

From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Cc: "[Joe Bellavance IV \(joe.bellavance@bellavancebev.com\)](#)"; [Rich Clarke](#); [Shumway, Kary \(kshumway@clarkedistributors.com\)](#); [WholesalersList - Ed Coppola](#); [Tom Painchaud](#)
Subject: Answers to Hat Trick's Questions
Date: Friday, June 22, 2012 3:38:14 PM
Attachments: [HTL RFP Follow-up Responses 06 22 12.docx](#)
[HTL - Merrimack Expansion.pdf](#)
[HTL Inventory On Hand.xlsx](#)
[Hat Trick - Cost Proposal.pdf](#)
[HTL Response to NHSLC Question Volume Projections.xlsx](#)
[image001.png](#)

Craig

Attached are the answers to the question given to Hat Trick Logistics LLC. I am currently on my way to your office to deliver a hard copy of the response.

Both New Hampshire Distributors, Inc. and Bellavance Beverage Company Financials are being delivered by hand TODAY. Clarke Distributor, Inc. Financials have been sent to you via email.

Please let us know if you have any further questions.

Have a great weekend

Chris Brown

Christopher A. Brown
President & COO
New Hampshire Distributors, Inc.
65 Regional Drive
Concord NH, 03301
cbrown@nhdist.com
603-410-1824
603-235-3101 cell

From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Subject: BAFO - Hat Trick Logistics
Date: Friday, August 03, 2012 4:25:30 PM
Attachments: [Hat Trick Org Chart 1.pdf](#)
[Hat Trick Org Chart 2.pdf](#)
[ANSWers 08032012.docx](#)
[image001.png](#)

Craig

Have a great weekend

Chris Brown

Christopher A. Brown
President & COO
New Hampshire Distributors, Inc.
65 Regional Drive
Concord NH, 03301
cbrown@nhdist.com
603-410-1824
603-235-3101 cell

From: [Stephen J. Judge](#)
To: ["Chris Brown"](#)
Cc: [Craig W. Bulkley](#); [John D. Bunnell](#)
Subject: BAFO Hat Trick
Date: Monday, July 30, 2012 2:51:40 PM

Dear Chris

Craig is unavailable and asked me to set out the process for this week. The NHSLC Commissioners have selected you to participate in the Best and Final Offer (BAFO) phase of the RFP. The Evaluation Committee is authorized to enter into pre-selection discussions. RFP Section 4.7 a. 1. p. 36.

This phase will begin with a written request. This request may be the only opportunity to improve your proposal. You may revise your proposal as a result of this request. RFP page 36.

The written request will be an email from Craig. The current plan is to send out the email by cob tomorrow with your response due by noon on Friday.

Steve

Stephen J. Judge
AG Legal Consultant for NHS Liquor Commission
Wadleigh, Starr & Peters, PLLC
95 Market Street
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Fax: 603-669-6018
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From: [Craig W. Bulkley](mailto:Craig.W.Bulkley)
To: ["cbrown@nhdist.com"](mailto:cbrown@nhdist.com)
Subject: Best & Final Offer (Hat Trick)
Date: Tuesday, July 31, 2012 3:43:16 PM
Attachments: [nhlc_background_check.doc](#)
[Clean Law Warehouse Contract Eff 5-1-12.pdf](#)

Dear Chris:

As you were previously informed, the NHSLC Commissioners have selected you to participate in the Best and Final Offer (BAFO) phase of the RFP. The Evaluation Committee is authorized to enter into pre-selection discussions (RFP Section 4.7 a. 1. p. 36). This phase will begin with a written request. **This request may be the only opportunity to improve your proposal.** You may revise your proposal as a result of this request (RFP page 36).

We must receive written answers by **Friday, August 3, 2012.**

You are encouraged to review your entire proposal and improve it to the advantage of the State. There are several areas on which we are specifically focused in order to identify the Proposal that is the most advantageous to the State of New Hampshire.

I. Financial

This issue is highlighted in the Vendor pricing and Innovation Criterion, an area valued at 40 points. The desired end result is that Product will be available in a timely manner and in the necessary amount at every state store and for every Licensee. RFP p. 34. It is also a portion of the Vendor Overall Solution criterion in the requirement that the solution be, among other things, cost effective.

Using the template reviewed at your Phase II presentation, please provide your lowest possible rates.

Please confirm that those rates will not change for the first 30 months of the contract.

If possible, please submit an alternative rate structure that provides for rates over the entire twenty-year contract.

Please confirm that the twenty-year rates will not change.

II. Transition

This issue is highlighted in the Vendor Experience & Qualifications/Transition Criterion, an area valued at 20 points. It is also a portion of the Vendor Overall Solution in the requirement that the Vendor demonstrate suitable financial strength, stability and capacity to undertake a sophisticated and capital intensive Warehouse operation with a very high degree of performance and in a timely manner.

Please confirm that the facility in your proposal and the solution for providing all services required by the RFP will be fully operational on or before October

31, 2013.

Please confirm the identity of those individuals who will be located in New Hampshire during the construction of or transition to the proposed facility (Appendix C, III, p. 43).

If you have constructed or transitioned to a facility similar to the facility in your proposal please identify the project and provide contact information for your client (Appendix C, II, page 43 of the RFP).

The RFP requires a separate transition bond to cover any and all costs related to the transition. (RFP Section, 1.9, p. 10 as clarified by the April 18, 2012 clarifications).

Please confirm that you will provide a transition bond for completion of all necessary items to make the facility fully operational on or before October 31, 2013.

The amount of the bond will be discussed with any Vendor that is selected for contract negotiations.

III Contract performance bond

A contract performance bond is required by Section 1.9, page 11 of the RFP. \$1,000,000 was provided as an example of the amount of the contract performance bond. The amount of the bond will be discussed with any vendor that is selected for contract negotiations.

IV. Final Contract

The General Criterion provides for a review of whether the Vendor's exceptions to the RFP are acceptable to the NHSLC. Section 1.19 provides for cancellation of selection for contract award based on a failure to reach agreement on contractual terms, etc. The NHSLC wants to move as quickly as possible to contract award. To that end, a rather full description of the final contract is set out below. The current short-term warehouse services contract is attached to this email. Because it is a short-term contract, the State agreed to certain terms that it may not agree to in a long-term contract. The point is that the fewer exceptions that have been taken to either the RFP or the standard state contract, the more quickly a final document can be executed.

The Standard State Contract is contained in Exhibit E of the RFP. It is more frequently identified as Form P-37 and we will refer to it as such throughout this item but it is the same document that is contained in RFP Exhibit E. The P-37 cannot be changed on its face. At the end of this process, a P-37 will be signed by the parties. It will contain Exhibits A-F.

If you look at Paragraph 2 of the P-37, you will see that Exhibit A is required to contain a particular description of the work to be performed by the Vendor. Exhibit A will incorporate by reference the RFP and the Proposal. The fewer exceptions

taken to the RFP, the easier it will be to craft Exhibit A.

Paragraph 5 of the P-37 requires Exhibit B to describe the method of payment and terms of payment. It will incorporate the template that best suits the needs of the NHSLC. [This template will be contained in Exhibit F.]

Paragraph 22 of the P-37 allows changes to the P-37 if they are set forth in Exhibit C. That is why Appendix E in the RFP is modified by Exhibit C. Perhaps our effort to be consistent with the final product has caused more confusion than clarity.

Other documents required by the RFP will be part of the contract such as certificates of insurance, the transition bond, the performance bond, a certificate of vote, a certificate of good standing, and a warehouse license.

Exhibit D will be the RFP with all amendments and clarifications.

Exhibit E will be the winning proposal.

Exhibit F will be the price template.

Even if you have done so before, please identify and explain every exception that you intend to take.

V Performance of contract

Any Vendor selected for contract discussions will be required to submit to a standard background check performed by Liberty Screening Services, LTD. A sample form is attached. The background check will be performed for all the individuals who will participate in the transition phase as well as the first 30 months of operation. It will also be performed for parent organizations, if you are a new entity.

Please confirm that you and your employees will submit to the background check

Appendix C, III. P. 43 of the RFP requested the physical location of each person during the time they will be working on the project.

Please confirm the identity of the persons who will be located in New Hampshire to run the proposed facility for the first 30 months.

The Vendor is required to identify a redundant warehouse site in the event of natural or man-made disasters (RFP APP C XIII, P.48)

Please identify your redundant warehouse site.


If you have any questions regarding this email, please contact me. Thank you.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration

NH State Liquor Commission

 (603) 230-7008

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 cbulkley@liquor.state.nh.us

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From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Subject: Bond Question
Date: Thursday, August 02, 2012 4:05:58 PM
Attachments: [image001.png](#)

The RFP references a bond of \$1,000,000. As we finalize our best and final offer we are basing our financials on a realistic range of the bond around that figure. Last week Steve Judge referenced 20,000,000 Bond.....was this figure real or inflated?

At this point Hat Trick sees no problem in bonding either level, but the difference in amount for the bond is significant and can change our operating budget significantly.

Can you give clarification or possibly a range where that is?

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603-410-1824
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From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Subject: FW: BAFO Hat Trick Logistics
Date: Friday, August 03, 2012 4:37:05 PM
Attachments: [Hat Trick Org Chart 1.pdf](#)
[Hat Trick Org Chart 2.pdf](#)
[ANSWers 08032012.docx](#)
[image001.png](#)

Craig

Just making sure you received this.

Have a great weekend

Chris Brown

Christopher A. Brown
President & COO
New Hampshire Distributors, Inc.
65 Regional Drive
Concord NH, 03301
cbrown@nhdist.com
603-410-1824
603-235-3101 cell

From: [Stephen J. Judge](#)
To: ["Chris Brown"](#)
Cc: [Craig W. Bulkley](#)
Subject: FW: LOI - Hat Trick
Date: Friday, July 20, 2012 4:22:17 PM

Please see below.

