

July 1, 2021

**TO:** ALL BIDDERS UNDER RFP No. 21-500587, MANAGE, OPERATE, AND MAINTAIN THE DEKALB TENNIS CENTER (MULTI-YEAR CONTRACT)

**FROM:** Department of Purchasing and Contracting, DeKalb County, Georgia

**ADDENDUM NO. 2**

**Request For Proposal (RFP) No. 21-500587, Manage, Operate, And Maintain The DeKalb Tennis Center** is hereby amended as follows:

1. **DELETE/REMOVE**: Disregard Letters A-J on page 8 of the solicitation.
2. **DELETE/REMOVE**: Disregard Letters (b) and (h) of Number 8. Financials, on pages 12-13 of the solicitation.
3. **DELETE/REMOVE**: Disregard Section V. Criteria For Evaluation on Page 14 of the solicitation and **INSERT/REPLACE**: with the corrected Section V below:

**V. CRITERIA FOR EVALUATION**

The following evaluation criteria will be used as the basis for the evaluation of proposals. The proposal may be deemed unresponsive if the cost proposal or minimum qualifications are not met. The total points for evaluation criteria are 100.

- A. Cost Proposal (20 points)
- B. Organizational Qualifications (30 points)
- C. Procedural Approach to Maintenance and Customer Service (10 points)
- D. Comprehensive Business and Marketing Plan (10 points)
- E. Personnel (10 points)
- F. Financial Responsibility (5 points)
- G. References (5 points)
- H. Local Small Business Enterprise Participation (10 points)
- I. Optional Interview–bonus (10 points)

4. **DELETE/REMOVE**: Pages 19-20, Attachment A, COST PROPOSAL FORM and **INSERT/REPLACE**: with the revised Pages 19-20, Attachment A, COST PROPOSAL FORM attached hereto. Please ensure you complete and submit the attached COST PROPOSAL FORM (2 Pages) with your proposal in a separate sealed envelope.

5. **DELETE/REMOVE**: Page 23 CONTRACTOR REFERENCE AND RELEASE FORM (for financial references) of the solicitation. Disregard as this is not required. Financial documents are to be submitted in accordance with number 8. Financials on page 12 of the solicitation.
6. We have received questions pertaining to this Request For Proposal. The questions and their resulting answers appear below:

A. **Question**: Do the hard copies need to include tabs for each section?

*Answer*: Including tabs for each section of the response is at the discretion of the responder. The proposal will be evaluated in accordance to the solicitation requirements.

B. **Question**: On page 8 of the RFP below item #5, there are a series of items in an outline beginning with the letter “A” and ending with the letter “J.” These items do not appear to be connected to any previous heading labeled, Payment of all utility costs. Can you please clarify this itemized list?

*Answer*: See number 1 of this addendum to disregard Letters A-J on page 8.

C. **Question**: On page 9 of the RFP, instructions state, “**DO NOT INCLUDE FEES OR COSTS IN ANY AREA OUTSIDE OF THIS COST PROPOSAL.** Including fees in any area outside of the Cost Proposal in its separate, sealed envelope may result in Responder’s proposal being deemed non-responsive.” The RFP also, however, indicates that the respondent must include a five-year pro forma, which will necessarily include projected costs. Can you please clarify?

*Answer*: Refer to number 2 of this addendum to disregard the five-year pro forma. Refer to number 4 regarding Cost Proposal instructions.

D. **Question**: On page 12 of the RFP, item 8.b. references attachments A-1 and A-2 as guides for preparation of a pro forma; however, there are not attachments labeled A-1 or A-2. Please clarify which attachments the county is referencing?

*Answer*: Refer to number 2 of this addendum to disregard the five-year pro forma. Refer to number 4 regarding Cost Proposal instructions.

E. **Question**: If our organization uses 20% participation of certified LSBE’s within DeKalb County, do we also need to complete the Good Faith Efforts Checklist, Exhibit A – Page 29, in its entirety?

