Request for Proposal. It is the Bidder's responsibility to check the State Purchasing Bureau website for all addenda or amendments.

<u>Question Number</u>	<u>RFP Section Reference</u>	<u>RFP Page Number</u>	<u>Question</u>	<u>State Response</u>
1.	V.E	Pg. 29	There are no microwaves on the Bid, However at some of the locations VVS is providing microwaves, while other locations they are State provided. Will we be expected to provide microwaves or is the State going to provide the rest of the microwaves at all the locations? If we will be providing the microwaves at some of the locations, can we get a list of where and a count of how many. Same question at to the stands that VVS is providing for the microwaves.	<p>The RFP does not state that microwaves are required. Just because a microwave is currently on site, does not mean that a microwave is required by the bid in that location.</p> <p>Every vendor should consider what they wish to propose. We ask for a good mix, not necessarily a recreation of the existing locale.</p> <p>If a vendor proposes to provide a microwave, that is their decision, but the microwave must be approved in writing by NDCS to meet specifications for commercial units due to security concerns.</p> <p>If a vendor provides a microwave, they should also provide the stand.</p> <p>In areas where there are microwaves currently provided, if the awarded vendor chose not to provide a microwave, NDCS will not provide microwaves at a location.</p>
2.			Will there be updated equipment list to add the unlisted equipment at the locations, or will the	See the Revised Attachment A and this Addendum.

			equipment required still be just what is on the current RSP.	
3.			Some locations had shopper or revolving food machines. Does the state care if the food machines that are the Shopper or revolving type machines be upgraded to Glass front merchandising machines, or do they want to keep the shopper style style that revolve.	NDCS has no preference for the revolving machines over the glass front merchandising machines.
4.			The comment was made that the dollar bill changers had the have the gold coins. Are all dollar coins acceptable, both the newer gold coins and the original Susan B Anthony dollar coin. I would think the term "gold coin" stands for any dollar coin.	All dollar coins are acceptable.
5.			<p>the other questions have to do with the York Facility:</p> <p>Employee committee is filling two pop machines at the facility. I believe they are not allowed to do this. State employees allowed to conduct Commerce or a business on State property. I also believe any revenue or profit is suppose to the general fund, not to the employees for their benefit. It they are collecting money from the the vending machines they have to have sales tax number and turn in the sales tax on the money collected. Most people don't know that food sold in a vending is taxed. Nebraska Dept. of Revenue considers pop and food sold in vending machines ready to eat. Comes under the same type of food as Burger King or other food places. If they have not been paying the sales tax in the past, they are now liable for the tax on all the money collected in the past, plus interest. Also they could have a \$10,000.00 fine accessed. You may want to check and see what the liability is for the state if the don't have a Sales tax permit and have not been turning the tax due to the Dept. of revenue. Following is the Dept. of Revenue of page that shows the regulation. Top of page three, you could also call the Dept. of revenue and just ask if vended food is taxed.</p>	<p>With the onset of the new contract(s) after completion of this RFP process, no machines will be managed or filled by any Employee Activity Committee at an NDCS facility.</p> <p>These two machines have been added to Attachment A.</p>

			<p>http://www.revenue.nebraska.gov/info/6-437.pdf.</p> <p>If I am correct, for the reasons above, these should on the RFP. Not the employee committee making money from the vending services. Will these be added if correct ?</p>	
6.			<p>Solicitation Section Reference – Attachment “A” – Cost Sheet and Vending Machines by Location.</p> <p>After participating in walk-throughs for the Lincoln, Omaha and York facilities, it is apparent that Attachment “A” and the actual machines in most facilities is not even close to matching. Several facilities had more machines than were on the list. Two facilities had separate buildings that weren’t even on the list (Community Corrections Lincoln – Temporary Housing & CERT building at NSP.)</p> <p>Also, the soda machine in the lobby of Community Corrections – Lincoln was stricken from Attachment “A”, in the first amendment. That machine belongs to NCBVI and is currently being serviced by NCBVI and should be restored to Amendment “A”</p> <p>Where we encountered more machines than what was on Attachment “A”, some staff responded (paraphrasing) “Initially, there was one food machine, but we asked for another one.” as an example, yet the additional one was not on the list.</p> <p>We learned at most facilities that microwaves were required, but were not on Attachment “A” and learned that gold coins were required at some facilities, but not indicated on Attachment “A.” Can Attachment “A” be updated to reflect those specific requirements?</p> <p>We learned that some machines required only gold coins and/or</p>	<p>The machine lists were provided by each facility.</p> <p>The CERT building has been added to Attachment A.</p> <p>CCCL Temporary Housing (THU) has been added to Attachment A.</p> <p>The “soda machine” in lobby of CCCL has been re-added to Attachment A.</p> <p>Additional machines may be requested throughout the life of any contract(s) resulting from this RFP.</p> <p>Not every machine currently in existence as of this writing is necessarily going to be replicated or replaced. Current stocked items do not have to be replicated on an exact one for one basis.</p> <p>Regarding microwaves, see Question 1 above.</p> <p>Regarding “currency”: NDCS requires that all machines coins to include at a minimum, quarters, dollar coins (both gold and Susan B. Anthony) as well as accepting at a minimum \$1 bills and \$5 bills.</p> <p>We agree that credit card acceptance is only requested where a working signal is available.</p> <p>This addendum (including these responses to received questions) becomes a part of the RFP.</p> <p>Cans and plastic bottles are both acceptable at all facilities. Glass bottles/containers are not acceptable.</p> <p>Regarding York machines, see Question #5 above.</p> <p>Attachment A has been revised accordingly; please refer to Question #1 regarding</p>

