



**RFQ FY24-117 Airport Concessions
Addendum 2
TAILWIND HOSPITALITY, INC
Supplier Response**

Event Information

Number: RFQ FY24-117 Airport Concessions Addendum 2
Title: Airport Concessions
Type: Request For Qualifications
Issue Date: 9/20/2024
Deadline: 12/6/2024 04:00 PM (CT)
Notes: Pre-Submittal Meeting October 18, 2024, at 2:00 p.m. (local time/CST)

Submit Questions for this RFQ shall be uploaded through in Cit-E-Bid before November 8, 2024 at 4:00 p.m. (local/CST).

Response Due Date December 6, 2024, by 4:00 p.m. (local time/CST)

Contact Information

Contact: Patricia Perez
Address: Financial Services
Public Works
5512 Thomas Ave.
Laredo, Texas 78041
Phone: (956) 794-1737 x1737
Email: pperez@ci.laredo.tx.us

TAILWIND HOSPITALITY, INC Information

Contact: Jerry Brienza
Address: 408 Landmark Drive
408 Landmark Drive
Wilmington, NC 28412
Phone: (910) 343-9881
Email: jerry.brienza@tailwindconcessions.com
Web Address: www.tailwindconcessions.com

By submitting your response, you certify that you are authorized to represent and bind your company.

Jerry Brienza

Signature

Submitted at 12/6/2024 10:26:22 AM (CT)

jerry.brienza@tailwindconcessions.com

Email

Response Attachments

Laredo International Airport Concessions RFQ - Tailwind Hospitality, Inc.pdf

Laredo International Airport Concessions RFQ - Tailwind Hospitality, Inc.

Attachment - Appendix A.pdf

Attachment - Appendix A

Attachment - Annual Income Statement_Tailwind Hospitality, Inc.pdf

Attachment - Annual Income Statement_Tailwind Hospitality, Inc.

Conflict of Interest Questionnaire - Tailwind Hospitality, Inc.pdf

Conflict of Interest Questionnaire - Tailwind Hospitality, Inc.

Form 1295 - Tailwind Hospitality, Inc.pdf

Form 1295 - Tailwind Hospitality, Inc.

Non-Collusive Affidavit Form - Tailwind Hospitality, Inc.pdf

Non-Collusive Affidavit Form - Tailwind Hospitality, Inc.

Bid Attributes

1 Award by Best Value

Proposal will be awarded based on evaluated criteria and to the bidder who provides the best value to the City of Laredo and who's proposed price and other factors have been considered in accordance to the provisions of Chapters 252 and 271 of the State of Texas – Local Government Code.

☒ I agree

2 Terms and Conditions for Request for Qualifications

• GENERAL TERMS AND CONDITIONS FOR STATEMENT OF QUALIFICATIONS

1. GENERAL CONDITIONS Interested firms (Respondents) are required to submit statements upon the following expressed conditions: A. Respondents shall thoroughly examine the specifications, schedule instructions and other contract documents. Once the award has been made, failure to read all specifications, instructions, and the contract documents, of the City shall not be cause to alter the original contract or for a Respondent to request additional compensation. B. Respondents shall make all investigations necessary to thoroughly inform themselves regarding the services being requested. No pleas of ignorance by the Respondent of conditions that exist or that may hereafter exist as a result of failure or omission on the part of

the Respondent to make the necessary examinations and investigations, or failure to fulfill in every detail the requirements of the contract documents, will be accepted as a basis for varying the requirements of the City or the compensation to the Respondent. C. Respondents are advised that City contracts are subject to all legal requirements provided for in the City Charter and/or applicable City Ordinances, State and Federal Statutes.

2. PREPARATION OF SUBMITTALS Submittals shall be prepared in accordance with the following: A. For hand delivered submittals only, all information required by the RFQ form shall be furnished. The Respondent shall print or type the business name and manually sign the schedule. For Electronic submittals, this information shall be submitted electronically on Cit-E-Bid system. If vendor submits both manual and electronic bids, the electronic bid will replace the manual bid and shall be considered the only valid bid. B. Alternate Proposals will not be considered unless authorized by the invitation for proposals or any applicable addendum.

3. DESCRIPTION OF SUPPLIES Not applicable for this request.

4. SUBMISSION OF HAND DELIVERED STATEMENTS A. Statement of qualifications and changes thereto shall be enclosed in sealed envelopes, properly addressed and to include the date and hour of the opening. B. Unless otherwise noted on the Notice to Respondents cover sheet, all hand delivered statements of qualifications must be submitted to the Office of the City Secretary, City Hall, 1110 Houston Street, Laredo, Texas 78040. C. SOQ forms can be downloaded and printed through Cit-E-Bid. **Mailed Bids (i.e. USPS, FedEx, UPS), telegraphic, emails or facsimile bids will not be considered.** D. The City shall pay no costs or other amounts incurred by any entity in responding to this RFQ, or as a result of issuance of this RFQ.

