



CITY OF HOUSTON

Administration and Regulatory Affairs Department
Strategic Purchasing Division

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December 7, 2010

Subject: Letter of Clarification No. 1 to RFP No. S22-T23826 for
Coffee/Café (Food/Beverage) Concession for the
Administration & Regulatory Affairs Department

To: All Prospective Proposers:

This letter of Clarification is being issued for the following reasons:

- **To revise the Uniform Instructions to Offeror(s); revise the Specifications/Scope of Work and respond to questions posed by prospective proposers:**

UNIFORM INSTRUCTIONS TO OFFEROR(S)

- 1) Remove page 4 and replace with the attached revised page 4 marked **REVISED 12/07/2010.**

SPECIFICATIONS SCOPE OF WORK

- 2) Remove page 13 and replace with the attached revised page 13 marked **REVISED 12/07/2010.**

3) The questions and answers are as follows:

- **Question No. 1** – We would like to see the contract term extended to 5 years with 5 one year renewals.
 - **Answer:** The initial contract term has been changed to five (5) years with five (5) additional one-year terms (see attached revised page 4).
- **Question No. 2** – In order to provide a full range of coffee products, we will need a 3 compartment sink. Will the City provide a grease trap?
 - **Answer:** Yes, the City will build out and provide the grease trap for the space.
- **Question No. 3** – How many City staff members will be assigned to this facility?
 - **Answer:** 500 permanent and 250 inspectors will report, on average, once a week (see attached revised page 13).
- **Question No. 4** – How many operating days will the facility be in operations during the calendar year?
 - **Answer:** This facility will be in operations, Monday through Friday, 52 weeks per year. During the 52-week period, the City observes approximately ten (10) holidays. The HPC facility will be closed on those observed holidays.

Partnering to better serve Houston

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Note: No further questions will be accepted after the publication of this Letter of Clarification

When issued, Letter(s) of Clarification shall automatically become a part of the solicitation documents and shall supersede any previous specification(s) and/or provision(s) in conflict with the Letter(s) of Clarification. It is the responsibility of the proposer to ensure that it has obtained all such letter(s). By submitting a proposal on this project, proposers shall be deemed to have received all Letter(s) of Clarification and to have incorporated them into this solicitation.

Furthermore, it is the responsibility of each proposer to obtain any previous Letter of Clarification associated with this solicitation.

S. R. DuRousseau

S. R. DuRousseau, C.P.M.
Deputy Assistant Director
832-393-8726

Attachment: 1. Revised pages 4 and 13 marked **REVISED 12/07/2010**

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REVISED 12/07/2010

- 1.0 This RFP does not commit the City of Houston to award a contract, issue a purchase order, or to pay any costs incurred in the preparation of a Proposal in response to this request.
- 2.0 The Proposals will become part of the City's official files without any obligation on the City's part. All Responses shall be held confidential from all parties other than the City until after the contract is awarded. Afterward, the Proposals shall be available to the public.
- 3.0 The City of Houston shall not be held accountable if material from responses is obtained without the written consent of the Proposer by parties other than the City, at any time during the Proposal evaluation process.
- 4.0 In the event a Proposer submits trade secret information to the City, the information must be clearly labeled as a "**Trade Secret.**" The City will maintain the confidentiality of such trade secrets to the extent provided by law.
- 5.0 Proposer(s) shall not offer any gratuities, favors, or anything of monetary value to any official or employee of the City of Houston (including any and all members of the Proposal evaluation committees).
- 6.0 Proposer(s) shall not collude in any manner, or engage in any practices, with any other Proposer(s), which may restrict or eliminate competition, or otherwise restrain trade. This is not intended to preclude subcontracts and joint ventures for the purposes of: a) responding to this RFP; or b) establishing a project team with the required experience and/or capability to provide the goods or services specified herein. Conversely, the City can combine or consolidate Proposals, or portions thereof, for the purposes mentioned above.
- 7.0 All Proposals submitted must be the original work product of the Proposer. The copying or paraphrasing of the work product of another Proposer is not permitted.
- 8.0 The RFP and the related responses of the selected Proposer will by reference (within either a contract or purchase order) become part of any formal Agreement between the selected Proposer and the City. The City and the selected Proposer may negotiate a Contract or contracts for submission to City Council for consideration and approval. In the event an Agreement cannot be reached with the selected Proposer, the City reserves the right to select an alternative Proposer. The City reserves the right to negotiate with alternative Proposer the exact terms and conditions of the contract.
- 9.0 Proposer(s), their authorized representatives and their agents are responsible for obtaining, and will be deemed to have, full knowledge of the conditions, requirements, and specifications of the RFP at the time a Proposal is submitted to the City.
- 10.0 The Agreement(s) shall become effective on or about the date the HPC opens July 1, 2011, for a term of five (5) years. The City of Houston reserves the option of extending the Agreement(s) on an annual basis for five (5) additional one-year terms, or portions thereof.
- 11.0 If necessary for the completion of tasks required under the project, the City will provide reasonable working space to the Prime Contractor.
- 12.0 Clerical support and reproduction of documentation costs shall be the responsibility of the Prime Contractor. If required, such support and costs shall be defined in the negotiated Agreement.
- 13.0 Prime Contractor personnel essential to the continuity, and the successful and timely completion of the project should be available for the duration of the project unless substitutions are approved in writing by the City Project Director.
- 14.0 The Prime Contractor will be expected to adhere to all standard contractual requirements of the City which shall include, but are not limited to, provisions for: Time Extensions; Appropriation of Available Funds; Approvals; Term and Termination; Independent Contractor; Business Structure and Assignments; Subcontractors; Parties in Interest; Non-Waiver; Applicable Laws; Notices; Use of Work Products; Equal Employment Opportunity; Force Majeure; and Inspections and Audits.

