



COMISSÃO NAVAL BRASILEIRA EM WASHINGTON

5130 MacArthur Boulevard, NW
Washington, D.C., 20016
Tel.: (202)244-3950 Fax: (202) 363-5138



TERMO DE JUNTADA

Na presente data faço a juntada aos Autos do Processo nº 63150.002250/2024-66, cujo objeto é Contratação de empresa prestadora de serviço de fornecimento de refeições, para a Força de trabalho da Comissão Naval Brasileira em Washington (CNBW) e da Adidância Naval nos Estados Unidos (AdiNavEUA), nos dias úteis, dos seguintes documentos:

- a) Email da Empresa THE BRAZILIAN PLACE, LLC, solicitando documentos da empresa provisoriamente vencedora, resposta da CNBW e nova solicitação da empresa THE BRAZILIAN PLACE, LLC, às Fls. 343 a 345;
- b) Email da CNBW encaminhando à Empresa GREGORIOS'S AT SUMNER PLACE, LLC os protestos realizados pela empresa THE BRAZILIAN PLACE, LLC oportunizando o contraditório e sua respectiva resposta, às Fls. 346 a 348;
- c) documentos adicionais apresentados pela Empresa GREGORIOS'S AT SUMNER PLACE, LLC, a fim de ratificar o cumprimento das exigências previstas no Edital, às Fls. 349 a 354; e
- e) Carta 50/2024, encaminhada a Empresa THE BRAZILIAN PLACE, LLC, com a resposta oficial da CNBW aos apontamentos realizados, à Fl. 355.

Washington, DC, 21 de novembro de 2024.

ELIAS FERREIRA DA SILVA

Capitão de Fragata (T)

Encarregado da Divisão de Licitações e Acordos Administrativos

EM BRANCO

Re: WINNING BIDDER Re: BID SESSION INFORMATION - BID 11/2024 Re: The Brazilian Place - Price Proposal

De : B P <thebrazilianplace@gmail.com>

ter., 19 de nov. de 2024 15:55

Assunto : Re: WINNING BIDDER Re: BID SESSION INFORMATION - BID 11/2024 Re: The Brazilian Place - Price Proposal

2 anexos

Para : manoela accioly <manoela.accioly@marinha.mil.br>

Cc : CNBW-Bid <cnbw.bid@marinha.mil.br>, Ferreira <elias.ferreira@marinha.mil.br>

Good afternoon, Thank you for the prompt answer.

As per your information, all requested documents would be found on the file 247 to 294.

Upon extensive review, we consider multiple documents either missing or incorrect.

7.3.3 - Authorizing document issued by the Government for the execution of the contracted object - We understand this to be the Business License. (Which we provided) This is the actual Government Document for a restaurant. (No documents from the Government were on the file mentioned above.)

7.3.5 Company Tax Identification number - We also did not see that document. This should be the actual official letter from the IRS upon opening of the company. The only letter with an EIN is the Declaration of No Bankruptcy written by the company which in no way can be accepted as an official document. That letter is for item 7.3.13. Again no Official EIN document provided. (We provided this document)

7.3.7 Letters of recommendation, good performance, or guarantees provided by authorities or entities regulating the corresponding commercial activity - The letters of recommendation provided are private letters and not what was requested, it is clear that what was requested needed to be "provided by **authorities** or entities regulating the corresponding commercial activity", this is, in no way, what was requested.

7.3.10 Food handling license (Was provided) and then comes "**any licenses required for the food service field in accordance with the legislation where it is located** - These Licenses include any requirement for a restaurant to operate in Maryland. The Document "Food Allergens Essentials" is a requirement (As per statement below extracted from the Montgomery County Website and needed to be included with the provided documentation (Which we provided) and it is this document that was used to exclude our restaurant 6 years ago due to being expired, (Which we had but the expired certificate was sent and we were not allowed to submit the correct/valid one).



Department of Health & Human Services

All food establishments are required to be under the immediate control of a certified food service manager (on the premises) who has taken a food allergen awareness training course and passed an exam, whenever food is prepared and served.

Approved food allergen awareness training courses are found on the Licensure and Regulatory Services website.

