CITY OF HOUSTON

Annise D. Parker
Mayor

HOUSTON AIRPORT SYSTEM

Mario C. Diaz
Director of Aviation

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

October 2, 2014

SUBJECT: Letter of Clarification No. 4

REFERENCE: Request for Proposals (RFP) Food and Beverage/Specialty Coffee for George Bush Intercontinental Airport
Solicitation Nos. H21-IFB1-2015-006; Food and Beverage Package One
H21-IFB2-2015-007; Food and Beverage Package Two
H21-ISC1-2015-008; Specialty Coffee Package One
H21-ISC2-2015-009; Specialty Coffee Package Two

TO: All Prospective Respondents

This Letter of Clarification (LOC) is issued to (I) extend deadline for written questions, (II) add additional language to the solicitation document, (III) replace pages in the solicitation document, (IV) add an Exhibit to the solicitation document and (V) modify the Sample Agreement as noted:

I. Extend deadline for written questions no later than 2:00 P.M. CST, Thursday, October 9, 2014.

II. The following language is added to the referenced solicitations:

A. <u>RETENTION REQUIREMENTS:</u>

Concessionaire shall offer continued employment to existing non-supervisory concession personnel located at the Facilities set forth in **Attachment "A", Section 1.18** of the solicitation that are occupied by an incumbent Concessionaire on the Effective Date. However, Concessionaire shall not be obligated to retain such existing personnel (on an individual basis) in a particular Facility if it demonstrates to the satisfaction of the City that: (I) individually, the existing concession personnel do not have the experience to provide the services that Concessionaire requires for that particular Facility even if they were to be appropriately trained as new employees by Concessionaire, or (ii) Concessionaire does not need as many employees in the particular Facility as its predecessor required to operate the concession.

Concessionaire shall ensure that all subcontracts for operating the Facilities contain the above language.

Council Members: Brenda Stardig Jerry Davis Ellen R. Cohen Dwight A. Boykins Dave Martin Richard Nguyen Oliver Pennington Edward Gonzalez
Robert Gallegos Mike Laster Larry V. Green Stephen C. Costello David W. Robinson Michael Kubosh C.O. "Brad" Bradford Jack Christie
Controller: Ronald C. Green

B. LABOR RELATIONS PLAN:

Respondents are required to submit an explanation of how they plan to maintain harmonious relations with organized labor. **Exhibit XXIII**; Labor Relations Plan form, must be completed and submitted with Respondent's proposal.

C. COLLECTIVE BARGAINING AGREEMENT OR LABOR RELATIONS PLAN

If Respondent(s) have an existing collective bargaining agreement with a union that would be applicable to employees who would be working on the City's facilities, then a copy of the complete agreement should be included in the proposal.

If Respondent(s) do not have an applicable existing collective bargaining agreement, then Respondent must describe how it would maintain labor peace by:

1. Stating what Respondent's response would be to any union organizing drive; and
2. Describing what policies or procedures it would utilize in order to enable employees to address any complaint they may have with management regarding wages, hours or other terms and conditions of employment.

If Respondent(s) have ever had an unfair labor practice charge filed against it with the National Labor Relations Board (NLRB) in the past ten years, then a copy of the charge and a detailed description of the resolution should be included in the proposal.

The Respondent(s) may provide any other information it believes will explain its plan for maintaining labor peace or its history of labor relations.

III. Replace the following pages:

1. Replace Proposal Outline and Minimum Content Requirements, Page 21 of 127 marked "Revised 10/02/2014".
2. Replace **Exhibit XXII**, Required Proposal Submittal Check Sheet, Page 126 of 127 marked "Revised 10/02/2014".

IV. Add Exhibit XXIII, LABOR RELATIONS PLAN FORM to the referenced solicitations.

Exhibit XXIII must be completed and submitted with each proposal.

V. Modify the Sample Agreement as noted:

A. Renumber the existing Section 6.1.10 to 6.1.11.
B. Add new 6.1.10 to read as follows:

"6.1.10 Concessionaire shall maintain a minimum score of 85% throughout the term of this Agreement on all HAS-provided mystery shopper evaluations."

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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 Letter(s) of Clarification. LOC(s) will be incorporated into the Agreement(s) as applicable. It is the responsibility of the respondent(s) to ensure that it has obtained all such letter(s). By submitting a Proposal on these solicitations, respondent(s) shall be deemed to have received all LOC(s) and to have incorporated them into this proposal(s).

