Shelby County
Tennessee

A C Wharton, Jr., Mayor

# Request for Proposal

## Shelby County Government

## Purchasing Department

160 N. Main, Suite 550
Memphis, TN 38103

***Issued: March 3, 2008***
***Due: March 26, 2008 no later than 3:00 P.M. (Central Standard Time)***

## RFP #08-003-57

## Jail Food Services

Shelby County Government is soliciting written proposals, on a competitive basis from qualified Food Service Providers to supply food services to the inmates and staff located at the Shelby County Main Jail, 201 Poplar Avenue, Memphis, TN 38103 as well as the East Jail location at 6201 Haley Rd, Memphis, TN 38134. Information regarding this RFP is located on the County's website at www.shelbycountytn.gov. Go to "Purchasing Bids" under Online Services on the home page to locate the above-described RFP.

The proposal, as submitted, should include all rates and information related to the services requested by the RFP specifications. If selected, your proposal will be the basis for negotiating a contract with Shelby County Government.

Your proposal must be received in the office of the Deputy Administrator of Purchasing **no later than 3:00 p.m. on Monday, March 26, 2008**. Proposals should be addressed to:

**Celeste S. Walker, Deputy Administrator**
Shelby County Government
160 N. Main, Rm. 550
Memphis, TN 38103

The package containing an original copy (clearly identified as original) and five (5) copies of your proposal must be sealed and marked with the Proposer's name and "CONFIDENTIAL, "**JAIL FOOD SERVICES" RFP #08-003-57**" noted on the outside.

**Please Note: Pre-Proposal Conference**
A **MANDATORY** pre-proposal conference will be held on **Thursday, March 13, 2008 @ 9:00 a.m.** to address your questions and to tour the facility. *All interested respondents are required to attend this meeting.* The pre-bid conference will be held at the County Jail located at 201 Poplar Avenue, Memphis TN 38103. If you plan to attend you must contact Purchasing via email @ celeste.walker@shelbycountytn.gov to confirm your attendance with a Representatives name, Company & Contact Number. A confirmation email will be returned with specific information concerning the conference.

Sincerely,

Celeste S. Walker, Deputy Administrator
Purchasing Department Shelby County Government

cc: Chief James Coleman
Harvey Kennedy

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*Note: Please make sure you pay close attention to Sections: I-V, IX & XI. These sections will clearly outline what information is required to properly respond and prepare your RFP response.*

## I. INTRODUCTION

Shelby County Government desires to solicit proposals from qualified Food Service Providers to supply food services for inmate and staff feeding, seven days per week for an approximate Average Daily Population of 2700 inmates at the locations listed below. This Request for Proposal ("RFP") is being released to invite interested and qualified companies to prepare and submit proposals in accordance with instructions provided where the successful candidate will be selected and invited to enter into a contractual relationship with Shelby County for the Services outlined in this RFP. In this RFP, the terms Proposer and Consultant are used interchangeably unless the context indicates otherwise. The facilities included in this request are:

Main Jail – 201 Poplar Avenue Memphis, TN 38103
Jail East – 6201 Haley Road Memphis, TN 38134

## II. MINIMUM PROPOSER REQUIRMENT

All Proposers must:

1. Have at least five (5) years of previous correctional feeding experience with proven effectiveness in administering large scale corrections food service programs of at least 2,000 inmates.
2. Have proven ability for a contract start-up within thirty (30) days of full contract execution.
3. Must have the ability to provide an On-site General Manger as well as a Food Director for the contract.
4. Possess and maintain American Correctional Association (*ACA*) certification for Food Services (*including any new/additional requirements outlined by the Association during the term of the contract*).
5. Currently have at least three (3) similar size facilities under contract for the same services requested who obtained accreditation as a result of your efforts.
6. Apply for an Equal Opportunity Compliance (EOC) certification number through our EOC Administration (*see the details outlined in section VII General Requirement/e. Selection Criteria*)
7. Adhere to all Title VI requirements and provide proof/documentation if necessary

***Please Note:*** ***As a part of doing business with Shelby County, each individual, company or organization is required to obtain a vendor number and an "Equal Opportunity Compliance" certification number. The vendor # is obtained through the Purchasing Department and the EOC certification is obtained through the Shelby County EOC Administration. . If you have any***

***questions regarding the vendor # please call the Purchasing Department @ 901-545-4360 or download the Bidder's List Application & the W-9 at http://www.shelbycountytn.gov/FirstPortal/dotShowDoc/dotContent/Government/CountyServices/AdminandFinance/bidder_app.pdf and http://www.shelbycountytn.gov/FirstPortal/dotShowDoc/dotContent/Government/CountyServices/AdminandFinance/fw9.pdf***