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*Answer: No. According to Section 2-204. Benchmarks and Incentives. (a) To qualify for incentives under the DeKalb First ordinance, a prime contractor shall be a certified LSBE or submit written documentation showing that at least twenty percent (20%) of the total contract award will be performed by a LSBE(s) unless the prime contractor can demonstrate sufficient good faith efforts as set forth in this article.*

- F. **Question:** Is this, RFP- 21-500587, an eligible project that requires the selected vendor to use the First Source Jobs Ordinance?

*Answer: The selected vendor is not required to utilize the First Source Registry if they do not plan on bringing new staff for that award.*

*To be in compliance with the First Source Ordinance, the selected vendor is required to make a documented “good faith effort” to hire at least 50% of their new employees using the First Source Registry for that specific award. If there are no plans to bring on new employees for or during the duration of that project, then the vendor can indicate so where applicable on exhibits 1-4 related to the First Source Ordinance.*

- G. **Question:** On page 9/10 of the RFP, is there specific evidence the County would like to see other than a list of detailed references who can verify the vendors work experience?

*Answer: The evidence that we are seeking must be submitted in the proposal and will be evaluated in accordance to the solicitation requirements.*

- H. **Question:** If the county issues addenda, is there an acknowledgement form that must be included with the proposal submission?

*Answer: Yes. See addendum that includes the acknowledgement and must be signed and returned with your proposal submission.*

- I. **Question:** What is the current contract term (start date and end date)?

*Answer: The current contract term is from February 1, 2017 to December 31, 2021.*

- J. **Question:** What is the target date for this new contract to start?

*Answer: It is anticipated that the contract will begin on January 1, 2022.*

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- K. **Question:** What were the revenues at DeKalb Tennis Center for 2018, 2019, 2020 and Jan – May 2021?

*Answer:* Revenues must be requested through Open Records Request. Please see below link [Microsoft Word - ORA Form for On-Line Use Rev 2013 \(dekalbcountyga.gov\)](#).

- L. **Question:** Please provide a breakdown of the revenues for the years noted above (i.e. court fees, private lessons, matches, drills, etc.)?

*Answer:* Revenues may be requested through Open Records. Please see below link [Microsoft Word - ORA Form for On-Line Use Rev 2013 \(dekalbcountyga.gov\)](#).

- M. **Question:** What types of LSBEs could be needed in this contract other than for office supplies and janitorial services?

*Answer:* Pursuant to the DeKalb First LSBE Ordinance, according to Section 2-207. Prime Contractor Responsibility: (b) When subcontracting, every prime contractor must independently evaluate each LSBE and confirm qualifications, and previous practical, demonstrable experience in the area in which the LSBE intends to perform services and references prior to including the LSBE in a qualified sealed solicitation. Information obtained by the County in this regard may be provided to the prime contractor by the Director upon request, but each prime contractor understands that it must investigate, and independently verify an LSBE's qualifications and ability to perform the service or work at issue. (c) In each qualified sealed solicitation, all prime contractors shall identify a portion of the work available to LSBEs consistent with their previous demonstrable expertise, and shall submit a proposed work schedule that identifies the work to be completed by the LSBE(s) with their bid/proposal, if any. This proposed work schedule shall be finalized and submitted to the County within ten (10) days of the Notice to Proceed meeting. This work schedule shall become the basis for determining compliance with the terms of this article after execution of the contract.

- N. **Question:** If a firm is certified as a Small Business Enterprise (SBE) with the City of Atlanta's Small Business Opportunity Program, does that firm qualify as an LSBE-MSA?

*Answer:* Pursuant to the DeKalb First LSBE Ordinance, according to Section 2-203. LSBE Certification. (a) **Criteria for LSBE Certification.** Through appropriately promulgated written procedures, the Director or his/her designee shall certify as an LSBE any business concern that meets the following criteria:  
(1) The business concern must qualify as a LSBE as defined in this article;