Online users who have additional questions and would like to be contacted by a departmental staff member may submit a request by clicking on the **Create Service Request** button below. Please complete all of the fields in the **Contact Information** section then scroll down to the bottom of the page and provide a brief description of the request in the **Brief Description** field.

After review of the online posted documents, we have to request the Brazilian Naval commission to confirm our analysis to be accurate and ask the Navy to re-evaluate the eligibility of the said bid winner to participate in the binding process as we understand that he failed to provide the required documentation as per the bid notice requirements.

Sincerely

Glayson Silva
Manager

On Tue, Nov 19, 2024 at 2:06 PM <manoela.accioly@marinha.mil.br> wrote:
Dear Glayson,

Thank you for your interest in our bidding process, and for ensuring compliance and impartiality throughout the procedure.

We have carefully reviewed your request and would like to inform you that all relevant information regarding the process is publicly available through the Brazilian Naval Commission in Washington. You can access the details at the following link:

<https://www.marinha.mil.br/cnbw/?q=pt-br/content/bid-112024>

Additionally, the documents you requested can be found in files FIs 247 to 294.

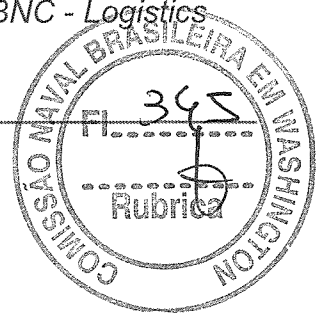
Please do not hesitate to contact me if you need further clarification or additional information.

Kind regards,

Manoela

Retelma: 8151-1321

CNBW - A logística além de nossas fronteiras/ BNC - Logistics
beyond our borders



De: "B" <thebrazilianplace@gmail.com>

Para: "CNBW-Bid" <cnbw.bid@marinha.mil.br>

Cc: "manoela accioly" <manoela.accioly@marinha.mil.br>, "Ferreira" <elias.ferreira@marinha.mil.br>

Enviadas: Sexta-feira, 15 de novembro de 2024 13:58:26

Assunto: Re: WINNING BIDDER Re: BID SESSION INFORMATION - BID 11/2024 Re: The Brazilian Place - Price Proposal

Dear Members of the Brazilian Naval Commission,

I hope this message finds you well. I am writing to respectfully request permission to review the documentation submitted by one of the bidders for Bid Process 11/2024.

In previous bidding processes, I was disqualified due to issues with documentation compliance. While I acknowledge and respect the rules and decisions made at the time, I want to ensure that this current process maintains the same strict standards for all participants. Transparency and fairness are essential in these competitive procedures, and I am committed to supporting these principles.

My goal is not to question the integrity of the commission or any participant but to verify that the same rigorous criteria applied to me in the past are being uniformly enforced. By having access to this documentation, I can confirm that the process remains equitable and in full alignment with the established requirements.

Thank you for considering my request. I am confident that granting this opportunity will further reinforce the credibility of the process and uphold the high standards we all strive to maintain. Please let me know if additional steps or formalities are required to proceed.

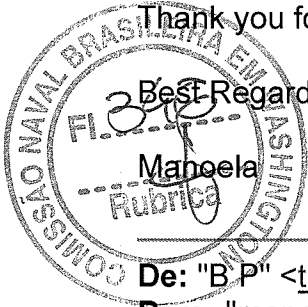
Sincerely,
Glayson Silva

On Thu, Nov 14, 2024 at 3:09 PM CNBW-Bid <cnbw.bid@marinha.mil.br> wrote:
Dear Sir,

I am writing to share the results of Bidding Process No. 11/2024 for the Hiring of a service provider company for meal supply for the workforce of the Brazilian Naval Commission in Washington (BNCW) and the Naval Attaché in the United States (AdiNavEUA) on business days.

We are glad to confirm that the award decision has been finalized. The successful bidder offering the lowest price has been declared the winner.

Please contact us should you require any additional information or have queries about the results.



Thank you for your participation in this process.