***If you have any questions regarding the EOC qualification, please call 901-545-4336 or download the document at http://www.shelbycountytn.gov/FirstPortal/dotShowDoc/Government/CountyServices/AdminandFinance/eoc_contract_comply_v2.pdf***

****You may respond to this solicitation if you have at least applied for a vendor # and the certification. Please include a copy of the applications that you submitted with your proposal response.***

## III. CORRESPONDENCE

**All correspondence, proposals and questions concerning the RFP are to be submitted to:**

**Celeste S. Walker, Deputy Administrator**
**Shelby County Government**
**160 N. Main St. Suite 550**
**Memphis, TN 38103**

Respondents requesting additional information or clarification are to contact Ms. Celeste S. Walker in writing at celeste.walker@shelbycountytn.gov or at the address listed above. Questions should reference the section of the RFP to which the question pertains and all contact information for the person submitting the questions. ***IN ORDER TO PREVENT AN UNFAIR ADVANTAGE TO ANY RESPONDENT, VERBAL QUESTIONS WILL NOT BE ANSWERED. The deadline for submitting questions will be March 14, 2008 by 12:00 p.m. (CST).*** These guidelines for communication have been established to ensure a fair and equitable process for all respondents.

Please be aware that contact with any other personnel (other than the person clearly identified in this document) within Shelby County regarding this RFP may disqualify your company from further consideration.

## IV. PROPOSAL SUBMISSION & DEADLINE

All proposals must be received at the address listed above no later than **March 26, 2008 @ 3:00 p.m. (CST).** Facsimile or e-mailed proposals will not be accepted since they do not contain original signatures. Postmarks will not be accepted in lieu of actual receipt. Late or incomplete proposals may

not be opened and considered. Under no circumstances, regardless of weather conditions, transportation delays, or any other circumstance, will this deadline be extended.

## V. PROPOSAL TIMELINE

Shelby County reserves the right to modify this timeline at any time. If the due date for proposals is changed, all prospective Proposers shall be notified.

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|---|---|
| Request for Proposals Released | **Monday, March 3, 2008** |
| Addendum Issued | **Thursday, March 6, 2008** |
| Pre-Proposal Conference | **Thursday, March 13, 2008** |
| Proposal Due Date (*revised*) | **Monday, March 26, 2008 by 3:00 p.m. (CST)** |
| Notification of Award | **May 2008** |
| Services to begin | **July 1, 2008** |

The County may reproduce any of the Proposer's proposal and supporting documents for internal use or for any other purpose required by law.

## VI. PROPOSAL CONDITIONS

### a. Contingencies

This RFP does not commit the County to award a contract. The County reserves the right to accept or reject any or all proposals if the County determines it is in the best interest of the County to do so. The County will notify all Proposers, in writing, if the County rejects all proposals.

### b. Modifications

The County reserves the right to issue addenda or amendments to this RFP.

### c. Proposal Submission

To be considered, all proposals must be submitted in the manner set forth in this RFP. It is the Proposer's responsibility to ensure that its proposals arrive on or before the specified time.

### d. Incurred Costs

This RFP does not commit the County to pay any costs incurred in the preparation of a proposal in response to this RFP and Proposers agree that all costs incurred in developing this RFP are the Proposer's responsibility.

### e. Final Authority

The final authority to award a contract rests solely with the Shelby County Purchasing Department.

### f. Proposal Validity

Proposals submitted hereunder will be firm for at least on hundred twenty (120) calendar days from the due date unless otherwise qualified.

### g. LOSB

The County encourages the utilization of locally-owned small businesses as sources of subcontract work. The County notifies all respondents that all firms and/or individuals shall comply with the regulations relative to nondiscrimination in federally assisted programs of the Title VI of the Civil Rights Act of 1964, as amended.

**LOCALLY OWNED SMALL BUSINESS PURCHASING PROGRAM RULES AND REGULATIONS:**

(i) The Administrator of Purchasing in conjunction with the Administrator of EOC shall identify certain goods and services required by the County to be set aside for special purchasing procedures for locally owned small businesses.

(ii) Only certified locally owned small businesses will be allowed to submit competitive bids on the goods or services identified under paragraph (i) above.

(iii) The Administrator of Purchasing shall, in conjunction with the Administrator of EOC, annually review the Shelby County Capital Improvement Program to determine those projects with a construction cost of $250,000 or more. Contracts amounting to at least ten (10%) of the construction costs of such project shall be awarded to locally owned small businesses as defined herein, except as set forth in sub-paragraph (vi) of this section, either as part of the conditions of the solicitation for general contractors bidding on these projects, or as separate bids issued by the County for subcontracts that may be assigned to general contractors.

