

July 27, 2012 CLARIFICATIONS AND AMENDMENTS TO LONG-TERM WAREHOUSE RFP:

The Evaluation Committee provides the following clarification to Appendix E, Exhibit C, Paragraph 26, **Contract Transition Period**, Page 67. Paragraph 26 provides for a transition period at the end of or during the contract that will go into effect on November 1, 2013. It contemplates two different scenarios. In one scenario, the Vendor has successfully completed the contract but a new Vendor has been awarded the contract that will begin in 2033. In that event, as Paragraph 26 currently reads, the NHSLC shall bear the cost associated with transfer of product and control from the old warehouse to the new warehouse. The second scenario is when the Vendor who has been awarded the contract that begins in 2013 has defaulted as provided in Paragraph 8. In that event, as paragraph 26 currently reads, the defaulted Vendor may bear some or all of the costs associated with the transfer of product and control from the old warehouse to the new warehouse.

In Section 1.5.3, Page 8 of the RFP, the NHSLC has the authority to amend the RFP at any time and at its sole discretion. The NHSLC has made the following amendments:

1. The NHSLC is willing to allow a vendor to take an exception to Section 1.5.4 of the RFP, Page 8, Assignment Provision. In the event of an exception, the section will be deleted. The same option is available for Appendix E, Exhibit C, Paragraph 27, Page 68 of the RFP, Assignment Provision. There is no requirement that an exception be taken.
2. The NHSLC hereby amends Appendix A, 3.4, Warehouse License, Page 39, by striking the last sentence. In its place, the following is inserted: "A Vendor who has a NH Warehouse license shall submit a copy of the current license. A Vendor who does not have a NH Warehouse license shall be prepared to provide such a license upon demand by the NHSLC." For example, the requirement in Exhibit C, Paragraph 1.14.1.6, Page 66, is a requirement that will need to be met in the future. The same is true for similar requirements in the RFP including, but not limited to, Exhibit C, Paragraph 2, Page 63, and Appendix C, VII, Paragraph 11, Page 46.
3. The NHSLC will not allow any amendment or exception to Appendix E, Paragraph 13, **INDEMNIFICATION**.