

SOLICITATION AMENDMENT

ARIZONA
DEPARTMENT OF CORRECTIONS
1601 W. JEFFERSON, MAIL CODE 55302
PROCUREMENT SERVICES
PHOENIX, ARIZONA 85007

SOLICITATION NO. ADOC12-00001388 / ADC No. 120088DC
AMENDMENT NO. 3

Contract Officer: Karen D. Ingram

SOLICITATION DUE DATE: March 13, 2012

SIGNED COPY OF THIS AMENDMENT MUST BE RETURNED WITH YOUR BID SOLICITATION.
THIS SOLICITATION IS AMENDED AS FOLLOWS:

RFP NO. ADOC12-00001388 / ADC No. 120088DC 2000 Medium Security Prison Beds

The last day for submitting questions to the Department was February 29,
2012, 3:00 P.M., M.S.T.

The following information is hereby amended:

CHANGES, ADDITIONS, OR DELETIONS IN REQUIREMENTS THAT WILL FORMALLY CHANGE THE SOLICITATION REQUIREMENTS WILL BE SHOWN AT THE BEGINNING OF THIS AMENDMENT.

AMEND TO CHANGE

Section 1.13.5.2:

From: Three (3) hot meals (breakfast, lunch, dinner) shall be provided to assigned inmates Monday through Friday with two (2) meals on Saturday and Sunday. Appropriate equipment necessary to supply the meals per day shall be maintained by the Contract Facility Operator/subcontractor.

To: Three (3) meals (breakfast, lunch, dinner) shall be provided to assigned inmates Monday through Friday. Two (2) of these meals shall include hot foods and one sack meal. Saturday and Sunday two meals are served, a brunch and a dinner. Appropriate equipment necessary to supply the two hot meals per day shall be maintained by the Contract Facility Operator/subcontractor.

Questions have been submitted by vendors and the Department has provided the following responses

Questions submitted on February 28, 2012

1. Physical Plant - 1. Question 2 of Amendment No. 2, issued on Friday, February 25, 2012 stated, "How far apart 1,000 bed units need to be in a complex." The Department responded "There needs to be 100' separation between perimeter fences for each prison unit." Question: Can the Department please confirm that 100' separation between each prison unit is required for both new and existing facilities.

Answer: In the answer provided on Amendment No. 2, Question No. 2, regarding separation between prison units, the Department envisioned 2 separate 1,000 bed units being proposed with separate secure perimeter fences and perimeter roads for each unit. However, the 100' separation between units need not apply if a complex secure perimeter and complex perimeter road are utilized, in addition to each unit having a secure perimeter.

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2. Physical Plant - Department Physical Plant Standards, revised 02/23/12, Section 3.1.4. FACILITY SIZE REQUIREMENTS, states "The maximum inmate population of a Medium unit is 1,000 beds." Question: Can the Department please confirm this requirement applies to both new and existing facilities.

Answer: Yes, the 1,000 maximum inmate population per prison unit applies to both new and existing facilities.

3. Master Menu - According to Amendment 1, Section 1.13.5.2 has been amended to require three (3) hot meals to be provided to assigned inmates Monday through Friday with two (2) meals on Saturday and Sunday. The Adult Male Weekly Cycle Menu provided on the ADC's website under this solicitation outlines only two hot meals be provided to assigned inmates Monday through Friday. Question: Is it the intent of the ADC for Vendor's to modify the preparation of the cold meal outlined on the menu to assure a hot meal.

Answer: Please see change at the beginning of this amendment. It is not the Department's intent to have the Vendor modify the preparation of the cold meal on the menu to a hot meal.

4. Taxes - Section 1.3.5 Proposed Site Page 10 Question: This section states that the offeror will be responsible for any regulatory fees that may be assess for the (state owned) land. Will the offeror be responsible for any real estate, property, or other taxes associated with the land?

Answer: Please see section 1.3.3.1 of the RFP:

1.3.3.1 Taxes: It will be the responsibility of the offeror to obtain any tax related information regarding the use of the state land for the purpose of constructing up to 2,000 beds. Offerors shall take this into consideration when developing their response.

5. Taxes - Section 1.3.3.1 Proposed Site Page 10 Question: Please confirm that the contractual arrangement between the Arizona Department of Corrections and the Contractor will be such that the constructed facility meets the definition or ARS 42-11102.A.2 which provides an exemption from real property taxes if the property is the subject of a lease-purchase agreement that is authorized by law an in which the State of Arizona or a political subdivision during the entire taxable year exclusively for a government agency. Alternatively, please confirm that the contractual arrangement between the Arizona Department of Corrections and Contractor will be such that the constructed facility meets the definition of ARS 42-12009.A.3 as "Class nine property" subject to a 1% assessment ratio, as currently in place, which describes property that is defined as "contractor-acquired property" or "government-furnished property" in the federal acquisition regulations (48 Code of federal Regulations section 45.101) and that is leased to or acquired by the government and used to perform a government contract.

