

REQUEST FOR PROPOSAL

NUMBER 107-2012



**Convention Center Authority
of the Metropolitan Government of Nashville
and Davidson County**

**Promotional Items/ Tradeshow Amenities
for the
Music City Center**

Issued

November 20, 2012

NOTICE TO OFFERORS

This solicitation has been identified as a small business enterprise/small business-service disabled veteran owned business (SBE/SDV) Set-Aside opportunity. Also, pursuant to METRO § 4.12.030 M.C.L., this solicitation document serves as the written determination of the Director of Purchasing, that this solicitation is an Request for Proposal, and if an award is made, it shall be awarded to the SBE/SDV with the most responsive and responsible bid.

There may be one or more amendments to this solicitation. Solicitation amendments are posted on the Metropolitan Government of Nashville & Davidson County (hereinafter "METRO") Procurement web site at (<http://www.nashville.gov/bob/index.asp>) and at Music City Center website (www.nashvillemcc.com) and attached to the individual solicitation listing as either a Microsoft Office product or PDF file. Check the Business Opportunities Bulletin web page or Music City Center website for the particular solicitation and any posted amendments. It is the Offeror's responsibility to be informed of all solicitation amendments, and submit the solicitation response incorporating all amendments.

Any alterations to the document(s) made by the Offeror, other than completing worksheets/forms, may be grounds for rejection of proposal, cancellation of any subsequent award, or any other legal remedies available to the Convention Center Authority.

**Request for Proposals
Promotional Items/Tradeshow Amenities**

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**Request for Proposals
Promotional Items/Tradeshow Amenities
Convention Center Authority of the Metropolitan Government of
Nashville and Davidson County**

I. INTRODUCTION AND OVERVIEW

A) SBE/SDV Set-Aside Program:

The Convention Center Authority of the Metropolitan Government of Nashville and Davidson County (hereinafter, "CCA") has determined that sufficient Small Business Enterprise firms and Small Service-Disabled Veteran Owned Businesses (SBE/SDV) are available to obtain competitive offers for the services required herein.

Therefore, this solicitation is hereby considered an opportunity for the **SBE/SDV Set-Aside Program**. Small and/or service-disabled veteran owned businesses (SBE/SDV) businesses planning to submit offers under this solicitation must be registered online with Metro and approved by the Business Assistance Office (BAO) prior to the proposal submission date.

Offers submitted by large businesses will not be acceptable; unless otherwise provided for at a later date.

B) Purpose

The Convention Center Authority of the Metropolitan Government of Nashville and Davidson County is administering this Request for Proposal (hereinafter, "RFP") soliciting competitive sealed proposals from qualified firms to provide Promotional Items/Sales Trade Amenities for the Music City Center (hereinafter, "MCC") on an as need basis.

C) Objective

CCA desires to employ the best-qualified firm who, in its opinion, will continuously provide top quality service, product quality, and generally create goodwill within this high-quality facility.

CCA seeks to secure the services of a vendor that can supply a wide array of promotional/tradeshow items. These items may include, but are not limited to, pocket folders, pens, mugs, hats, clothing, luggage and the like. The items may incorporate multiple variations of artwork depending on the use.

The final decision of CCA will be made in its overall best interest.

D) Term

Any contract resulting from this RFP will be for a five (5) year term (January 2, 2013 – January 1, 2018).

SBE/SDV Set-Aside Program is applicable regarding this solicitation.

E) Background

The CCA is responsible for the operations of the existing Nashville Convention Center (hereinafter, “NCC”) and MCC, which is under construction. The NCC is not part of this RFP.

The Music City Center is scheduled to open on May 1, 2013. It will feature 1.2 million square feet of finished space, a 350,000 square foot exhibit hall, a 57,000 square foot Grand Ballroom, and 17,900 square foot Davidson Ballroom. There will be 60 meeting rooms approximately 102,000 total square feet, over 145,000 square feet of pre-function space, two outdoor terrace areas (one on 5th Avenue with 19,000 square feet of space and the other at the corner of 8th Avenue and Demonbreun with 16,500 square feet of space). Additionally, the MCC will have 2,200 square feet of retail space available that may be accessed either from inside the MCC or from the street along 5th Avenue. The MCC is striving to achieve a Silver LEED Certification and will have parking for 1,800 cars and a full service in-house catering, audio-visual and communications technology center which is located at 201 Fifth Avenue, South, Nashville, TN 37203. Additional information about the project can be found at www.nashvillemusiccitycenter.com.

The Music City Center is the largest capital construction project in the city’s history and is a major investment in Nashville’s economic future. This investment is expected to generate returns for the city by creating jobs and enhancing the local economy. Its construction has already prompted the announcement of several other developments – primarily hotels – in the surrounding area. The Music City Center Economic and Fiscal Impact Analysis completed in 2010 and prepared by HVS Convention, Sports and Entertainment concluded that, by 2017, the Music City Center will create an additional \$134.9 million in spending.

Created in 2009, the Convention Center Authority consists of nine members appointed by the Mayor of Nashville to govern the activities associated with the Nashville Convention Center and the future Music City Center. The Convention Center Authority’s officers include a chair, vice-chair, and secretary, who are elected annually. Nashville’s vice-mayor sits on the Convention Center Authority as an ex-officio member.