Stephen J. Judge
AG Legal Consultant for NHS Liquor Commission
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From: Stephen J. Judge
Sent: Friday, July 20, 2012 4:20 PM
To: 'Chris Brown '
Cc: Craig W. Bulkley
Subject: LOI

Dear Chris,

Craig is out of the office today and asked me to comment on your LOI and items for your presentation. Please Reply to All and Craig will pick up the thread on Monday. You have asked whether the LOI satisfies our request. What we need is comfort that you will be able to have an appropriate facility up and running on time. Anything that you can provide regarding the arrangement with the owner of the facility is welcome. While getting ready for your presentation, please prepare to discuss the following items. We need to know that putting that facility on line will not change the rates you addressed earlier today for the first 30 months. With the three partners working together for the first time, we need detail on how the facility will be run. We understand why the request for financial information was handled as it was but we need a sense of unity in the organization. We also need an explanation for any exceptions that were taken to the provisions in the RFP. I am sure there will be more specific substantive questions.

Steve

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From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Subject: Fwd: Hat Trick - Financial BAFO Final Confirmation
Date: Thursday, November 01, 2012 9:10:01 AM

Craig

We confirm that our BAFO of \$28,057,168 for the first 30 months of the contract as computed on the template is correct. However, for clarification, this number is based on volume estimates supplied by NHSLC. The contract rates as specified in our proposal will be applied to actual volumes to arrive at the actual fees to be charged to suppliers and the NHSLC. Therefore, the contract rates will not change, but the \$28,057,168 amount may be higher or lower based on actual volume.

Please confirm that you received this.

From: "Craig W. Bulkley" <cbulkley@liquor.state.nh.us>
Date: October 30, 2012, 11:10:16 AM EDT
To: <cbrown@nhdist.com>
Subject: Hat Trick - Financial BAFO Final Confirmation

Chris:

At this time, the Liquor Commission wishes to make a final confirmation of your financial BAFO. We understand that your final offer to us on the template for the first 30 months is \$28,057,168.

Please confirm that this number is correct no later than 1 PM on Friday, November 2, 2012.

Thank you.




Please consider the environment before printing this e-mail.

Craig W. Bulkley

Chief of Administration

NH State Liquor Commission

 (603) 230-7008

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Cell: (603) 490-1559

 cbulkley@liquor.state.nh.us

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From: [Chris Brown](#)
To: [Craig W. Bulkley](#); [George P. Tsiopras](#)
Subject: Fwd: Hat Trick Response to SLC on their fee schedule question
Date: Friday, July 20, 2012 2:33:33 PM
Attachments: [NHSLC RFP - Fee Schedule from SLC 7-20-2012.xls](#)

Craig and George

We confirmed that the fees listed on your spreadsheet (updated and attached) are correct with the minor exceptions of the fees highlighted in yellow on the attachment.

Thanks,

Chris

From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Subject: Fwd: LOI
Date: Thursday, July 19, 2012 12:59:03 PM
Attachments: [3rdFloorFrontScanner@orr-reno.com_20120719_091448.pdf](#)

Craig

I am sending you this info from my phone because I am out of town until friday.
Please let me know if you recieved this. Attached is what was in our RFP. Section IV question 16. Page 0214-0218. Do you need more detail than this?

we are meeting today at 2 and can get you more info if needed.

Sent from my HTC on the Now Network from Sprint!

----- Forwarded message -----

From: "Tom Painchaud" <TPainchaud@NHDIST.COM>
Date: Thu, Jul 19, 2012 9:39 am
Subject: LOI
To: "Chris Brown" <cbrown@NHDIST.COM>

----- Original Message -----

From: Geiger, Susan S. [<mailto:SGeiger@orr-reno.com>]
Sent: Thursday, July 19, 2012 09:13 AM
To: Tom Painchaud
Subject: LOI

Hi Tom - Attached is a copy of the signed LOI that you requested. Please let me know if you need anything else as you prepare for the presentation to the NHSLC. Hope all is well. Susan

From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Cc: "[Joe Bellavance IV \(joe.bellavance@bellavancebev.com\)](#)"; [Tom Painchaud](#); [Shumway, Kary \(kshumway@clarkedistributors.com\)](#); [WholesalersList - Ed Coppola](#)
Subject: Hat Trick - 59 DW Highway Site
Date: Monday, June 18, 2012 2:08:44 PM

Craig

Sorry for the delay. Members of Hat Trick Logistics LLC are looking forward to meeting you and the remainder of the evaluation committee at our proposed warehouse, this Wednesday at 2pm.

From Concord please take Exit 10 off the Everett Turnpike. Once you get to the DW Highway, turn right and follow 1.5 miles, the building is on your left. The building is set back off the road; follow the driveway down a hill in back, we will be waiting to the right next to the loading docks.

Look forward to seeing you then

Chris Brown

From: Craig W. Bulkley [mailto:cbulkley@liquor.state.nh.us]
Sent: Friday, June 15, 2012 1:51 PM
To: Craig W. Bulkley
Cc: John D. Bunnell; George P. Tsiopras; Judge, Steve
Subject: Warehouse Services RFP 2012-14

Dear Vendors:

The Evaluation Committee is performing its initial analysis. We will have several questions about your proposal no later than Monday, June 18th. In order to expedite the process, we would like your answers to our questions by Friday, June 22nd.

When you receive our questions, please do not draw any conclusions from them. They are asked in order to confirm that we understand specific parts of your proposal. Do not assume that our questions bring any weight to that part of your proposal about which we have asked. In other words, take the questions at face value and just answer them as completely and with as much detail as possible.

We may well have more questions. To that end, we want to tour your proposed facility next week during the timeframe of Tuesday, June 19th to Friday, June 22nd. Please contact me directly and be prepared to offer several dates when you will be available. Your cooperation on agreeing to meet with us on one of these dates is greatly appreciated.


Please acknowledge receipt of this email. Thank you.



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Craig W. Bulkley
Director

Division of Administration
NH State Liquor Commission

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 cbulkley@liquor.state.nh.us

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From: [Craig W. Bulkley](#)
To: "cbrown@nhdist.com"
Subject: Hat Trick - Background Check
Date: Friday, August 03, 2012 11:13:20 AM

We have received a question from a Vendor regarding the background check requirement in the BAFO for employees of the warehouse vendor and the vendor's parent. A form was attached as an example. The form, on its face, applies to state employees. The form that will be used will be modified to require a reasonable background check. The request for confirmation in the BAFO is amended to read:

Please confirm that you and your employees will submit to a reasonable background check.



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From: [Craig W. Bulkley](#)
To: "cbrown@nhdist.com"
Subject: Hat Trick - BAFO Due Date & Time
Date: Thursday, August 02, 2012 1:53:22 PM

Chris:

Due to some confusion over the time that your BAFO is due, we are informing you that the BAFO will be due by 4 PM on Friday, August 3, 2012.



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Craig W. Bulkley
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From: [Craig W. Bulkley](#)
To: "cbrown@nhdist.com"
Subject: Hat Trick - Best & Final Offers
Date: Friday, August 10, 2012 12:13:40 PM

You may recall that you received an email from me on 8/2/12 at 1:53 PM stating:

“Due to some confusion over the time that your BAFO is due, we are informing you that the BAFO will be due by 4 PM on Friday, August 3, 2012.”

This is to inform you that the deadline has been extended to 7 PM, Friday, August 3, 2012



Please consider the environment before printing this e-mail.

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From: [Craig W. Bulkley](#)
To: "Shumway, Kary"
Subject: Hat Trick - CONFIDENTIAL - Clarke Distributors Financial Information
Date: Wednesday, June 27, 2012 6:03:21 PM

Kary:

I am in receipt of your email dated June 22, 2012. I write in response to your letter of the same date regarding the financial statements of Clarke Distributors, Inc. I note your request that the financial statements be returned directly to Clarke if Hat Trick Logistics, LLC is not awarded the warehouse contract. I draw your attention to RFP 2012-14, Section 1.13, Page 12, which provides that all material received in response to the RFP shall become the property of the NHSLC and will not be returned to vendors.


This section memorializes longstanding state RFP practice. While I recognize the sensitivity of the documents and the RFP provides protection for confidential financial documents, the state has an obligation to maintain all documents related to the competitive bidding process. The documents may be reviewed in future years by internal auditors or some other person who has a need to confirm that the process was conducted according to state law.

I hope you understand the state's position. Please email me if you have any questions or concerns.

Thank you.



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From: Shumway, Kary [mailto:kshumway@clarkedistributors.com]
Sent: Friday, June 22, 2012 3:23 PM
To: Craig W. Bulkley
Subject: CONFIDENTIAL - Clarke Distributors Financial Information

Craig,

It was a pleasure to meet you this week at the Merrimack warehouse. As requested, in connection with our proposal, attached are the Confidential financial statements of Clarke Distributors, inc. a Member of Hat Trick Logistics, LLC. Please note that we are still waiting on issuance of our 2011 statements, so I have sent 2008, 2009 and 2010 information. If required, I will contact our CPA firm and have the 2011 statements produced as soon as possible.

Should you have any questions please do not hesitate to give me a call.

Thank you,
Kary

***Kary Shumway, CFO
Clarke Distributors, inc.
472 Winchester Street
Keene, NH 03431
603-352-0344 x1211
603-352-0988 Fax
603-313-2322 Cell***

From: [Craig W. Bulkley](#)
To: "cbrown@nhdist.com"
Subject: Hat Trick - Contract Award Extension
Date: Friday, August 31, 2012 4:17:48 PM

Chris:

The Evaluation Committee has a question that you need to answer.

The question is: What additional costs would be incurred if the contract was not awarded until November 14, 2012? What would be the impact on your grand total costs over the initial 30-month term?

We would like a response by 12:00 noon on Wednesday, September 5, 2012. If, however, a small amount of additional time is required, please let us know.

