

From: Nancy Lamarche <nancylamarchepa@gmail.com>
To: Craig W. Bulkley
Cc:
Subject: FW: meeting tomorrow at 9am

Good morning Craig:

I will be sending the information requested momentarily, but also wanted to confirm our team members that will be attending along with myself tomorrow:

Nancy Lamarche (LBWD)
Pete Amarosa (LBWD)
Nick Castel (LBWD)
Jerry Gordon (WTG)

Thanks
Nancy Lamarche
LBWD

From: Jim Ryan <jryan@lbbassociates.com>
To: Craig W. Bulkley
Cc:
Subject: RE: LB&B Redactions

Will do – thanks.

Jim Ryan

Director of Business Development
LB&B Associates Inc.
9891 Broken Land Parkway
Suite 400
Columbia, MD 21046
Office: 301-596-2440
Cell: 443-878-6122
Fax: 301-596-7879
<http://www.lbbassociates.com/>

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From: Craig W. Bulkley [<mailto:cbulkley@liquor.state.nh.us>]
Sent: Monday, July 22, 2013 8:53 AM
To: Jim Ryan
Subject: RE: LB&B Redactions

Received; thank you; yes, please bring a CD with these documents as redacted by you.

From: Jim Ryan [<mailto:jryan@lbbassociates.com>]
Sent: Sunday, July 21, 2013 12:17 PM
To: Craig W. Bulkley
Subject: LB&B Redactions
Importance: High

Craig,

I've attached our revised redactions. Any documents not included here, do not require redaction.

If you like, I'll also bring a CD to the meeting on Tuesday – just let me know.

Thanks much,

Jim Ryan
Director of Business Development
LB&B Associates Inc.
9891 Broken Land Parkway
Suite 400
Columbia, MD 21046
Office: 301-596-2440
Cell: 443-878-6122
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*by replying to this message and deleting it and all copies and backups thereof.
Thank you.*

From: Craig W. Bulkley
To: 'Jim Ryan'
Cc:
Subject: RE: LB&B - Best & Final Offer Phase

Received; thank you

From: Jim Ryan [<mailto:jryan@lbbassociates.com>]
Sent: Sunday, July 21, 2013 12:14 PM
To: Craig W. Bulkley
Cc: George P. Tsiopras; dvanscoyoc@lbbassociates.com
Subject: RE: LB&B - Best & Final Offer Phase
Importance: High

Craig,

We have reviewed our pricing and have provided our final BAFO pricing (attached). We hereby confirm that the attached rates provided are fixed for 63 months.

We have also reviewed the RFP and Appendix E – Standard State Contract Form P-37. We take no exceptions to either.

We have revised our proposal based on comments from the Evaluation Committee during our last meeting. We have include an updated conceptual drawing of our proposed Terminal and revised language on the change in size. We have also adjusted our vehicles fleet approach to include new and used vehicles. Only the adjusted pages are attached.

Thank you for the this opportunity and we'll see you on Tuesday.

Jim Ryan

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From: Craig W. Bulkeley [<mailto:cbulkeley@liquor.state.nh.us>]
Sent: Thursday, July 18, 2013 3:04 PM
To: Jim Ryan
Cc: George P. Tsiopras
Subject: LB&B - Best & Final Offer Phase
Importance: High

Jim:

The NHSLC Commissioners have selected you to participate in the Best and Final Offer (BAFO) phase of the RFP. The Evaluation Committee is authorized to enter into pre-selection discussions (RFP Section 4.7 a. i., p. 24 of 71). **This phase begins with this written request. This request may be the only opportunity to improve your proposal.** You may revise your proposal as a result of this request (RFP page 24 of 71).

We must receive written answers by **Monday, July 22, 2013 by 10 AM.**

You are encouraged to review your entire proposal and improve it to the advantage of the State. There are two areas on which we are specifically focused in order to identify the Proposal that is the most advantageous to the State of New Hampshire.

