

Bid Request
Mulvane USD 263
Food Service Milk Bid

Mulvane USD 263 is seeking bids on the following products or services. All bidders are welcome to supply bids according to the specifications and requirements contained within this bid request.

Bid Submission, Acceptance, and Opening

All bidders must comply with K.S.A.44-1030 regarding Equal Opportunity Employment. Bids and bid process will comply with all Kansas bid laws. Contracts resulting from a bid that is found to be contrary to law may be revoked.

Bids are due within the USD 263 administrative center, 628 E Mulvane St. Mulvane KS 67110, no later than **10:00 A.M. (all times are central time) May 21, 2020**. Bids will be opened at **2:00 P.M on Thursday May 21st, 2020 at the USD 263 administrative center front conference room, 628 E Mulvane St. Mulvane KS 67110**. USD 263 is not responsible for bids not delivered prior to the opening time by outside agencies, or server delays. All bids received after the posted date and time will be rejected and will be returned unopened if received via delivery or mail. The USD 263 Board of Education reserves the right to reject any and all bids. Bids must be submitted in a sealed envelope and marked in the lower left-hand corner as “Milk Bid 2020-2022”.

Please address the envelope to:

Mulvane USD 263
Attn: Carla Gilbert
PO Box 130
628 E Mulvane
Mulvane, Kansas 67110

Fax bids are allowed; however, confidentiality is not guaranteed. Bids sent by fax should be clearly noted as a bid and should be addressed to Carla Gilbert and marked with the words “Milk Bid 2020-2022” at the top of the bid. The USD 263 administrative fax number is 316-777-3001. USD 263 personnel will place all bids received by fax into a sealed envelope to await bid openings.

E-mail bids are allowed and must be sent to cgilbert@usd263.org. Bids received at other email addresses will be rejected. Please mark the subject line as “Milk Bid 2020-2022”. USD 263 is not responsible for delays in server transmission and will reject all bids not received by the specified date and time. Confidentiality of bids received via email cannot be guaranteed. All bids received via email will be printed and placed in a sealed envelope by USD 263 personnel to await bid openings. All bidders will be notified of the bid outcome once the Board of Education approves the bids at a regularly scheduled meeting.

Questions concerning product specification may be directed to Richard Hampton at 316-777-0442 or email rhampton@usd263.org

This institution is an equal opportunity provider.

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“Milk Bid 2020-2022” Checklist

This checklist is provided as a tool to make sure needed items are returned with the bid documents. It is the responsibility of the bidder to make sure all needed documents, signatures and forms are complete and returned.

1. Bid due date & time **05/21/2020 at 10:00 AM.** _____
2. Pricing information of product filled in? _____
3. Bid contact information is filled out? _____
4. Bid document is signed & dated? _____
5. HACCP plan is included in packet? _____
6. **April 2020** Milk Market report in packet? _____
7. Form 13-A, Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion – Lower Tier Covered Transactions is filled out, signed and included in packet? _____

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USD 263 Milk Bid #2020-2022 (2-year bid)

Mulvane USD 263
PO Box 130
Mulvane, KS 67110
Richard Hampton, Cell: 316-651-7981

Call for bids to supply SFA with milk products.

This solicitation for milk bids is being issued with the intent of entering into an agreement to purchase milk in accordance with applicable state and federal laws governing federally-funded Child Nutrition programs for Mulvane USD 263, herein after referred to as the School Food Authority (SFA). Milk vendors are invited to submit a milk bid in response to this solicitation to furnish milk products to the SFA, for the **2020-2022** school years. **(Bid award date: August 01, 2020 to July 30, 2022)**

The estimated value of the awarded contract will be \$ 130,000.

If your company is interested in competing for the awarded contract, please respond to this call for bids as directed in this solicitation document. Bids must be returned with the following information clearly marked on the envelope or email response: "Milk Bid 2020-2022" followed by your company's name

Bids can be mailed or hand delivered to: Mulvane USD 263
628 E Mulvane St
PO Box 130
Mulvane, KS 67110

Bids may be emailed to: cgilbert@usd263.org

Bids will be accepted until **05/21/2020 at 10:00 AM**. Bids will be opened at **2:00 PM 05/21/2020** at Mulvane School District Building 628 E Mulvane St, Mulvane KS 67110 (front conference room). **All times referenced in bid are central standard time.** USD 263 will not accept late bids. Please follow up to make sure that your bid is received.

Bid Terms, Specifications, Conditions, and Requirements

1. **Awarded Contract Period:** Bids will be awarded based on bottom line bid amount and history of service. The awarded contract issued as a result of this call for bids shall run from 08/01/2020 through 07/30/2022.