Thank you.



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From: [Craig W. Bulkley](mailto:Craig.W.Bulkley)
To: "cbrown@nhdist.com"
Subject: Hat Trick - Current & Future Data Requirements
Date: Thursday, August 02, 2012 2:16:11 PM

Chris:

The NHSLC draws your attention to the April 19, 2012 Clarifications and Amendments, Questions 12-14 pp.3-4. To quote Question 13, in material part, The warehouse vendor will be required to provide their own WMS to interface their WMS with the current **and future systems** described in Question 12.(emphasis added).

As technology advances, the New Hampshire liquor commission will need to migrate from its current infrastructure to a more automated and supportable environment. This will be done to improve communications with its vendors, suppliers and most importantly, its customers. The chosen vendor will need to make modifications and updates to their environment to stay current. As the State of New Hampshire will be using open data formats, it will be relatively easy and consistent to maintain normal communications with outside systems that do the same.

The New Hampshire Liquor Commission will incur its own cost of maintenance and upgrades of its system and the chosen vendor will responsible for its costs to do the same as a normal part of the cost of doing business.


There will have to be a change process in place to allow for notification of change, testing, acceptance and migration into production of any changes made to any systems that affect system functionality.

Please confirm that you will be responsible for your costs to make modifications and updates to your environment to stay current with the future system.

Please respond by 4 PM on Friday August 3, 2012.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
 (603) 230-7008
FAX (603) 271-3897

Cell: (603) 490-1559

✉ cbulkley@liquor.state.nh.us

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From: [Craig W. Bulkley](#)
To: "cbrown@nhdist.com"
Subject: Hat Trick - Questions Posed by Vendors
Date: Friday, August 03, 2012 10:19:35 AM

In response to the BAFO, the following questions were posed yesterday and this morning by vendors:

Question #1:

Can the NHSLC tell us if each vintage (year of production) is currently tracked as a separate SKU? If so, are these SKUs included in the approx. 10,000 SKUs in the data supplied? If not, can you tell us how many SKU's have multiple vintages associated with a single SKU and the total number of vintages across those SKUs?

Answer:

Yes, however, the State only tracks the basic SKU/state code. There are approximately 300 SKUs that are tracked by the warehouse by SKU/vintage by adding a vintage identifier to the SKU. For example, SKU/state code 4800 may become 4800-2008. These are typically the high-priced wines.

Question #2:

Please confirm that the state places orders with suppliers for product and as such has the ability to manage the risk of too much inventory on hand. This would be in comparison to a vendor managed inventory model where the Product Suppliers determine the level of inventory.

Answer:

We can not confirm your statement. The NHSLC tracks the sale of product. At the end of the month, the NHSLC finalizes a report that is put online and available to the suppliers. The suppliers use the report to charge the NHSLC for the sale of product. It may also be used by the suppliers to calculate the amount of product which will be sent to the warehouse by the suppliers. Note that there is a legal requirement that a 30-day supply of each product be available in the warehouse. At Concord, the minimum is a case. At the new warehouse, which will be able to perform single-bottle picks, the minimum requirement for a very slow-moving product may be less than a case. Typically, the warehouse receives advanced notice of a shipment. Because of the bailment system, there is a disincentive for a supplier to send excess product to either warehouse.

Question #3:

The RFP references a bond of \$1,000,000. As we finalize our best and final offer we are basing our financials on a realistic range of the bond around that figure. Last week Steve Judge referenced a \$20,000,000 Bond.....was this figure real or inflated?

Answer:

The \$20 million number was chosen to drive home the point that the cost of failure is enormous. Your financials should be based on the \$1 million bond. As we stated in the BAFO sent to you on July 31, 2012, the amount of the bond will be discussed with a Vendor(s) selected for contract negotiations.



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From: [Craig W. Bulkley](#)
To: "cbrown@nhdist.com"
Cc: "[Judge, Steve](#)"; [Stephen J. Judge](#)
Subject: Hat Trick - Redacted Copy of Warehouse Proposal
Date: Monday, November 26, 2012 4:00:34 PM
Importance: High

Chris:

The Commission has received Right-to-Know Law requests regarding the Warehouse Services RFP. All Vendors are receiving an email regarding the Right-to-Know requests. One of the items requested is your proposal. In accordance with Section 1.14, Disclosure of Proposal, Page 12 of the RFP, you were required to provide a redacted proposal. In our review of the material you submitted with your proposal, we see on Page 13 of your proposal that your answer to Section 1.14 was "understood." We do not see any indication that you identified "vendor confidential information." Therefore, the Commission will be releasing your proposal electronically in the near future using the CD-ROM that you provided.

We will also be releasing all email communications between Hat Trick and the NHSLC at the same time.

We note that you took an exception to providing the Evaluation Committee with each company's financials. RSA 91-A contains an exemption for financial information. If you intend to rely upon the exemption, you must notify me immediately via email.

The 91-A review process will probably involve the Attorney General's office. If you are represented by legal counsel, he or she may contact Steve Judge at sjudge@wadleighlaw.com and stephen.j.judge@liquor.state.nh.us . If not represented by counsel, please contact me.

Thank you.

 Please consider the environment before printing this e-mail.

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From: [Craig W. Bulkley](mailto:Craig.W.Bulkley)
To: "cbrown@nhdist.com"
Subject: Hat Trick - Revised Template & Answers to Exercise Questions
Date: Friday, June 29, 2012 4:58:18 PM
Attachments: [RFP2012-14 Rate Calculation Template - revised.xls](#)

Dear Vendor:

For the purposes of this exercise, below are the answers to questions posed by the vendors as a result of reviewing our original email with our template.

See attached template with revised volumes highlighted in yellow. Be careful to note that even though there are subtotals, in certain categories there may be a mix of cases and pallets (e.g. there are not 19 million cases in storage; this sub-total is blended between cases and pallets).

Quantities shown under each category are reflective of the estimated product shipped, stored, or otherwise handled as noted. For example, under Storage, 1-84 days, 14 million plus cases were received and stored for between 1 and 84 days.

Feel free to enter any formulas required to provide total estimated cost (e.g. Estimated Volume X Proposed Contract Rates = Total Estimated Cost).

Outbound activities include preparing orders which include picking, packing and loading.



Please consider the environment before printing this e-mail.

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From: [Craig W. Bulkley](#)
To: "cbrown@nhdist.com"
Subject: Hat Trick - RFP 2012-14 Rate Calculation Template
Date: Friday, June 29, 2012 8:26:00 AM

Dear Vendor:

We have found several inaccuracies in the template volumes we sent you on Wednesday, 6/27. We have also received several questions regarding the template itself. We are in the process of correcting the template and will forward a revised template to you by close of business today.

Due to this situation, we are extending your deadline to noon on Tuesday, July 3' 2012.



Please consider the environment before printing this e-mail.

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From: Craig W. Bulkley
Sent: Wednesday, June 27, 2012 4:35 PM
To: cbrown@nhdist.com
Subject: RFP 2012-14 Rate Calculation Template

Dear Vendor –

Attached please find a template which we must have filled out and returned to us by noon on Monday July 2, 2012. The very same email is being sent to all vendors in order to evaluate the effect of the proposed costs on suppliers and the NHSLC given a consistent volume base.

We have included estimates of the most recent total volumes of activity in each of the categories identified in Appendix D of the RFP. We have also included estimates of the most recent material total volumes of activity in each of the categories identified in Appendix D-1. Because all vendors are receiving the same estimates do not change any of the volume estimates provided in the template.

In addition we have estimated total volumes for the same categories over the first 30 month term (from Nov 1, 2013 thru April 30, 2016). Utilizing these volumes please insert your rates in each category and calculate the respective costs in each category. The evaluation committee reserves the right to repeat this exercise and request lower rates, but at this time use the rates from your original proposal.

For each of the seven subsequent 30 month periods of the contract please provide us with estimates of any changes in rates as a percentage over your initial rate as well as the justification or basis for your estimate. For example, in section 1.10.4 of the RFP we requested that rate changes be based on the CPI for the previous 12 months, you may indicate you are estimating the percentage rate change by projecting the CPI.

With regard to revenue sharing proposals, please utilize the estimated volumes, and in a separate document, identify and quantify the revenue sharing calculation to the State for the first 30 month period. Please identify any estimated changes in each of the subsequent 30 month periods.

Please note the attached spreadsheet has two tabs that need to be completed, unless you have already taken an exception in your proposal dated on or before June 7, 2012, to the two warehouse model.

If you have any questions or comments, please send me an email.



Please consider the environment before printing this e-mail.

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From: [Craig W. Bulkley](#)
To: "cbrown@nhdist.com"
Subject: Hat Trick - Tentative Schedule
Date: Tuesday, June 26, 2012 1:26:38 PM

Chris:

Thank you for spending time with us last week. The Evaluation Committee is still in its initial phase. We wanted to let you know that our first opportunity to meet with you will be during the week of July 16th.

We expect to send you an email tomorrow that will require you to use numbers that we will provide to perform financial cost projections based on specific volumes and your proposed rates. I understand that this is a bit vague, but tomorrow's email will clarify things.

Please confirm receipt.



Please consider the environment before printing this e-mail.

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From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Subject: Hat Trick - Tentative Schedule
Date: Tuesday, June 26, 2012 1:58:18 PM

Will do.

Thanks

From: Craig W. Bulkley [mailto:cbulkley@liquor.state.nh.us]
Sent: Tuesday, June 26, 2012 1:27 PM
To: Chris Brown
Subject: Tentative Schedule

Chris:

Thank you for spending time with us last week. The Evaluation Committee is still in its initial phase. We wanted to let you know that our first opportunity to meet with you will be during the week of July 16th.

We expect to send you an email tomorrow that will require you to use numbers that we will provide to perform financial cost projections based on specific volumes and your proposed rates. I understand that this is a bit vague, but tomorrow's email will clarify things.