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6.0 PROJECT ADMINISTRATION:

6.1 Questions regarding the scope of the project, technical specifications, proposed applications, etc., may be addressed to the project manager at the Pre-Proposal conference.

7.0 PROCUREMENT TIMELINE/SCHEDULE:

7.1 Listed below are the important and estimated completion dates and times for this Request for Proposal (RFP).

<u>EVENT</u>	<u>DATE</u>
Date of RFP Issued	November 19, 2010
Pre-Proposal Conference	November 29, 2010
Questions from Proposers Due to City	December 2, 2010
Proposals Due from Proposer(s)	December 10, 2010
Notification of Intent to Award (<i>Estimated</i>)	January 15, 2011
Council Agenda Date (<i>Estimated</i>)	February 16, 2011
Contract Start Date (<i>Estimated</i>)	July 1, 2011

1.0 Purpose

1.1 The City of Houston Permitting Center (“HPC”) is requesting proposals for the operation of a retail COFFEE SHOP /CAFÉ (“CAFÉ”) in its facility, which is located at 1002 Washington Avenue, Houston, Texas 77002. The CAFE will provide drinks, snacks, sandwiches and salads to City personnel as well as to HPC customers.

The CAFE will provide customers with high quality food products at a reasonable value. HPC requires the Successful Proposer to comply with the City of Houston Food Ordinance requirements, (Chapter 20, Article II of the City of Houston Code of Ordinances).

The Successful Proposer will be analyzed by the RFP Evaluation Team. The total square footage of the CAFÉ area is available via Attachment A (Central Permitting Center City of Houston) and Attachment B (Drawing/ Sheet No. P2-01). The area is located at 1002 Washington Avenue, Houston, Texas 77002.

2.0 General

2.1 HPC has determined that in order to select the most advantageous proposal for operating the CAFE at the above location. The food and drinks, including coffee, which will be offered at the Café, should be of high quality, consisting of a variety of items at reasonable price. HPC requests that a minimum of 30% of the menu items should be high in nutritional value.

2.2 The Successful Proposer shall submit a Business Plan for operating the CAFE which will demonstrate a thoughtful and realistic projection of the associated revenue and expenses. The Selected Contractor (“Contractor”) shall provide a detailed menu for review and approval by the Director prior to the commencement of its CAFÉ operations. Changes to the menu and the CAFÉ’S hours of operation can be made, as needed, with the mutual agreement of both parties. Only the Director, or his/ her designee, can authorize a change on behalf of the Department.

3.0 Basic Services

Menu items

3.1 The Contractor shall provide HPC personnel and customers with a basic menu of high quality food items, offering a wide selection of menu options. **There will be 500 permanent City employees and 250 City inspectors, on average, reporting to this location during any given week; and public traffic at HPC is expected to be upward of 1,500 people per day.** Menus and price ranges shall be determined in advance, and shall be approved by the Director or his/her designee.