Services and products rendered as a result of the awarded contract must comply with regulations and statutory requirements passed down by the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS), and SFA's local governing agency. This includes financial and statutory requirements for operating the School Nutrition Programs including but not limited to the following:

- 7 CFR Part 3016 and Part 3019;
- USDA Program regulations (7 CFR Part 210, Part 215, and Part 220), guidance, and instructions;
- State law, regulations, and policies that are not in conflict with federal requirements; and
- Local law, regulations, and policies that are not in conflict with federal requirements.

The SFA reserves the right to terminate the award contract and re-awarded the contract to the next most competitive bidder in the event the successful bidder to whom the contract is awarded should fail to supply the SFA with goods and services described herein, not honor bid pricing, or is unable to comply with the terms and conditions described herein.

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2. **Pricing: Fixed price contract with economic adjustment.** The base milk price submitted shall remain firm and continue in force during the entire contract period. Price escalation/de-escalation will be based on the **April 2020 Federal Milk Order** announcements for the applicable geographical zone. **(include copy with the bid):**
 - a. **Price Escalations:** All prices shall be firm for 30 days, after which prices for milk can escalate or de-escalate according to changes in Class 1 raw milk prices based on monthly Federal Milk Order announcements for the applicable geographical zone. Prices for milk delivered can be escalated or de-escalated at the rate of \$.001 per half pint for each full \$.15 increase in raw milk per hundred weights. Any changes in price must be accompanied by a copy of the Federal Milk Order. Suppliers are also requested to submit conversion calculations showing the manner of arriving at the amount change. Whereas, the escalation formula contained herein should apply to 95% of the petitions for price escalation, allowances will be made for occasional add-on escalation of raw milk prices by local dairy farmers which are over and above the price escalation permitted by Federal Milk Orders.
3. Bids shall not be accepted with clauses for escalation due to labor, delivery or material increases.
4. **Taxes:** Price quoted shall not include state or federal taxes from which the SFA is exempt. The necessary exemption certificate will be furnished upon request by the bidder.

Product

This bid is for delivery of milk products for use in the federal school lunch program.

Specifications are as follows:

1. Milk must have a minimum shelf life of 7 days.
2. All products shall conform to standard guarantee requirements with respect to safety, and the supplier by submission of his bid agrees to hold the buyer harmless in the event of product failure.
3. All products shall conform to the minimum requirements of Federal and State regulations. These requirements shall include, but not limited to weights, measures, fill of containers, and contamination.
4. Fluid milk and milk products shall be manufactured and packaged as defined in the state regulations governing the production and sale of milk and milk products, as published by the State Department of Agriculture. Milk and milk products shall be pasteurized, homogenized, and vitamin fortified. Fluid milk shall be delivered at a temperature of 41 degrees Fahrenheit or less. Any milk delivered above 45 degrees Fahrenheit may be rejected.
5. **Samples & Nutritional Information:** It will be the responsibility of the successful bidder to supply samples and nutritional information of all items upon request.

Quantity:

- 1) Quantities for each type of milk are listed below.
- 2) It shall be understood by all parties that any contract established as a result of this invitation will not obligate the school district to relieve any excess of actual requirements. While the quantities shown are classified as estimates for bidding purposes, they do result from actual historic tabulation. School district authorities will make a reasonable effort to fully use projected supplies of formula items, which may not have a market elsewhere.
- 3) Actual quantity requirements for items with volatile prices will be projected as far in advance as practical, usually with a lead-time of two to four weeks in advance of usage.
- 4) ***SFSP*:** The summer food service program serves around 280 students daily. The SFSP program operates from the 1st Tuesday after Memorial Day until the 1st Friday in August at the Mulvane Grade School. **One Delivery per week for the summer program is acceptable.**

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Mulvane USD 263 Milk		Daily Usage
0% fat (skim) Chocolate Milk	1/2-pint carton	1000
0% fat (skim) Strawberry (not used for SFSP*)	1/2-pint carton	145 (add to choc count if not available)
1% fat White Milk	1/2-pint carton	230

Order and Handling:

- 1) Deliveries shall be made on 2-3 nonconsecutive school days, Monday through Sunday, on a regularly scheduled basis each week at each school building.
- 2) Deliveries shall be made at a time agreed upon by both parties (Night drops are acceptable).
- 3) Drivers will rotate & stock milk coolers.
- 4) Drivers will leave milk cartons in cases when placing in cooler.
- 5) Deliveries will be made to the following sites:

Munson Elementary	1007 Westview Drive	Mulvane, KS 67110
Mulvane Grade School*	411 S.E. Louis Boulevard	Mulvane, KS 67110
Mulvane Middle School	915 Westview Drive	Mulvane, KS 67110
Mulvane High School	1900 N Rock Rd	Mulvane, KS 67110

Payments:

- 1) Payment of account will be made within 30 days from receipt of invoice. All bills are to be sent to the following address: Mulvane USD 263
PO Box 130
Mulvane, KS 67110
- 2) **Credits:** Credits will be given by the supplier for any product shortage, defective packages or unsatisfactory products as deemed by the SFA.
- 3) **Statements:** Statements are to clearly identify each SFA site activity by invoice number and show a total amount due for that week's activity for each SFA site. Any errors or past due balances must be submitted for review and payment requested within 30 days of receipt of payment.