F) Scope of Services

The Contractor agrees to provide promotional items and/or tradeshow amenities under the following responsibilities:

- Offer a wide range of brand names, materials, sizing, colors, etc.
- Ability to provide all relevant ordering information including but not limited to:
 - Lead or production time status
 - Price
 - Catalog & Annual Pricing
 - Dimensions
 - Imprint Area and Methods
 - Weight
- Update Director of Purchasing regarding new promotional items, sales, bulk opportunities, etc.
- Provide a new catalogs annually
- Create an order form for MCC standard items for efficient ordering
- Create a document with photos of standard items for reference
- Provide samples upon request.
- Promote product selections which consist of:
 - High post-consumer (PCW) recycled content material
 - Readily recyclable items (“compostable” do not count)
 - Minimized and readily recyclable packing
 - Nontoxic dyes or inks
 - Food/Liquid container items (e.g. water bottles) that does not contain Phthalates and/or Bisphenol-A
 - Durable quality
- Ability to design promotional items with logo and provide a visualization of product with logo
- Ability to change product and logo color options
- Maintain MCC logo for quick and frequent re-orders (i.e.: pens and pads)
- Arrange for MCC staff to review and approve a physical “proof” for new items
- Provide gift wrapping and imprinting services for special requests (additional cost)
- Ability to send and receive artwork electronically to suppliers, manufactures, or distributors
- Place orders with suppliers, manufacturers or distributors
- Ability to integrate with iProcurement
- Invoice MCC for each order separately (one order form=one invoice)
- Invoice details must include department, purchase order number, quantities, product descriptions, and shipment details.
- Ability to accommodate all manners of shipping requests.
 - Shipping options should include overnight to ground for all carriers
 - Provide instant order completion confirmation with appropriate tracking and carrier links.

- Provide updated price lists at least ten working days prior to changes. Failure to notify Director of Purchasing of price changes prior to said changes will allow purchases to be made according to the lower prices.

G) Logos

Only the MCC approved logos will be utilized throughout the facility including, but not limited to uniforms, advertisements, business cards, brochures, proposals, etc. Other than legal requirements the name of the contractor will not be utilized.

H) IT Security Requirements

Any contractor accessing the MCC network must comply with Metro ITS Information Security Procedures.

I) Sustainability Requirements

Contractor must comply and participate in all MCC sustainability programs.

J) Bidder Registration

If the successful proposer is not registered with the Metropolitan Government as a potential supplier, the bidder will be required to register in iSupplier (www.nashville.gov) to be awarded the bid. If the awarded proposer does not complete the registration within 48 hours of its being notified of the proposer, CCA may determine that the bidder shall be deemed non-responsible and not be considered for award.

II. RFP GENERAL REQUIREMENTS/GUIDELINES

A) Public Record

All submissions are considered public and subject to review upon request only after a successful Intent to Award Letter has been signed.

Prior to a successful Intent to Award Letter, all submissions will be kept private in order to preserve a competitive and fair selection process. Submission of an offer shall constitute an official waiver of any confidentiality statements.

B) Accurate Information

Failure to provide complete and accurate information in an offer to this solicitation may result in CCA instituting debarment proceedings against the Offeror and/or termination proceedings against any contract that has been awarded.

C) Minor Irregularities

CCA reserves the right to waive minor irregularities in offers, provided that such action is in the best interest of CCA. Any such waiver shall not

modify any remaining solicitation requirements or excuse the Offeror from full compliance with the solicitation specifications and other contract requirements if the Offeror is awarded a contract.

D) Americans with Disabilities Act

The successful contractor shall assure to the Convention Center Authority that all services made through this contract, if an award is made, shall be completed in full compliance with the Americans with Disabilities Act (“ADA”) and Architectural and Transportation Barriers Compliance Board, Federal Register 36 CFR Parts 1190 and 1191, Accessibility Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines; proposed rule, published in the Federal Register on July 23, 2004, as has been adopted by Metropolitan Government of Nashville & Davidson County.

The Contractor will ensure that participants at public meetings with disabilities will have communication access that is equally effective as that provided to people without disabilities. Information shall be made available in accessible formats, and auxiliary aids and services shall be provided upon the reasonable request of a qualified person with a disability.

Individuals who need auxiliary aids for effective communication in the programs, services, or activities of the Convention Center Authority are invited to make their needs and preferences known to the ADA Compliance Coordinator.

Questions, concerns, complaints, requests for accommodation, or requests for additional information regarding American with Disabilities Act may be forwarded to the ADA Compliance Coordinator:

Elisa Putman, Assistant Director, Convention Center Authority, Monday through Friday, 8:00 a.m. until 4:30 p.m. elisa.putman@nashville.gov

E) Non-Discrimination

It is the policy of the Convention Center Authority not to discriminate on the basis of age, race, sex, color, national origin or disability in its hiring and employment practices, or in admission to, access to, or operation of its programs, services and activities. With regard to all aspects of this RFP the successful contractor certifies and warrants it will comply with this policy.

Notwithstanding any other provision of the RFP no person shall be excluded from participation in, be denied benefits of, be discriminated against in the admission or access to, or be discriminated against in treatment or employment in the Convention Center Authority’s contracted programs or activities, on the grounds of handicap and/or disability, age, race, color, religion, sex, national origin, or any classification protected by the federal of Tennessee State Constitutional or statutory law; no shall they excluded from participation in, be denied

benefits of, or be otherwise subjected to discrimination in the performance of contracts with Convention Center Authority or in the employment practices of the Convention Center Authority's Contractors.

Accordingly, all contractors entering into contracts with the Convention Center Authority shall upon request, be required to show proof of such nondiscrimination and to post in conspicuous places that are available to all employees and applicants, notices of nondiscrimination.

Further, the Convention Center Authority prohibits discrimination. It is the policy of the Convention Center Authority that it shall not discriminate in its employment practices by failing or refusing to hire or promote, or to discharge any individuals, because of the individual's race, religion, creed, gender identity, national origin, color, age, and/or disability.