Best Regards,

Manoela

De: "B P" <thebrazilianplace@gmail.com>

Para: "manoela accioly" <manoela.accioly@marinha.mil.br>

Cc: "CNBW-Bid" <cnbw.bid@marinha.mil.br>, "Ferreira" <elias.ferreira@marinha.mil.br>

Enviadas: Quarta-feira, 13 de novembro de 2024 12:11:43

Assunto: Re: BID SESSION INFORMATION - BID 11/2024 Re: The Brazilian Place - Price Proposal

Sra. Manoela, Confirmando recebimento do email.

Atenciosamente

Glayson

On Wed, Nov 13, 2024 at 12:09 PM <manoela.accioly@marinha.mil.br> wrote:

Olá, Glayson.

Primeiramente, peço desculpas pela confusão.

Favor considerar o horário de 10:00 EST - horário local de Washington DC como o horário correto para início do pregão eletrônico do BID 11/2024.

Solicito confirmar o recebimento deste e-mail.

Permaneço à sua disposição.

Atenciosamente,

Manoela

Manoela Accioly | Procurement Officer | Brazilian Naval Commission | office: 202.244.3950 ext. 321 | Retelma: 8151-1321

CNBW - A logística além de nossas fronteiras/ BNC -

Logistics beyond our borders

De: "B" <thebrazilianplace@gmail.com>

Para: "CNBW-Bid" <cnbw.bid@marinha.mil.br>

Cc: "Ferreira" <elias.ferreira@marinha.mil.br>, "manoela.accioly" <manoela.accioly@marinha.mil.br>

Enviadas: Quarta-feira, 13 de novembro de 2024 11:49:20

Assunto: Re: BID SESSION INFORMATION - BID 11/2024 Re: The Brazilian Place - Price Proposal

Zimbra

elias.ferreira@marinha.mil.br



Re: URGENT - ACTION REQUIRED Re: WINNING BIDDER Re: RESULT - REQUEST FOR INFORMATION - Re: UPDATED - BID SESSION INFORMATION Re: Submission of Required Price Proposal – BID Process #11/2024

De : Tarcisio Melo <melo@gregoriostrattoria.com>

qui., 21 de nov. de 2024 01:40

Assunto : Re: URGENT - ACTION REQUIRED Re: WINNING BIDDER Re: RESULT - REQUEST FOR INFORMATION - Re: UPDATED - BID SESSION INFORMATION Re: Submission of Required Price Proposal – BID Process #11/2024

6 anexos

Para : manoela accioly <manoela.accioly@marinha.mil.br>

Cc : CNBW-Bid <cnbw.bid@marinha.mil.br>, GREGORYKAHN@YAHOO.COM <gregorykahn@yahoo.com>, Anne Donovan <admin@gregoriostrattoria.com>, Ferreira <elias.ferreira@marinha.mil.br>, Tarcisio Melo <melo@gregoriostrattoria.com>

Manoela,

In response to the protest submitted by the company "The Brazilian Place," I am providing the following clarifications and supporting documents for your review:

1. Response to Item 7.3.3 - Authorizing Document Issued by the Government for the Execution of the Contract Object

As defined, the term "documents issued by the government" in the context of a restaurant typically refers to official permits or licenses necessary to legally operate a food business and fulfill the contractual obligations.

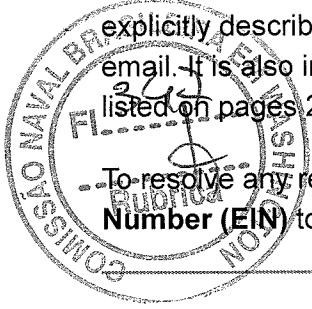
In accordance with this definition, the document provided was the **Business License**, issued by the appropriate government authority. This document was initially sent via email, and is also included in the official publication of the Brazilian Naval Commission in Washington, listed on page 254.

To eliminate any remaining doubts, I am reattaching a copy of this document to this email for your review.

2. Response to Item 7.3.5 - Company Tax Identification Number

According to Annex A of the Terms of Reference for BID 11-2024, which states: "7.3.5. Company tax identification number," there is no indication in the cited document that this number must be provided in the form of an official document issued by an IRS-affiliated agency.