I. Pricing

You have previously been asked to confirm or modify your rates for 63 months. This request may be the final opportunity to lower your rates. This issue is highlighted in the Vendor Pricing criterion, an area valued at 55 points. It is also a portion of the Vendor Overall Solution criterion in the requirement that the solution be, among other things, cost effective. The desired end result is that Product will be transported from the contracted warehouse in Bow, New Hampshire utilized by the NHSLC to its network of seventy-seven (77) New Hampshire liquor and wine outlets as well as the state-owned warehouse in Concord, New Hampshire. RFP, page 3 of 71.

Using the financial spreadsheet that you submitted to us this week, please provide your lowest possible rates.

Please confirm again that your five-year rates are fixed.

II. Final Contract

The General Criterion provides for a review of whether the Vendor's exceptions to the RFP are acceptable to the NHSLC. Section 1.19 provides for cancellation of selection for contract award based on a failure to reach agreement on contractual terms, etc. Section 4.8 requires the Vendor to submit contract terms that are acceptable to the NHSLC and the NH Attorney General. It also provides that the NHSLC may cease contract discussions if it is unable to reach agreement on contract terms. The NHSLC wants to move as quickly as possible to contract award. To that end, a rather full description of the final contract is set out below. The point is that the fewer exceptions that have been taken to either the RFP or the standard state contract, the more quickly a final document can be executed.

The Standard State Contract is contained in Appendix E of the RFP. It is more frequently identified as Form P-37 and we will refer to it as such throughout this item but it is the same document that is contained in RFP Appendix E. The P-37 cannot be changed on its face. At the end of this process, a P-37 will be signed by the parties. It will contain Exhibits A-F.

If you look at Paragraph 2 of the P-37, you will see that Exhibit A is required to contain a particular description of the work to be performed by the Vendor. Exhibit A will incorporate by reference the RFP and the Proposal. The fewer exceptions taken to the RFP, the easier it will be to craft Exhibit A.

Paragraph 5 of the P-37 requires Exhibit B to describe the method of payment and terms of payment. It will incorporate the template that best suits the needs of the NHSLC. [This template will be contained in Exhibit F.]

Paragraph 22 of the P-37 allows changes to the P-37 if they are set forth in Exhibit C. That is why Appendix E in the RFP is modified by Exhibit C.

Other documents required by the RFP will be part of the contract such as certificates of insurance, the transition bond, the performance bond, a certificate of vote, a certificate of good standing, and a warehouse license.

Exhibit D will be the RFP with all amendments and clarifications.

Exhibit E will be the winning proposal.

Exhibit F will be the price template.

Even if you have done so before, please identify and explain every exception that you intend to take to either the RFP or the P-37 as amended by the NHSLC.

If you have any questions regarding this email, please contact me via email and cc George Tsiopras by email at the address listed above on this email. I will be available by phone until 4:30 PM today. After 4:30 PM today, I will not be available by phone until 7:30 AM on Monday, July 22, 2013. We will make every effort to respond as quickly as possible to emails received by 2:00 PM on Friday, July 19, 2013.

Thank you.



Please consider the environment before printing this e-mail.

Craig W. Bulkeley
Director
Division of Administration
NH State Liquor Commission
☎ (603) 230-7008
FAX (603) 271-3897
Cell: (603) 490-1559
✉ cbulkley@liquor.state.nh.us

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From: Craig W. Bulkeley
To: 'Brian Law'
Cc:
Subject: RE: Law Motor Freight - Best & Final Offer Phase

Received; thank you

From: Brian Law [<mailto:brianlaw@lawwarehouses.com>]
Sent: Monday, July 22, 2013 8:38 AM

To: Craig W. Bulkley
Cc: John Guerette; Brian Law; Lehmann, Suzan M. (slehmann@HASLAW.com)
Subject: RE: Law Motor Freight - Best & Final Offer Phase

Craig:

- I. The rates provided in our proposal are our best rates available for the entire first term of the contract. RFP Section 4.7.b encourages bidders "to submit their best price as part of their initial Proposal." This is consistent with the philosophy of the Law Companies. Our best price, based on the information available, is always presented to our customers in our initial proposals. However, we did notice that our Appendix D-3 was removed from this version of the Law BAFO Spreadsheet. Appendix D-3 provides a revenue sharing opportunity for the NHSLC.
- II. Attached is a list of exceptions identified in our original proposal that have not been resolved through Amendments or Clarifications. Clarifying item II in your July 18th email, we believe there to be a minor typo. We believe that a carrier license is required, not a warehouse license. Please let me know if I am mistaken and both a carrier and a warehouse license are required.

Should you have any questions, please feel free to contact me.
Thank you

Brian

From: Craig W. Bulkley [<mailto:cbulkley@liquor.state.nh.us>]
Sent: Thursday, July 18, 2013 3:04 PM
To: Brian Law
Cc: George P. Tsiopras
Subject: Law Motor Freight - Best & Final Offer Phase
Importance: High

Brian:

The NHSLC Commissioners have selected you to participate in the Best and Final Offer (BAFO) phase of the RFP. The Evaluation Committee is authorized to enter into pre-selection discussions (RFP Section 4.7 a. i., p. 24 of 71). **This phase begins with this written request. This request may be the only opportunity to improve your proposal.** You may revise your proposal as a result of this request (RFP page 24 of 71).

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III. Pricing

You have previously been asked to confirm or modify your rates for 63 months. This request may be the final opportunity to lower your rates. This issue is highlighted in the Vendor Pricing criterion, an area valued

at 55 points. It is also a portion of the Vendor Overall Solution criterion in the requirement that the solution be, among other things, cost effective. The desired end result is that Product will be transported from the contracted warehouse in Bow, New Hampshire utilized by the NHSLC to its network of seventy-seven (77) New Hampshire liquor and wine outlets as well as the state-owned warehouse in Concord, New Hampshire. RFP, page 3 of 71.

Using the financial spreadsheet that you submitted to us this week, please provide your lowest possible rates.

Please confirm again that your five-year rates are fixed.

IV. Final Contract

The General Criterion provides for a review of whether the Vendor's exceptions to the RFP are acceptable to the NHSLC. Section 1.19 provides for cancellation of selection for contract award based on a failure to reach agreement on contractual terms, etc. Section 4.8 requires the Vendor to submit contract terms that are acceptable to the NHSLC and the NH Attorney General. It also provides that the NHSLC may cease contract discussions if it is unable to reach agreement on contract terms. The NHSLC wants to move as quickly as possible to contract award. To that end, a rather full description of the final contract is set out below. The point is that the fewer exceptions that have been taken to either the RFP or the standard state contract, the more quickly a final document can be executed.

The Standard State Contract is contained in Appendix E of the RFP. It is more frequently identified as Form P-37 and we will refer to it as such throughout this item but it is the same document that is contained in RFP Appendix E. The P-37 cannot be changed on its face. At the end of this process, a P-37 will be signed by the parties. It will contain Exhibits A-F.

If you look at Paragraph 2 of the P-37, you will see that Exhibit A is required to contain a particular description of the work to be performed by the Vendor. Exhibit A will incorporate by reference the RFP and the Proposal. The fewer exceptions taken to the RFP, the easier it will be to craft Exhibit A.

Paragraph 5 of the P-37 requires Exhibit B to describe the method of payment and terms of payment. It will incorporate the template that best suits the needs of the NHSLC. [This template will be contained in Exhibit F.]

Paragraph 22 of the P-37 allows changes to the P-37 if they are set forth in Exhibit C. That is why Appendix E in the RFP is modified by Exhibit C.

Other documents required by the RFP will be part of the contract such as certificates of insurance, the transition bond, the performance bond, a certificate of vote, a certificate of good standing, and a warehouse license.

Exhibit D will be the RFP with all amendments and clarifications.