5. REJECTION OF STATEMENT OF QUALIFICATIONS. The City may reject an SOQ if: A. Respondent misstates or conceals any material fact in the SOQ. B. SOQ does not strictly conform to the law or the requirements of the SOQ. C. Respondent is in arrears on existing contracts or taxes with the City of Laredo. D. In the event that a Respondent is delinquent in the payment of City of Laredo taxes on the day the SOQ is opened, including state and local taxes, such fact may constitute grounds for rejection of the SOQ or cancellation of the contract. A Respondent is considered delinquent, regardless of any contract or agreed judgments to pay such delinquent taxes E. No SOQ submitted herein shall be considered unless the Respondent warrants that, upon execution of a contract with the City of Laredo, Respondent will not engage in employment practices such as discriminating against employees because of race, color, sex, creed, or national origin. Respondent will submit such reports as the City may therefore require assuring compliance with said practices. F. The City may reject all SOQs or any part of an SOQ whenever it is deemed necessary.

6. WITHDRAWAL OF STATEMENT OF QUALIFICATIONS SOQs may not be withdrawn after they have been publicly opened, unless approved by the City Council.

7. LATE PROPOSALS OR MODIFICATIONS SOQs and modifications received after the time set for the proposal receiving deadline will not be considered. Late proposals will be returned to the Respondent unopened.

8. CLARIFICATIONS OR OBJECTION TO STATEMENT OF QUALIFICATIONS If any person contemplating submitting an SOQ for this contract is in doubt as to the true meaning of the specifications, or other SOQ documents or any part thereof, they may submit to the City Purchasing Agent. All requests for information shall be made in writing through email or Question & Response section on Cit-E-Bid system no later than seven (7) days prior to the scheduled date for opening to : CITY OF LAREDO PURCHASING AGENT Jaime Zapata 5512 Thomas Avenue Laredo, TX 78041; email: jezapata@ci.laredo.tx.us Any vendor submitting questions shall make reference to a specific RFQ number, section, page and item of this solicitation. Questions untimely submitted may not elicit a response. It is the bidder's responsibility to follow up and make certain that the request was received. In case there are changes, additions, and/or edits to the original scope, an addendum will be issued by the Purchasing Agent to all vendors through Cit-E-Bid system under Questions and Responses section to clarify any inquiries. The City will not be responsible for any other interpretations of the SOQ during the RFQ process, bidder, or any persons acting on their behalf, shall not contact any City official or employee staff except those specifically designated in this or another subsequent solicitation document. The following sequence of activities must take place in filing a protest: To be performed by protesting Respondent: Within ten (10) calendar days prior to the time that the City Council considers the recommendation of the City's Purchasing Officer, the protesting Respondent must provide written protest to the City Purchasing Officer. Such protest must include specific reasons for the protest. To be performed by City's Purchasing Officer: Shall review the records of procurement and determine legitimacy and procedural correctness. With five (5) working days, the City Purchasing Officer shall provide written response to the protesting Respondent of the decision. If the protesting Respondent is not satisfied with the decision of the City Purchasing Officer, such protesting Respondent may appeal to the City Manager of the City of Laredo. If the protesting Respondent cannot resolve the issue with the City Manager, he shall be entitled to address his concerns when the City Council of the City of Laredo considers the awarding of the contract. Such appeal may be made only after exhausting all administrative procedures through the City

Manager. All protests must be duly submitted via Certified Mail to: City of Laredo - Purchasing Agent 5512 Thomas Ave. Laredo, Texas 78041.

9. RESPONDENT DISCOUNTS Not applicable for this contract.

- **10. AWARD OF CONTRACT** The selection and award shall be based on the basis of demonstrated competence and qualifications to perform the services; and for a fair and reasonable price. The firm selected will be the firm which, in the opinion of the City, is the best qualified. The professional fees under the contract may not exceed any maximum established by law. The Respondent shall bear the burden of proof of compliance with the City of Laredo specifications. A duly authorize purchase order number shall reference item/services description, item number, quantity and price. Invoices shall reference the assign purchase order number to avoid any duplication (2 CFR 200.318 (d)). Contract terms are the responsibility of the awarded vendor(s) and the respective City user department(s).

- **11. ENTIRE AGREEMENT**

(a) All covenants, conditions and agreement contained in the solicitation, are hereby made part of the Agreement to the same extent and with the force as is fully set forth herein. If and to the extent of this Agreement and the terms of this solicitation and supplier response conflict Terms & Conditions of this solicitation shall control.

12.. PAYMENTS & INVOICING All invoices to the City of Laredo have a 30-day term from receipt of completion of services. All invoices must show the purchase order number and invoices shall be legible. Invoices shall be mailed to the Accounts Payable Office, City Hall, P.O. Box 210, Laredo, Texas 78042. Electronic Funds Transfer (EFT) payments are also available; if electronic payments are preferred, an Electronic Funds Transfer (EFT) Authorization form needs to be completed and returned via e-mail to: jjolly@ci.laredo.tx.us . For more information, please contact Mr. Jorge Jolly, Accounts Payable Manager at (956) 791-7328.

13. PROHIBITED CONTACTS DURING CONTRACT SOLICITATION PERIOD A person or entity who seeks or applies for a city contract or any other person acting on behalf of such person entity is prohibited from contacting city officials and employees regarding such a contract after a Request for Proposal (RFP), Request for Qualification (RFQ) or other solicitation has been released. This no-contact provision shall conclude when the contract is awarded. If contact is required, such contact will be done in accordance with procedures incorporated into the solicitation document. Violation of this provision by respondents or their agents may lead to disqualification of their offer from consideration.