F) Compliance with the Convention Center Authority's Procurement Policy and Affidavit

The successful contractor shall assure to the Convention Center Authority that he/she is and will be at all times in compliance with the Convention Center Authority's Procurement Policy. For further information or a copy of the policy, contact Purchasing Department at MCCPurchasing@nashville.gov. Further, and as a part of the contract negotiations, the successful contractor shall submit a signed affidavit regarding compliance with laws, contingent fees, and nondiscrimination (see Exhibit A).

G) Insurance Requirements

Any potential supplier receiving an award shall be required to provide proof of this insurance, in the form of a Certificate of Insurance. The awarded supplier must provide Metro with original Certificates of Insurance within fifteen days of notification of award.

General Liability and automobile liability policies must be endorsed to include Convention Center Authority of the Metropolitan Government of Nashville & Davidson County as an additional insured with respect to liability arising out of work or operations performed by on behalf of supplier. The following insurance(s) shall be required:

General Liability Insurance in the amount of (\$1,000,000.00) dollars (if the supplier will be making on-site delivery)

Automobile Liability Insurance in the amount one million (\$1,000,000.00) dollars (if supplier will be making on-site deliveries)

Worker's Compensation Insurance with statutory limits required by the State of Tennessee or other applicable laws and Employer's Liability Insurance with limits of no less than

one hundred thousand (\$100,000.00) dollars, as required by the laws of Tennessee. (Workman's Comp Insurance is not required for companies with fewer than five (5) employees.)

H) MCC Responsibilities

The MCC will make reasonable efforts to make payments within thirty (30) days of receipt of invoice but in any event shall make payment within sixty (60) days. Additionally, the MCC will make reasonable efforts to make payments to small businesses within fifteen (15) days of receipt of invoice but in any event shall make payments with sixty (60) days.

Invoices shall be sent directly to Nashville Convention Center 601 Commerce Street, Nashville, TN 37203. Payments are processed after Accounting has been notified that the items have been received in good condition and no unauthorized substitutions have been made.

Invoices must detail the items delivered and reference the iProcurement Purchase Order number.

I) CCA's Right to Inspect

CCA shall have the right to inspect any area of the facility where the services performed under the resultant contract are performed. All areas maintained by the Contractor must be kept clean and orderly at all times.

J) Right to Protest

Proposer has the right to appeal the decision to the Chairman of the Convention Center Authority or its Designee as authorize by Section 7.6 of its Procurement Policy. This appeal must be filed in writing within seven (7) days of receipt of decision.

K) Unauthorized Work

The Successful Proposer(s) shall not begin work until CCA issues a Notice to Proceed. Such Notice to Proceed shall constitute CCA authorization to begin work. Any unauthorized work performed by the Proposer(s) shall be deemed non-compensable by CCA and the Proposer(s) will have no recourse against CCA.

III. INSTRUCTIONS FOR PROPOSALS

A) Inquiries

Direct all questions related to this RFP via email with **Promotional/Tradeshow Amenities** in subject line to:

MCCPurchasing@nashville.gov

Official answers or position of the CCA will be stated in writing only by the Director of Purchasing or designee

The deadline for receiving questions is **December 5, 2012 at 12:00 p.m. (Nashville Local Time)**.

All questions will be compiled and responses will be posted by December 10, 2012 on Music City Center website at (<http://www.nashvillemusiccitycenter.com/about/procurement/rfprfq.asp>.) and METRO Government Procurement web site at (<http://www.nashville.gov/bob/index.asp>)

B) Pre-Proposal Conference

A non-mandatory Pre-Proposal Conference will be held on **November 30, 2012 at 9:00 a.m.** It will occur at the Nashville Convention Center, located at 601 Commerce Street, Nashville, TN. The room will be noted at the reception desk on the day of the meeting.

The purpose and intent of a pre-proposal conference is to allow an open forum giving prospective proposers an equal opportunity to hear, discuss and ask questions in regard to the RFP with all prospective proposers having an equal opportunity to hear and participate.

Oral questions will receive oral responses, neither of which will be official or become part of the RFP. Contractors must clearly understand that the only written responses to written questions will be considered official and will appear in the form of an amendment.

All prospective proposers are encouraged to attend. This will be the only pre-proposal conference scheduled for this solicitation.

C) Proposal Deadline and Delivery

Proposals must arrive no later than **December 14, 2012, at 2:00 p.m. Nashville Local Time**

Proposals must be submitted in a sealed envelope. The Convention Center Authority will not accept any proposals received after the stated date and time, and shall return such late proposals to the Proposer, or file the response unopened until an award is made. In instances where proposer has not picked up or make arrangements for proposal return, proposals will be destroyed/recycled.

The Convention Center Authority shall not bear the responsibility for proposals delivered to the Nashville Convention Center past the stated date and/or time indicated, or to an incorrect address by proposer's personnel or by the proposer's outside carrier.

Proposers must submit **one (1) designated original**, and **four (4) numbered copies** of the proposal (total of 5) and **one (1) electronic** copy of the complete proposal response including any attachments, on a WINDOWS PC compatible CD or flash drive. **VERIFY THAT FILES ARE ON THE DISC BEFORE SUBMITTING THE OFFER.**

List the Proposal Number on the outside of the box or envelope and note **“Promotional Items/Tradeshow Amenities Request for Proposal enclosed.”**

Proposals will be opened publicly in a manner to avoid public disclosure of contents; however, only names of proposers will be read aloud.