Please confirm receipt.



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From: [Craig W. Bulkley](#)
To: "cbrown@nhdist.com"
Subject: Hat Trick - Transition Bond BAFO Clarification
Date: Wednesday, August 08, 2012 4:30:22 PM

The BAFO asked you to confirm that you will provide a transition bond for the completion of all necessary items to make the facility fully operational on or before October 31, 2013. This bond will cover any and all costs related to the transition from the contract in force on October 31, 2013 to the new contract because the successful vendor is unable to perform duties under the contract as of November 1, 2013 (April 18, 2012 Clarifications and Amendments, p. 1.)

The commission anticipates that the amount will be arrived at by mutual agreement. If there is no agreement, the commission may move on to a different vendor.

So that there is no misunderstanding, please confirm that you will be responsible for the costs of a reasonable transition bond.

Please provide your response by 10 AM, Thursday August 9, 2012.



Please consider the environment before printing this e-mail.

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From: [Craig W. Bulkley](#)
To: "cbrown@nhdist.com"
Subject: Hat Trick - Warehouse RFP Schedule of Events Amendment
Date: Wednesday, August 08, 2012 4:22:35 PM

You will note on our website that the Schedule of Events on Page 5 has been amended so as to end on August 17, 2012.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
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From: [Lisa Pascoal](#)
To: [Craig W. Bulkley](#)
Subject: Hat Trick - Warehouse Services RFP 2012-14
Date: Monday, June 18, 2012 11:45:55 AM
Attachments: [image001.png](#)

Received.

Lisa Pascoal

Coordinator Administrative Services
New Hampshire Distributors, Inc.
65 Regional Drive
PO Box 267
Concord, NH 03302

lpascoal@nhdist.com
603-224-9991 x1827
603-410-1827

From: Craig W. Bulkley [mailto:cbulkley@liquor.state.nh.us]
Sent: Monday, June 18, 2012 11:45 AM
To: Lisa Pascoal
Subject: FW: Warehouse Services RFP 2012-14



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From: Craig W. Bulkley
Sent: Friday, June 15, 2012 1:51 PM
To: Craig W. Bulkley
Cc: John D. Bunnell; George P. Tsiopras; Judge, Steve
Subject: Warehouse Services RFP 2012-14

Dear Vendors:

The Evaluation Committee is performing its initial analysis. We will have several questions about your proposal no later than Monday, June 18th. In order to expedite the process, we would like your answers to our questions by Friday, June 22nd.

When you receive our questions, please do not draw any conclusions from them. They are asked in order to confirm that we understand specific parts of your proposal. Do not assume that our questions bring any weight to that part of your proposal about which we have asked. In other words, take the questions at face value and just answer them as completely and with as much detail as possible.

We may well have more questions. To that end, we want to tour your proposed facility next week during the timeframe of Tuesday, June 19th to Friday, June 22nd. Please contact me directly and be prepared to offer several dates when you will be available. Your cooperation on agreeing to meet with us on one of these dates is greatly appreciated.

Please acknowledge receipt of this email. Thank you.



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From: [Craig W. Bulkley](mailto:Craig.W.Bulkley)
To: "cbrown@nhdist.com"
Subject: Hat Trick - Warehouse Services RFP 2012-14
Date: Tuesday, August 14, 2012 12:00:38 PM

Chris:

Pursuant to Section 1.5.3, Page 8 of the Warehouse Services RFP, the NHSLC has the authority to amend the RFP at any time and at its sole discretion. The NHSLC hereby amends Section 1.2, Schedule of Events on Page 5 of the RFP from June 7, 2012 - August 1, 2012 to June 7, 2012 – **September 12, 2012.**

This date is well within the requirement that the proposals remain valid for a period of 210 days from the proposal due date (June 7, 2012). The Evaluation Committee will continue to work as quickly as possible to allow the NHSLC to reach contract award. Vendors may be asked for additional oral and/or written presentations in NHSLC's continuing effort to identify the proposal most advantageous to the State of New Hampshire.

If you have any questions or comments, please direct them via email to me, Craig W. Bulkley, as the issuing officer.



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From: [Craig W. Bulkley](#)
To: "cbrown@nhdist.com"
Cc: [George P. Tsiopras](#)
Subject: Hat Trick Financial Analysis Confirmation
Date: Thursday, July 19, 2012 11:59:20 AM
Attachments: [Book3.xls](#)

Chris:

I have attached a financial analysis in Excel which will be the foundation for parts of our discussion on Tuesday morning. **Please review the attached document, confirm that the numbers are correct, and provide me with any questions or comments by Noon on Friday, July 20th.**

Please copy George on your response. Thanks.



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From: [Chris Brown](#)
To: [George P. Tsiopras](#); [Craig W. Bulkley](#)
Subject: Hat Trick Logistics Question
Date: Monday, July 09, 2012 3:50:35 PM
Attachments: [RFP2012-14 Rate Calculation Template - revised FINAL 7-9-2012.xls](#)
[image001.png](#)

Craig & George

We have updated the calculation template. We have removed the fees to SLC and simply charge the suppliers. Please let me know if you have any other questions.

The Hat Trick Team is all set to meet with your group on July 24th at 9am at the Storrs Street Location.

See you then

Christopher A. Brown
President & COO
New Hampshire Distributors, Inc.
65 Regional Drive
Concord NH, 03301
cbrown@nhdist.com
603-410-1824
603-235-3101 cell

From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Cc: "[Joe Bellavance IV \(joe.bellavance@bellavancebev.com\)](#)"; [Clarke, Rich](#); [Shumway, Kary \(kshumway@clarkedistributors.com\)](#); [WholesalersList - Ed Coppola](#); [Tom Painchaud](#)
Subject: Hat Trick Logistics
Date: Tuesday, July 03, 2012 11:59:27 AM
Attachments: [RFP2012-14 Rate Calculation Template - revised FINAL 7-3-2012.xls](#)
[SLC - Revenue Share Summary.xlsx](#)
[image001.png](#)

Craig

Here are the answers to the questions given to Hat Trick Logistics LLC. have a happy 4th!

Q: For each of the seven subsequent 30 month periods of the contract please provide us with estimates of any changes in rates as a percentage over your initial rate as well as the justification or basis for your estimate. For example, in section 1.10.4 of the RFP we requested that rate changes be based on the CPI for the previous 12 months, you may indicate you are estimating the percentage rate change by projecting the CPI.

Our goal is to provide the SLC and its supplier partners with the highest level of service possible. As stated in our Proposal, we prefer that rate changes be negotiated giving consideration to the CPI, however a comprehensive proposal providing detailed support for the requested change will be provided three months prior to the end of a thirty-month period. Based on historical operating data of Hat Trick members it is estimated that rates for each subsequent 30-month period would increase from 2% - 5%. We considered the major costs areas of: Medical/Comp Insurance, Wages, Rent, Utilities/Taxes and normal Maintenance. The estimates are also based on our initial modeling from the operational data provided with the RFP. Given the incompleteness of the provided data it is possible that pricing could decrease, remain static or exceed the estimated range.

"The NHSLC and the Vendor shall negotiate base rates for the initial thirty (30) months of the contract. Rate changes may be negotiated at the end of each subsequent thirty (30) month period for the next thirty (30) months giving consideration to the Consumer Price Index (CPI) for this geographic region as it relates to the warehousing activities of the vendor, and supported by appropriate documentation showing increases in expenses related to warehouse operations. Any party requesting a change in rates shall submit a comprehensive proposal providing detailed support for the requested change three months prior to the end of a thirty-month period. The parties shall propose and negotiate rates on a good-faith basis. The failure of either party to propose or negotiate in good faith is grounds for termination of the contract."

Q: With regard to revenue sharing proposals, please utilize the estimated volumes, and in a separate document, identify and quantify the revenue sharing calculation to the State for the first 30 month period. Please identify any estimated changes in each of the subsequent 30 month periods.

Please see attachment. Any changes to revenue sharing will be reviewed and negotiated along with the normal contract renewal process (see above).

Christopher A. Brown
President & COO
New Hampshire Distributors, Inc.

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Concord NH, 03301
cbrown@nhdist.com

603-410-1824
603-235-3101 cell

From: [Craig W. Bulkley](#)
To: ["cbrown@nhdist.com"](mailto:cbrown@nhdist.com)
Cc: [George P. Tsiopras](#)
Subject: Hat Trick Proposal Presentation
Date: Friday, July 06, 2012 9:08:02 AM

Chris:

We are scheduling time during the week of July 23rd for an opportunity for your team to present any additional information to the Evaluation Committee. Please be prepared to discuss the specifics of your proposal as well as to discuss the most recent rate template information. The committee may have additional questions at this time.

We would like your Hat Trick team to join us on Tuesday, July 24th from 9:00 – 11:00 AM (EDT) at our headquarters at 50 Storrs Street, Concord. Please acknowledge and confirm your attendance, and **please copy George Tsiopras** when you email me. Thank you.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
 (603) 230-7008
FAX (603) 271-3897
Cell: (603) 490-1559
 cbulkley@liquor.state.nh.us

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From: [Tom Painchaud](#)
To: [Craig W. Bulkley](#)
Subject: Hat Trick Response
Date: Wednesday, September 05, 2012 11:59:58 AM
Attachments: [image001.png](#)

Craig,

In addition to Chris's response, we see no significant issues with implementing our proposed technology or warehousing if the contract is not awarded until November 14.

I hope this suffices. If not, I would be happy to provide additional information.

