

**PROFESSIONAL SHELVING AND FIXTURE SERVICES  
RFP 2019-06-SHELF  
REQUEST FOR PROPOSAL INQUIRIES**

**QUESTION 1:**

Q: Are there drawings for review in order to put a bid together?

A: No. The requested proposal does not pertain to any specific job or retail store location. Rather, the RFP process is intended to result in the selection of a highly capable, skilled, and reasonably priced contractor to meet the NHLC's varying shelving needs over a period of years.

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**QUESTION 2:**

RFP Page 3 of 29

Section B. PROJECT DELIVERABLES

QUOTING A PROJECT:

“All quotes shall include pricing for furnishing necessary shelving and fixtures, materials, products, equipment, as well as transportation for proper delivery of all shelving units, fixtures, and accessories.”

Q: Will a specific reference list of the ‘shelving and fixtures, materials, products, equipment’ be provided for review by the Bidding Contractor?

A: The NHLC will not provide a specific list of ‘shelving and fixtures, materials, products, equipment’ in relation to this RFP. However, the contractor chosen by the NHLC will ultimately receive itemized lists of materials for purchase that are applicable to each job performed. In some cases, the NHLC will request specific shelving units, materials, etc. from the contractor. In response, the contractor will provide the NHLC with an estimate for those products. In other cases, the NHLC will request, and the selected contractor will provide, consultation as to what shelving options will be most practical, durable, affordable, aesthetically appropriate, etc., given the store layout, dimensions, and products at hand. The contractor will then submit an estimate to the NHLC, and, if the estimate is accepted, the contractor will provide such items to the NHLC. In either case, the contractor will ultimately receive an itemized list of products as to each job.

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**PROFESSIONAL SHELVING AND FIXTURE SERVICES  
RFP 2019-06-SHELF  
REQUEST FOR PROPOSAL INQUIRIES**

**QUESTION 3:**

RFP Page 4 of 29

Section B. PROJECT DELIVERABLES

“Contractor shall be responsible for providing CAD renderings and conceptual drawings in either hard or electronic format.”

Q: Will CAD renderings and conceptual drawings need to be provided specific to the proposed products only or the store in total?

A: In most cases, the NHLC will provide the contractor with final, approved drawings that include the store floor plan, proposed shelving layout, dimensions, etc. The contractor will take that drawing and convert it to CAD so as to more clearly present a visual of the shelving.

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**QUESTION 4:**

RFP Page 4 of 29

B. PROJECT DELIVERABLES

DELIVERY:

“Contractor will deliver all furniture, shelving components, and fixtures to final building destination including movement to and from staging area.”

Q: Will a specific reference list of the ‘furniture, shelving components’ be provided?

A: See answer to Question 2 above.

**PROFESSIONAL SHELVING AND FIXTURE SERVICES  
RFP 2019-06-SHELF  
REQUEST FOR PROPOSAL INQUIRIES**

**QUESTION 5:**

RFP Page 5 of 29

**B. PROJECT DELIVERABLES**

**WARRANTIES AND GAURANTEES:**

“Contractor shall guarantee all shelving products, fixtures, and other materials furnished for a period of three (3) years against defects in material or workmanship. This guarantee shall start with the date of acceptance by the Contracting Officer.”

**Q:** The industry standard practice for Gondola shelving and millwork manufacturers is an offer of only one (1) YEAR parts warranties against defects in material and workmanship. We request a modification to meet industry standard in 1 year instead of 3 years.

**A:** Modification accepted. The RFP will subsequently be amended to read as follows:

“Contractor shall guarantee all shelving products, fixtures, and other materials furnished for a period of one (1) year against defects in material or workmanship. This guarantee shall start with the date of acceptance by the Contracting Officer.”

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**QUESTION 6:**

RFP Page 5 of 29

**C. Additional Requirements**

2) The Contractor shall secure and pay for all permits, inspections, and licenses necessary for the execution of work.

**Q:** Are these additional expenses and the professional services required to achieve the permits, inspections, and licenses necessary for the execution of work billable by project to the NHLC above and beyond the products being provided?