14. TITLE VI ASSURANCE The City of Laredo along with the Texas Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S. C. ss 2000d to 2000d-4) and the Regulations, hereby notifies all providers that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit Statements of Qualifications in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

15. In accordance to State of Texas, the City of Laredo follows State practices when awarding any and all competitive solicitations:

TEXAS ENGINEERING AND LAND SURVEYING PRACTICE ACTS AND RULES CONCERNING PRACTICE AND LICENSURE

OCCUPATIONS CODE TITLE 6. REGULATION OF ENGINEERING, ARCHITECTURE, LAND SURVEYING, AND RELATED PRACTICES SUBTITLE A. REGULATION OF ENGINEERING AND RELATED PRACTICES CHAPTER 1001. TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

CHAPTER 137: COMPLIANCE AND PROFESSIONALISM

SUBCHAPTER C: PROFESSIONAL CONDUCT AND ETHICS

§137.53 ENGINEER STANDARDS OF COMPLIANCE WITH PROFESSIONAL SERVICES PROCUREMENT ACT

(a) A licensed engineer shall not submit or request, orally or in writing, a competitive bid to perform professional engineering services for a governmental entity unless specifically authorized by state law and shall report to the board any requests from governmental entities and/or their representatives that request a bid or cost and/or pricing information or any other information from which pricing or cost can be derived prior to selection based on demonstrated competence and qualifications to perform the services. (b) For the purposes of this section, competitive bidding to perform engineering services includes, but is not limited to, the submission of any monetary cost information in the initial step of selecting qualified engineers. Cost information or other information from which cost can be derived must not be submitted until the second step of negotiating a contract at a fair and reasonable cost. (c) This section does not prohibit competitive bidding in the private sector.

Source Note: The provisions of this §137.53 adopted to be effective May 20, 2004, 29 TexReg 4878; amended to be effective June 4, 2007, 32 TexReg 2996.

3 Insurance Terms and Conditions

INSURANCE REQUIREMENTS If and when applicable or required by the contract, the successful bidder(s) shall furnish the City with original copies of valid insurance policies herein required upon execution of the contract and shall maintain said policies in full force and effect at all times throughout the term of this contract.

(a) Commercial General Liability insurance at minimum combined single limits of \$1,000,000 per-occurrence and \$2,000,000 general aggregate for bodily injury and property damage, which coverage shall include products/completed operations (\$1,000,000 products/completed operations aggregate) and XCU (Explosion, Collapse, Underground) hazards. Coverage must be written on an occurrence form. Contractual Liability must be maintained covering the Contractors obligations contained in the contract. The general aggregate limit must be at least two (2) times the each occurrence limit.

(b) Workers Compensation insurance at statutory limits, including Employers Liability coverage a minimum limits of \$1,000,000 each-occurrence each accident/\$1,000,000 by disease each-occurrence/\$1,000,000 by disease aggregate.

(c) Commercial Automobile Liability insurance at minimum combined single limits of \$1,000,000 per-occurrence for bodily injury and property damage, including owned, non-owned, and hired car coverage.

(d) Professional Liability, Errors & Omissions coverage, with minimum limits of \$1,000,000 per claim/ \$2,000,000 annual aggregate. This coverage must be maintained for at least two years after the project is completed. If coverage is written on a claims-made basis, a policy retroactive date equivalent to the inception date of the contract (or earlier) must be maintained during the full term of the contract.

(e) Any Subcontractor(s) hired by the Contractor shall maintain insurance coverage equal to that required of the Contractor. It is the responsibility of the Contractor to assure compliance with this provision. The City of Laredo accepts no responsibility arising from the conduct, or lack of conduct, of the Subcontractor.

(f) A Comprehensive General Liability insurance form may be used in lieu of a Commercial General Liability insurance form. In this event, coverage must be written on an occurrence basis, at limits of \$1,000,000 each-occurrence, combined single limit, and coverage must include a broad form Comprehensive General Liability Endorsement, products/completed operations, XCU hazards, and contractual liability.

(g) With reference to the foregoing insurance requirement, Contractor shall specifically endorse applicable insurance policies as follows:

1. The City of Laredo shall be named as an additional insured with respect to General Liability and Automobile Liability.

2. All liability policies shall contain no cross liability exclusions or insured versus insured restrictions.

3. A waiver of subrogation in favor of the City of Laredo shall be contained in the Workers compensation, and all liability policies.

4. All insurance policies shall be endorsed to require the insurer to immediately notify The City of Laredo of any material change in the insurance coverage.

5. All insurance policies shall be endorsed to the effect that The City of Laredo will receive at least sixty- (60) days' notice prior to cancellation or non-renewal of the insurance.

6. All insurance policies, which name The City of Laredo as an additional insured, must be endorsed to read as primary coverage regardless of the application of other insurance.

7. Required limits may be satisfied by any combination of primary and umbrella liability insurances.

8. Contractor may maintain reasonable and customary deductibles, subject to approval by The City of Laredo.

9. Insurance must be purchased from insurers that are financially acceptable to the City of Laredo. Insurer must be rated A- or greater by AM Best Rating with an admitted carrier licensed by the Texas Department of Insurance.