Thank you

Thomas A Painchaud
Senior Vice President-Distribution Services
New Hampshire Distributors, Inc
tpainchaud@nhdist.com
603-410-1823
603-234-6092 cell

From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Cc: [Tom Painchaud](#)
Subject: Hat Trick Response to date change
Date: Wednesday, September 05, 2012 10:30:25 AM

Craig
We foresee that a date change will not change our pricing.
Chris brown

Sent from my iPhone

From: [Craig W. Bulkley](#)
To: "cbrown@nhdist.com"
Subject: Hat Trick Site Documents
Date: Wednesday, July 18, 2012 3:05:36 PM

Chris:

The RFP Evaluation Committee needs from you any and all documents related to your ability to purchase or lease the building you showed to us for your proposed warehouse. This could include a letter of intent and/or a purchase and sale agreement among other documents. We need this documentation on or before 4 PM on Thursday, July 19th.

Thank you.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
 (603) 230-7008
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From: [Stephen J. Judge](#)
To: ["Chris Brown "](#)
Cc: [Craig W. Bulkley](#)
Subject: LOI / Presentation - Hat Trick
Date: Friday, July 20, 2012 4:20:17 PM

Dear Chris,

Craig is out of the office today and asked me to comment on your LOI and items for your presentation. Please Reply to All and Craig will pick up the thread on Monday.

You have asked whether the LOI satisfies our request. What we need is comfort that you will be able to have an appropriate facility up and running on time. Anything that you can provide regarding the arrangement with the owner of the facility is welcome.

While getting ready for your presentation, please prepare to discuss the following items.

We need to know that putting that facility on line will not change the rates you addressed earlier today for the first 30 months.

With the three partners working together for the first time, we need detail on how the facility will be run. We understand why the request for financial information was handled as it was but we need a sense of unity in the organization.

We also need an explanation for any exceptions that were taken to the provisions in the RFP.

I am sure there will be more specific substantive questions.

Steve

Stephen J. Judge
AG Legal Consultant for NHS Liquor Commission
Wadleigh, Starr & Peters, PLLC
95 Market Street
Manchester, New Hampshire 03101
Tel: 603-669-4140
Fax: 603-669-6018
Web: www.wadleighlaw.com
E-mail: sjudge@wadleighlaw.com
E-mail: stephen.j.judge@liquor.state.nh.us

Please do not print this email unless necessary

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From: [Craig W. Bulkley](#)
To: ["Chris Brown"](#)
Cc: ["Tom Painchaud"](#); [Stephen J. Judge](#); [Craig W. Bulkley](#)
Subject: P-37 Amendments Hat Trick
Date: Friday, October 26, 2012 12:41:47 PM

Dear Chris,

Following consultation with the AG's Office, the EC is authorized to amend the P-37 as follows.
One, the parties shall mutually agree to waive consequential and indirect damages.
Two, In the event of a material breach that involves the payment of a penalty, the Vendor shall pay the penalty. If the Vendor fails to pay the penalty within a reasonable time, the NHSLC shall recover the penalty from the performance bond, provided, however, that the Vendor restores the bond to its original or any increased amount within a reasonable time.
I expect that the terms will be clarified to a specific time.

Steve Judge on behalf of

P Please consider the environment before printing this e-mail.

Craig W. Bulkley

Director
Division of Administration
NH State Liquor Commission
* (603) 230-7008
FAX (603) 271-3897
Cell: (603) 490-1559
* cbulkley@liquor.state.nh.us

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From: [Craig W. Bulkley](#)
To: ["cbrown@nhdist.com"](mailto:cbrown@nhdist.com)
Cc: [George P. Tsiopras](#)
Subject: Questions Regarding Rate Calculation Template
Date: Thursday, July 05, 2012 2:58:56 PM

Chris:

Thank you for your final submission of the rate calculation template. Below is one question regarding your template numbers:

Within the Outbound Processing section of the template, we noted that you included two different charges for automatic orders (13 cents to suppliers and 7 cents to the NHSLC). Currently, the NHSLC is charged for expenses related to this category. Suppliers are not charged. Please explain and clarify your proposal regarding Outbound Processing and who pays for it.

Please provide your response to me **with a cc to George Tsiopras** no later than Monday, 7/9 at 4:00 PM. Thank you.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
☎ (603) 230-7008
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From: [Craig W. Bulkley](#)
To: ["cbrown@nhdist.com"](mailto:cbrown@nhdist.com)
Cc: [George P. Tsiopras](#)
Subject: Questions to Hat Trick Regarding Rate Calculation Template
Date: Thursday, July 05, 2012 2:58:56 PM

Chris:

Thank you for your final submission of the rate calculation template. Below is one question regarding your template numbers:

Within the Outbound Processing section of the template, we noted that you included two different charges for automatic orders (13 cents to suppliers and 7 cents to the NHSLC). Currently, the NHSLC is charged for expenses related to this category. Suppliers are not charged. Please explain and clarify your proposal regarding Outbound Processing and who pays for it.

Please provide your response to me **with a cc to George Tsiopras** no later than Monday, 7/9 at 4:00 PM. Thank you.



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Craig W. Bulkley
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From: [Craig W. Bulkley](#)
To: ["Chris Brown"](#)
Subject: RE: Answers to Hat Trick's Questions
Date: Friday, June 22, 2012 3:42:11 PM
Attachments: [image002.png](#)

Received; thank you



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
 (603) 230-7008
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From: Chris Brown [mailto:cbrown@NHDIST.COM]
Sent: Friday, June 22, 2012 3:37 PM
To: Craig W. Bulkley
Cc: 'Joe Bellavance IV (joe.bellavance@bellavancebev.com)'; Rich Clarke; Shumway, Kary (kshumway@clarkedistributors.com); WholesalersList - Ed Coppola; Tom Painchaud
Subject: Answers to Hat Trick's Questions

Craig

Attached are the answers to the question given to Hat Trick Logistics LLC. I am currently on my way to your office to deliver a hard copy of the response.

Both New Hampshire Distributors, Inc. and Bellavance Beverage Company Financials are being delivered by hand TODAY. Clarke Distributor, Inc. Financials have been sent to you via email.

Please let us know if you have any further questions.

Have a great weekend

Chris Brown

Christopher A. Brown
President & COO

New Hampshire Distributors, Inc.

65 Regional Drive

Concord NH, 03301

cbrown@nhdist.com

603-410-1824

603-235-3101 cell

From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Subject: RE: BAFO Due Date & Time
Date: Thursday, August 02, 2012 1:54:33 PM

Thanks Craig

From: Craig W. Bulkley [mailto:cbulkley@liquor.state.nh.us]
Sent: Thursday, August 02, 2012 1:53 PM
To: Chris Brown
Subject: BAFO Due Date & Time

Chris:

Due to some confusion over the time that your BAFO is due, we are informing you that the BAFO will be due by 4 PM on Friday, August 3, 2012.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
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From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Subject: RE: Best & Final Offer
Date: Tuesday, July 31, 2012 5:08:50 PM

Thank you Mike.

Sorry to hear about your loss.

Chris Brown

From: Craig W. Bulkley [mailto:cbulkley@liquor.state.nh.us]
Sent: Tuesday, July 31, 2012 3:43 PM
To: Chris Brown
Subject: Best & Final Offer

Dear Chris:

As you were previously informed, the NHSLC Commissioners have selected you to participate in the Best and Final Offer (BAFO) phase of the RFP. The Evaluation Committee is authorized to enter into pre-selection discussions (RFP Section 4.7 a. 1. p. 36). This phase will begin with a written request. **This request may be the only opportunity to improve your proposal.** You may revise your proposal as a result of this request (RFP page 36).

We must receive written answers by **Friday, August 3, 2012.**

You are encouraged to review your entire proposal and improve it to the advantage of the State. There are several areas on which we are specifically focused in order to identify the Proposal that is the most advantageous to the State of New Hampshire.

I. Financial

This issue is highlighted in the Vendor pricing and Innovation Criterion, an area valued at 40 points. The desired end result is that Product will be available in a timely manner and in the necessary amount at every state store and for every Licensee. RFP p. 34. It is also a portion of the Vendor Overall Solution criterion in the requirement that the solution be, among other things, cost effective.

Using the template reviewed at your Phase II presentation, please provide your lowest possible rates.

Please confirm that those rates will not change for the first 30 months of the contract.

If possible, please submit an alternative rate structure that provides for rates over the entire twenty-year contract.

Please confirm that the twenty-year rates will not change.

II. Transition

This issue is highlighted in the Vendor Experience & Qualifications/Transition Criterion, an area valued at 20 points. It is also a portion of the Vendor Overall Solution in the requirement that the Vendor demonstrate suitable financial strength, stability and capacity to undertake a sophisticated and capital intensive Warehouse operation with a very high degree of performance and in a timely manner.

Please confirm that the facility in your proposal and the solution for providing all services required by the RFP will be fully operational on or before October 31, 2013.

Please confirm the identity of those individuals who will be located in New Hampshire during the construction of or transition to the proposed facility (Appendix C, III, p. 43).

If you have constructed or transitioned to a facility similar to the facility in your proposal please identify the project and provide contact information for your client (Appendix C, II, page 43 of the RFP).

The RFP requires a separate transition bond to cover any and all costs related to the transition. (RFP Section, 1.9, p. 10 as clarified by the April 18, 2012 clarifications).

Please confirm that you will provide a transition bond for completion of all necessary items to make the facility fully operational on or before October 31, 2013.

The amount of the bond will be discussed with any Vendor that is selected for contract negotiations.

III Contract performance bond

A contract performance bond is required by Section 1.9, page 11 of the RFP. \$1,000,000 was provided as an example of the amount of the contract performance bond. The amount of the bond will be discussed with any vendor that is selected for contract negotiations.

IV. Final Contract

The General Criterion provides for a review of whether the Vendor's exceptions to the RFP are acceptable to the NHSLC. Section 1.19 provides for cancellation of selection for contract award based on a failure to reach agreement on contractual terms, etc. The NHSLC wants to move as quickly as possible to contract award. To that end, a rather full description of the final contract is set out below. The current short-term warehouse services contract is attached to this email. Because it is a short-term contract, the State agreed to certain terms that it may not agree to in a long-term contract. The point is that the fewer exceptions that have been taken to either the RFP or the standard state contract, the more quickly a final document can

be executed.

