

June 6, 2011 CLARIFICATIONS AND AMENDMENTS:

In Part 1, section 1.3, the vendors are invited to submit written inquiries to the Issuing Officer. A number of written inquiries were received by June 1, 2011. The official written responses are set out below. Additional written inquiries have been received and official written responses will be posted on the NHSLC website when they are prepared. The NHSLC appreciates and encourages written inquiries. They provide effective communication among the NHSLC and vendors.

Throughout the Warehouse RFP, the terms “delivery” and “shipment” are used. They must be read in context. As a general rule, notwithstanding which term is used, the warehouse vendor receives deliveries from a supplier; the warehouse vendor prepares a shipment for the transportation vendor; and, the transportation vendor makes a delivery to a NHSLC operated liquor store. Appendix A-1, page 40: the warehouse vendor must be capable of coordinating incoming deliveries and outgoing shipments. The warehouse vendor must also be able to coordinate outgoing deliveries with a transportation vendor. For further example, the term “delivery” in Exhibit C, section 8.2.5 default criteria C, page 66, last sentence refers to cycle time between order receipt and shipment. See also Section 1.1, third paragraph page 7.

In the RFP, The NHSLC has provided historical data in regard to storage capacity, number of cases shipped in FY10 and the number of trailer loads. These figures were given for guidelines only and were not a guarantee of the actual product movement or volumes to be anticipated during the term of the contract. Section 3.0.6, page 27, last paragraph; Appendix C, Section 1, page 44. This data has been further refined. With the same caveat, the RFP is amended as follows: Section 3.0.6 page 27: the private warehouse has a capacity of approximately 750,000 standard cases. The Concord warehouse has a capacity of approximately 175,000 standard cases in static storage.

These amended numbers should be considered in submitting the proposals required by section 1 1.1, page 7 and 3.0.14 (a) page 31.

Appendix A Section 2.3 page 40; appendix C, section I page 44, paragraph 4; appendix H page 76: Approximately 3,500,000 cases of spirits and wines were shipped from the private warehouse and 1,254,038 from the Concord Warehouse during Fiscal Year 2010. In the fiscal year ending June 30, 2010 approximately 1,250 trailer loads were used in the movement of product from Concord and approximately 3,500 trailer loads from Law Warehouse in Nashua.

The numbering of Part 1, first section entitled “Purpose” is amended to 1.1.

Section 1.1 (old section 1.2) – Page 7, paragraphs 2 & 3: Paragraph 2 makes reference to a cycle time that can exceed seven days in some instances. Paragraph 3, however, makes it clear that the NHSLC is seeking a 24-hour or less cycle time as a general rule.

Section 1.3 – Page 9, paragraph 2: There are two individuals (state employees) from outside the NHSLC who are members of the evaluation committee. These members are Chris Clement and Peter Hastings. Attorney Stephen Judge of the Wadleigh, Starr & Peters law firm is counsel for the evaluation committee.

Sections, 1.5.6, 1.5.8, 1.13 and 1.14b– Pages 10-12: The financial records submitted by the vendor become the property of the NHSLC. They will be shared with appropriate NHSLC employees, agents and state employees involved with the evaluation process. The NHSLC is subject to the Right to Know Law. The vendor is responsible to defend any assertion that the records are not subject to the Right to Know Law. Vendor must supply the number of originals and copies of all requested information in the RFP.

Section 1.9 – Page 14: The NHSLC requires that the vendor’s bid not include the cost of the performance bond. The NHSLC understands that the bid amount may change once the amount of the performance bond is identified.

Section 1.10.1 – Page 14 – Vendors must bid the initial term identified in the RFP. At this time, the Commission is not considering a longer initial term for the contract.

Section 1.17 – Page 18: The vendor response sheet is the proposal offer form located at page 6. The vendor must provide three original proposals. Each of the three original proposals should contain an original and two copies of the requested documents. A copy of an original must contain the entire contents of the original.

Section 1.22 – Page 20: Vendors must provide a separate \$50,000 proposal guarantee for each RFP. Sections 1.7.1 and 1.7.2 require the Vendor to respond to all sections of the RFP. A response may be “understood” which means no exception is taken. Another response is to take an exception and suggest an alternative, if any. The proposal guaranty shall be forfeited if the Vendor fails or refuses to enter into a contract on the terms stated in the RFP based on a refusal to comply with a term which is not subject to an exception. See Section 1.1.

Section 3.0.4-Page 24: The third sentence of paragraph 2 identifies the possibility that the NHSLC and/or a supplier may require a different storage temperature range for a specific product. If a Vendor can not comply with this sentence, it must take an exception and suggest an alternative, if any. “Product awaiting delivery” in the next sentence refers to product under the control of the warehouse vendor.

Section 3.0.4.1-Page 25: The first sentence requires the vendor to identify any charges for auditing. Please refer to Appendix D Annual Physical Inventory.

Section 3.0.12 – Page 29, 3.4 – Page 32, 4.4 – Page 37 and Appendix D – Page 53: All vendors must submit a complete pricing format as set out in Appendix D. Once that requirement is completed, a vendor may submit an alternative pricing format.

Section 3.0.15 Page 32: The RFP requires business interruption insurance with the NHSLC as a loss payee. If a vendor can not supply such insurance, it should take an exception and suggest an alternative, if any.

Appendix A section A2.3 page 40: The RFP states that some stores will receive weekend deliveries. As stated in Appendix C section VII paragraph 6 page 47: if prices are different for Saturday, Sunday or holiday pickups, proposals must so indicate.

Appendix A section A3.3 page 42: The vendor must provide three original proposals. Each of the three original proposals should contain an original and two copies of the requested documents. A copy of an original must contain the entire contents of the original.

Appendix C Section VII page 47 item 3: This item mentions “supplies.” Supplies are store supplies such as shelving labels and generally items contained in bins.

Appendix C Section VII page 48 item 11: This item contains requirements regarding age and citizenship for employees and vendors. It should be read in the overall context of the RFP that the vendor must comply with relevant federal, state and local regulations. Section 3.0.4. This item is amended to reflect the following. The current law is that employees must be 18 or older. A liquor license may be issued only to United States citizens, registered resident aliens, partnerships, or limited liability companies, limited liability partnerships, or corporations currently registered with the secretary of state to do business in New Hampshire. RSA 178:3,II.

Appendix D page 53 Inbound Handling and Storage: These two sections will be amended and the amendment will be provided at the Vendor’s Conference.

Appendix E Section 5 page 58 item 5.2: This language is in the standard state contract. The vendor may request different language to reflect that it will be paid by suppliers over and above payment by the State. This request should be in the form of an amendment to appendix E as set out in Exhibit C, page 64. Any such amendment will have to be approved by the Office of the Attorney General. See Section 1.19 b. page 19.

This concludes the responses to all written inquiries received by June 1, 2011.