		<p>quarters, which is not the same as currency, as listed in Attachment "A". We understand "currency" to imply paper currency. This difference plays an important part in our purchasing and installing the proper bill validators, so Attachment "A" needs to reflect specifically, what machines will require only gold coins, so we can be better prepared.</p> <p>Some machines also require credit card readers, but during our walk-throughs, the current vendor kindly informed everyone that some machines could not be equipped with credit card readers because of their physical location, or being surrounded by too much concrete or metal, prohibiting an adequate signal being able to reach the machine.</p> <p>Can some language be inserted into either the RFP and/or Attachment "A" to the effect of "Credit Card readers, where a signal can be established" so it won't appear that the contractor is in violation of the requirement, in those instances that credit card readers cannot be installed?</p> <p>Prior to the walk-throughs, we asked about any requirements/restrictions on bottled or canned soda and we were informed that either type was acceptable. During the walk-throughs, we then learned that certain facilities did indeed require one over the other, in certain instances, for specific reasons. Those specific requirements/restrictions should be annotated on Attachment "A", perhaps with Pop/Can, or Pop/Bottle, or Pop/Can or Bottle.</p> <p>During the York walk through, a representative from another bidder indicated that the two machines in the lobby should not be on Attachment "A", as he indicated that they were part of a separate contract with the facility's Employee Benefit Fund, or something to that effect. If that is the case, please provide a reference as to the specific contract and a copy of the contract</p>	<p>microwaves. The machines listed on Attachment A contain the minimum requirements by location.</p>
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		<p>involved, as we are questioning as to whether state employees or a state employee committee is legally allowed to financially benefit from such an arrangement.</p> <p>Because of the machines stricken from the first amendment to Attachment "A" and several machines we encountered during the walk-throughs that aren't on Attachment "A" that will have to be added, we have no idea as to what machines are required on the RFP. At some locations, some machines were "just added" over time and not reflected on Attachment "A".</p> <p>We therefore request that Attachment "A", with the amendment be stricken and redone to reflect exactly: a.) all facilities & buildings Bidders are bidding on and: b.) An exact, precise count of all required machines at all of the facilities, with any specific restrictions/requirements (i.e. microwaves having to be commercial, stainless steel, no moving turntable, etc.) as an example.</p> <p>If awarded the contract, we plan on purchasing new machines and after the walk-throughs, we have no idea of how many and what types of machines we would need to purchase.</p>	
7.		<p>Solicitation Section Reference – Attachment "B" – Vending Machine Product List</p> <p>During walkthroughs, it was apparent that the current vendor's prices on some machines, specifically Inmate Welfare machines were a little higher than machines that were not Inmate Welfare machines, which is understandable, to compensate for the commissions. Attachment "B" would seem to ask for a single vend price. Does Attachment "B" want one price for each item, or can bidders provide different pricing for Inmate Welfare machines, on Attachment "B"?</p>	<p>See Revised Attachment B for separate pages for Inmate Welfare Machines and Non-Inmate Welfare Machines.</p>

8.			<p>Given the extreme inaccuracy and importance of Attachment "A", would the State consider withdrawing the RFP, re-polling the facilities and re-issuing the RFP when it has a better understanding of exactly all facilities/buildings involved and what specific equipment is required in all facilities, to include any special requirements or restrictions, for the benefit of all bidders?</p>	<p>The facilities were previously polled for vending machine information. The purpose of the walkthrough and vendor questions is to ensure that the RFP is accurate and understood by all interested bidders.</p> <p>Eleven (11) machines were deleted as a result of the first round of questions, due to the error of including inmate pop machines which are not a part of this RFP.</p> <p>Ten machines were added as a result of the walkthroughs.</p> <p>The RFP requires a total of 116 vending machines throughout NDCS facilities/locations.</p> <p>NDCS has a thorough understanding of this vending RFP.</p> <p>The responses to the questions provide the minimum requirements for the equipment and the locations for such. Regarding special requirements and restrictions, please see the answers to all questions, including but not limited to Questions #1, #3 and #4.</p> <p>Interested vendors are at liberty to propose the best combination of machines and product that will maintain a suitable supply and service level for NDCS.</p> <p>Due to the changes in machines noted above, please see the revised Schedule of Events which moves the opening date of the RFP to November 1, 2019.</p>
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This addendum will become part of the proposal and should be acknowledged with the Request for Proposal.