The Standard State Contract is contained in Exhibit E of the RFP. It is more frequently identified as Form P-37 and we will refer to it as such throughout this item but it is the same document that is contained in RFP Exhibit E. The P-37 cannot be changed on its face. At the end of this process, a P-37 will be signed by the parties. It will contain Exhibits A-F.

If you look at Paragraph 2 of the P-37, you will see that Exhibit A is required to contain a particular description of the work to be performed by the Vendor. Exhibit A will incorporate by reference the RFP and the Proposal. The fewer exceptions taken to the RFP, the easier it will be to craft Exhibit A.

Paragraph 5 of the P-37 requires Exhibit B to describe the method of payment and terms of payment. It will incorporate the template that best suits the needs of the NHSLC. [This template will be contained in Exhibit F.]

Paragraph 22 of the P-37 allows changes to the P-37 if they are set forth in Exhibit C. That is why Appendix E in the RFP is modified by Exhibit C. Perhaps our effort to be consistent with the final product has caused more confusion than clarity.

Other documents required by the RFP will be part of the contract such as certificates of insurance, the transition bond, the performance bond, a certificate of vote, a certificate of good standing, and a warehouse license.

Exhibit D will be the RFP with all amendments and clarifications.

Exhibit E will be the winning proposal.

Exhibit F will be the price template.

Even if you have done so before, please identify and explain every exception that you intend to take.

V Performance of contract

Any Vendor selected for contract discussions will be required to submit to a standard background check performed by Liberty Screening Services, LTD. A sample form is attached. The background check will be performed for all the individuals who will participate in the transition phase as well as the first 30 months of operation. It will also be performed for parent organizations, if you are a new entity.

Please confirm that you and your employees will submit to the background check

Appendix C, III. P. 43 of the RFP requested the physical location of each person during the time they will be working on the project.

Please confirm the identity of the persons who will be located in New Hampshire to run the proposed facility for the first 30 months.

The Vendor is required to identify a redundant warehouse site in the event of natural or man-made disasters (RFP APP C XIII, P.48)

Please identify your redundant warehouse site.

If you have any questions regarding this email, please contact me. Thank you.



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Craig W. Bulkley
Director
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☎ (603) 230-7008
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✉ cbulkley@liquor.state.nh.us

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From: [Craig W. Bulkley](#)
To: "[Chris Brown](#)"
Subject: RE: Best & Final Offers
Date: Friday, August 10, 2012 1:05:05 PM

The original deadline was 4 PM. You missed the deadline. The only way we could formally accept your BAFO was to amend the time – which we just did.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
 (603) 230-7008
FAX (603) 271-3897
Cell: (603) 490-1559
 cbulkley@liquor.state.nh.us

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From: Chris Brown [mailto:cbrown@NHDIST.COM]
Sent: Friday, August 10, 2012 12:27 PM
To: Craig W. Bulkley
Subject: Re: Best & Final Offers

Craig

I am confused by this email. Hat trick did email our BAFO to you last Friday at approximately 5:15pm. You responded to me Monday that it was received. Is there some part, email that we missed?

Please let me know.

Chris

Sent from my iPhone

On Aug 10, 2012, at 12:12 PM, "Craig W. Bulkley" <cbulkley@liquor.state.nh.us> wrote:

You may recall that you received an email from me on 8/2/12 at 1:53 PM stating:


“Due to some confusion over the time that your BAFO is due, we are informing you that the BAFO will be due by 4 PM on Friday, August 3, 2012.”

This is to inform you that the deadline has been extended to 7 PM, Friday, August 3, 2012



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission

 (603) 230-7008

FAX (603) 271-3897

Cell: (603) 490-1559

 cbulkley@liquor.state.nh.us

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From: [Craig W. Bulkley](#)
To: ["Chris Brown"](#)
Subject: RE: Hat Trick LOI
Date: Thursday, July 19, 2012 4:34:36 PM

Chris – received your LOI; will review and get back to you Monday. Thanks.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
 (603) 230-7008
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From: Chris Brown [mailto:cbrown@NHDIST.COM]
Sent: Thursday, July 19, 2012 3:20 PM
To: Craig W. Bulkley
Subject: Re: LOI

Craig

We will review

Did you get the LOI on the real estate?

Is that satisfy your questions.

Chris

Sent from my iPad

On Jul 19, 2012, at 1:04 PM, "Craig W. Bulkley" <cbulkley@liquor.state.nh.us> wrote:

Chris:

I need you to thoroughly review the attachment to my last email and confirm that all the numbers are correct. I have attached it again for your convenience.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
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Cell: (603) 490-1559
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From: Chris Brown [<mailto:cbrown@NHDIST.COM>]
Sent: Thursday, July 19, 2012 12:58 PM
To: Craig W. Bulkley
Subject: Fwd: LOI

Craig

I am sending you this info from my phone because I am out of town until friday.
Please let me know if you recieved this. Attached is what was in our RFP.
Section IV question 16. Page 0214-0218. Do you need more detail than this?

we are meeting today at 2 and can get you more info if needed.

Sent from my HTC on the Now Network from Sprint!

----- Forwarded message -----
From: "Tom Painchaud" <TPainchaud@NHDIST.COM>
Date: Thu, Jul 19, 2012 9:39 am
Subject: LOI
To: "Chris Brown" <cbrown@NHDIST.COM>

----- Original Message -----
From: Geiger, Susan S. [<mailto:SGeiger@orr-reno.com>]
Sent: Thursday, July 19, 2012 09:13 AM
To: Tom Painchaud
Subject: LOI

Hi Tom - Attached is a copy of the signed LOI that you requested. Please let me know if you need anything else as you prepare for the presentation to the NHSLC. Hope all is well. Susan

<Book3.xls>

From: [Craig W. Bulkley](#)
To: "Chris Brown"
Subject: RE: Hat Trick Meeting
Date: Monday, July 23, 2012 8:56:26 AM
Attachments: [image002.png](#)

Chris – the room can accommodate your ten and our five people. Yes, we have a data projector that you can use.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
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NH State Liquor Commission
☎ (603) 230-7008
FAX (603) 271-3897
Cell: (603) 490-1559
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From: Chris Brown [mailto:cbrown@NHDIST.COM]
Sent: Monday, July 23, 2012 8:08 AM
To: Craig W. Bulkley
Subject: Hat Trick Meeting

Craig

I wanted to send you a quick note about tomorrow's meeting. It looks like we could have up to 10 people on the Hat Trick Team attending. Will the room we are using accommodate? Will there be a projector for a power point presentation available?

Thanks

Chris

Christopher A. Brown
President & COO
New Hampshire Distributors, Inc.
65 Regional Drive
Concord NH, 03301
cbrown@nhdist.com
603-410-1824
603-235-3101 cell

From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Subject: RE: Hat Trick Proposal Presentation
Date: Friday, July 06, 2012 10:56:55 AM

I am just checking on everyone's schedule. Should be fine.

From: Craig W. Bulkley [mailto:cbulkley@liquor.state.nh.us]
Sent: Friday, July 06, 2012 9:08 AM
To: Chris Brown
Cc: George P. Tsiopras
Subject: Proposal Presentation

Chris:

We are scheduling time during the week of July 23rd for an opportunity for your team to present any additional information to the Evaluation Committee. Please be prepared to discuss the specifics of your proposal as well as to discuss the most recent rate template information. The committee may have additional questions at this time.

We would like your Hat Trick team to join us on Tuesday, July 24th from 9:00 – 11:00 AM (EDT) at our headquarters at 50 Storrs Street, Concord. Please acknowledge and confirm your attendance, and **please copy George Tsiopras** when you email me. Thank you.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration
NH State Liquor Commission
 (603) 230-7008
FAX (603) 271-3897
Cell: (603) 490-1559
 cbulkley@liquor.state.nh.us

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From: [Craig W. Bulkley](#)
To: "Chris Brown"
Subject: RE: LOI
Date: Thursday, July 19, 2012 1:04:53 PM
Attachments: [Book3.xls](#)

Chris:

I need you to thoroughly review the attachment to my last email and confirm that all the numbers are correct. I have attached it again for your convenience.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
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NH State Liquor Commission
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From: Chris Brown [mailto:cbrown@NHDIST.COM]
Sent: Thursday, July 19, 2012 12:58 PM
To: Craig W. Bulkley
Subject: Fwd: LOI

Craig

I am sending you this info from my phone because I am out of town until friday. Please let me know if you recieved this. Attached is what was in our RFP. Section IV question 16. Page 0214-0218. Do you need more detail than this?

we are meeting today at 2 and can get you more info if needed.

Sent from my HTC on the Now Network from Sprint!

----- Forwarded message -----

From: "Tom Painchaud" <TPainchaud@NHDIST.COM>
Date: Thu, Jul 19, 2012 9:39 am
Subject: LOI
To: "Chris Brown" <cbrown@NHDIST.COM>

----- Original Message -----

From: Geiger, Susan S. [<mailto:SGeiger@orr-reno.com>]

Sent: Thursday, July 19, 2012 09:13 AM

To: Tom Painchaud

Subject: LOI

Hi Tom - Attached is a copy of the signed LOI that you requested. Please let me know if you need anything else as you prepare for the presentation to the NHSLC. Hope all is well. Susan

From: [Chris Brown](#)
To: [Stephen J. Judge](#); [Craig W. Bulkley](#); [George P. Tsiopras](#)
Subject: RE: LOI
Date: Monday, July 23, 2012 4:05:17 PM
Attachments: [List of Exceptions to RFP \(2\).doc](#)

Steve, Craig

Steve's email was the only email I had on this. I have added Craig and George to this as well.