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- (2) *The business concern must be owned and controlled by individuals who are citizens or lawfully admitted permanent residents of the United States;*
- (3) *The business concern must be a for-profit enterprise that performs a commercially useful function, including a sole proprietorship, partnership, joint venture, corporation, limited liability company, or any other business or professional entity;*
- (4) *The business concern owner( s) applying for certification must own at least 51 % of the business and have maintained this ownership for at least one year prior to application;*
- (5) *If the business concern is publicly owned, the applicant owner must own at least 51 % of all classes of stock;*
- (6) *The principal place of the business concern must be located in DeKalb County, Georgia or within the MSA, as defined in this article;*
- (7) *The business concern's average gross annual receipts from the prior three (3) fiscal years must not exceed the following amounts:*
  - a. *Construction: \$35,000,000.00*
  - b. *Professional Services: \$5,000,000.00*
  - c. *Commodity Suppliers: \$3,000,000.00*

*(b) Qualifications. The Director shall certify each LSBE in a particular area or areas of expertise. To obtain certification, the LSBE shall prove it is qualified in a demonstrated area of expertise, by providing certain information to the Director, including but not limited to, a resume and/or list of previous contracts or work in the LSBE' s demonstrated area of expertise; references from individuals who have contracted with the LSBE in its demonstrated area of expertise; and all relevant licenses and certifications.*

- O. **Question:** \$10,000 will be given to the County for tennis supplies each year so the County can buy these supplies from their approved vendor list. Are these vendors LSBEs? If so, will the County provide this LSBE information so bidders can include this information in the LSBE section of their proposals?

*Answer: No, the main vendors that the County uses for the purchase of tennis supplies and equipment are not listed as LSBE's with the County.*

- P. **Question:** On Exhibit B, Letter of Intent to Perform as a Subcontractor, how is the “% of Contract Award” calculated? Define Contract Award.

*Answer: The “% of Contract Award” aligns with the percentage of work to be performed. Pursuant to the DeKalb First LSBE Ordinance, Section 2-207. Prime Contractor Responsibility: ( c) In each qualified sealed solicitation, all prime contractors shall identify a portion of the work available to LSBEs consistent with their previous*

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*demonstrable expertise, and shall submit a proposed work schedule that identifies the work to be completed by the LSBE(s) with their bid/proposal, if any. This proposed work schedule shall be finalized and submitted to the County within ten (10) days of the Notice to Proceed meeting. This work schedule shall become the basis for determining compliance with the terms of this article after execution of the contract.*

- Q. **Question:** When are the courts scheduled to be resurfaced again? What is the on-going schedule for resurfacing (i.e. every how many years)?

*Answer: Courts may be resurfaced as funding allows. At this time, Recreation, Parks and Cultural Affairs (RPCA) does not have a schedule for resurfacing.*

- R. **Question:** Page 8, 5. Payment of all utility costs: Water, sewer and electricity are listed in the RFP as the County's responsibilities. Will the County also pay for gas, garbage, internet/cable, phone and security/alarm?

*Answer: The utilities that DeKalb County pays are detailed and listed on page 8 of the solicitation. Any other utilities (listed and not listed) will be included and are considered the responsibility of the contractor.*

- S. **Question:** Page 8, 4. Grounds/building maintenance: The County is responsible for grounds maintenance outside of the fencing. What type of maintenance is currently performed inside the fence?

*Answer: Maintenance that is performed inside the fence, includes, but is not limited to landscaping, litter control, blowing of courts and all walkways, replacement of court nets and other tennis items (i.e. scoreboards, net posts,) all custodial services, and windscreens.*

- T. **Question:** Capital Improvements (p.4 C.) – this sections states “The Contractor agrees that the County shall not be liable for any loss in revenue or profits or any damages resulting in any way from Capital Improvements made or not made”. To be clear, if a County subcontractor damages the property while working on a capital improvement (i.e. a landscaping machine breaks a water line or electrical cables), the County subcontractor will pay for the repairs, not the Contractor, correct?

*Answer: Any damage that is caused by a County Contractor is the responsibility of that County Contractor to repair. However, the damage caused must be identified and verified as being damaged during the improvements made. The County does not have subcontractors. The Prime Contractor is held responsible for any damages caused by their subcontractor.*

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- U. **Question:** Are Capital Improvements for the tennis center on the calendar in the next five years? If so, what are they?