**A:** No. However, the NHLC recognizes that additional expenses may vary depending on the job at hand, and that not all such expenses are within the control of the contractor. As a result, the contractor may request that the NHLC pay or contribute to the cost of such expense(s). The NHLC will not, however, be bound to pay such expenses.

**PROFESSIONAL SHELVING AND FIXTURE SERVICES  
RFP 2019-06-SHELF  
REQUEST FOR PROPOSAL INQUIRIES**

**QUESTION 7:**

RFP Page 6 of 29

C. Additional Requirements

11) The Contractor shall bear all losses on account of the amount or character of the work performed or because the nature in which the work performed is different from what was estimated or expected, or on account of the weather, elements, or other causes.

**Q:** All expenses related to delays from Acts of God, construction issues by nonrelated third parties are not recoverable? Request for modification: to have these expenses related to the above contingencies as recoverable by the Contractor.

**A:** Such expenses are not recoverable by the contractor against the NHLC. However, any contract resulting from this RFP would not bar the contractor from recovering costs against third parties (not related to the NHLC) based on the actions of those parties.

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**QUESTION 8:**

RFP Page 6 of 29

C. Additional Requirements

14) The NHLC may require that the Contractor provide security clearance and background checks for any Contractor representative working at any NHLC location.

**Q:** What level of security clearance and by which agency is going to be required in the event it is requested?

**A:** The NHLC may require the selected contractor to indicate that their relevant employees (e.g. those working on state property) have satisfied a standard national criminal record check.

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**PROFESSIONAL SHELVING AND FIXTURE SERVICES  
RFP 2019-06-SHELF  
REQUEST FOR PROPOSAL INQUIRIES**

**QUESTION 9:**

RFP Page 7 of 29

PART II - RFP TERMS AND INSTRUCTIONS

1. TYPE OF CONTRACT

“Any contract resulting from this RFP shall be structured as a fixed-fee contract.”

**Q:** Does the Fixed-Fee Contract definition, as it pertains to this RFP, allow for all direct and indirect contractor costs to be bundled with the products to create the block selling price for the project?

**A:** Yes. The use of the phrase “fixed-fee contract” in this context means that the contractor will agree to a not-to-exceed cap on the total contract value. This is referred to as a price limitation, which is the maximum amount payable to the selected contractor over the life of the contract. That a total, not-to-exceed price limitation exists, however, does not cap the individual jobs that occur within the contract term, except that the total services rendered (*i.e.* price of all jobs combined) within the contract term cannot exceed the price limitation. As the RFP provides, in most instances the contractor is required to present the NHLC with a written estimate before the NHLC accepts the work. Thus, the actual amount payable to the contractor over the life of the contract may be less than, but not more than, the price limitation.

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**QUESTION 10:**

RFP Page 7 of 29

PART II - RFP TERMS AND INSTRUCTIONS

1. TYPE OF CONTRACT

4. PROPOSAL FORMAT

“Proof of signatory authorization must be included with the Proposal.”

**Q:** What document constitutes proof of signatory power for this RFP?

**A:** For purposes of submitting a proposal, the proposal shall be signed by an officer, owner, or employee of the proposer. Accompanying the signature shall be the printed name and title of that officer, owner, or employee, as well as a statement indicating that he or she has the authority to submit the proposal on behalf of the proposer and to bind the proposer to the proposal.

**PROFESSIONAL SHELVING AND FIXTURE SERVICES  
RFP 2019-06-SHELF  
REQUEST FOR PROPOSAL INQUIRIES**

**QUESTION 11:**

RFP Page 9 of 29

6. PROPOSAL SUBMISSION

C. Proposal Information

Line 25: ‘The NHLC shall require the successful Proposer to execute a Firm Fixed Price/Not to Exceed Contract using the Standard Terms and Conditions of the State of New Hampshire (Form p37), which is attached as Appendix A.’

Q: Will the NHLC consider an Economic Price adjustment version of the RFP based on the volatile steel commodity market and the contract span of several years?