Attached is the list of hat Tricks exceptions to our RFP. We will also bring hard copy for all tomorrow

Warehouse:

We do not have anything additional to the LOI letter from Merrimack location of their intention to enter an agreement with Hat Trick. There have been multiple conversations with the building owner/agent and they have indicated a strong preference to do business with Hat Trick based on our operating histories. We feel confident we will be able to close on this space and have the space operational to meet the SLC requirements as outlined in the RFP.

See you at 9 tomorrow

From: Stephen J. Judge
Sent: Friday, July 20, 2012 4:20 PM
To: 'Chris Brown '
Cc: Craig W. Bulkley
Subject: LOI

Dear Chris,

Craig is out of the office today and asked me to comment on your LOI and items for your presentation. Please Reply to All and Craig will pick up the thread on Monday.

You have asked whether the LOI satisfies our request. What we need is comfort that you will be able to have an appropriate facility up and running on time. Anything that you can provide regarding the arrangement with the owner of the facility is welcome.

While getting ready for your presentation, please prepare to discuss the following items.

We need to know that putting that facility on line will not change the rates you addressed earlier today for the first 30 months.

With the three partners working together for the first time, we need detail on how the facility will be run. We understand why the request for financial information was handled as it was but we need a sense of unity in the organization.

We also need an explanation for any exceptions that were taken to the provisions in the RFP.

I am sure there will be more specific substantive questions.

Steve

Stephen J. Judge
AG Legal Consultant for NHS Liquor Commission
Wadleigh, Starr & Peters, PLLC

95 Market Street
Manchester, New Hampshire 03101
Tel: 603-669-4140
Fax: 603-669-6018
Web: www.wadleighlaw.com
E-mail: sjudge@wadleighlaw.com
E-mail: stephen.j.judge@liquor.state.nh.us

Please do not print this email unless necessary

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From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Subject: RE: Questions to Hat Trick Regarding Rate Calculation Template
Date: Thursday, July 05, 2012 3:06:46 PM

Will do

Chris

From: Craig W. Bulkley [mailto:cbulkley@liquor.state.nh.us]
Sent: Thursday, July 05, 2012 2:59 PM
To: Chris Brown
Cc: George P. Tsiopras
Subject: Questions Regarding Rate Calculation Template

Chris:

Thank you for your final submission of the rate calculation template. Below is one question regarding your template numbers:

Within the Outbound Processing section of the template, we noted that you included two different charges for automatic orders (13 cents to suppliers and 7 cents to the NHSLC). Currently, the NHSLC is charged for expenses related to this category. Suppliers are not charged. Please explain and clarify your proposal regarding Outbound Processing and who pays for it.

Please provide your response to me **with a cc to George Tsiopras** no later than Monday, 7/9 at 4:00 PM. Thank you.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
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From: [Craig W. Bulkley](#)
To: ["Chris Brown"](#)
Cc: [George P. Tsiopras](#)
Subject: RE: Questions to Hat Trick Regarding Rate Calculation Template
Date: Friday, July 06, 2012 2:12:38 PM

Chris:

Currently we only charge the NHSLC for Outbound Orders. However, this was not a requirement in the RFP. Should you decide to charge only the suppliers, only the NHSLC, or both, is completely up to you. We just wanted to verify that we were not double counting this category.

REMINDER – please insure you copy George on any further responses regarding these questions.
Thanks.



Please consider the environment before printing this e-mail.

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From: Chris Brown [mailto:cbrown@NHDIST.COM]
Sent: Friday, July 06, 2012 2:06 PM
To: George P. Tsiopras; Craig W. Bulkley
Subject: Fwd: Questions Regarding Rate Calculation Template

George
See Karys question below. The hat trick team is working on formulating an answer to your question.
Thanks
Chris Brown

Sent from my HTC on the Now Network from Sprint!

----- Forwarded message -----

From: "Shumway, Kary" <kshumway@clarkedistributors.com>
Date: Fri, Jul 6, 2012 12:22 pm
Subject: Questions Regarding Rate Calculation Template

To: "Chris Brown" <cbrown@NHDIST.COM>, "Coppola, Ed" <ecoppola@clarkedistributors.com>
Cc: "Clarke, Rich" <rclarke@clarkedistributors.com>, "Tom Painchaud" <TPainchaud@NHDIST.COM>, "joe.bellavance@bellavancebev.com" <joe.bellavance@bellavancebev.com>

Yes, but working on an adequate response to the question. For background, the RFP required that we put in pricing to Suppliers for outbound shipments, indicated on their blank Appendix D. We used the then rate of \$0.15/case discounted by the 15% across the board reduction, which calculated at \$0.13/case. The charge to NHSLC for outbound shipments was calculated using the initial \$0.15/case discounted by a 50% across the board reduction on NHSLC fees.

A response question (to their question below) may be: "Does NHSLC intend that all outbound order processing/reporting continue to be charged solely to the NHSLC?"

From: Chris Brown [<mailto:cbrown@NHDIST.COM>]
Sent: Friday, July 06, 2012 10:56 AM
To: Shumway, Kary; Coppola, Ed
Cc: Clarke, Rich; Tom Painchaud; 'Joe Bellavance IV (joe.bellavance@bellavancebev.com)'
Subject: FW: Questions Regarding Rate Calculation Template

You guys comfortable with this request?

From: Craig W. Bulkley [<mailto:cbulkley@liquor.state.nh.us>]
Sent: Thursday, July 05, 2012 2:59 PM
To: Chris Brown
Cc: George P. Tsiopras
Subject: Questions Regarding Rate Calculation Template

Chris:

Thank you for your final submission of the rate calculation template. Below is one question regarding your template numbers:

Within the Outbound Processing section of the template, we noted that you included two different charges for automatic orders (13 cents to suppliers and 7 cents to the NHSLC). Currently, the NHSLC is charged for expenses related to this category. Suppliers are not charged. Please explain and clarify your proposal regarding Outbound Processing and who pays for it.


Please provide your response to me **with a cc to George Tsiopras** no later than Monday, 7/9 at 4:00 PM. Thank you.



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Craig W. Bulkley
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From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Subject: RE: RFP Process
Date: Saturday, November 17, 2012 10:25:49 AM

Craig

Obviously our group is extremely disappointed to get this email. We had hoped that Hat Trick would have been chosen. This process was very time consuming; however was a very rewarding experience. Our 3 companies have had a great history of working together and this process was no different. We will wait to hear your final decision, and hope for the opportunity to negotiate a deal with the NHSLC.

Thank you for the opportunity to let our NH based family business's to participate in this process.

Chris Brown

From: Craig W. Bulkley [mailto:cbulkley@liquor.state.nh.us]
Sent: Wednesday, November 14, 2012 4:23 PM
To: Chris Brown
Subject: RFP Process

Chris:

As a matter of courtesy, this is to notify you that, under Section 4.6 and 4.6.1, Page 35 of the Warehouse RFP, a Vendor has been notified in writing of its selection for contract discussions because its proposal has been determined to be the most advantageous to the state as determined by the NHSLC after taking into consideration all of the evaluation factors. Contract negotiations are ongoing.


We must remind you that if the NHSLC is unable to reach an agreement during contract discussions, it may commence discussions with the next highest-ranked Vendor.

You are also reminded that this entire process is confidential until the contract is approved by the office of the Attorney General. You will be notified when and if that occurs.

Thank you.

 Please consider the environment before printing this e-mail.

Craig W. Bulkley
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From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Cc: [Tom Painchaud](#)
Subject: RE: Transition Bond BAFO Clarification - Hat Trick
Date: Wednesday, August 08, 2012 10:24:33 PM

Craig

That is understood. It will not be an issue.

Chris Brown

From: Craig W. Bulkley [mailto:cbulkley@liquor.state.nh.us]
Sent: Wednesday, August 08, 2012 4:30 PM
To: Chris Brown
Subject: Transition Bond BAFO Clarification

The BAFO asked you to confirm that you will provide a transition bond for the completion of all necessary items to make the facility fully operational on or before October 31, 2013. This bond will cover any and all costs related to the transition from the contract in force on October 31, 2013 to the new contract because the successful vendor is unable to perform duties under the contract as of November 1, 2013 (April 18, 2012 Clarifications and Amendments, p. 1.)

The commission anticipates that the amount will be arrived at by mutual agreement. If there is no agreement, the commission may move on to a different vendor.

So that there is no misunderstanding, please confirm that you will be responsible for the costs of a reasonable transition bond.

Please provide your response by 10 AM, Thursday August 9, 2012.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
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From: [Craig W. Bulkley](#)
To: ["Chris Brown"](#)
Subject: RE: Transition Bond BAFO Clarification - Hat Trick
Date: Thursday, August 09, 2012 8:20:49 AM

received



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Craig W. Bulkley
Director
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From: Chris Brown [mailto:cbrown@NHDIST.COM]
Sent: Wednesday, August 08, 2012 10:24 PM
To: Craig W. Bulkley
Cc: Tom Painchaud
Subject: RE: Transition Bond BAFO Clarification

Craig
That is understood. It will not be an issue.
Chris Brown

From: Craig W. Bulkley [mailto:cbulkley@liquor.state.nh.us]
Sent: Wednesday, August 08, 2012 4:30 PM
To: Chris Brown
Subject: Transition Bond BAFO Clarification

The BAFO asked you to confirm that you will provide a transition bond for the completion of all necessary items to make the facility fully operational on or before October 31, 2013. This bond will cover any and all costs related to the transition from the contract in force on October 31, 2013 to the new contract because the successful vendor is unable to perform duties under the contract as of November 1, 2013 (April 18,2012 Clarifications and Amendments, p. 1.)

The commission anticipates that the amount will be arrived at by mutual agreement. If there is no agreement, the commission may move on to a different vendor.

So that there is no misunderstanding, please confirm that you will be responsible for the costs of a reasonable transition bond.

Please provide your response by 10 AM, Thursday August 9, 2012.



