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**Addendum No.: 3 to the following Invitation to Negotiate (ITN):**

**FOOD SERVICE**

**DMS-18/19-020**

Date: May 14, 2019  
To: Prospective Respondents to ITN No.: DMS-18/19-020  
From: Caitlen Boles, Procurement Officer  
Subject: Update to ITN and Respondent Questions and Department Answers

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**1. The Invitation to Negotiate, ITN No: DMS-18/19-020, is hereby amended as follows:**

- a) Section 3.05, Mandatory Responsiveness Requirements, is hereby deleted and replaced as follows:

**3.05 Mandatory Responsiveness Requirements**

The Department will not evaluate Replies from Respondents that do not meet the minimum mandatory requirements listed below. The Respondent's narrative on Experience and Qualifications and the Technical Proposals will be addressed at the evaluation phase and will not be evaluated for the responsiveness determination.

Respondents must provide a signed Form 9, Mandatory Responsiveness Requirements, and provide the required documentation requested in this subsection. By submitting a Reply, the Respondent certifies that it either meets or exceeds the requirements below.

- 3.05.1** Respondent must certify that the individual signing is authorized to respond to this ITN on behalf of Respondent.
- 3.05.2** The Respondent must certify that neither it, nor its affiliates, is a convicted vendor or a discriminatory vendor as described in sections 287.133 and section 287.134, Florida Statutes, respectively.
- 3.05.3** The Respondent must certify that the Respondent is not listed on the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List, and is not participating in a boycott of Israel.

**3.05.4** The Respondent must certify that by commencement of operations, Respondent will have all licenses including all necessary Permanent Food Service (seating and non-seating) licenses from the Department of Business and Professional Regulation (DBPR), and county authority, as applicable, and will have satisfied all legal requirements to provide the services to DMS throughout the term of the Contract.

**3.05.5** The Respondent must certify that the Respondent is currently authorized to do business with the State, or will attain authorization through the Department of State, Division of Corporations, should the Respondent be awarded the Contract. Website: [www.sunbiz.org](http://www.sunbiz.org)

**3.05.6** The Respondent must certify that the Respondent has a minimum of five (5) years' experience providing the same or similar services as those described in this solicitation.

**NOTE:** Pursuant to section 607.1503(1), Florida Statutes, Corporations, out-of-state corporations are required to obtain a Florida Certificate of Authorization from the Florida Department of State, Division of Corporations, to transact business in the State of Florida. The Respondent agrees to attain such authorization within seven (7) business days of notice of award, should the Respondent be awarded. Website: [www.sunbiz.org](http://www.sunbiz.org)

**NOTE:** The certifications required in Section 3.05.1 through 3.05.6 of this ITN are to be accomplished through the execution of Form 9.

**3.05.7** The Respondent shall provide sample menu(s) for all three (3) sites, as noted in Form 10. Please note if a submitted sample menu is applicable to multiple sites.

b) Section 3.06, Contents of Reply, is hereby amended as follows:

**3.06 Contents of Reply**

The Department reserves the right to waive any minor irregularity, technicality, or omission if the Department determines that doing so will serve the best interest of the State.

The Respondent should organize the Reply as follows:

**Tab 1** A cover letter on the Respondent's letterhead with the following information:

- a) Name and headquarters location of the Respondent;
- b) Contact information for primary point of contact, including telephone number and email address; and
- c) Federal Employer Identification (FEID) Number.

**Tab 2** Completed FORMS

FORM 1 – RESPONDENT'S CONTACT INFORMATION  
FORM 2 – CERTIFICATION OF DRUG-FREE WORKPLACE PROGRAM  
FORM 3 – NOTICE OF CONFLICT OF INTEREST  
FORM 4 – NON-COLLUSION STATEMENT  
FORM 5 – STATEMENT OF NO INVOLVEMENT  
~~FORM 6 – BUSINESS EXPERIENCE~~  
FORM 7 – ADDENDUM ACKNOWLEDGEMENT  
FORM 8 – SUBCONTRACTING  
FORM 9 – MANDATORY RESPONSIVENESS REQUIREMENTS

**Tab 3** Facility Proposal

Please provide a detailed narrative and all requested documentation which will be evaluated in accordance with the criteria listed in Section 4.03, Item A.