OTHER:

- 1) **HACCP:** Successful bidder must submit documentation of HACCP compliance upon notification of being selected for the awarded contract. Any bidder without HACCP compliance documentation will be eliminated as a potential vendor to SFA cafeterias.

2) Bidder Contact Information

Name of company submitting this bid: _____

Printed name of person signing this form: _____

Telephone #: _____

Mailing address: _____

E-mail address: _____ (Bid notices are furnished via e-mail)

Date: _____

Signature

Date

Bids must contain the signature of a duly authorized officer of the organization.

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- 1) Bidder Agrees to:** The undersigned hereby agrees to furnish to the SFA, milk products as requested in this solicitation document and also certifies that:
- no person acting or employed by the SFA is directly involved in preparation of the bid or in any portion of the profits which may be derived there from; and
 - as required by the regulations implementing Executive Order 12549, Debarment and Suspension, Title 7 CFR Part 3017, §3017.510, participants responsibilities, the bidder, by submission of this bid, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
 - Supply any required documentation regarding the **Byrd Anti-Lobbying** Amendment (31 U.S.C. 1352), **Debarment and Suspension** (E.O.s 12549 and 12689) & the **Buy American Provision** as required by 7CFR Part 210.21 (d). As outlined on the last page of this bid document.

Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)-Contractors who apply or bid for an award of \$100,000 or more shall 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 shall 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 recipient.

Debarment and Suspension (E.O.s 12549 and 12689)-All parties doing business with the Department of Agriculture should consult the Department's regulations for debarment and suspension found at 7 CFR 3017. No contract shall be made to parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Non-procurement Programs in accordance with E.O.s 12549 and 12689, "Debarment and Suspension." This list contains the names of parties debarred, suspended, or otherwise excluded by agencies, and contractors declared ineligible under statutory or regulatory authority other than E.O. 12549. Contractors with awards that exceed the small purchase threshold shall provide the required certification regarding its exclusion status and that of its principal employees.

Buy American Provision

1. As required by the Buy American provision, all products must be of domestic origin as required by 7CFR Part 210.21 (d).
2. The District participates in the National School Lunch Program and School Breakfast Program and is required to use the nonprofit food service funds, to the maximum extent practical, to buy domestic commodities or products for Program meals. A "domestic commodity or product" is defined as one that is either produced in the US or is processed in the US substantially using agricultural commodities that are produced in the US as provided in 7 CFR Part 210.21 (d).
3. Exceptions to the Buy American provision should be used as a last resort; however, an alternative or exception may be approved upon request. To be considered for the alternative or exception, the request must be submitted in writing to a designated official, a minimum of 10 day(s) in advance of delivery. The request must include the:
 - a. Alternative substitutes(s) that are domestic and meet the required specifications:
 - i. Price of the domestic food alternative substitute(s); and
 - ii. Availability of the domestic alternative substitute(s) in relation to the quantity ordered.
 - b. Reason for exception: limited/lack of availability or price (include price)
 - iii. Price of the domestic food product; and
 - iv. Price of the non-domestic product that meets the required specification of the domestic product.

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**Certification Regarding Debarment,
Suspension, Ineligibility, and Voluntary Exclusion –
Lower Tier Covered Transactions**

U. S. DEPARTMENT OF AGRICULTURE

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participant's responsibilities. The regulations were published as Part IV of the January 30, 1989, Federal Register (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency with which this transaction originated.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS)

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is being presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Contractor

Name and Title of Authorized Representative

Contractor Signature

Date

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion, continued

Instructions for Certification

1. By signing and submitting this form, the prospective lower tier participant is providing the certification set out on the form in accordance with these instructions.
2. The certification in this clause is a material representation of fact upon which reliance was placed when the transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," "and "voluntarily excluded" as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this form that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determined the eligibility of its principals. Each participant may, but is not required to, check the Non-purchase List.
8. Nothing contained in the foregoing shall be construed to require the establishment of a system of records to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph five of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.