All proposals are to be delivered (UPS, FedEx or Hand-delivery only) before 2:00 p.m., Nashville local time, on December 14, 2012 to:

**Nashville Convention Center
601 Commerce Street
Nashville, TN 37203**

D) Projected Timetable

The following timetable should be utilized as a working guide for planning purposes. The Convention Center Authority reserves the right to adjust this timetable as required during the course of the RFP process.

| | | |
|-----------------------------|--------------------------------|---------------------|
| RFP Released | November 20, 2012 | Tuesday |
| RFP Inquiries | November 20 – December 5, 2012 | Tuesday – Wednesday |
| Pre Proposal Meeting | November 30, 2012 | Friday |
| Responses to Inquiries | December 10, 2012 | Monday |
| RFP Due | December 14, 2012 (2:00 PM) | Friday |
| Desired Contract Start Date | January 2, 2013 | Wednesday |

IV. EVALUATION OF PROPOSALS

Convention Center Authority will first examine proposals to eliminate those, which are clearly non-responsive to the stated requirements. Therefore, Proposers should exercise particular care in reviewing the Proposal Format required for this RFP.

The evaluation committee shall then score all proposals based upon the evaluation factors detailed herein. Upon completion of the consensus scoring, the committee may recommend short-listing the proposals that are potentially acceptable and unacceptable.

The detailed evaluation that follows the initial examination may result in more than one finalist. At this point, the Convention Center Authority may request interviews and/or presentations by Proposers, carry out contract negotiations for the purpose of ultimately obtaining offers that are in the best interests of the Convention Center Authority, and conduct detailed reference checks on the short listed Proposers.

CCA reserves the right to contact any and all references to obtain, without limitation, information regarding the Proposer's performance on previous projects. A uniform sample of references will be checked for each short-listed Proposer.

The evaluation committee, appointed by the Director of Purchasing, shall be comprised of subject matter experts for the specific procurement. The committee may be CCA Employees, METRO employees, consultants, employees of other governmental agencies or citizens with no business conflicts with the potential contractors. Evaluation will be based on a consensus scoring as a result of the committee deliberations of the proposals.

The Director of Purchasing or designee reserves the right to withdraw this RFP at any time and for any reason, and to issue such clarifications, modifications, and/or amendments as it may deem appropriate.

Receipt of a proposal by the Convention Center Authority or a submission of a proposal to the Convention Center Authority offers no rights upon the Proposer nor obligates the Metropolitan Government of Nashville and Davidson County or CCA in any manner.

The Convention Center Authority reserves the right to waive minor irregularities in proposals, provided that such action is in the best interest of CCA. Any such waiver shall not modify any remaining RFP requirements or excuse the Proposer from full compliance with the RFP specifications and other contract requirements if the Proposer is awarded the Contract.

A) Method of Source Selection

The Convention Center Authority is using the Competitive Sealed Proposals method of source selection, as authorized by Section 3.3 of its Procurement Policy.

Award(s), if made, will be made to the **Responsive** and **Responsible** Offeror(s) whose proposal is most advantageous to CCA taking into consideration price and the other factors set forth in this RFP.

SBE/SDV Set-Aside Program is applicable regarding this solicitation.

CCA will not use any other factors or criteria in the evaluation of proposals received.

CCA may, as it deems necessary, conduct discussions with **Responsive** and **Responsible** Offeror(s) determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and responsiveness to solicitation requirements.

**1) Minimum (general) criteria to be determined
“Responsive”**

- Does the proposal submitted conform in all material respects to the solicitation?
- Specific examples include: Were minority-owned and/or woman-owned business enterprises (MWBE) considered and contacted in a timely manner for this contract proposal (Good Faith Effort)? Was sufficient documentation provided with the proposal to demonstrate that Good Faith Efforts were made?

**2) Minimum (general) criteria to be determined
“Responsible”**

- Does the Offeror demonstrate an understanding of CCA needs and proposed approach to the project?
- Does the Offeror possess the ability, capacity, skill, and financial resources to provide the service?
- Can the respondent take upon itself the responsibilities set forth in the RFP (and resultant contract) and produce the required outcomes timely?
- Does the Offeror have the character, integrity, reputation, judgment, experience, and efficiency required by the contract?
- Has the Offeror performed satisfactorily in previous contracts of similar size and scope; or, if the prime contractor has not performed a contract of similar size and scope, has it (and/or its team members) otherwise demonstrated its capability to perform the contract Metro seeks to establish through this RFP?
- Does the Offeror propose to perform the work at a fair and reasonable cost?

B) Ambiguity, Conflict, or Other Errors in the RFP

If a Proposer discovers any ambiguity, conflict, discrepancy, omission, or other error in the Request for Proposal, it shall immediately notify the Director of Purchasing of such error in writing and request modification or clarification of the document. Director of Purchasing will make modifications by issuing a written revision and will give written notice to all parties who have received this RFP.

The Proposer is responsible for clarifying any ambiguity, conflict, discrepancy, omission, or other error in the Request for Proposals prior to submitting the proposal or it shall be waived. Claims of ambiguity after submission of the Request for Proposal shall not serve as grounds for a protest.

C) Proposals and Presentation Costs

CCA will not be liable in any way for any costs incurred by any Proposer in the preparation of its offer in response to this solicitation, nor for any presentation of its offer and/or participation in any discussions, negotiations or protests.

D) Validity of Proposals

By submitting an offer, the Proposer agrees to be bound to and execute the resulting contract. CCA may, at its discretion, seek changes to the contract. Such changes will be managed by the CCA during the negotiation process. All proposals shall be valid for a period of 120 days from the submission date.

E) Rejection of Offers

CCA reserves the right to accept or reject, in whole or in part, any, or all, offers submitted. The Purchasing Department shall reject the offer of any Proposer that is determined to be non-responsive. The unreasonable failure of a Proposer to promptly supply information in connection with, or with respect to, reasonable requests may be grounds for a determination of non-responsibility.

