



STATE OF TENNESSEE  
DEPARTMENT OF GENERAL SERVICES

**REQUEST FOR PROPOSALS # 126/036-03-2016**  
**AMENDMENT # One**  
**FOR: Concession Contract for the Redevelopment and**  
**Operation of Hospitality Facilities at Fall Creek Falls State**  
**Park**

**DATE:** December 28, 2016

**ESC RFP TRANSACTION NUMBER 126/036-03-2016 IS AMENDED AS FOLLOWS:**

**1. This RFP Schedule of Events updates and confirms scheduled RFP dates.**

	<b>EVENT</b>	<b>TIME (Central Time)</b>	<b>DATE</b>	<b>UPDATED / CONFIRMED</b>
1	RFP Issued		December 14, 2016	Confirmed
2	Disability Accommodation Request Deadline	2:00 p.m.	December 19, 2016	Confirmed
3	Deadline to Register for Pre-Response Conference	2:00 p.m.	December 30, 2016	Confirmed
4	Pre-response Conference	See itinerary	January 5, 2017	Confirmed
5	Notice of Intent to Respond Deadline	2:00 p.m.	January 9, 2017	Confirmed
6	Deadline to Submit First Round Written "Questions & Comments" and "Pro Forma Contract Redline" (See RFP Section 1.4)	2:00 p.m.	January 13, 2017	Confirmed
7	State Response to First Round Written "Questions & Comments" and "Pro Forma Contract Redline"		January 27, 2017	Confirmed
8	Deadline to Submit Second Round Written "Questions & Comments"	2:00 p.m.	February 6, 2017	Confirmed
9	State Response to Second Round of Written "Questions & Comments"		February 17, 2017	Confirmed
10	Phase I Proposal Deadline	2:00 p.m.	March 2, 2017	Confirmed

	EVENT	TIME (Central Time)	DATE	UPDATED / CONFIRMED
11	State Opening of Phase I Proposals	2:00 p.m.	March 2, 2017	Confirmed
12	State Completion of Phase I Evaluations and Notice of Respondents Selected for Phase II Evaluations Issued		March 16, 2017	Confirmed
13	Phase II Proposal Deadline	2:00 p.m.	March 30, 2017	Confirmed
14	State Opening of Phase II Proposals	2:00 p.m.	March 30, 2017	Confirmed
15	State Schedules Phase II Respondent Interviews		April 3, 2017	Confirmed
16	Interviews of Phase II Respondents		April 10-11, 2017	Confirmed
17	State Completion of Phase II Evaluations and Issuance of Evaluation Notice		April 13, 2017	Confirmed
18	State Completion of Phase III Negotiations		May 10, 2017	Confirmed
19	State Notice of Intent to Award Issued and RFP Files Opened for Public Inspection		May 11, 2017	Confirmed
20	Executive Subcommittee of the State Building Commission Approval Sought		May 22, 2017	Confirmed
21	State sends Contract to Concessionaire for Signature		May 23, 2017	Confirmed
22	Concessionaire Signature Deadline	2:00 p.m.	May 26, 2017	Confirmed

**2. State responses to questions and comments in the table below amend and clarify this RFP.**

Any restatement of RFP text in the Question/Comment column shall NOT be construed as a change in the actual wording of the RFP document.

	QUESTION / COMMENT	STATE RESPONSE
1	We are working to partner with a bidder on the submission. Are we permitted to be a part of multiple teams on the first submission?	Please refer to RFP Sections 3.3.4., 3.3.6., and 3.3.7.
2	Should we plan on attending the pre-response conference as a potential	The conference is not mandatory. Please use your own discretion in determining whether or not to

QUESTION / COMMENT	STATE RESPONSE
consultant to a potential bidder?	attend the pre-proposal conference
3 Is there any language in the RFP pertaining to diversity?	Please refer to item #3 below. RFP Attachment 6.2., Section B, has been revised to include diversity language.

3. Delete RFP Attachment 6.2, Section B, in its entirety and replace it with the following (changes are highlighted in yellow):

**RFP Attachment 6.2. – Section B**

**PHASE I RESPONSE & EVALUATION GUIDE  
SECTION B – GENERAL REQUIREMENTS & EXPERIENCE**

Respondent must address all items detailed below and provide, in sequence, the information and documentation as required (referenced with the associated item references).