The contesting bidder claims that an official document is required. However, the requested item is



explicitly described as "Company tax identification number," which was duly provided and sent via email. It is also included in the official publication of the Brazilian Naval Commission in Washington, listed on pages 247, 249, and 253.

To resolve any remaining doubts, I am attaching a copy of our **IRS Employer Identification Number (EIN)** to this email.

3. Response to the Requirement for a Letter from Authorities

As per the requested item, a letter from authorities, the relevant document was provided and sent via email.. It is also included in the official publication of the Brazilian Naval Commission in Washington, listed on page 255.

The letter in question pertains to the organization **Representação do Brasil na Junta Interamericana de Defesa (RBJID)**, which is a Brazilian representative body linked to the Ministry of Defense of Brazil. Its purpose is to fulfill Brazil's commitments to the Inter-American Defense Board (JID). Additionally, the RBJID is tasked with overseeing activities associated with the Hemispheric Security Commission of the Organization of American States (CSH/OAS).

The RBJID's mission includes coordinating the work of the Brazilian Delegation, supporting Brazilian military and civilian personnel at the JID with transportation, housing, and meals, as well as coordinating studies and providing advice on defense matters deemed of interest by the Ministry of Defense or the Brazilian Representation at the OAS.

The restaurant Gregorio's has been a long-standing partner of this organization, and its commercial activities are referenced in this letter.

To further reiterate, I am also attaching the **Certificate of Good Standing** issued by the Department of Assessments and Taxation of the State of Maryland.

4. Response to Item 7.3.10 - Food Handling License Certificate

Regarding Item 7.3.10 of the Terms of Reference, which requests the **Food Handling License Certificate**, the document provided was the **Food Manager Certificate**(page 257 of the process). This certification is of a higher standard than the one requested in the Terms of Reference.

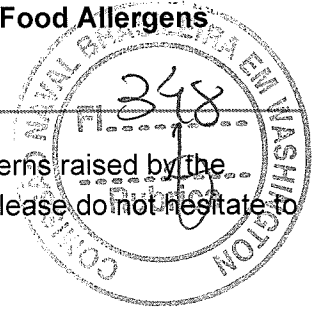
According to the **ServSafe Food Manager Table of Contents** (attached), the course content includes the topic of **Food Allergens**, thereby demonstrating that this subject is comprehensively covered within the training.

Additionally, at no point in the Brazilian Naval Commission in Washington Terms of Reference or in the Notice BID 11/2024 was there a requirement for a **Food Allergens Certificate**.

Specifically, Notice BID 11/2024 requires a **Food Handling License** as per **item 3.8.2, e) Food Handling License**. Furthermore, nowhere in section **3.8.2 Technical Qualifications** is a **Food Allergens Certificate** mentioned as a required document. The demand for this certificate appears to have been raised solely by the contesting bidder, who was not awarded the contract.

It is also important to note that references made by the contesting bidder to an incident from six years ago are irrelevant to the current process.

Nonetheless, to address any potential doubts, we are attaching an updated **Food Allergens Certificate** for your reference.



I hope these clarifications and the attached documentation address all concerns raised by the protest. Should further explanation or additional documents be necessary, please do not hesitate to contact me

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From: manoela.accioly@marinha.mil.br <manoela.accioly@marinha.mil.br>

Sent: Wednesday, November 20, 2024 9:48:23 AM

To: Tarcisio Melo <melo@gregoriostrattoria.com>

Cc: CNBW-Bid <cnbw.bid@marinha.mil.br>; GREGORYKAHN@YAHOO.COM <gregorykahn@yahoo.com>; Anne Donovan <admin@gregoriostrattoria.com>; Ferreira <elias.ferreira@marinha.mil.br>

Subject: URGENT - ACTION REQUIRED Re: WINNING BIDDER Re: RESULT - REQUEST FOR INFORMATION - Re: UPDATED - BID SESSION INFORMATION Re: Submission of Required Price Proposal – BID Process #11/2024

Dear Tarcisio,

I hope this email finds you well.

I would like to inform you that the other bidder participating in the tender has filed a protest regarding the documentation submitted by *Gregorio's Trattoria*. Please find the e-mail in .PDF form attached to this message.