F) Acceptance of Proposals

The Director of Purchasing shall accept all proposals that are submitted properly. However, the Director of Purchasing reserves the right to request clarifications or corrections to proposals.

G) Requests for Clarification of Proposals

Requests by the Director of Purchasing for clarification of proposals shall be in writing. Said requests shall not alter the vendor's pricing information contained in its cost proposal.

H) Compliance with the RFP

Proposals must be in strict compliance with this RFP. Failure to comply with all provisions of the RFP may result in disqualification.

V. ASSISTANCE TO SMALL AND SERVICE-DISABLED VETERAN-OWNED BUSINESS ENTERPRISES

A) Statement of Policy and its Implementation

In addition to the Convention Center Authority assisting Small, Minority-Owned, and Woman-Owned Business Enterprises as set forth herein, it

shall also be the policy of the Convention Center Authority to assist small and Service-Disabled Veteran-Owned Business Enterprises in learning how to do business with the Convention Center Authority. Furthermore, proposers are encouraged to maximize the usage of small and Service-Disabled Veteran-owned businesses in the performance of the contract.

B) Definition of Small Business

A “small business” means a United States business which is independently owned and operated and which is not dominant in its field of operation or an affiliate or subsidiary of a business dominant in its field.

C) Definition of a Davidson County Service-Disabled Veteran-Owned Business and Status Confirmation

A Davidson County Service-Disabled Veteran owned business is any business owned by any person who served honorably in active duty in the Armed Forces of the United States with at least a twenty percent (20%) disability that is service-connected meaning that such disability was incurred or aggravated in the line of duty in the active military, naval or air service. Davidson County Service-Disabled Veteran-owned means a service-disabled owned business that is a continuing, independent, for profit business located in Davidson County that performs a commercially useful function, and at least fifty-one percent (51%) owned and controlled by one (1) or more service-disabled veterans; in the case of a business solely owned by one (1) service-disabled veteran and such person’s spouse, is at least fifty percent (50%) owned and controlled by the service-disabled veteran; or in the case of any publicly-owned business, at least fifty-one percent (51%) of the stocks of which is owned and controlled by one (1) or more service-disabled veterans and whose management and daily business operations are under the control of one (1) or more service-disabled veterans. The Convention Center Authority will confirm the status of Service-Disabled Veterans through the receipt of a SDVB certificate from the Governor’s Office of Diversity Business Enterprise, which demonstrates that such business is a bona fide Service-Disabled Veteran-owned business. www.tennessee.gov/businessopp

D) Source Lists

The Convention Center Authority shall compile, maintain and make available source lists of Small, Minority-Owned, Woman-Owned and Service-Disabled Veteran-Owned Business Enterprises for the purpose of encouraging procurement from small businesses. Proposers who desire assistance in locating potential small and Service-Disabled Veteran owned business subcontractors and suppliers are encouraged <http://www.nashville.gov/dmsba/sbe.asp> to obtain the list or contact Roxianne Bethune DBE Manager roxianne.bethune@nashvillemcc.com for assistance.

E) Solicitation Mailing Lists

To the extent deemed appropriate by the Convention Center Authority, it shall include Small, Minority-Owned, Woman-Owned and Service-Disabled Veteran-Owned Business Enterprises on solicitation mailing lists.

F) Bonding and Progress Payments

The Convention Center Authority may reduce the level or change the types of bonding normally required, or accept alternative forms of security to the extent reasonably necessary to encourage procurement from Small, Minority-Owned, Woman-Owned and Service-Disabled Veteran-Owned Business Enterprises. The Convention Center Authority may make such special provisions for progress payments as deemed reasonably necessary to encourage procurement from Small, Minority-Owned, Woman-Owned and Service-Disabled Veteran-Owned Business Enterprises.

G) Misrepresentation

If during the course of the contract, a contractor fails to maintain the level of small business participation committed to in the contractor's proposal, or if any material representation made in contractor's proposal concerning the small business status of any subcontractor or contractor's involvement in the ownership, operation or management of any subcontractor claiming status as a small business is shown to be false. The Convention Center Authority may, at its sole option and in addition to any other remedies available under the contract, at law or in equity, terminate the contract. Further, in the event that the Convention Center Authority terminates the contract, the contractor shall pay the Convention Center Authority's full re-procurement costs, including, without limitation, any costs associated with re-procurement delays. The Convention Center Authority will institute debarment proceedings against any proposer that misrepresents in a proposal any material fact concerning the small business status of itself or any subcontractor or proposer's involvement in the ownership, operation or management of any subcontractor claiming status as a small business. In addition, the Convention Center Authority may, at its sole discretion, assess a charge representing the cost of all audit and legal time and expense incurred by the Convention Center Authority as a result of the contractor's failure to maintain the level of small business participation committed to in the contractor's proposal.

VI. PROCUREMENT NONDISCRIMINATION PROGRAM

It is the policy of the Convention Center Authority to promote full and equal business opportunities for all persons doing business with the Convention Center Authority by increasing the purchase of goods and services from minority and women-owned businesses within the Nashville Metropolitan Statistical Area.

Therefore, no bid submitted for work within this scope of the program shall be considered responsive unless it includes each of the following documents:

A) Covenant of Non-Discrimination

Each respondent must submit a duly-executed and notarized Affidavit, which includes the covenant of non-discrimination. (See Exhibit A.)