*Answer: Any capital improvements that are scheduled and funded may be shared as DeKalb County deems necessary. At this time, there are no Capital Improvements that are funded within the next 5 years.*

- V. **Question:** Cost Proposal – which page do the bidders need to follow?

- Page 3: “Responder will remit to the County a monthly rent check of \$2,500 and additionally a 5% minimum share of all monthly revenue sources. The monthly rent will

increase 5% each additional contract year and the monthly revenue share will increase 2% for each additional contract year.” OR

- Page 20: “The minimum rent will be \$2,500 per month increasing 5% per contract year” and “The minimum monthly revenue share required is 5% increasing 2% each additional contract year. Provide a proposed percentage factor above the minimum share: the minimum percentage considered will be +0.25% increasing in 0.25% increments.”

*Answer: The minimum monthly rent is \$2,500 per month which increases by a minimum of 5% each year of the contract which is referenced on Page 3. The proposer also must pay a minimum of 5% of all monthly revenues each month which increases by a minimum of 2%. On page 20 of the cost proposal, a bidder may propose to pay a higher percentage factor over and above the minimum required for each year of the contract.*

- W. **Question:** We would like to upgrade the facility immediately. Instead of the monthly cost proposal being a fixed rent plus a % of revenue, would the County be open to the bidder making a one-time capital infusion of \$150,000 at the beginning of the contract plus a fixed monthly rent that would increase 5% per year? We would like to do a complete renovation of the bathrooms and other parts of the facility to be agreed upon with the County. Furthermore, we would like to use LSBEs for as many of the renovations as possible

*Answer: DeKalb County will evaluate and score each proposal based on the criteria as defined on page 14 of the solicitation. The proposer must respond and submit their proposal in accordance to the solicitation technical requirements and the County’s Cost Proposal Form. Any exceptions or other proposals to deviate from the solicitation*

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*requirements must be submitted as an exception within the proposal response. All renovations will be determined by the County and discussed with the successful proposer.*

- X. **Question:** Due to the 4<sup>th</sup> of July weekend and upcoming travel schedules, would the County be willing to move the deadline for receipt of proposals back at least 10 days to two weeks from the current July 8th deadline?

*Answer: Refer to Addendum No. 1 as the date has been extended to July 15, 2021.*

- Y. **Question:** Who can we contact if answers to questions create more questions?

*Answer: The deadline for questions was extended and ended on June 25, 2021.*

- Z. **Question:** Are we required to submit 3 references, using page 24, for any LSBE subcontractor with whom we intend to use to fulfill our LSBE requirement of 20%?

*Answer: Yes, please refer to page 24, Attachment D - Subcontractor Reference and Release Form of the solicitation. Provide three (3) references for each subcontractor proposed as a part of the project team. The references shall be for the same or similar types of services to be performed by the subcontractor (including LSBE-DeKalb and LSBE-MSA firms) on projects similar in size and scope to the project outlined in this RFP. Use Attachment D, Subcontractor Reference and Release Form. Make additional copies as needed.*

- AA. **Question:** On Page 20 of the cost proposal, are the last two blank lines going to be removed from the page entirely?

*Answer: Refer to number 4 of this Addendum and the revised Cost Proposal Form attached hereto.*

- BB. **Question:** In section 4b, is the County looking for vendors to put our three years of required financial statements in this section, specifically, as well as in the financial requirements section of the RFP?

*Answer: Yes - all financial requirements under Section 8. Financials on pages 12-13 of the solicitation must be met with the exception of letters (b) and (h) which was removed as per no. 2 of this addendum.*

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Page 9

Addendum No. 2

RFP No. 21-500587

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7. It is the responsibility of each responder to ensure that he/she is aware of all addenda issued under this RFP. Please sign and return this addendum with your response. You may call Jenifer Chapital, Procurement Agent, 404-371-2569 before the Proposals are due to confirm the number of addenda issued.
  