Exhibit E will be the winning proposal.

Exhibit F will be the price template.

Even if you have done so before, please identify and explain every exception that you intend to take to either the RFP or the P-37 as amended by the NHSLC.

If you have any questions regarding this email, please contact me via email and cc George Tsiopras by email at the address listed above on this email. I will be available by phone until 4:30 PM today. After 4:30 PM today, I will not be available by phone until 7:30 AM on Monday, July 22, 2013. We will make every effort to respond as quickly as possible to emails received by 2:00 PM on Friday, July 19, 2013.

Thank you.



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Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
☎ (603) 230-7008
FAX (603) 271-3897
Cell: (603) 490-1559
✉ cbulkley@liquor.state.nh.us

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From: Craig W. Bulkey
To: Chris G. Bentzler
Cc:
Subject: RE: New Phones

Chris – have John & Walter scheduled a time to pick up their phones?

From: Chris G. Bentzler
Sent: Friday, July 19, 2013 4:29 PM
To: Walter Bond JR; John Tower
Cc: Craig W. Bulkey
Subject: New Phones

Hi Walter and John,

I have your new smartphones here at HQ. Did you want to stop by on Monday to setup email and start using them?

Chris Bentzler
Technical Support Specialist
Technical Support Services
State of New Hampshire - DoIT

Tel. (603) 230-7041
Cel. (603) 724-5328
<mailto:christopher.bentzler@doit.nh.gov>

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From: Brian Law <brianlaw@lawwarehouses.com>
To: Craig W. Bulkey
Cc: John Guerette; Brian Law; Lehmann, Suzan M. (slehmann@HASLAW.com)
Subject: RE: Law Motor Freight - Best & Final Offer Phase
Attachments:  LMF Exception list 2013-07-22.doc (36 KB)

Craig:

- III. The rates provided in our proposal are our best rates available for the entire first term of the contract. RFP Section 4.7.b encourages bidders “to submit their best price as part of their initial Proposal.” This is consistent with the philosophy of the Law Companies. Our best price, based on the information available, is always presented to our customers in our initial proposals. However, we did notice that our Appendix D-3 was removed from this version of the Law BAFO Spreadsheet. Appendix D-3 provides a revenue sharing opportunity for the NHSLC.
- IV. Attached is a list of exceptions identified in our original proposal that have not been resolved through Amendments or Clarifications. Clarifying item II in your July 18th email, we believe there to be a minor typo. We believe that a carrier license

is required, not a warehouse license. Please let me know if I am mistaken and both a carrier and a warehouse license are required.

Should you have any questions, please feel free to contact me.
Thank you

Brian

From: Craig W. Bulkley [<mailto:cbulkley@liquor.state.nh.us>]
Sent: Thursday, July 18, 2013 3:04 PM
To: Brian Law
Cc: George P. Tsiopras
Subject: Law Motor Freight - Best & Final Offer Phase
Importance: High

Brian:

The NHSLC Commissioners have selected you to participate in the Best and Final Offer (BAFO) phase of the RFP. The Evaluation Committee is authorized to enter into pre-selection discussions (RFP Section 4.7 a. i., p. 24 of 71). **This phase begins with this written request. This request may be the only opportunity to improve your proposal.** You may revise your proposal as a result of this request (RFP page 24 of 71).

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Using the financial spreadsheet that you submitted to us this week, please provide your lowest possible rates.

Please confirm again that your five-year rates are fixed.

VI. Final Contract

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If you look at Paragraph 2 of the P-37, you will see that Exhibit A is required to contain a particular description of the work to be performed by the Vendor. Exhibit A will incorporate by reference the RFP and the Proposal. The fewer exceptions taken to the RFP, the easier it will be to craft Exhibit A.

Paragraph 5 of the P-37 requires Exhibit B to describe the method of payment and terms of payment. It will incorporate the template that best suits the needs of the NHSLC. [This template will be contained in Exhibit F.]