The Respondent must also detail the response page number for each item in the appropriate space below.

Proposal Evaluation Team members will independently evaluate and assign one score for all responses to Section B — General Qualifications & Experience Items.

<b>RESPONDENT LEGAL ENTITY NAME:</b>		
<b>Response Page #</b> (Respondent completes)	<b>Item Ref.</b>	<b>General Qualifications &amp; Experience Items</b>
	<b>B.1.</b>	Provide a statement of whether there have been any mergers, acquisitions, or sales of the Respondent within the last five (5) years. If so, include an explanation providing relevant details.
	<b>B.2.</b>	For the last three (3) years, provide the each of the following ratios for the Respondent, calculated according to the generally accepted accounting principles:  1) Quick Ratio 2) Debt/Worth  NOTE: The State may request CPA audited or reviewed financial statements prepared in accordance with generally accepted accounting principles from the apparent best-evaluated Respondent prior to final award of the agreement. If the requested documents do not support the financial stability of the Respondent the State reserves the right to reject the proposal.
	<b>B.3.</b>	Provide a statement of whether, in the last ten (10) years, the Respondent has filed (or had filed against it) any bankruptcy or insolvency proceeding, whether voluntary or involuntary, or undergone the appointment of a receiver, trustee, or assignee for the benefit of creditors. If so, include an explanation providing relevant details.
	<b>B.4.</b>	Provide a statement of whether there is any material, pending litigation against the Respondent that the Respondent should reasonably believe could adversely affect its ability to meet contract requirements pursuant to this RFP or is likely to have a material

<b>RESPONDENT LEGAL ENTITY NAME:</b>		
<b>Response Page #</b> (Respondent completes)	<b>Item Ref.</b>	<b>General Qualifications &amp; Experience Items</b>
		<p>adverse effect on the Respondent's financial condition. If such exists, list each separately, explain the relevant details, and attach the opinion of counsel addressing whether and to what extent it would impair the Respondent's performance in a contract pursuant to this RFP.</p> <p>NOTE: All persons, agencies, firms, or other entities that provide legal opinions regarding the Respondent must be properly licensed to render such opinions. The State may require the Respondent to submit proof of such licensure detailing the state of licensure and licensure number for each person or entity that renders such opinions.</p>
	<b>B.5.</b>	<p>Provide a statement and any relevant details addressing whether the Respondent is any of the following:</p> <ul style="list-style-type: none"> <li>(a) is presently debarred, suspended, proposed for debarment, or voluntarily excluded from covered transactions by any federal or state department or agency;</li> <li>(b) has within the past three (3) years, been convicted of, or had a civil judgment rendered against the contracting party from commission of fraud, or a criminal offence in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or grant under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;</li> <li>(c) is presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses detailed above; and has within a three (3) year period preceding the contract had one or more public transactions (federal, state, or local) terminated for cause or default.</li> </ul>
	<b>B.6.</b>	<p>Provide a statement, based upon reasonable inquiry, of whether the Respondent or any individual who shall perform work under the contract has a possible conflict of interest (e.g., employment by the State of Tennessee, or other conflict as set forth in Item 12 of the SBC By-Laws, Policy &amp; Procedures) and, if so, the nature of that conflict.</p> <p>NOTE: Any questions of conflict of interest shall be solely within the discretion of the State, and the State reserves the right to cancel any award.</p>
	<b>B.7.</b>	<p>Provide a statement of whether or not the Respondent has any current contracts with the State of Tennessee or has completed any contracts with the State of Tennessee within the previous five-year period. If so, provide the following information for all current and completed contracts:</p> <ul style="list-style-type: none"> <li>(a) the name, title, telephone number and e-mail address of the State contact responsible for the contract at issue;</li> </ul>