(h) All insurance must be written on forms filed with and approved by the Texas Department of Insurance.

Certificates of Insurance shall be prepared and executed by the insurance company or its authorized agent and shall contain provisions representing and warranting the following:

1. Sets forth all endorsements and insurance coverage's according to requirements and instructions contained herein.

2. Shall specifically set forth the notice-of-cancellation or termination provisions to The City of Laredo.

(i) Upon request, Contractor shall furnish The City of Laredo with certified copies of all insurance policies.

(j) Certificates of insurance are always subject to review and approval from the City of Laredo Risk Management.

(k) Specialty certificates and licenses must be inspected and verified for accuracy and validity before award of contract.

(l) Awarded vendor is required to maintain current and active all: certifications, licenses, permits and/or insurance coverages, required to perform work, throughout the duration of this project/contract.

☒ I agree my insurance meets minumum requirements

4 Disqualification & Debarment Certification

DISQUALIFICATION & DEBARMENT CERTIFICATION By submitting this request for bids, proposal or statement of qualifications, the firm certifies that it is not currently debarred or eligible for debarment from the City of Laredo pursuant to **Ordinance No. 2017-O-098**, and that it is not an agent of a person or entity that is currently debarred from receiving contracts from any political subdivision or agency of the State of Texas. The City will further verify debarment status through use of the federal website SAM.gov. The contract parties are further prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension."

By executing this agreement, the Engineer certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this contract to certify its eligibility to receive Federal funds and, when requested by the City, to furnish a copy of the certification. Additionally, in accordance with Chapter 2270, Texas Government Code, a governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the contract.

The signatory executing this contract on behalf of company verifies that the company does not boycott Israel and will not boycott Israel during the term of this contract. S.B. 252 (V. Taylor/S. Davis) is a bill relating to government contracts with terrorists. The bill provides that: (1) a governmental entity, including a city, may not enter into a governmental contract with a company that is identified on a list prepared and maintained by the comptroller and that does business with Iran, Sudan, or a foreign terrorist organization; and (2) a company that the United States government affirmatively declares to be excluded from its federal sanctions regime relating to Sudan, its federal sanctions regime relating to Iran, or any federal sanctions regime relating to a foreign terrorist organization is not subject to the contract prohibition under the bill.

☒ I certify to the terms and conditions

5 Contract Requirements

1.CODE OF ETHICS ORDINANCE Vendors doing business with the City of Laredo shall comply with all provisions of the City of Laredo's Code of Ethics (Ordinance, as amended). Vendors may be required to participate in Code of Ethics trainings.

1.2 PROHIBITED CONTACTS DURING CONTRACT SOLICITATION PERIOD A person or entity who seeks or applies for a city contract or any other person acting on behalf of such person or entity, is prohibited from contacting city officials and employees regarding such a contract after a Formal Bid, Request for Proposal (RFP), Request for Qualification (RFQ) or other solicitation has been released. This no-contact provision shall conclude when the contract is awarded. The City of Laredo reserves the right to contact respondents and may require such contact as part of the evaluation process (for presentation, clarification) of bids and/or negotiation of RFP submittal(s) prior to the award of contract. If contact is required, such contact will be done in accordance with provisions of Chapter 252 and 271 of the Texas Local Government Code and procedures incorporated into the solicitation document. Violation of this provision by respondents or their agents may lead to disqualification of their offer from consideration.

1.3 NON-COLLUSIVE AFFIDAVIT (Form can be downloaded and submitted through Cit-E-Bid system) The City may require that vendors submit a Non-Collusive Affidavit. The vendor will be required to state that the party submitting a proposal or bid, that such proposal or bid is genuine and not collusive or sham; that said Bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any Bidder or Person, to put in a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person, to fix the bid price or affiant or of any other Bidder, or to fix any overhead, profit or cost element of said bid price, or of that of any other Bidder, or to secure any advantage against the City of Laredo or any person interested in the proposed contract; and that all statements in said proposal or bid are true.

1.4 CONTRACT DISCLOSURE FORMS (This is submitted through Cit-E-Bid system) The City of Laredo requires the following forms to be completed as a part of this bid for consideration; 1. Company Information Questionnaire, 2. Signed Price Schedule, 3. Conflict of Interest Questionnaire, 4. Non-Collusive Affidavit 5. Discretionary Contracts Disclosure 6. Certificate of Interested Parties (Form 1295) ****Upon Award of RFP Only****

1.5 CONFLICT OF INTEREST FORMS (This is submitted through Cit-E-Bid system) Conflict of Interest Disclosure: A form disclosing potential conflicts of interest involving counties, cities, and other local government entities may be required to be filed after January 1, 2006, by vendors or potential vendors to local government entities. The new requirements are set forth in Chapter 176 of the Texas Local Government Code added by H.B. No. 914 of the last Texas Legislature.