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Thank you.



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Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
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FAX (603) 271-3897
Cell: (603) 490-1559
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LMF Exception list
2013-07-22.doc



Craig,

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If you like, I'll also bring a CD to the meeting on Tuesday – just let me know.

Thanks much,

Jim Ryan

Director of Business Development
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Technical Proposal - Pricing Narrative - NSLC EC Questions 10 - LB&B NHSLC 6 - Financial
BAFO - Redacted.pdf BAFO - Redacted.pdf 06182013 - Redacted Liquor Carrier License Statement 2012 - Rec



5 - Financial 4 - Financial
Statement 2011 - Red Statement 2010 - Rec

This message may contain confidential information.

From: Jim Ryan <jryan@lbbassociates.com>
To: Craig W. Bulkley
Cc: George P. Tsiopras; dvanscoyoc@lbbassociates.com
Subject: RE: LB&B - Best & Final Offer Phase
Attachments: LBB BAFO Spreadsheet - Final.xls (34 KB); TECHNICAL PROPOSAL-REVISED - BAFO.pdf (388 KB)

Craig,

We have reviewed our pricing and have provided our final BAFO pricing (attached). We hereby confirm that the attached rates provided are fixed for 63 months.

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From: Craig W. Bulkley [<mailto:cbulkley@liquor.state.nh.us>]
Sent: Thursday, July 18, 2013 3:04 PM
To: Jim Ryan
Cc: George P. Tsiopras
Subject: LB&B - Best & Final Offer Phase
Importance: High

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Craig W. Bulkley
Director

Division of Administration
NH State Liquor Commission
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✉ cbulkley@liquor.state.nh.us

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LBB BAFO

Spreadsheet - Final.x



TECHNICAL

PROPOSAL-REVISED

From: Scott Lyons (EXEL CA) <Scott.Lyons@exel.com>
To: Craig W. Bulkley
Cc: George P. Tsiopras
Subject: RE: Exel - Best & Final Offer Phase
Attachments: Revised Financial Spreadsheet - Exel.pdf (41 KB); BAFO for NHSLC Regarding RFP 2013-14 on Jul 19 2013.pdf (40 KB)

Attached to this email please find our best and final offer.

Please confirm receipt.

Sincerely,
Scott Lyons

Telephone: 905 366-7691
Mobile: 416 417-2537

From: Craig W. Bulkley [<mailto:cbulkley@liquor.state.nh.us>]
Sent: Thursday, July 18, 2013 3:04 PM
To: Scott Lyons (EXEL CA)
Cc: George P. Tsiopras
Subject: Exel - Best & Final Offer Phase
Importance: High

Scott:

The NHSLC Commissioners have selected you to participate in the Best and Final Offer (BAFO) phase of the RFP. The Evaluation Committee is authorized to enter into pre-selection discussions (RFP Section 4.7 a. i., p. 24 of 71). **This phase begins with this written request. This request may be the only opportunity to improve your proposal.** You may revise your proposal as a result of this request (RFP page 24 of 71).

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Using the financial spreadsheet that you submitted to us this week, please provide your lowest possible rates.

Please confirm again that your five-year rates are fixed.

II. Final Contract

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If you look at Paragraph 2 of the P-37, you will see that Exhibit A is required to contain a particular description of the work to be performed by the Vendor. Exhibit A will incorporate by reference the RFP and the Proposal. The fewer exceptions taken to the RFP, the easier it will be to craft Exhibit A.

Paragraph 5 of the P-37 requires Exhibit B to describe the method of payment and terms of payment. It will incorporate the template that best suits the needs of the NHSLC. [This template will be contained in Exhibit F.]

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Thank you.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
☎ (603) 230-7008
FAX (603) 271-3897

Cell: (603) 490-1559

✉ cbulkley@liquor.state.nh.us

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BAFO for NHSLC Revised Financial
Regarding RFP 2013- Spreadsheet - Exel.p

From: Jim Ryan <jryan@lbbassociates.com>
To: Craig W. Bulkley
Cc: George P. Tsiopras
Subject: RE: LB&B - Best & Final Offer Phase

Craig,

I'll review the information immediately and get right back to you – should there be any questions.