In order to ensure fairness and compliance with due process, we are sharing the claims raised by *The Brazilian Place* with you. This is to provide you with the opportunity to exercise your right to adversarial proceedings, ensuring you have access to the necessary resources and opportunities to present an effective defense.

Please be advised that you have one day to submit a response to their protest. Once you have formally responded within the proceedings, we will proceed to issue a final decision.

We look forward to your response.

Should you require any further information, please do not hesitate to contact us.

Best regards,

Manoela

EM BRANCO

STATE OF MARYLAND
Department of Assessments and Taxation



I, DANIEL K. PHILLIPS OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE DEPARTMENT, BY LAWS OF THE STATE, IS THE CUSTODIAN OF THE RECORDS OF THIS STATE RELATING TO LIMITED LIABILITY COMPANIES , OR THE RIGHTS OF LIMITED LIABILITY COMPANIES TO TRANSACT BUSINESS IN THIS STATE, AND THAT I AM THE PROPER OFFICER TO EXECUTE THIS CERTIFICATE.

I FURTHER CERTIFY THAT GREGORIO'S AT SUMNER PLACE, LLC (W19721042) , REGISTERED JUNE 05, 2019, IS A LIMITED LIABILITY COMPANY EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF MARYLAND, AND THAT THE LIMITED LIABILITY COMPANY IS AT THE TIME OF THIS CERTIFICATE IN GOOD STANDING TO TRANSACT BUSINESS.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY SIGNATURE AND AFFIXED THE SEAL OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF MARYLAND AT BALTIMORE ON THIS NOVEMBER 11, 2024.

Daniel K. Phillips
Director



700 East Pratt Street, 2nd Flr, Ste 2700, Baltimore, Maryland 21202
Telephone Baltimore Metro (410) 767-1344 / Outside Baltimore Metro (888) 246-5941
MRS (Maryland Relay Service) (800) 735-2258 TT/Voice

Online Certificate Authentication Code: yOjGJND_f0iE8IIW4KXmQw
To verify the Authentication Code, visit <http://dat.maryland.gov/verify>

EM BRANCO



EIN Assistant

Your Progress: 1. Identity 2. Authenticate 3. Addresses 4. Details 5. EIN Confirmation

Congratulations! The EIN has been successfully assigned.

EIN Assigned: 84-2049545

Legal Name: GREGORIO S AT SUMNER PLACE LLC

The confirmation letter will be mailed to the applicant. This letter will be the applicant's official IRS notice and will contain important information regarding the EIN. Allow up to 4 weeks for the letter to arrive by mail.

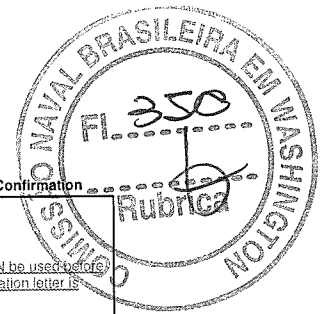
We strongly recommend you print this page for your records.

Click "Continue" to get additional information about using the new EIN.

Continue >>

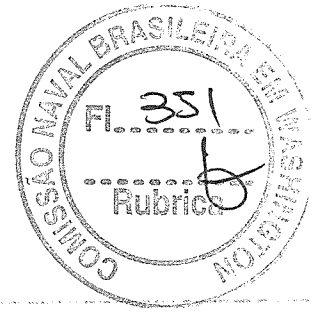
Help Topics

Can the EIN be used before the confirmation letter is received?



EMBRANCO

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This website will be unavailable due to scheduled maintenance downtime on Saturday, November 23, 2024, from 4am to 9am CDT. We apologize for any inconvenience.