**Tab 4** Sample menu(s) for each of the following sites as indicated in Section 1.03:

- Capitol Building (Lower Level)
- Capitol Building (10<sup>th</sup> Floor)
- Capitol Circle Office Complex, Building 2450 – 2

**Tab 5** Alternate Approach

The Respondent may propose an alternate approach for any minimum services requirement and provide an explanation in this section. The Department, in its sole discretion, may consider any proposed alternate approach. During the negotiation phase, the Department may, at its sole discretion, modify, reduce or eliminate minimum service requirements when it determines it is in the best interest of the State to do so.

**c)** Section 6 – Forms Instruction and Information, is hereby amended as follows:

Complete and return in accordance with Section 3.06, Contents of Reply:  
FORM 1 – RESPONDENT'S CONTACT INFORMATION  
FORM 2 – CERTIFICATION OF DRUG-FREE WORKPLACE PROGRAM  
FORM 3 – NOTICE OF CONFLICT OF INTEREST  
FORM 4 – NON-COLLUSION AFFIDAVIT  
FORM 5 – STATEMENT OF NO INVOLVEMENT  
~~FORM 6 – BUSINESS EXPERIENCE~~  
FORM 7 – ADDENDUM / AMENDMENT ACKNOWLEDGEMENT FORM  
FORM 8 – SUBCONTRACTING  
FORM 9 – MANDATORY RESPONSIVENESS REQUIREMENTS

**d)** Form 6, Business Experience, is hereby deleted, from the ITN, in its entirety.

**e)** Form 9, Mandatory Responsiveness Requirements, is hereby deleted in its entirety and replaced with the following:

## FORM 9 – MANDATORY RESPONSIVENESS REQUIREMENTS

Respondent certifies that the individual signing is authorized to respond to this ITN on behalf of Respondent.

The Respondent certifies that neither it, nor its affiliates, is a convicted vendor or a discriminatory vendor as described in section 287.133 and section 287.134, Florida Statutes, respectively.

The Respondent certifies that the Respondent is not on the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List, and is not participating in a boycott of Israel.

The Respondent certifies that that by commencement of operations, Respondent will have all licenses including all necessary Permanent Food Service (seating and non-seating) licenses from the Department of Business and Professional Regulation (DBPR), and county authority, as applicable, and will have satisfied all legal requirements to provide the services to DMS throughout the term of the Contract.

The Respondent certifies that the Respondent is currently authorized to do business with the State, or will attain authorization through the Department of State, Division of Corporations, should the Respondent be awarded the Contract. Website: [www.sunbiz.org](http://www.sunbiz.org)

The Respondent certifies that the Respondent has a minimum of five (5) years' experience providing the same or similar services as those described in this solicitation.

The Respondent certifies it has provided the Department with sample menu(s) for all three (3) sites.

Signature below certifies that the signatory has the authority to respond to this solicitation on the Offeror's behalf, and certifies conformance with all Responsiveness Requirements listed above.

\_\_\_\_\_  
Name of Respondent's Organization

\_\_\_\_\_  
Printed Name of Organization's Authorized Representative

\_\_\_\_\_  
Signature of Organization's Authorized Representative

\_\_\_\_\_  
Date

f) Attachment C - Draft Lease, is hereby attached and made a part of the ITN.

**Attachments:**

1. Questions and Answers Document
2. Attachment C – Draft Lease (Uploaded to the VBS as a separate pdf)

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**Invitation to Negotiate (ITN)**

**Food Service (Capital\_DOR)**

**DMS-18/19-020**

**Addendum No. 3 Questions and Answers**

The Department's responses to timely submitted questions are below.

Question Number	Section	Page Number	Question	Response
1	ITN		<p>Our previous business experience has been providing food service to the locations listed under a DMS contract. Should I fill out this form with a DMS contract contact person for the duration of the contract? However, the form prohibits listing a current employee of DMS.</p> <p>Or should I fill it out with our company name instead and list the years of service to the restaurant locations.</p> <p>It is unclear.</p>	<p>Refer to this Addendum, subsection a, which amends the Business Experience requirement.</p>

**End of Addendum No.: 3**

To the extent this Addendum gives rise to a protest, failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.