(iv) After adhering to all other bidding and purchasing requirements of the County, not inconsistent with this part, if no bids are received from locally owned small businesses, then the County may solicit bids for the goods or services from all other sources.

(v) On all purchases and/or contracts entered into by the County, the Purchasing Administrator or his or her designee shall have the right to negotiate with any supplier of goods or services to the County for the inclusion of locally owned small business subcontractors and/or suppliers in the contract award.

(vi) Failure by a supplier or contractor to include locally owned small business sub-contractors or suppliers in its bid or contract may be grounds for rejection of said bid or contract unless the supplier or contractor can show documented evidence of good cause why none were included.

(vii) Any locally owned small business awarded a contract or purchase order under this section shall not sublet, subcontract or assign any work or services awarded to it without the prior written consent of the Mayor or the Purchasing Administrator.

(viii) As to those purchases below the requirement for a formal bid solicitation (currently, under $15,000) and not included in the locally owned small business set aside, the Administrator of Purchasing shall determine if any locally owned small business offers that product or service. If so, at least one such eligible locally owned small business should be included in the vendors contacted for an opportunity to bid, and the Administrator of Purchasing may, at his discretion, designate in a purchase order the purchase of such goods and services from the identified locally owned small business.

(ix) In those situations where a locally owned small business as defined herein, engages in open competitive bidding for County contracts, the Administrator of Purchasing shall provide for a preference for the locally owned small business where responsibility and quality are equal. Said preferences shall not exceed five percent (5%) of the lowest possible bidder meeting specifications. The preference shall be applied on a sliding scale in the following manner:

a. A preference of up to five percent (5%) shall be allowed for contracts up to $500,000.00;

b. A preference of up to three and five-tenths percent (3.5%) shall be allowed for contracts up to $750,000.00;

c. A preference of two and one-half percent (2.5%) shall be allowed for contracts up to $1,000,000.00;

d. A preference of two percent (2%) shall be allowed for contracts that exceed $1,000,000.00.

(x) For construction contracts over $2,000,000.00, the Administrator of Purchasing shall provide for a preference of two percent (2%) to general contractors meeting the requirements of Section 1, Subparagraph B, if fifty percent (50%) or more of the total work comprising the bid has been or will be awarded to certified locally owned small businesses. The fifty percent subcontracting threshold must be met prior to contract execution.

(xi) The Administrator of Purchasing may divide a single bid package for any purchase of goods and services into two or more smaller bid packages in any case that the Administrator of Purchasing reasonably believes that the smaller bid packages will result in a greater number of bids by locally owned small businesses.

(xii) The Administrator of Purchasing, upon approval of the County Mayor, may establish special insurance and bonding requirements for certified locally owned small businesses so long as they are not in conflict with the laws of the State of Tennessee.

(xiii) The Administrator of Purchasing, with the approval of the County Mayor, shall adopt and promulgate, and may from time to time, amend rules and regulations not inconsistent with the provisions of this ordinance, governing the purchase of goods and services from locally owned small business concerns to effectuate and implement the Locally Owned Small Business Purchasing Program within the intent of this ordinance.

(xiv) The Administrator of EOC shall, in conjunction with the Administrator of Purchasing, provide a written quarterly report to the Mayor and Board of Commissioners which shall include a summary of the purchases selected for this program, a listing of the contracts awarded to locally owned small businesses for the period, and the dollar amounts of each such contract, and the percentage which such contracts bear to the total amount of purchases for the period.

**h. Living Wage**

Shelby County Government Ordinance # 328 "Living Wages" is hereby incorporated into this Request for Proposal and any resulting contract. Please make sure that you review and apply the requirements of the ordinance to your proposal response. Failure to do so will result in disqualification from the review and award process. You may view and print the ordinance as a separate attachment for this RFP (***please do not forget to download ALL the additional attachments***).

## VII. GENERAL REQUIREMENTS

### a. Background

The Jail system currently provides food services for an approximate average daily population of 2700 inmates at the two locations indicated in this proposal. The food services for these two locations have been provided by an outside contractor since 2002. It is expected that around 9000 meals will be served to our inmates and around 400 to 500 meals to our staff (officers).

### b. Scope of Contract

The County wishes to engage in a contractual relationship with the best-qualified Consultant selected through a competitive process. The Consultant must be prepared to begin immediately upon receipt of a Notice to Proceed

### c. Project Time Frame

The initial term of the contract will for a term of one (1) year from July 1, 2008 through June 30, 2009 with the option to renew for two (2) additional one (1) year periods with the same terms and conditions. The Provider must be prepared to begin immediately upon receipt of a Notice to Proceed.