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Answer: Please see section 1.3.3.1 of the RFP:

1.3.3.1 Taxes: It will be the responsibility of the offeror to obtain any tax related information regarding the use of the state land for the purpose of constructing up to 2,000 beds. Offerors shall take this into consideration when developing their response.

6. Taxes - Section 4.3.2 State and Local Transaction Privilege Taxes – Uniform Terms and Conditions Page 4 of 9 This section states, “Contractor shall and require all subcontractors to hold the State harmless from any responsibility for taxes, damages, and interest, if applicable, contributions required under Federal and/or state and local laws and regulations and any other costs including transaction taxes...” Question: Do privilege taxes apply to this contract and/or contractor.

Answer: It will be the responsibility of the offeror to obtain any information and to pay taxes related to a resultant contract from this RFP. Offerors shall take this into consideration when developing their response.

7. Fencing - Where is the four-strand, four-foot high barb wire fence placed in relationship to: 1) the perimeter (exterior) fence and 2) unit buildings. In other words, how far away from #1 and #2 should the barb wire fence be placed?

Answer: For new construction the 4’ barbed wire fence shall be placed 60’ from the perimeter fence and 50’ from the unit buildings. Please also refer to section 1.1.4.5 in the Introduction.

Questions submitted on February 29, 2012

8. State and City Impact Fees - Are there any State and City Impact Fees associated with this project and if so, do you have a listing of those fees?

Answer: The offeror would need to determine if any impact fees are required based on any locations that the offeror would be proposing to offer as part of this RFP.

9. Attachments to Response - Subsection 1.1.2.5 requires that all information except for full-size drawings and specifications be presented immediately under the corresponding Section or Subsection in the RFP response.

- a. (1) Please verify that this requirement DOES NOT preclude the use of Appendices for presenting lengthy required information such as audited financial statements (estimated at 500+ pages), subcontracting information, third party business letters, emergency response policy (estimated at 150+ pages), position descriptions (estimated at 100+ pages), evidence of licensure, letters of support, deployment charts, past performance information (estimated at 35+ pages), occurrences (estimated at 40+ pages), etc.
- b. (2) Please verify that these lengthy pieces of information are to be mentioned within the main body of the proposal – i.e. "Per Section 1.10.2, five years of Audited Financial Statements have

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- been provided in Appendix A" – but can be provided and evaluated as separate Appendices.
- c. (3) Please verify that Appendices do not have to be part of the consecutive numbering system, per Subsection 1.1.2.2.

Answer: a and b: The intent of this section is to avoid information being scattered throughout an offerors proposal response and keep the relevant information in the appropriate sections.

Answer: c: Additional or supplementary information shall be part of and placed in the consecutive section to which they belong.

10. Case Management Ratio - Scope of Work – Section 1.11.4.5: May other positions who assist with the case management functions, in addition to the Case Managers, be included in the calculations to meet the required Case Management ratio of 1:100?

Answer: No

11. Inmate Pay for Education and Treatment Programming - Department Order 903 Inmate Work Activities was revised effective February 18, 2012 to define Inmate Work Programs as including Education, Treatment and Work Based Programs (WBE) programs. As a follow up to Amendment 1, Question #4, concerning pay for inmates who participate in education programming, does this change to DO 903 mean that inmates will now be paid for participating in education and treatment programming?

Answer: Please refer to the answer provided on Amendment No. 1, Question #4 which is re-stated as follows. **“Inmates attending education programs, such as mandatory literacy and GED, do not receive payment. Inmates attending work training programs (CTE) do receive a payment of fifteen cents per hour. Work based education (CTE) is considered a work program and is therefore eligible for payment.”**

ALL OTHER PROVISIONS OF THE SOLICITATION SHALL REMAIN IN THEIR ENTIRETY

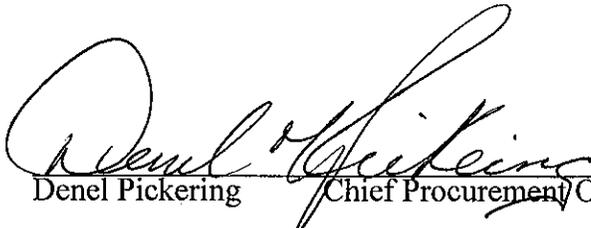
Vendor hereby acknowledges receipt and understanding of above amendment.

The above referenced Solicitation Amendment Is hereby executed this 2nd day of March, 2012 at Phoenix, Arizona.

Signature _____ Date _____

Typed Name and Title _____

Name of Company _____


Denel Pickering Chief Procurement Officer