B) Statement of Written Notification to Minority and Women Business

Enterprises (“MWBE”). Each respondent must provide proof that the bidder has delivered written notice to at least (3) three available certified MWBEs if use of MWBEs is reasonable. (See Exhibit B)

Proposers who desire assistance in locating Minority and Women owned subcontractors and suppliers are encouraged to visit http://www.nashville.gov/dmsba/mwbe_dbe_lists.asp to obtain a list or contact Director Purchasing Jasmine Quattlebaum at (615) 742-2003 or Roxianne Bethune DBE Manager (615) 880-1454 for assistance.

C) Statement of Interested Subcontractors/Vendors

Each respondent shall submit a Statement of Interested Subcontractors/Vendors that shall include each individual or entity requesting information about the project or solicited for participation on the project. The list of subcontractors shall include those persons who did not actually submit a price quotation or a bid, rather just requested information. The statement shall include the individual's or entity's name, business location, and information requested. (See Exhibit B)

D) Statement of Successful Subcontractors

Each respondent shall submit a “Statement of Subcontractors”, which shall include each successful subcontractor's name, business location, work to be performed, dollar value of the project, and percentage attributable to each subcontractor. (See Exhibit B)

E) Letter of Intent to Perform as a Subcontractor/Joint Venture

In the event that a respondent or participant proposes to use subcontractors or joint ventures if awarded a contract with the Convention Center Authority, such respondent shall be required to submit to the DBE Manager a letter of intent signed by both the subcontractor/joint venturer and respondent. This form is to be completed and submitted by the apparent successful respondent by the end of the second business day following issuance by the Convention Center Authority of a notice of award of contract. (See Exhibit B)

In furtherance of this policy, the Convention Center Authority has adopted the Metropolitan Government of Nashville and Davidson County Procurement Nondiscrimination Program, as set forth by the Metropolitan Code, Chapter 4.46, Procurement Nondiscrimination

Program, as it may be deemed applicable by the Convention Center Authority and otherwise amended from time to time.

F) Registration and Certification

To be considered for the purpose of being Responsive, the subcontractor, supplier and/or joint venturer must be registered online with METRO by the proposal due date. Certification is required by the time of the proposal due date.

In furtherance of this policy, the Convention Center Authority has adopted the Metropolitan Government of Nashville and Davidson County Procurement Nondiscrimination Program, as set forth by the Metropolitan Code, Chapter 4.46, Procurement Nondiscrimination Program, as it may be deemed applicable by the Convention Center Authority and otherwise amended from time to time.

For further information or clarification contact CCA, Purchasing Department at MCCPurchasing@nashville.gov or (615) 742-2003 or DBE Manager, Roxianne Bethune roxianne.bethune@nashvillemcc.com or (615)880-1454.

VI. Evaluation Criteria

A) Proposal Evaluation Committee

A committee appointed by the Director of Purchasing Agent will evaluate proposals. Other agencies and consultants of the Government also may examine documents. The committee will make recommendation(s) to the CCA to consider.

B) Response Format

The information listed below shall be submitted with each proposal and should be submitted in the order shown. Each section should be clearly labeled, with pages numbered and separated by tabs. Failure by a proposer to include all listed items may result in the rejection of its proposal.

C) Extraneous Information

Proposers should be brief and concise. Specific responses that exceed page limitations described in this solicitation may be considered non-responsive and excluded from evaluation. Information provided beyond the requirements described in this solicitation may be considered extraneous and as a result discarded.

D) Scoring

The evaluation criteria to be considered for this Request for Proposal are listed below. While CCA believes all these items to be of importance, their relative weight is indicated by the maximum points each evaluation criteria could receive. Within each evaluation criteria,

subsets of the criterion may be defined to clarify the point distribution for that evaluation criterion. Award(s) will be made to the responsible proposer whose proposal is determined to be the most advantageous to the CCA. No other factors or criteria will be used in the evaluation.

Tab I, Cover Letter and Management Summary

Provide a cover letter on letterhead and state legal name of the firm signed by an authorized officer of the firm who is authorized to commit the Proposer's organization to perform work and address any questions regarding this proposal, including pricing.

Include the name(s), telephone number(s), and email(s) of the authorized contact person(s) concerning proposal.

The Management Summary should indicate your firm's underlying philosophy in providing the service requested. Explain specific reasons why the Proposer is the most qualified to be awarded the Contract. Response limited to three pages.

Tab II, Experience and Qualifications

Total points available for this criterion are (60) points.

Include the following:

- How long has your firm been in business doing work similar to the scope of service described in this RFP?
- Describe your company's capacity to perform the work that likely will be associated with this Scope of Services. Indicate which services (i.e. embroidery, imprinting, etc.) you would perform in-house and which would require outside vendors.
- How long have those assigned to the team been doing the type of work similar the scope of service described in this RFP?
 - Identify their names, years of experience and any certifications applicable to the scope of service described in this RFP. Provide resumes' of all personnel working assigned to the team.
- Provide a list of brand names that your firm offers for promotional items.
- Provide catalogue(s) of amenities ranging from high-end to low-end (website will suffice). Catalogue(s) must provide rack-rate pricing.

- Provide anticipated minimum quantity for purchases, as well as options for ordering processes.
- Provide anticipated lead times for purchases.
- Provide anticipated fees/costs for Logo setup.
- Provide suggested sustainable amenity items.
- Provide quality control measures and guarantees, as well as the formal dispute process.
- Provide a sample of merchandise choices that MCC could select from to include a trade show giveaway item, promotional gift item, stationery item, and an apparel item
- Provide samples of order forms, pictorial guides, website URLs, or other documentation that would be used in supporting this contract.
- List three projects you have completed that are of similar size and scope to the ones stated in this RFP. List the following:
 - Company name,
 - Contact person for the company
 - Phone number,
 - Email address, and
 - A brief description of the project.

Tab III, Compensation and Cost Data

Total points available for this criterion are (35) points.