Thanks much,

Jim Ryan

Director of Business Development
LB&B Associates Inc.
9891 Broken Land Parkway
Suite 400
Columbia, MD 21046
Office: 301-596-2440
Cell: 443-878-6122
Fax: 301-596-7879
<http://www.lbbassociates.com/>

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*by replying to this message and deleting it and all copies and backups thereof.
Thank you.*

From: Craig W. Bulkley [<mailto:cbulkley@liquor.state.nh.us>]
Sent: Thursday, July 18, 2013 3:04 PM
To: Jim Ryan
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Subject: LB&B - Best & Final Offer Phase
Importance: High

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If you look at Paragraph 2 of the P-37, you will see that Exhibit A is required to contain a particular description of the work to be performed by the Vendor. Exhibit A will incorporate by reference the RFP and the Proposal. The fewer exceptions taken to the RFP, the easier it will be to craft Exhibit A.

Paragraph 5 of the P-37 requires Exhibit B to describe the method of payment and terms of payment. It will incorporate the template that best suits the needs of the NHSLC. [This template will be contained in Exhibit F.]

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Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
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FAX (603) 271-3897
Cell: (603) 490-1559
✉ cbulkley@liquor.state.nh.us

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From: Craig W. Bulkley
To: 'Nancy Lamarche (nancylamarchecpa@gmail.com)'
Cc:
Subject: Laconia - Best & Final Offer Phase - Corrected Copy
Attachments:  Laconia BAFO Spreadsheet.xls (38 KB)

Nancy:

Forgot to attach your financial spreadsheet.

Nancy:

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end of this process, a P-37 will be signed by the parties. It will contain Exhibits A-F.

If you look at Paragraph 2 of the P-37, you will see that Exhibit A is required to contain a particular description of the work to be performed by the Vendor. Exhibit A will incorporate by reference the RFP and the Proposal. The fewer exceptions taken to the RFP, the easier it will be to craft Exhibit A.

Paragraph 5 of the P-37 requires Exhibit B to describe the method of payment and terms of payment. It will incorporate the template that best suits the needs of the NHSLC. [This template will be contained in Exhibit F.]

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Craig W. Bulkley

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Laconia BAFO
Spreadsheet.xls

From: Craig W. Bulkey
To: 'Law, Brian (brianlaw@lawwarehouses.com)'
Cc: George P. Tsiopras
Subject: Law Motor Freight - Best & Final Offer Phase
Attachments:  Law BAFO Spreadsheet.xls (37 KB)

Brian:

The NHSLC Commissioners have selected you to participate in the Best and Final Offer (BAFO) phase of the RFP. The Evaluation Committee is authorized to enter into pre-selection discussions (RFP Section 4.7 a. i., p. 24 of 71). **This phase begins with this written request. This request may be the only opportunity to improve your proposal.** You may revise your proposal as a result of this request (RFP page 24 of 71).

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Law BAFO
Spreadsheet.xls

From: Craig W. Bulkley
To: 'Jim Ryan'
Cc: George P. Tsiopras
Subject: LB&B - Best & Final Offer Phase
Attachments:  LB&B BAFO Spreadsheet.xls (36 KB)

Jim:

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LB&B BAFO
Spreadsheet.xls

From: Craig W. Bulkley
To: 'Scott Lyons (EXEL CA) (Scott.Lyons@exel.com)'
Cc: George P. Tsiopras
Subject: Exel - Best & Final Offer Phase
Attachments:  Exel BAFO Spreadsheet.xls (36 KB)

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Exhibit E will be the winning proposal.

Exhibit F will be the price template.

Even if you have done so before, please identify and explain every exception that you intend to take to either the RFP or the P-37 as amended by the NHSLC.