A: No. Multiple proposals based on hypothesized market conditions are unnecessary. As discussed in the answer to question number nine above, the fixed-price language contained in the RFP means that the contract will have a firm, not-to-exceed dollar limit for work completed by the contractor over the entire term of the contract. It does not mean that prices for materials cannot vary over the life of the contract based on market conditions. As explained in the RFP, in most instances the selected contractor must provide the NHLC with an estimate for each individual job.

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**QUESTION 12:**

RFP Page 9 of 29

6. PROPOSAL SUBMISSION

C. Proposal Information

Line 25: ‘The NHLC shall require the successful Proposer to execute a Firm Fixed Price/Not to Exceed Contract using the Standard Terms and Conditions of the State of New Hampshire (Form p37), which is attached as Appendix A.’

Q: If the scope of work changes on a project will the Firm Fixed Price be able to be adjusted to reflect these changes?

A: See the answers to questions nine and eleven above.

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**PROFESSIONAL SHELVING AND FIXTURE SERVICES  
RFP 2019-06-SHELF  
REQUEST FOR PROPOSAL INQUIRIES**

**QUESTION 13:**

RFP Page 15 of 29

PART III - INFORMATION REQUIRED FROM THE PROPOSER

1. EXPERIENCE AND CAPABILITY

A. Company Profile

- Relevant licenses or certifications held.

Q: What are the licenses and certificates required by the NHLC?

A: There are no specific licenses or certificates required under this RFP. The language quoted above referring to “relevant licenses or certificates” is simply a prompt for proposers to identify any certificates or licenses that they hold, which may serve to indicate/substantiate their experience or expertise.

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**QUESTION 14:**

RFP Page 15 of 29

PART III - INFORMATION REQUIRED FROM THE PROPOSER

1. PRICING – Material Charges

Provide the percentage mark-up that will be applied to your products and materials. Mark-up from Contractor’s Cost: \_\_\_\_\_%

Q: For the purpose of this RFP, would it be possible to define contractor’s cost?

A: No. However, in providing the “mark-up from Contractor’s cost” as required by the RFP, proposers may define their typical costs so as to inform the NHLC as to the basis for their mark-up.

**PROFESSIONAL SHELVING AND FIXTURE SERVICES  
RFP 2019-06-SHELF  
REQUEST FOR PROPOSAL INQUIRIES**

**QUESTION 15:**

RFP Page 20 of 29

APPENDIX A

2. EMPLOYMENT OF CONTRACTOR/SERVICES TO BE PERFORMED.

Q: Where can we find Exhibit A, the form for being the services that will be provided?

A: Once a contractor is selected, Exhibit A will be generated based predominantly on the project deliverables and additional requirements sections of the RFP, *i.e.* RFP Part I, section 5, subsections B and C.

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**QUESTION 16:**

RFP Page 20 of 29

APPENDIX A

5. CONTRACT PRICE/PRICE LIMITATION/ PAYMENT.

Q: Where can we find Exhibit B, the form regarding payment that will be provided?

A: Once a contractor is selected, Exhibit B will be generated based on the terms of the RFP as well as the pricing agreed upon by the parties.

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**QUESTION 17:**

RFP Page 21 of 29

APPENDIX A

7. PERSONNEL

7.1 line 3. "Contractor warrants that all personnel engaged in the Services shall be qualified to perform the Services, and shall be properly licensed"

Q: With respect to qualifications, will any project be required to have Union employees, as opposed to open shop employees, perform the services required for the fixture installations?

A: The contract (P-37) language referenced does not refer to employees of the NHLC. Instead, it refers to the employees of the selected contractor that are engaging in work pursuant to the contract. Again, no specific license is required for this RFP.

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**PROFESSIONAL SHELVING AND FIXTURE SERVICES  
RFP 2019-06-SHELF  
REQUEST FOR PROPOSAL INQUIRIES**

**QUESTION 18:**

RFP Page 23 of 29

22. Special Provisions

“Additional provisions set forth in the attached EXHIBIT C are incorporated herein by reference.”

Q: Are there additional provisions?

A: Any special provision incorporated will be derived from the RFP or based on negotiations with the selected contractor.

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