8. All other conditions remain in full force and effect.

*Jenifer Chapital*

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Jenifer Chapital, Procurement Agent

*Delois Robinson* DR/jgc

Attachment: Revised Attachment A, COST PROPOSAL FORM (Pages 19-20)

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**ACKNOWLEDGEMENT**

Date: \_\_\_\_\_ The above Addendum #2 is hereby acknowledged:

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(NAME OF BIDDER)

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(Signature)

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(Title)

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**REVISED**

**ATTACHMENT A**

**COST PROPOSAL FORM**

(consisting of two (2) pages)

**MANAGE, OPERATE AND MAINTAIN THE DEKALB TENNIS CENTER**

**Responder: Please complete the attached pages of the Cost Proposal Form, and return them with this cover page. The cost proposal must be submitted in a separate, sealed envelope with the Responder's name and "Request for Proposals No. (RFP) No. 21-500587 Manage, Operate and Maintain the DeKalb Tennis Center" clearly identified on the outside of the envelope.**

By signing this page, Responder acknowledges that he has carefully examined and fully understands the Contract, Scope of Work, and other attached documents, and hereby agrees that if his proposal is accepted, he will contract with DeKalb County according to the Request for Proposal documents.

Please provide the following information:

Name of Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person Submitting Proposal: \_\_\_\_\_

Title of Contact Person: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

\_\_\_\_\_  
Signature of Contact Person

\_\_\_\_\_  
Title of Contact Person

**REVISED**

**COST PROPOSAL FORM (CONT'D)**

**Cost Proposal:**

The County will receive from the successful Responder a minimum monthly rent plus a percentage of gross monthly revenues for DeKalb Tennis Center as follows:

**Minimum Monthly Rent**

The minimum rent will be \$2,500.00 per month increasing 5% per contract year for DeKalb Tennis Center.

- 1st year - \$2,500.00
- 2nd year - \$2,625.00
- 3rd year - \$2,756.25
- 4th year - \$2,894.06
- 5th year - \$3,038.76

**Percentage Revenue**

The percentage revenue is based on gross revenues defined as all revenues from court fees, league fees, annual fees, lessons, and merchandise, tournaments, as well as, food and beverage sales. The minimum monthly revenue share required is 5% increasing 2% each additional contract year.

Provide a proposed percentage factor above the minimum share; the minimum percentage considered will be +0.25% increasing in 0.25% increments. If all proposed revenue percentages are equal, all responders will be considered non-responsive.

Proposed Revenue Percentage:

1st year percentage \_\_\_\_\_

2nd year percentage \_\_\_\_\_

3rd year percentage \_\_\_\_\_

4th year percentage \_\_\_\_\_

5th year percentage \_\_\_\_\_

# ADDENDUM No. 2 - RFP No. 21-500587 - Manage\_Operate\_ Maintain DeKalb Tennis Center - Final

Final Audit Report

2021-07-01

|                 |   |
|-----------------|---|
| Created:        | 2021-07-01                                      |
| By:             | Jenifer Chapital (JChapital@dekalbcountyga.gov) |
| Status:         | Signed  |
| Transaction ID: | CBJCHBCAABAACKVo2FaqbRZ3V48amcXy-Xm5J6BI2uP0    |

## "ADDENDUM No. 2 - RFP No. 21-500587 - Manage\_Operate\_ Maintain DeKalb Tennis Center - Final" History

-  Document created by Jenifer Chapital (JChapital@dekalbcountyga.gov)  
2021-07-01 - 2:16:56 PM GMT- IP address: 204.120.180.4
-  Document e-signed by Jenifer Chapital (JChapital@dekalbcountyga.gov)  
Signature Date: 2021-07-01 - 2:18:49 PM GMT - Time Source: server- IP address: 204.120.180.4
-  Document emailed to Delois Robinson (drobinson@dekalbcountyga.gov) for signature  
2021-07-01 - 2:18:50 PM GMT
-  Email viewed by Delois Robinson (drobinson@dekalbcountyga.gov)  
2021-07-01 - 3:04:13 PM GMT- IP address: 104.47.65.254
-  Document e-signed by Delois Robinson (drobinson@dekalbcountyga.gov)  
Signature Date: 2021-07-01 - 3:04:52 PM GMT - Time Source: server- IP address: 50.237.148.4
-  Agreement completed.  
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