1.6 TEXAS ETHICS COMMISSION (Form 1295, Form can be downloaded and submitted through Cit-E-Bid system) Certificate of Interested Parties (Form 1295) Implementation of House Bill 1295: In an effort to comply with state law the certificate of interested parties must be filled out once a vendor has been granted a contract. All of this information can be found on the state of Texas website, please use this link provided, <https://www.ethics.state.tx.us/tec/1295-Info.htm>. In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016. In order to comply with state law the Certificate of Interested Parties (Form 1295) must be submitted to the Texas Ethics Commission within 10 days upon receiving notice of award of contract. This form must be submitted within the allotted time otherwise this may result in the cancellation of the contract.

Changes to Form 1295:

Changes to the law requiring certain businesses to file a Form 1295 are in effect for contracts entered into or amended on or after January 1, 2018. The changes exempt businesses from filing a Form 1295 for certain types of contracts and replace the need for a completed Form 1295 to be notarized. Instead, the person filing a 1295 needs to complete an "unsworn declaration."

☒ I have read and understand this section

6	Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award. <input checked="" type="checkbox"/> I have read and understand this section
7	Questionnaire Description "The undersigned affirms that they are duly authorized to execute this contract, that this company, corporation, firm, partnership or individual has not prepared this bid in collusion with any other bidder, and that the contents of this bid as to prices, terms or conditions of said bid have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this request. By submitting this bid the vendor agrees to the City of Laredo specifications and all terms and conditions stipulated in the proposed document. That I, individually and on behalf of the business named in this Business Questionnaire, do by my signature below, certify that the information provided in the questionnaire is true and correct ".
8	Name of Offeror (Business) and Name & Phone Number of Authorized Person to sign bid <div style="border: 1px solid black; padding: 2px;">Tailwind Hospitality, Inc., Jeffrey Switzer (720) 891-7031</div>
9	State how long under has the business been in its present business name <div style="border: 1px solid black; padding: 2px;">3 Years</div>
10	If applicable, list all other names under which the Business identified above operated in the last five years <div style="border: 1px solid black; padding: 2px;">Tailwind MC, LLC. Please see Appendix A.</div>
11	State if the Company is a certified minority business enterprise The below information is requested for statistical and tracking purposes only and will not influence the amount of expenditure the City will make with any given company.
12	Questions Part 1 1) Is any litigation pending against the Business? 2) Has the Business ever been declared "not responsive" for the purpose of any governmental agency contract award? 3) Has the Business been debarred, suspended, proposed for debarment, suspended, proposed for debarment, declared ineligible, voluntarily excluded, or other wise disqualified from bidding, proposing or contracting? 4) Are there any proceedings, pending relating to the Business responsibility, debarment, suspension, voluntary exclusion, or qualification to receive a public contract? 5) Has the government or other public entity requested or required enforcement of any of its rights under a surety agreement on the basis of default or in lieu of declaring the Business at default? <div style="border: 1px solid black; padding: 2px;">1) No. 2) No. 3) No. 4) No. 5) No.</div>
13	Questions Part 2 1) Is the Business in arrears in any contract or debt? 2) Has the Business been a defaulter, as a principal, surety, or otherwise? 3) Have liquidated damages or penalty provisions been assessed against the Business for failure to complete work on time or any other reason? <div style="border: 1px solid black; padding: 2px;">1) No. 2) No. 3) No.</div>
14	State if the Company is a certified minority business enterprise <div style="border: 1px solid black; padding: 2px;">This company is not a certified minority business</div>

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5**Conflict of Interest Disclosure**

A form disclosing potential conflicts of interest involving counties, cities, and other local government entities may be required to be filed after January 1, 2006, by vendors or potential vendors to local government entities. The new requirements are set forth in Chapter 176 of the Texas Local Government Code added by H.B. No. 914 of the last Texas Legislature. Companies and individuals who contract, or seek to contract, with the City of Laredo and its agents may be required to file with the City Secretary's Office, 1110 Houston Street, Laredo, Texas 78040, a Conflict of Interest Questionnaire that describes affiliations or business relationships with the City of Laredo officers, or certain family members or business relationships of the City of Laredo officer, with which such persons do business, or any gifts in an amount of \$250.00 or more to the listed City of Laredo officer (s) or certain family members. The new requirements are in addition to any other disclosures required by law. The dates for filing disclosure statements begin on January 1, 2006. A violation of the filing requirements is a Class C misdemeanor. The Conflict of Interest Questionnaire (Form CIQ) may be downloaded from [http://www.ethics.state.tx.us/whatsnew/conflict forms.htm](http://www.ethics.state.tx.us/whatsnew/conflict%20forms.htm). The City of Laredo officials who come within Chapter 176 of the Local Government Code relating to filing of Conflicts of Interest Questionnaire (Form CIQ) include: 1. Mayor 2. Council Members 3. City Manager 4. Members of the Fire Fighters and Police Officers Civil Service Commission. 5. Members of the Planning and Zoning Commission. 6. Members of the Board of Adjustments 7. Members of the Building Standards Board 8. Parks & Leisure Advisory Committee Member, 9. Historic District Land Board Member, 10. Ethics Commission Board Member, 11. The Board of Commissioners of the Laredo Housing Authority 12. The Executive Director of the Laredo Housing Authority 13. Any other City of Laredo decision making board member If additional information is needed please contact Enrique Aldape III, Interim Purchasing Agent at 956-794-1733.