RESPONDENT LEGAL ENTITY NAME:		
Response Page # (Respondent completes)	Item Ref.	General Qualifications & Experience Items
		<p>(b) the name of the procuring State agency;</p> <p>(c) a brief description of the contract's specification for goods or scope of services;</p> <p>(d) the contract term; and</p> <p>(e) the contract number.</p> <p>NOTE: Current or prior contracts with the State are <u>not</u> a prerequisite and are <u>not</u> required for the maximum evaluation score, and the existence of such contracts with the State will <u>not</u> automatically result in the addition or deduction of evaluation points.</p>
	<b>B.8.</b>	<p>Respondent must provide contact information for references who can certify that the Respondent has completed a minimum of two, up to a maximum of four, projects with similar scope and complexity to the services sought by the State in this RFP. The project examples may include current (ongoing) and completed (preferable within the last five years) projects.</p> <p>List projects starting with the most recent and include the information as listed below for <i>each</i> project:</p> <ol style="list-style-type: none"> <li>1) Project name and location</li> <li>2) Duration of project</li> <li>3) Brief description of scope</li> <li>4) Team's performance with an emphasis on: <ol style="list-style-type: none"> <li>a. Adherence to schedule and budget; and</li> <li>b. Project challenges and resolutions to those challenges.</li> </ol> </li> <li>5) Reference name / title, role on project, and contact information.</li> </ol>
	<b>B.9.</b>	<p>Provide documentation of the Respondent's commitment to diversity as represented by the following:</p> <p>(a) <b>Business Strategy.</b> Provide a description of the Respondent's existing programs and procedures designed to encourage and foster commerce with business enterprises owned by minorities, women, Tennessee service-disabled veterans, and small business enterprises. Please also include a list of the Respondent's certifications as a diversity business, if applicable.</p> <p>(b) <b>Business Relationships.</b> Provide a listing of the Respondent's current contracts with business enterprises owned by minorities, women, Tennessee service-disabled veterans and small business enterprises. Please include the following information:</p> <ol style="list-style-type: none"> <li>(i) contract description and total value;</li> <li>(ii) contractor name and ownership characteristics (<i>i.e.</i>, ethnicity, gender, Tennessee service-disabled);</li> <li>(iii) contractor contact name and telephone number.</li> </ol> <p>(c) <b>Estimated Participation.</b> Provide an estimated level of participation by business</p>

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<b>Response Page #</b> (Respondent completes)	<b>Item Ref.</b>	<b>General Qualifications &amp; Experience Items</b>
		<p>enterprises owned by minorities, women, Tennessee service-disabled veterans, and small business enterprises if a contract is awarded to the Respondent pursuant to this RFP. Please include the following information:</p> <ul style="list-style-type: none"> <li>(i) a percentage (%) indicating the participation estimate. (Express the estimated participation number as a percentage of the total estimated contract value that will be dedicated to business with subcontractors and supply contractors having such ownership characteristics only and <b>DO NOT INCLUDE DOLLAR AMOUNTS</b>);</li> <li>(ii) anticipated goods or services contract descriptions;</li> <li>(iii) names and ownership characteristics (i.e., ethnicity, gender, Tennessee service-disabled veterans) of anticipated subcontractors and supply contractors.</li> </ul> <p>NOTE: In order to claim status as a Diversity Business Enterprise under this contract, businesses must be certified by the Governor's Office of Diversity Business Enterprise (Go-DBE). Please visit the Go-DBE website at <a href="https://tn.diversitysoftware.com/FrontEnd/StartCertification.asp?TN=tn&amp;XID=9265">https://tn.diversitysoftware.com/FrontEnd/StartCertification.asp?TN=tn&amp;XID=9265</a> for more information.</p> <p>(d) <u>Workforce</u>. Provide the percentage of the Respondent's total current employees by ethnicity and gender.</p> <p>NOTE: Respondents that demonstrate a commitment to diversity will advance State efforts to expand opportunity to do business with the State as contractors and subcontractors. Response evaluations will recognize the positive qualifications and experience of a Respondent that does business with enterprises owned by minorities, women, Tennessee service-disabled veterans and small business enterprises and who offer a diverse workforce.</p>
		<p align="center"><b>SCORE (for <u>all</u> Section B—Qualifications &amp; Experience Items above):</b> (maximum possible score = 20)</p>
State Use – Evaluator Identification:		