If further clarification is needed regarding this solicitation, please contact Julia Boutte, Sr. Procurement Specialist, via email (preferred method) at Julia.boutte@houstontx.gov or via phone (281)230-8090.

for Dallas Evans

Justina J. Mann, CPPO
Chief Procurement Officer
Houston Airport System

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EXHIBIT XXIII
LABOR RELATIONS PLAN FORM
SOLICITATION NO.: H21-IFB_-2015-00_

LABOR RELATIONS PLAN FORM

This form must be completed, signed and included in the bid package. Failure to do so can result in the bid being considered incomplete and as a result, rejected.

Business Name: _____

Address: _____

City, State and Zip: _____

1. Does your business have an existing collective bargaining agreement with a union that would be applicable to employees who would be working on the City's facilities should a contract be awarded?

☐ **YES** Please attach a complete copy of the agreement(s) and skip to item No. 3.

☐ **NO** Please respond to item No. 2.

2. Please describe in detail how your business will maintain labor peace. **Attach additional sheets or copies of existing policies or procedures if necessary.**

A. What would your business' response be to any union organizing drive?

_____

_____

_____

B. Describe what policies or procedures your business would utilize in order to enable employees to address any complaint they may have with management regarding wages, hours or other terms and conditions or employment. This requirement may be satisfied if you have entered into or propose to enter into an agreement with a labor union to ensure uninterrupted service under this procurement. Please provide a copy of any such agreement.

_____

_____

_____

3. Has your business ever had an unfair labor practice charge filed against it with the National Labor Relations Board (NLRB) in the past ten years?

☐ **YES** Please attach a complete copy of each charge and a detailed description of its resolution.

☐ **NO**

Name of Person Completing Form: _____

Signature Title Date

5.11 **FINANCIAL CAPABILITY OF PROPOSER**

5.11.1 Submit your company's audited annual financial statements, in accordance with and as defined in the Financial Accounting Standards Board (FASB) regulation(s) for the past two years. In addition, include your and Dunn & Bradstreet Report or Federal Tax Forms filed with the Internal Revenue Service (IRS) for the past two years.

5.12 **ACDBE PLAN**

5.12.1 Proposer shall submit a proposed ACDBE Plan using **EXHIBIT II,** Airport Concessions Disadvantaged Business Enterprise (ACDBE) forms.

5.13 **LABOR RELATIONS PLAN**

5.13.1 Proposer shall submit Labor Relations Plan Form (**EXHIBIT XXIII)**

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EXHIBIT XXII: REQUIRED PROPOSAL SUBMITTAL CHECK SHEET SOLICITATION NO. H21-IFB_-2015-00_ "REVISED 10/02/2014"

The following submittals must be completed and submitted with each Proposal

Item #	Required Proposal Submittal Check Sheet[1]	Check (√)
1.	Title Page	
2.	EXHIBIT I - Offer and Submittal	
3.	Letter of Transmittal	
4.	Executive Summary	
5.	Proposal Guarantee	
6.	Customer Service/Management and Operations Plan	
7.	EXHIBIT XIV - Business Plan	
8.	EXHIBIT XIII - Concept Development and Merchandise Mix	
9.	Design, Material and Sustainability	
10.	EXHIBIT X - Experience and Qualification Statement	
11.	EXHIBIT III - Compensation to City	
12.	Financials	
13.	EXHIBIT II - ACDBE Plan	
14.	EXHIBIT V - Fair Campaign Ordinance Form "A"	
15.	EXHIBIT VI - Affidavit of Ownership or Control	
16.	EXHIBIT VII - Drug Compliance Agreement Attachment "A" and Contractor's Certification of No Safety Impact Positions Attachment "C"	
17.	EXHIBIT VIII - Anti-Collusion Statement	
18.	EXHIBIT IX - Conflict of Interest Questionnaire	
19.	EXHIBIT XI - Pre-Proposal Tour Registration Form	
20.	EXHIBIT XV - Contact Directory Form	
21.	EXHIBIT XVI - Preference Award Form	
22.	EXHIBIT XVII - List of References	
23.	EXHIBIT XVIII - Exclusive Subconcessionaire Agreements Certification	
24.	EXHIBIT XIX - Acknowledgment of Insurance and Bonding Requirements	
25.	EXHIBIT XX - Proof of Insurance and Bonding Capacity	
26.	Requested Information Outlined in the Scope of Work and Other Additional Relevant/Supporting Information	
27.	EXHIBIT XXIII – Labor Relations Plan Form	

This table is included for Proposer's convenience and may be used to track the preparation and submittal of required information with its Proposal.