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6**Conflict of Interest Questionnaire Form CIQ**

For vendor or other person doing business with local governmental entity. This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session. This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a). By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

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7**Conflict of Interest Questionnaire**

Vendor is required to submit Conflict of Interest Form for bid to be considered complete. Have you submitted your completed Conflict of Interest Form with your response?

1
8**Disclosure Form**

For details on use of this form, see Section 4.01 of the City's Ethics Code.

1
9**This is a**

2
0**Question 1. Name of person submitting this disclosure form**

Please include First Name, Middle Initial, Last Name and Suffix (if applicable)

2
1**Question 2. Contract Information**

Please include the following: a)Contract or Project Name b)Originating Department

2
2**Question 3. Name of individual(s) or entity(ies) seeking a contract with the city (i.e. parties to the contract)**

2 3	Question 4. List any business entity(ies) that is a partner, parent, subsidiary business entity(ies) of the individual or entity listed in Question 3. <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">It applies to my business</div>
2 4	Question 4. List any business entity(ies) that is a partner, parent, subsidiary business entity(ies) of the individual or entity listed in Question 3 If you selected Not Applicable on Question 4, skip this section. If it applies to you, please list the name of partner, parent, or subsidiary business entity(ies) in this section. <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">Tailwind Hospitality, Inc. subsidiaries attached as Appendix A</div>
2 5	Question 5. List any individuals or entities that will be subcontractors on this contract <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">Not Applicable</div>
2 6	Question 5. List any individuals or entities that will be subcontractors on this contract If you selected Not Applicable on Question 5, please skip this section. If it applies to you, please list subcontractors in this section. <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">No response</div>
2 7	Question 6. List any attorneys, lobbyists, or consultants that have been retained to assist in seeking this contract <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">Not Applicable</div>
2 8	Question 6. List any attorneys, lobbyists, or consultants that have been retained to assist in seeking this contract If selected Not Applicable on question 6, please skip this section. If it applies to you, please list attorneys, lobbyists, or consultants that have been retained to assist in seeking this contract. <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">No response</div>
2 9	Question 7. Disclosure of political contributions List any campaign or officeholder contributions made by the following individuals in the past 24 months totaling more than \$100 to any current member of City Council, former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections. a) Any individual seeking contract with the city (Question 3) b) Any owner of officer of entity seeking contract with the city (Question 3) c) Any individual or owner or officer of any entity listed above as partner, parent, or subsidiary business (Question 4) d) Any subcontractor or owner/office of subcontracting entity for the contract (Question 5) e) The spouse of any individual listed in response to (a) through (d) above f) Any attorney, lobbyist, or consultant retained to assist in seeking contract (Question 6) <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">Not Applicable</div>
3 0	Question 7. Disclosure of political contributions If you selected Not Applicable on question 7, please skip this section. If it applies to you, please list all contributors in this section. <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">No response</div>
3 1	Updates on contributions required Information regarding contributions must be updated by submission of a revised form from the date of the submission of this form, up through the time City Council takes action on the contracts identified in response to Question 2 and continuing for 30 calendar days after the contract has been awarded.

3
2**Question 8. Disclosure of Conflict of Interest**

Are you aware of any fact(s) with regard to this contract that would raise a "conflict of interest" issue under Section 2.01 of the Ethics Code for any City Council member or board/commission member that has not or will not be raised by these city officials?

I am not aware of any conflict of interest

3
3**8. Disclosure of Conflict of Interest**

If you selected I am aware of conflict of interest in question 8, please list them in this section.

No response

3
4**Question 9. Updates Required**

I understand that this form must be updated by submission of a revised form if there is any change in the information before the discretionary contract is the subject of action by the City Council, and no later than five (5) business days after any changes has occurred, whichever comes first. This include information about political contributions made after the initial submission and up until thirty (30) calendar days after the contract has been awarded.

☒ I have read and understand this section

3
5**Question 10. No Contact with City Officials or Staff during Contract Evaluation**

I understand that a person or entity who seeks or applies for city contract or any other person acting on behalf of that person or entity is prohibited from contacting city officials and employees regarding the contract after a Request for Proposal (RFP), Request for Qualifications (RFQ), or other solicitation has been released. This no-contact provision shall conclude when the contract is posted as a City of Laredo Council agenda item. If contact is required with city officials or employees, the contact shall take place in accordance with procedures incorporated into the solicitation documents. Violation of this prohibited contacts provision set out in Section 2.09 of the Ethics Code by respondents or their agents may lead to disqualification of their offer from consideration.

☒ I have read and understand this section

3
6**Question 11. Conflict of Interest Questionnaire (CIQ)**

Chapter 176 of the Local Government Code requires contractor and vendors to submit a Conflict of Interest Form (CIQ) to the Office the of City Secretary.

☒ I have acknowledge that I have been advised

3
7**Question 11. Oath**

Please complete in this section the required information for your company: 1) Name 2) Title 3) Company or DBA 4) Date

Jeffrey Switzer, President and CEO of Tailwind Hospitality, Inc. 11/25/2024

3
8**Question 12. Oath**

I swear or affirm that the statements contained in this Discretionary Contracts Disclosure Form, including any attachments, to the best of my knowledge and belief are true, correct, and complete.