If you have any questions regarding this email, please contact me via email and cc George Tsiopras by email at the address listed above on this email. I will be available by phone until 4:30 PM today. After 4:30 PM today, I will not be available by phone until 7:30 AM on Monday, July 22, 2013. We will make every effort to respond as quickly as possible to emails received by 2:00 PM on Friday, July 19, 2013.

Thank you.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
☎ (603) 230-7008
FAX (603) 271-3897
Cell: (603) 490-1559
✉ cbulkley@liquor.state.nh.us

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Exel BAFO
Spreadsheet.xls

From: Craig W. Bulkey
To: 'Nancy Lamarche (nancylamarchecpa@gmail.com)'
Cc: George P. Tsiopras
Subject: Laconia - Best & Final Offer Phase

Nancy:

The NHSLC Commissioners have selected you to participate in the Best and Final Offer (BAFO) phase of the RFP. The Evaluation Committee is authorized to enter into pre-selection discussions (RFP Section 4.7 a. i., p. 24 of 71). **This phase begins with this written request. This request may be the only opportunity to improve your proposal.** You may revise your proposal as a result of this request (RFP page 24 of 71).

We must receive written answers by **Monday, July 22, 2013 by 10 AM.**

You are encouraged to review your entire proposal and improve it to the advantage of the State. There are two areas on which we are specifically focused in order to identify the Proposal that is the most advantageous to the State of New Hampshire.

I. Pricing

You have previously been asked to confirm or modify your rates for 63 months. This request may be the final opportunity to lower your rates. This issue is highlighted in the Vendor Pricing criterion, an area valued at 55 points. It is also a portion of the Vendor Overall Solution criterion in the requirement that the solution be, among other things, cost effective. The desired end result is that Product will be transported from the contracted warehouse in Bow, New Hampshire utilized by the NHSLC to its network of seventy-seven (77) New Hampshire liquor and wine outlets as well as the state-owned warehouse in Concord, New Hampshire. RFP, page 3 of 71.

Using the financial spreadsheet that you submitted to us this week, please provide your lowest possible rates.

Please confirm again that your five-year rates are fixed.

II. Final Contract

The General Criterion provides for a review of whether the Vendor's exceptions to the RFP are acceptable to the NHSLC. Section 1.19 provides for cancellation of selection for contract award based on a failure to reach agreement on contractual terms, etc. Section 4.8 requires the Vendor to submit contract terms that are acceptable to the NHSLC and the NH Attorney General. It also provides that the NHSLC may cease contract discussions if it is unable to reach agreement on contract terms. The NHSLC wants to move as quickly as possible to contract award. To that end, a rather full description of the final contract is set out below. The point is that the fewer exceptions that have been taken to either the RFP or the standard state contract, the more quickly a final document can be executed.

The Standard State Contract is contained in Appendix E of the RFP. It is more frequently identified as Form P-37 and we will refer to it as such throughout this item but it is the same document that is contained in RFP Appendix E. The P-37 cannot be changed on its face. At the end of this process, a P-37 will be signed by the parties. It will contain Exhibits A-F.

If you look at Paragraph 2 of the P-37, you will see that Exhibit A is required to contain a particular description of the work to be performed by the Vendor. Exhibit A will incorporate by reference the RFP and the Proposal. The fewer exceptions taken to the RFP, the easier it will be to craft Exhibit A.

Paragraph 5 of the P-37 requires Exhibit B to describe the method of payment and terms of payment. It will incorporate the template that best suits the needs of the NHSLC. [This template will be contained in Exhibit F.]

Paragraph 22 of the P-37 allows changes to the P-37 if they are set forth in Exhibit C. That is why Appendix E in the RFP is modified by Exhibit C.

Other documents required by the RFP will be part of the contract such as certificates of insurance, the transition bond, the performance bond, a certificate of vote, a certificate of good standing, and a warehouse license.

Exhibit D will be the RFP with all amendments and clarifications.

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