Vendors must submit a comprehensive catalog of products including rack-rate prices as well as a discount to be applied for increasing quantities.

Vendors must also provide anticipated fees/costs for Logo setup.

Tab IV, Acceptance of Conditions

Total points available for this criterion are (5) points.

Exceptions must be noted in this section of the proposal by the Proposer. Exceptions taken after the award may result in the withdrawal of the intent to award and Proposer's firm suspended from upcoming solicitations.

Any listing of exceptions by a Proposer in their proposal in no way obligates CCA at any time to change the contract's general terms and conditions, the requirements of the RFP, or the insurance requirements of this solicitation.

Any exceptions listed by a Proposer may be unacceptable to CCA and may result in a reduction in the evaluation scoring or be cause for rejection of an Proposer's proposal.

**Exhibit A
Affidavit**

State of _____
County of _____

As used herein, "Offeror" will include respondents and proposers.

Compliance with Laws: After first being duly sworn according to law, the undersigned (Affiant) states that he/she is presently in compliance with, and will continue to maintain compliance with, all applicable laws. Thus, Affiant states that Offeror has all applicable licenses, including business licenses, copies of which are attached hereto. Finally, Affiant states that Offeror is current on its payment of all applicable gross receipt taxes and personal property taxes.

Contingent Fees: In accordance with the Convention Center Authority's Procurement Policy and the Metropolitan Government's Procurement Code, it is a breach of ethical standards for a person to be retained, or to retain a person, to solicit or secure a contract with the Authority upon an agreement or understanding for a contingent commission, percentage, or brokerage fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business. After first being duly sworn according to law, the undersigned (Affiant) states that the Offeror has not retained anyone in violation of the foregoing.

Employment Requirement: Offeror, declares that neither the prime, subcontractors, sub-consultants, nor providers of day laborers employ any person who is not a legal resident of the United States. Any contractor who knowingly violates the provisions of this section is subject to debarment or suspension.

Nondiscrimination: Affiant affirms that by its employment policy, standards and practices it does not subscribe to any personnel policy which permits or allows for the promotion, demotion, employment, dismissal or laying off of any individual due to race, religion, creed, gender, gender identity, sexual orientation, national origin, color, age, and/or disability and that it is not in violation of and will not violate any applicable laws concerning the employment of individuals with handicaps and/or disabilities. It is the policy of the Metropolitan Government not to discriminate on the basis of race, religion, creed, gender, gender identity, sexual orientation, national origin, color, age, and/or disability in its hiring and employment practices, or in admission to, access to, or operation of its programs, services and activities. Contractor certifies and warrants it will comply with this policy.

And Further Affiant Sayeth Not:

By: _____

Title: _____

Address: _____

Sworn to and subscribed before me on this ____ day of _____, 201____.

Notary Public
My commission expires: _____

Exhibit B



Convention Center Authority of the Metropolitan Government of Nashville and Davidson County Procurement Nondiscrimination Program Form Submission Procedures

Demonstrating compliance with the Procurement Non-discrimination Program requires the submission of the following forms:

1. Statement of Good Faith Efforts (GFE) – This completed form is required at the time of bid/proposal submission. Each of the first three listed statements must be initialed by an authorized company official indicating that the prime contractor has made all of the good faith efforts required by the Procurement Nondiscrimination Program. The first three items on this form must be initialed. Prime contractors should initial any of the additional good faith efforts listed subsequently on the form as they are applicable. Please note that timely outreach should be conducted providing firms adequate and reasonable time to respond. This form must be signed by a principle of your company and dated.

2. Statements of Notified and Interested Subcontractors/Vendors – This completed form is required at the time of bid/proposal submission to provide The Convention Center Authority with information regarding your outreach efforts. The form should list those firms that have contacted you as well as those with whom you have made contact regarding potential participation on this project. The second section of this form should list the MWBE subcontractors with whom you have decided to work with on this project if awarded. Also, only MWBE firms certified by certifying entities recognized by Metropolitan Government of Nashville and Davidson County be considered for GFE outreach.

3. Statement of Successful Subcontractors – Submitted forms should be fully completed and specify the MWBE company names, individual(s) contacted, date contacted, MWBE Certificate Type, dollar value, percentage of total contract value to be awarded, and a description of the work to be performed. This form must be signed by a principle of your company and dated

NOTE: Reasons for declining offers made by potential MWBE partners must be noted on this form. If a bid was submitted by the MWBE, the amount of the bid must be included on this form.

4. Letter of Intent to Perform as a Subcontractor/Joint Venture –This form is to be completed and submitted by the apparent successful participant **by the end of the second business day following notice of intent to award from The Convention Center Authority.** It should specify the names of the MWBE's with whom the prime contractor intends to subcontract or joint venture. Additionally it should detail the work to be performed, the total value of the MWBE participation on the contract in dollars and percentage and must be signed by both the MWBE subcontractor/joint venture partner AND the prime contractor and dated.

NOTE: A separate form must be completed for each individual MWBE subcontractor/joint venture partner noted on the Statement of Successful Subcontractors.

Any additional questions regarding required detail and documentation to demonstrate Procurement Nondiscrimination Program compliance should be directed to the Convention Center Authority Director of Purchasing (615) 742-2003 or DBE Manager at 615-880-1454.



GOOD FAITH EFFORT STATEMENT FORM

Bid/Proposal for: Music City Center Convention Center/_____ (Name of RFP)

Pursuant to the requirements for Participants under the Procurement Non-Discrimination Program, and in consideration of the privilege to submit Proposals on contracts funded, in whole or in part, by the Convention Center Authority, I/We, attest that I/We have made the following efforts to ensure that potential MWBE subcontractors were notified of the opportunity to participate as a subcontractor or joint venturer on this project.