☒ I swear or affirm information is correct

3
9**Addendum**

Addendum Requires Acknowledgement

Pre-Submittal Meeting
Friday, October 18, 2024 2:00 p.m. - 3:00 p.m.

☒ Acknowledge

Addendum 2**Addendum Requires Acknowledgement**

Visit Site - Not Mandatory

Oct 21, 2024 by appointment (8am to 5pm) CT

Oct 28, 2024 by appointment (8am to 5pm) CT

Please call 956-795-2000 Ext. 2830 to set up appointment.

☒ Acknowledge**Bid Lines****1 I. INTRODUCTION**

The City of Laredo, TX ("City or "Owner") is inviting qualified and experienced Food & Beverage and Retail operators to respond to a Request for Qualifications for the right to develop, manage and operate three (3) concessions locations at Laredo International Airport ("LRD" or "Airport").

This Request for Qualifications stage, which is open to all Interested Parties, will require Respondents to submit information indicating they meet the Minimum Qualification Requirements for this opportunity, which are specified in Section V. Respondents who best meet or exceed the Minimum Qualification Requirements will be contacted by the City to participate in the next stage of the solicitation process.

II. AIRPORT OVERVIEW**Airport Description**

LRD is located at 5210 Bob Bullock Loop in Laredo, Texas, approximately 3 miles northeast of the City center and 5 miles north of the United States-Mexico border. The Airport is owned and operated by the City of Laredo and classified by the Federal Aviation Administration (FAA) as a primary non-hub airport. Three airlines currently provide passenger service at LRD (Allegiant, American, and United), featuring non-stop services to destinations including Dallas Fort-Worth, Houston Bush Intercontinental, Las Vegas, and (as of June 2024) Los Angeles.

Passenger traffic, which is comprised of enplaned passengers – those departing from LRD and deplaned passengers – those arriving into LRD - has grown steadily since the pandemic, increasing by an average of 14% annually since 2021. Future traffic is anticipated to increase 2% annually.

CY Historical Passenger Traffic

Year	Total	Enplaned	Deplaned
2018	174,840	83,287	91,553
2019	187,642	89,951	97,691
2020	89,946	42,220	47,726
2021	178,867	90,872	87,995
2022	217,091	111,268	105,823
2023	235,373	121,529	113,844

*Annualized 2024 254,216 133,716 120,500

*Based on YTD 2024 data

Laredo Area

The City of Laredo was founded in 1775 and is located on the north bank of the Rio Grande in South Texas, across from Nuevo Laredo, Tamaulipas, Mexico. According to a 2021 report published by the Laredo Economic Development group, Laredo is North America's busiest inland port and ranked 3rd overall behind Los Angeles and New York. The Laredo Customs

district's trade topped \$300 billion in four of the last five years, setting records in three of those five, including in 2021. Port Laredo leads the nation in imports of tequila and other spirits.

According to the latest data published by the U.S. Census Bureau, Laredo's population includes the following:

- The local population is estimated at 260,000
- There is an equal share of male and female residents
- A reported 95% of residents are Hispanic or Latino
- Approximately 25% of the population is foreign-born
- Over 21% of residents have a bachelor's degree or higher
- Median household income is over \$61,000
- Average commute time to work is 21 minutes

Airport Market

In 2021, market research was performed to identify the profile of airport passengers and the local community, as well as preferences for concessions. The results of the surveys are provided in the Appendix.

III. CONCESSIONS OPPORTUNITY

With this focus on the passenger experience, LRD is excited to offer opportunities that will continue to enhance the airport experience. The Airport is seeking responses from experienced operators interested in designing, constructing, and operating a total of three (3) locations in the Terminal. A summary of the facilities are provided below. Please refer to **EXHIBIT 1** for details.

Lower-Level (Pre-Security) Concessions

One location is available on the lower-level ticketing and baggage claim area:

Space 1 – 1,560 SF (approximate)

- This location is designed for a full restaurant and bar concept.
- Currently under renovation, the location is centrally and conveniently on the first floor of the terminal building with 100% exposure to all passengers and visitors to the Airport.
- Up to 2 hours of complimentary validated parking will be offered to all (non-traveling) patrons wishing to dine at the restaurant.
- At 523 SF, the kitchen within this location can also be used as a commissary kitchen to service the post-security concessions (if necessary).
- Dining space is approximately 1,039 SF (including 474 SF of patio seating).
- Full utilities such as gas, grease traps, water, and electricity will be available.
- Serves the public, including airport visitors and passengers.
- The estimated date this space will be available is the 3rd quarter of 2025.

<https://www.census.gov/quickfacts/fact/table/laredocitytexas/PST045223>

Upper-Level (Post-Security) Concessions

Two locations are available on the upper-level departures area:

Space 1 – 753 SF (approximate)

- This new space is dedicated for a future quick service concession concept on the secured side of the terminal, adjacent to Gates 3 & 4.
- Total square footage includes back of house and dining area.
- The space is currently under development and the estimated date this space will be available is the 3rd quarter of 2025.
- The package of utilities to be available for this location is being finalized.
- Serves ticketed passengers.