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From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Subject: Re: Warehouse RFP Schedule of Events Amendment
Date: Wednesday, August 08, 2012 4:25:21 PM

Thanks

Sent from my iPhone

On Aug 8, 2012, at 4:21 PM, "Craig W. Bulkley" <cbulkley@liquor.state.nh.us> wrote:

You will note on our website that the Schedule of Events on Page 5 has been amended so as to end on August 17, 2012.



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Craig W. Bulkley
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From: [Chris Brown](#)
To: [Craig W. Bulkley](#)
Subject: RE: Warehouse Services RFP 2012-14
Date: Wednesday, August 15, 2012 11:45:20 AM

Craig

I received the email and look forward to the opportunity if it arises.

Chris Brown

From: Craig W. Bulkley [mailto:cbulkley@liquor.state.nh.us]
Sent: Tuesday, August 14, 2012 12:01 PM
To: Chris Brown
Subject: Warehouse Services RFP 2012-14

Chris:


Pursuant to Section 1.5.3, Page 8 of the Warehouse Services RFP, the NHSLC has the authority to amend the RFP at any time and at its sole discretion. The NHSLC hereby amends Section 1.2, Schedule of Events on Page 5 of the RFP from June 7, 2012 - August 1, 2012 to June 7, 2012 – **September 12, 2012.**

This date is well within the requirement that the proposals remain valid for a period of 210 days from the proposal due date (June 7, 2012). The Evaluation Committee will continue to work as quickly as possible to allow the NHSLC to reach contract award. Vendors may be asked for additional oral and/or written presentations in NHSLC's continuing effort to identify the proposal most advantageous to the State of New Hampshire.

If you have any questions or comments, please direct them via email to me, Craig W. Bulkley, as the issuing officer.



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Craig W. Bulkley
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prosecution. If you have received this e-mail in error, please destroy and immediately notify me by telephone at (603)230-7008.

From: [Craig W. Bulkley](mailto:Craig.W.Bulkley)
To: "cbrown@nhdist.com"
Subject: RFP Process - Hat Trick
Date: Wednesday, August 08, 2012 1:20:11 PM

Chris:

The Evaluation Committee has received BAFOs. Thank you for your cooperation. There may be some follow up questions today or tomorrow. If so, the time allowed to respond will be quite tight.

The Evaluation Committee will submit a recommendation to the commissioners. The commissioners have a great deal of discretion (RFP 4.6 p. 35). It is expected that the commissioners will select one or more Vendor(s) for contract negotiation (RFP 4.6.1 p. 35). The selected Vendor(s) will be notified in writing by email. Contract negotiations may begin as soon as Friday of this week. Notice may not be received until Thursday late afternoon.

These times are approximate. Do not read anything into a lack of a receipt of notice. This is particularly true because the noticed Vendor(s) may not reach agreement with the NHSLC in which case negotiations will shift to another Vendor, including a Vendor who did not receive an initial notice.

Once a contract has been successfully negotiated, the Vendor will be notified and the contract will be executed at a public meeting of the NHSLC. The original RFP set August 1, 2012 as the date for contract award. That date has been extended to August 10, 2012. It is likely that there will be another short extension.



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From: [Craig W. Bulkley](#)
To: "cbrown@nhdist.com"
Subject: RFP Process - Hat Trick
Date: Wednesday, November 14, 2012 4:23:14 PM

Chris:

As a matter of courtesy, this is to notify you that, under Section 4.6 and 4.6.1, Page 35 of the Warehouse RFP, a Vendor has been notified in writing of its selection for contract discussions because its proposal has been determined to be the most advantageous to the state as determined by the NHSLC after taking into consideration all of the evaluation factors. Contract negotiations are ongoing.

We must remind you that if the NHSLC is unable to reach an agreement during contract discussions, it may commence discussions with the next highest-ranked Vendor.

You are also reminded that this entire process is confidential until the contract is approved by the office of the Attorney General. You will be notified when and if that occurs.

Thank you.



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From: [Craig W. Bulkley](mailto:Craig.W.Bulkley)
To: ["cbrown@nhdist.com"](mailto:cbrown@nhdist.com)
Subject: To Hat Trick - RFP 2012-14 Rate Calculation Template
Date: Wednesday, June 27, 2012 4:34:40 PM
Attachments: [RFP2012-14 Rate Calculation Template.xls](#)

Dear Vendor –

Attached please find a template which we must have filled out and returned to us by noon on Monday July 2, 2012. The very same email is being sent to all vendors in order to evaluate the effect of the proposed costs on suppliers and the NHSLC given a consistent volume base.

We have included estimates of the most recent total volumes of activity in each of the categories identified in Appendix D of the RFP. We have also included estimates of the most recent material total volumes of activity in each of the categories identified in Appendix D-1. Because all vendors are receiving the same estimates do not change any of the volume estimates provided in the template.

In addition we have estimated total volumes for the same categories over the first 30 month term (from Nov 1, 2013 thru April 30, 2016). Utilizing these volumes please insert your rates in each category and calculate the respective costs in each category. The evaluation committee reserves the right to repeat this exercise and request lower rates, but at this time use the rates from your original proposal.

For each of the seven subsequent 30 month periods of the contract please provide us with estimates of any changes in rates as a percentage over your initial rate as well as the justification or basis for your estimate. For example, in section 1.10.4 of the RFP we requested that rate changes be based on the CPI for the previous 12 months, you may indicate you are estimating the percentage rate change by projecting the CPI.

With regard to revenue sharing proposals, please utilize the estimated volumes, and in a separate document, identify and quantify the revenue sharing calculation to the State for the first 30 month period. Please identify any estimated changes in each of the subsequent 30 month periods.

Please note the attached spreadsheet has two tabs that need to be completed, unless you have already taken an exception in your proposal dated on or before June 7, 2012, to the two warehouse model.


If you have any questions or comments, please send me an email.



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director
Division of Administration

NH State Liquor Commission

 (603) 230-7008

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From: [Craig W. Bulkley](mailto:Craig.W.Bulkley)
To: ["cbrown@nhdist.com"](mailto:cbrown@nhdist.com)
Cc: [George P. Tsiopras](#); [John D. Bunnell](#); ["Judge, Steve"](#)
Subject: To Hat Trick - Warehouse Services RFP 2012-14
Date: Monday, June 18, 2012 3:39:04 PM

Chris:

As we previously notified you by email, the Evaluation Committee is performing its initial analysis. We have several questions about your proposal. In order to expedite the process, we would like your answers to our questions by email by Friday, June 22nd.

Please do not draw any conclusions from the following questions. They are asked in order to confirm that we understand specific parts of your proposal. Do not assume that our questions bring any weight to that part of your proposal about which we have asked. In other words, take the questions at face value and just answer them as completely and with as much detail as possible.

Our questions are as follows:


1. Do you subscribe to "open data Standards"
2. Do you have "open data formats" as part of your proposals?
3. Does your proposal include all licenses required to operate hardware/software?
4. Does your proposal include maintenance for all hardware/software?
5. Does your proposal rely on customized interfaces to integrate with the NHLC existing applications?
6. What are your projections for volumes by month in each of the pricing categories included in Appendices D and D-1 for the first 30 months of this contract and each subsequent 30-month period through the end of the contract? Please explain the basis for your projection. Please address only the basic bailment charges: inbound handling, storage, and outbound order processing/reporting. For example, in the first month of the contract, how many cases do you assume will be inbound in the category of codes of 1-180?
7. In Section 3.0.12, Page 26, the RFP requires that the proposal shall list separately all charges which could be incurred by the NHSLC and all charges which could be incurred by the suppliers in the operation of the warehouse. Are all charges included in Appendices D and D-1? Specifically, identify where a charge, if any, for outbound handling is located. For example, outbound handling may already be included in the charge for inbound handling.
8. The letters of reference contained in Pages 150-155 in the proposal are on behalf of Bellavance Beverage, Clarke Distributors, and NH Distributors. A letter from the Rowley Agency is contained on Page 149 of the proposal. The letter is to the effect that the owners of Hat Trick Logistics, LLC have provided Rowley with their current fiscal year end financial information. We have read Section 1.5.8 of your proposal on Pages 10 and 11. Nevertheless, Part I, Section 1.5.8, Page 9 of the RFP requires the vendor to provide audited financial statements for the past three years or an alternative satisfactory to the NHSLC. Please provide us with audited financial statements for Bellavance Beverage, Clarke Distributors, and NH Distributors for the past three years.
9. In your proposal on Page 214, a proposed lease is contained. The term of the lease is ten years. What do you plan to do for the remaining ten years of the 20-year contract?



Please consider the environment before printing this e-mail.

Craig W. Bulkley
Director

Division of Administration
NH State Liquor Commission

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From: [Craig W. Bulkley](#)
To: [Craig W. Bulkley](#)
Cc: [John D. Bunnell](#); [George P. Tsiopras](#); "[Judge. Steve](#)"
Subject: Warehouse Services RFP 2012-14
Date: Friday, June 15, 2012 1:50:38 PM

Dear Vendors:

The Evaluation Committee is performing its initial analysis. We will have several questions about your proposal no later than Monday, June 18th. In order to expedite the process, we would like your answers to our questions by Friday, June 22nd.

When you receive our questions, please do not draw any conclusions from them. They are asked in order to confirm that we understand specific parts of your proposal. Do not assume that our questions bring any weight to that part of your proposal about which we have asked. In other words, take the questions at face value and just answer them as completely and with as much detail as possible.

We may well have more questions. To that end, we want to tour your proposed facility next week during the timeframe of Tuesday, June 19th to Friday, June 22nd. Please contact me directly and be prepared to offer several dates when you will be available. Your cooperation on agreeing to meet with us on one of these dates is greatly appreciated.

Please acknowledge receipt of this email. Thank you.



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Craig W. Bulkley
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