___ I/We have made efforts to include MWBE's, certified by certifying entities recognized by the Convention Center Authority, in the procurement process and to ensure that businesses are not discriminated against on the basis of race, ethnicity or gender;

___ I/We have delivered appropriate notice to three or more available MWBEs certified by certifying entities recognized by the Convention Center Authority for each potential subcontracting or supply category in the Contract and all potential subcontractors or vendors which requested information on the Contract.

___ I/We have provided all potential subcontractors or vendors with adequate and timely information as to the plans and specifications of this project as well as information necessary to provide a bid or quote as well as and the last date and time for receipt of price quotations.

Additionally, _____ has made the following Good Faith Efforts to include MWBEs as subcontractors or joint venturers on this project.

___ I/We have attended a special meeting called to inform businesses and individuals of subcontracting or supply opportunities.

___ I/We have, in accordance with normal industry practices, divided the contract into economically feasible segments that can be performed by a MWBE.

___ I/We have provided a written explanation for rejection of any potential subcontractor or vendor to Convention Center Authority, including the name of the firm proposed to be awarded the subcontract or supply agreement, where price competitiveness is not the reason for rejection.

___ I/We have actively solicited, through sending letters or initiating personal contact, MWBEs in all feasible and appropriate categories providing subcontracting opportunities for the contract under consideration.

___ I/We have utilized the services of available community organizations and associations, contractors' groups, and trade associations known to publicize contracting and procurement opportunities, for the purpose of obtaining assistance in the contacting and recruitment of MWBEs for the Convention Center Authority Project contract under consideration.

___ I/We have advertised in publications of general circulation in the Nashville Metropolitan Statistical Area, trade publications and other media owned by, or otherwise focused or marketed to MWBEs, and the advertisement identifies and describes the specific subcontracting or other opportunity in reasonable detail.

_____ I/We have conducted discussions with interested MWBEs in good faith, and provided the same willingness to assist MWBEs as has been extended to any other similarly situated subcontractor.

_____ I/We have taken steps to ensure that all labor supervisors, superintendents, and other onsite supervisory personnel are aware of and carry out the obligation to maintain a nondiscriminatory work environment, free of harassment, intimidation and coercion at all construction sites, offices and other facilities to which employees are assigned to work.

| | |
|----------------------------------|------------------------------------|
| _____ Printed Name of Company | _____ Date |
| _____ Signature | _____ Title of Company Official |
| _____ Full Company Name | _____ Mailing Address |
| _____ Area Code/Phone Number | _____ City, State, Zip |

Please contact the Convention Center Authority Director of Purchasing (615) 742-2003 or DBE Manager (615) 880-1454 with any questions about information which may be required.



STATEMENTS OF INTERESTED, NOTIFIED AND SUCCESSFUL SUBCONTRACTORS

Please complete this form to provide Convention Center Authority with information regarding your outreach efforts. Please include information appropriately regarding those certified MWBEs that you contacted, who contacted you and those with whom you have decided to work on this project. Please add additional copies of this sheet as necessary so that you may list ALL MWBEs with whom you've had contact. Please contact DBE Manager's Office with any questions at 615-880-1454. Part I of this form must be completed and Part II should be completed if you have identified MWBE firms with whom you will work on this project.

Project Name _____

RFP Number _____

As part of our regular and customary good faith efforts to include MWBE subcontractors, suppliers and joint venturers, ____ (Company Name) ____ has contacted or was contacted by the following certified MWBEs related to our bid/proposal.

Part I

| <i>Business Name & Contact</i> | <i>Phone No</i> | <i>MBE/WBE Certificate Type</i> | <i>Date of Contact</i> | <i>Method of Contact</i> | <i>Who Initiated Contact?</i> | <i>If Bid Submitted, Amount of Bid*</i> | <i>Offer Accepted or Declined</i> | <i>Reason(s) for Declining</i> |
|------------------------------------|-----------------|---------------------------------|------------------------|--------------------------|-------------------------------|---|-----------------------------------|--------------------------------|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

*STATEMENT OF BID/PRICE QUOTATION

Having submitted a Proposal/bid for the above referenced project, if awarded the resulting contract or Purchase Order, ____ (Company Name) ____ advises that contingent upon award of the contract to our company, our subcontractor, suppliers, or joint venture partnership participation is projected to be as follows:

Part II

| <i>Business Name & Contact</i> | <i>Phone No</i> | <i>MBE/WBE Certificate Type</i> | <i>Dollar value</i> | <i>Estimated % of total contract value</i> | <i>UNSPS Code # for work to be performed (if applicable)</i> | <i>Work to be performed</i> |
|------------------------------------|-----------------|---------------------------------|---------------------|--|--|-----------------------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |

Name _____ Title _____ Date _____



Letter Of Intent to Perform As A Subcontractor/Joint Venture

This form is to be completed and submitted by the apparent successful participant by the end of the second business day following notice of intent to award.

Proposal for: _____
(Name of Project)

Offeror Name: _____

The undersigned has agreed to perform work in connection with the above project as:

a subcontractor a joint venture

Detailed description of work items to be performed:

At the following price(s): _____

The total value of MWSBE participation under this Subcontractor/Joint Venture Agreement is \$: _____; which is estimated to be: ____ % of the total Proposal.

Signature of Subcontractor/Joint Venturer

Printed Name: _____

Title: _____

Date: _____

The undersigned will enter into a written agreement with the above subcontractor for the work described upon award and execution of a contract with The Convention Center Authority of the Metropolitan Government of Nashville and Davidson County.

Signature of Offeror

Printed Name _____

Title: _____

Date: _____