### d. Reservation of Rights

The County reserves the right, for any reason to accept or reject any one or more proposals, to negotiate the term and specifications for the services provided, to modify any part of the RFP, or to issue a new RFP.

### e. Selection Criteria

Each response will be evaluated on the criteria outlined in Section XII of this document. Each bidder should set out in it's response to this RFP to clearly identify the qualifications of its company and each individual who will work on this project.

As part of the qualification process each vendor will be required to apply for an EOC # and provide workforce utilization information. Please contact the EOC Administration @ 901-545-4336 to obtain the necessary documents and to ask any questions that you may have regarding this information. The EOC application is available online at the following link:
http://www.shelbycountytn.gov/FirstPortal/dotShowDoc/Government/CountyServices/AdminandFinance/eoc_contract_comply_v2.pdf

During the evaluation process, Shelby County Government reserves the right to consider the vendor's EOC rating in the evaluation.

### f. Additional Information and References

Any additional information that would be helpful to the County in evaluating a proposal, including a list of current and former clients with a similar profile to Shelby County, should be submitted. At least three (3) former clients who have terminated in the last five (5) years should be included on this list.

## VIII. AWARD OF CONTRACT

Proposers are advised that the lowest cost proposal will not necessarily be awarded the contract, as the selection will be based upon qualification criteria as deemed by the County and as determined by the selection committee and the County Mayor.

## IX. PURPOSE

To select the best-qualified company and award a County-approved contract for professional services to perform the Services and to satisfactorily complete all activities associated with the Services.

### Services Required

Consultant will be required to perform the following Services:

1. Have qualified and trained staff with sufficient back-up personnel to successfully complete the contract requirements. Personnel must include a full-time, corrections-experienced Registered Dietitian available for menu development.
2. Include a complete staffing plan, by shift, by positions, and include hours worked and pay rates.
3. Because of the complexity and critical nature of the food service operation at Shelby County, the on-site General Manager should have, at a minimum, ten (10) years of experience in correctional food service, including at least two years experience in a facility of at least 2,000 beds. The General Manager must live within 30 miles of the facilities. A complete resume indicating correctional experience, current contract information, and the names and locations of current clients.

4. The Food Service Director will have minimum two (2) years correctional food service experience. A complete resume must be provided.

5. Have central office capability to supervise and monitor the program ensuring satisfactory provision of services. In addition, the vendor must have an alternate emergency preparation site in the Shelby County area.

6. Submit a certified copy of the current financial report of the company and audited financial statements for the past three years. If the company is a subsidiary or division of a corporation, the relationship of the vendor must be clearly delineated in the proposal.

7. Submit a list of five (5) references, including name of institution, address, and contact person and phone number.

8. List all contracts terminated in the past three (3) years and the reason for termination.

9. Demonstrate ability to comply with American Correctional Association standards for local detention facilities and attain ACA certification for food service. Vendors will indicate at least three similar size facilities currently under contract which have attained accreditation as a result of their efforts.

10. Develop an operating plan for food service that best meets the stated objectives and needs of Shelby County. Include Quality Assurance plan and proposed staffing and personnel plan.

11. Food Service should include at least three (3) meals daily

12. Provide menu quality offered for price proposed. Include nutritional quality, menu acceptability and stated menu standards.

    a. Menus must provide weekly average of 3000 calories per day for adults distributed between three meals.

    b. Not to exceed a monthly average of 35% of calories as fat unless specifically requested by the County.

    c. Weekly average of 80 grams of protein per day.

    d. No pork or pork by-products.

    e. Medical diets shall be provided upon request.

    f. Appropriate condiments must be served with meal.

    g. Hamburger Buns and Hot Dog Buns are required when Hamburger or Hot Dog are listed on the menu.

    h. No organ meats shall be allowed in any ground meat.

    i. Coffee is required daily at the breakfast meal.

    j. Include a copy of an actual menu to be served in the proposal.

13. Contractor will be responsible for maintaining and repair of all kitchen equipments. The vendor must provide a detailed plan of maintenance procedures, including a detailed preventive maintenance plan. The County reserves the right to inspect all preventive maintenance and repair performed by the vendor.

14. Vendor must provide a detailed Emergency Contingency plan specific to the Shelby County Jail facilities, not a generic plan. This should include detailed plans for dealing with lockdowns, power outages, traffic accidents, work stoppages, and weather or national security emergencies.

15. Vendor will prepare required portions based on the menu, and transport in bulk, utilizing their own vehicle to Jail East.