Space 2 – 478 SF (approximate)

- This is an existing grab-and-go food concept on the secured side of the terminal, adjacent to Gate 1.
- Limited utilities are available in this space, so the location is strictly limited to prepackaged food and beverage items.
- A limited selection of retail essentials can be offered in a designated section of this facility.
- Total space includes back of house and dining area.
- Serves ticketed passengers.

NOTE: The Exhibits provided herein illustrate the approximated scale and relationship of the project components. They are provided to describe the size and character of the architecture, structural, mechanical, and electrical systems, materials, and other such elements as may be appropriate to provide context. The Respondent to this RFQ recognizes the preliminary nature of the material being provided in advance of the passenger terminal final design and preparation of construction documents.

IV. SCHEDULE

RFQ Release September 20, 2024

Pre-Submittal Meeting October 18, 2024, at 2:00 p.m. (local time/CST)

Submit Questions for this RFQ shall be uploaded through in Cit-E-Bid before November 8, 2024 at 4:00 p.m. (local/CST).

Response Due Date December 6, 2024, by 4:00 p.m. (local time/CST)

Pre-Submittal Meeting

A pre-submittal meeting to discuss the procurement process and the RFQ will be held on **October 18, at 2:00 p.m. (local time/CST) via Microsoft Team**. Interested parties are strongly encouraged to attend. To register for the meeting, please send an email to Gilberto Sanchez at gsanchez@ci.laredo.tx.us

Questions

All questions for this RFQ shall be uploaded through in Cit-E-Bid before November 8, 2024 at 4:00 p.m. (local/CST).

Response Due Date

Once received, the responses, materials, and other collateral submitted will become the property of Laredo International Airport. Responses to this RFQ are due by:

December 6, 2024, by 4:00 p.m. (local time/CST).

Responses shall be clearly marked "Laredo International Airport Concessions RFQ" should be uploaded onto the City of Laredo procurement website: <https://cityoflaredo.ionwave.net/Login.aspx> . New users must complete a "supplier registration" as shown on the website.

V. INSTRUCTIONS

Responses will be evaluated on the information provided in the submittal.

Contents

The Response should be organized into the following tabs/sections as identified below:

Executive Summary – 2 page maximum

This summary should include an introduction of your business, such as general background of your firm, type of products/services offered, your mission statement, and any other relevant information. Additionally, it must include an explanation of why you think your concept is the right fit for the Airport.

Food & Beverage Experience – 2 page maximum

This section should illustrate your firm's experience, current locations in operation, and resumes or bios for key personnel.

VI. EVALUATION OF QUALIFICATIONS

Qualifications will be evaluated by a review committee established by the City to identify the respondents best potentially qualified to meet the Airport's needs. A preliminary evaluation to determine qualified respondents will be based on responses to this RFQ plus interviews, if determined necessary by the City:

- Executive Summary. **(25 Points)**
- Food and Beverage Operations Experience. **(50 Points)**
- Financial Capacity. **(25 Points)**

After reviewing responses, the City reserves the right to coordinate meetings or exchange written correspondences with parties that respond to this Request for Qualifications to clarify information, request further details, and discuss next steps.

The Laredo International Airport, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

VII. OTHER INFORMATION

Disclaimers

The City of Laredo reserves and may exercise the following rights and options:

1. To reject any and all proposals and reissue the RFQ at any time prior to execution of a final Agreement if, in the City of Laredo's sole opinion, it is in the City of Laredo's best interest to do so.
2. To supplement, amend, substitute, or otherwise modify this RFQ at any time prior to selection of one or more proposer for negotiation.
3. To cancel this RFQ with or without issuing another RFQ.
4. To reject the proposal of any proposer who, in the City of Laredo's sole judgment, has been delinquent or unfaithful in the performance of any contract with the City of Laredo, is financially or technically incapable or is otherwise not a responsible responder.
5. To reject as informal or non-responsive, any proposal which, in the City of Laredo's sole judgment, is incomplete, is not in conformity with applicable law, is conditional in any way, or deviates from the mandated requirements of the RFQ.
6. To waive any informality, defect, non-responsiveness and/or deviation from this RFQ that is not, in the City of Laredo's sole judgment, material to the proposal.

Costs

All costs associated with the development of the RFQ response will be the sole responsibility of the Proposer.

Proprietary Information

The City recognizes that sensitive and proprietary information may be included with your RFQ.

Therefore, firms submitting a response to this RFQ must invoke the protection of this section before or upon submission of the data or other materials, and must identify the specific area or scope of data or other materials to be protected and state the reasons why protection is necessary. An all-inclusive statement that the entire response is proprietary is unacceptable.

Register for updates by emailing Gilberto Sanchez, gsanchez@ci.laredo.tx.us.

Include your company name, mailing address, phone, and the contact person.

It is highly suggested that you visit this website on a regular basis during the response preparation process.

Quantity: <u> 1 </u>	UOM: <u> EA </u>	Price: <table border="1"><tr><td>\$1.00</td></tr></table>	\$1.00	Total: <table border="1"><tr><td>\$1.00</td></tr></table>	\$1.00
\$1.00					
\$1.00					

Response Total: \$1.00