ServSafe® Manager Table of Contents

SERVSAFE® MANAGER-TABLE OF CONTENTS

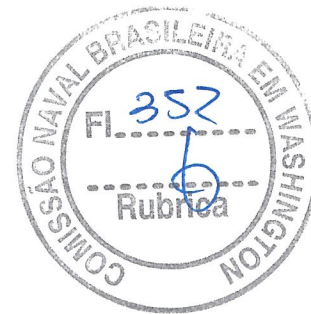
INTRODUCTION

- A Message from the National Restaurant Association
- Staying Connected with the National Restaurant Association Throughout Your Career
- Acknowledgements
- How to Use the ServSafe Manager Book

CHAPTER 1: PROVIDING SAFE FOOD



- Foodborne Illnesses
- How Foodborne Illnesses Occur
- Keeping Food Safe



CHAPTER 2: FORMS OF CONTAMINATION

- Biological, Chemical, and Physical Contaminants
- Deliberate Contamination of Food
- Responding to a Foodborne-Illness Outbreak
- Food Allergens

CHAPTER 3: THE SAFE FOOD HANDLER

- How Food Handlers Can Contaminate Food
- A Good Personal Hygiene Program

CHAPTER 4: THE FLOW OF FOOD: AN INTRODUCTION

- Hazards in the Flow of Food
- Monitoring Time and Temperature

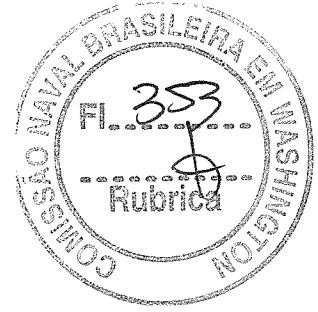
CHAPTER 5: THE FLOW OF FOOD: PURCHASING AND RECEIVING

- General Purchasing and Receiving Principles
- Storing

CHAPTER 6: THE FLOW OF FOOD: PREPARATION

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- Cooking Food

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- Food Safety Management Systems

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- Interior Requirements for a Safe Operation
- Emergencies That Affect the Facility
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- Cleaning and Sanitizing in the Operation

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- Organisms That Cause Foodborne Illness

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11/20/24, 1:25 PM

ServSafe® - Manager

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ServSafe
National Restaurant Association



ServSafe Allergens™ Certificate of Completion

Awarded to

TARCISIO MARCELO ALVES DE MELO

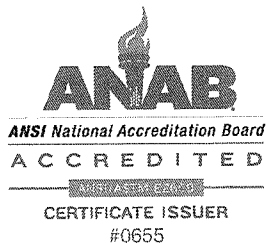
Provided by the **National Restaurant Association**

Certificate Number 7474671 Date 11/20/2024

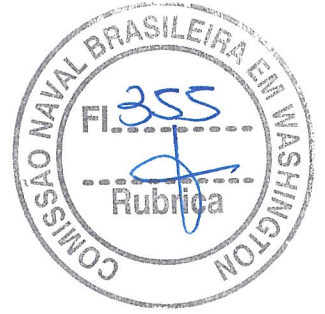
Expiration Date 11/20/2027

A handwritten signature in cursive script that reads "Sherman L. Brown".

Sherman Brown
Executive Vice President, Business Services



EM BRANCO



BRAZILIAN NAVAL COMMISSION IN WASHINGTON

5130 MacArthur Boulevard, NW
Washington, D.C., 20016
Tel.: (202)244-3950 - Fax: (202) 363-5138

Letter nº 50/CNBW/MB
32/004

Washington, DC, November 21, 2024.

To: Mr. Glayson Silva
The Brazilian Place LLC
2418 University Blvd W
Silver Spring – MD - 20902

Subject: **Decision based on Request sent by e-mail on November 19th, 2024.**

Dear Mr. Silva,

On behalf of the Brazilian Naval Commission in Washington (BNCW), I am writing to formally respond to your request for a review of the documentation submitted by the successful bidder.

In observance to the principles of fairness, equality and adherence to the due process, this commission provided the right to answer the questions made by the Brazilian Place to the winning bidder. After a thorough review of the responses and supporting documentation provided, it has been determined that the bidder has submitted all required materials in accordance with the requirements set in the Notice and its Annexes.

In compliance with transparency obligations, all relevant documents will be made publicly available on our official platform.

Should you require any further assistance, please do not hesitate to contact us.

Sincerely,

ELIAS FERREIRA DA SILVA

Commander
Auctioneer

