



STATE OF TENNESSEE  
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

**REQUEST FOR PROPOSALS # 33001-17107**  
**AMENDMENT # 1**

**Foreign Direct Investment Representative France and Spain**

**DATE: May 5, 2017**

**RFP # 33001-17107 IS AMENDED AS FOLLOWS:**

1. This RFP Schedule of Events updates and confirms scheduled RFP dates. Any event, time, or date containing revised or new text is highlighted.

EVENT	TIME (central time zone)	DATE	UPDATE/CONFIRM DATE
1. RFP Issued		April 17, 2017	
2. Disability Accommodation Request Deadline	2:00 p.m.	April 20, 2017	
3. Notice of Intent to Respond Deadline	2:00 p.m.	April 26, 2017	
4. Written "Questions & Comments" Deadline	2:00 p.m.	May 1, 2017	
5. State Response to Written "Questions & Comments"		May 5, 2017	UPDATED
6. Response Deadline	2:00 p.m.	June 16, 2017	CONFIRMED
7. State Schedules Respondent Oral Presentation		June 19 – June 22, 2017	CONFIRMED
8. Respondent Oral Presentation	8:00 a.m. – 5:00 p.m.	June 26 – June 27, 2017	CONFIRMED
9. State Completion of Technical Response Evaluations		July 10, 2017	CONFIRMED
10. State Opening & Scoring of Cost Proposals	2:00 p.m.	July 11, 2017	CONFIRMED
11. State Notice of Intent to Award Released <u>and</u> RFP Files Opened for Public Inspection	2:00 p.m.	July 13, 2017	CONFIRMED
12. End of Open File Period		July 20, 2017	CONFIRMED

13. State sends contract to Contractor for signature		July 21, 2017	CONFIRMED
14. Contractor Signature Deadline	2:00 p.m.	July 27, 2017	CONFIRMED

**2. State responses to questions and comments in the table below amend and clarify this RFP.**

Any restatement of RFP text in the Question/Comment column shall NOT be construed as a change in the actual wording of the RFP document.

QUESTION / COMMENT	STATE RESPONSE
1 It is stated that the successful candidates will provide “FDI services exclusively to ECD and the State of Tennessee”. We are a FDI firm working on behalf of European and Canadian EDOs – does that disqualifies us from bidding?	An FDI firm’s work on behalf of European and Canadian economic development organizations does not disqualify the FDI firm from bidding on RFP # 33001-17107.
2 Does this mean that the successful candidate could not provide any FDI recruiting services to any other US EDOs for the duration of the contract, even if it is NOT in France or Spain? <u>The successful candidate cannot provide any FDI recruiting services in France and Spain to other US EDOs for the duration of the contract.</u>	The prohibition of FDI recruiting services is limited to companies in France and Spain interested in locating operations in the United States.
3 “The Representative will not perform FDI recruiting activities for any other party without prior written consent from ECD.” We assume this would be just for France and Spain and that we would not need to request consent for work performed, for example, in the UK, Germany, Benelux or Scandinavia – as they are different countries not covered in this contract. Please confirm. Could you also clarify if consent would be given to work for another US EDO? If some US EDOs would be ok, and some not OK, please provide a list so that we can decide whether to bid or not.	The requirement that the Foreign Direct Investment Representative obtain written consent before performing foreign direct investment recruiting activities for another party is limited to such services involving companies from France and Spain interested in locating operations in the United States. The Tennessee Department of Economic and Community Development will review any request by the Foreign Direct Investment Representative to perform FDI recruiting services to another party on a case by case basis and would base such a decision on whether the other US EDO was located in a competitor state. We commonly compete with the following states, although we may choose to disallow other states if warranted based on the specific facts and circumstances of each case: Alabama, Georgia, Florida, Kentucky, Mississippi, North Carolina, South Carolina, Louisiana,

QUESTION / COMMENT	STATE RESPONSE
	and Virginia.
4 Would the oral presentation take place in Europe, in TN or via videoconference?	Oral presentations will take place in Europe.
5 What would be the expected start date of the contract	The expected start date for the contract is September 1, 2017.
6 Item ref B.15 of the General Qualifications & Experience: a), b), c) and d) : can you clarify if this only applies to TN based companies? We are a European based company subject to different legislations/regulations.	All respondents must complete RFP Attachment 6.2, including B.15. For further details, please reference the Response Requirements in Section 3.
7 B17: references from 2 accounts that the respondent currently services: isn't this in contradiction with the fact that the successful candidate can only provide FDI services to TN. Would you expect us to terminate our current contracts should we be selected?	Please refer to the answers above in relation to performance of FDI services for other US EDOs. The requirement in B.17. regarding similar accounts is not limited to other US states. Please provide references from two accounts that you currently serve that are as similar in size to the State of Tennessee as possible.
8 Job creation numbers: "Job commitment numbers will be determined based on a public announcement or PR from ECD on behalf of the company or the date that a company signs an incentive contract with ECD. Can you clarify if the job numbers taken into account are the job numbers at the start of the project, after 12 months or the job announcements after three years for example?"	Job numbers are based on the number of jobs a company <u>commits to create</u> at the outset of a project. Jobs will be counted under the contract based on either 1) the date of a public announcement or press release from the Tennessee Department of Economic and Community Development on behalf of the company or 2) the date that a company signs an incentive contract with the Tennessee Department of Economic and Community Development, whichever occurs sooner.
9 ECD visits to France and Spain: can you clarify if ECD will visit twice a year France AND Spain or if ECD will visit each country once a year (ie two trips per year, with one trip to France and one trip to Spain). How many companies' meetings are expected per trip and how many days would a trip lasts for?	The two visits to France and Spain detailed in the contract could be either two visits each year to include both France and Spain, or two separate visits; one to France and one to Spain. The number of companies' meetings and the amount of days for each trip will be determined on an as-needed basis in consultation with the Foreign Direct Investment Representative, the Department of Economic and Community Development's staff, the Governor of Tennessee, and the Commissioner of the Department of Economic and Community Development.

QUESTION / COMMENT	STATE RESPONSE
<p>10 “If the contractor fails to provide the goods or services as warranted...etc...then the State shall be entitled to recover the fees paid to the contractor”. Can you clarify if the State will apply penalties or seek to recover some of the fees if the target of 300 jobs pa. is not achieved, despite all activities being carried out.</p>	<p>The language you reference is part of the standard terms and conditions of all State of Tennessee contracts. Were the contractor to fail to properly perform its obligations under the contract (i.e. fail to properly carry out all activities), the State will have the right to immediately terminate the contract and withhold payments in excess of the compensation for completed services. It is the intent of the State of Tennessee to use the jobs targets as part of its decision-making process each year when determining whether to renew the contract. If the contractor does not meet the jobs target, the department may choose not to renew the contract with the Contractor if it is determined that the jobs target was not met due to lack of satisfactory performance by the Contractor.</p>

**3. Delete RFP Attachment 6.2 - section A.6 . in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):**

Provide a signed statement that the contractor will not perform foreign direct investment recruiting activities **in France and Spain** for any other party without prior written consent from ECD.

**4. Delete RFP Attachment 6.6 section A.2.5.d. in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):**

**Performing FDI Services for Other Parties -** The Representative will not perform foreign direct investment recruiting activities **in France and Spain** for any other party without prior written consent from ECD.

**5. RFP Amendment Effective Date.** The revisions set forth herein shall be effective upon release. All other terms and conditions of this RFP not expressly amended herein shall remain in full force and effect.