

INSTRUCTIONS TO BIDDERS

**ASHLAND INDEPENDENT SCHOOLS
1820 HICKMAN STREET
ASHLAND, KENTUCKY 41101
PHONE: 1-606-327-2706
FAX: 1-606-327-2705**

- 1. Submit one copy of this bid to the Ashland Independent Board of Education located at 1820 Hickman Street, Ashland, Kentucky by 3:00 p.m., Thursday, July 12, 2018. Bid is for August 15, 2018 to June 30, 2019. All questions regarding the bid are to be made to Linda S. Calhoun at (606)327-2706. Bid is for services for the cafeterias of Ashland Independent Schools.**
- 2. Bids are to be enclosed in a sealed envelope clearly marked "BIDS-PIZZA". No fax bids will be accepted.**
- 3. In order for your bid to be considered it must be received prior to the time designated in this invitation and none will be accepted after that date and time.**
- 4. The Ashland Independent Board of Education reserves the right to waive defects and informalities in proposals, and to reject any or all proposals or to accept any proposal as may be deemed to its interest. Further, should it appear to be in the best interest of the Ashland Independent Board of Education to purchase items at a higher price than that named in the lowest bid or bids, or to match items already purchased, the award will be made accordingly. The Ashland Independent Board of Education or its appointed agents shall remain the sole judge of items that it deems to meet the specifications hereinafter described.**
- 5. Any substitution or departure proposed by the bidder from the items specified must be clearly noted and described. Otherwise, it will be understood the bidder intends to supply items specifically mentioned in the bid invitation.**
- 6. Conditions by the bidder may be a part of his proposal.**
- 7. Bid price shall be for the services indicated, including transportation charges.**
- 8. All bids shall be effective for 30 days from date of opening and no bid may be withdrawn prior to that time without the express consent of the Ashland Independent Board of Education.**
- 9. Submitting bidders will present a pizza that will be used in the selection of the winning bid. Said pizza will demonstrate the required nutritional requirements of section number 11 of this Instruction to Bidders.**

10. Pizza must be ready for human consumption and presented in accordance with preparation and temperature techniques in compliance with the 2013 FDA Food Code. Pizza slices presented and used for orders from the District will be uniform and measurable.

11. The winning bid will be subject to award based upon the following percentages:

- a. Price 40%**
- b. Taste and nutritional compliance 40%**
- c. Presentation and size 20%**

12. Bidder will submit a nutritional analysis of a pizza slice that complies with the following:

- a. Bread will be 100% whole grain, which means, at least 50% will be whole grains, and the remaining grain, if any will be enriched. Bread will weigh 2 ounces. To comply, the product must have at least 8 grams of whole grain; or, product includes FDA's approved whole grain health claim on packaging; or product ingredient listing lists whole grain as first ingredient.**
- b. Protein will be 2 ounces in total weight. The bidder will be capable of producing plain cheese and cheese with meat pizza for ordering.**
- c. No trans fat.**
- d. Saturated fat as a percent of calories will be 10% or less and calories from fat will not exceed 30%**
- e. Total calories per slice will not exceed 300 calories per slice.**
- f. Product will contain 1/8 cup of vegetable sauce.**
- g. Sodium will be less than 600 mg per slice.**

The nutritional analysis will be included in the sealed bid package.

13. BID CANNOT BE EXECUTED UNLESS THE ATTACHED "REQUIRED AFFIDAVIT (pg. 6) and "CERTIFICATION" (pg. 8) PAGES ARE COMPLETED AND CONTAINS AN ORIGINAL SIGNATURE BY AN AUTHORIZED REPRESENTATIVE OF THE BIDDING FIRM.

14. Any questions related to this bid may be made to Linda S. Calhoun, School Food Service Director, at 606-327-2706, or linda.calhoun@ashland.kyschools.us

15. The awarding of the bid is subject to reciprocal preference for Kentucky resident bidders and preferences for a qualified bidder under KRS 45A.494. Any individual, partnership, association, corporation, or other business entity claiming resident bidder status shall submit along with its response the attached Required Affidavit for

Bidders, Offerors, and Contractors Claiming Resident Bidder Status. Ashland Independent Schools reserve the right to request the documentation supporting a bidder's claim of resident bidder status. Failure to provide such documentation upon request shall result in disqualification of the bidder or contract termination. A nonresident bidder shall submit, along with its bid response, its certificate of authority to transact in the Commonwealth as filed with the Commonwealth of Kentucky, Secretary of State. The location of the principal office identified therein shall be deemed the state of residency for that bidder. If the bidder is not required by law to obtain said certificate, the state of residency for that bidder shall be deemed to be that which is identified in its mailing address as provided in its bid.

- 16. Buy American.** The Buy American provision was added to the National School Lunch Act (NSLA) by Section 104(d) of the William F. Goodling Child Nutrition Reauthorization Act of 1998 (Public Law 105-336). Section 12(n) to the NSLA (42 USC 1760(n)), requiring school food authorities (SFA's) to purchase, to the maximum extent practicable, domestic commodity or product.

**PIZZA BID 2017-2018
SPECIFICATIONS AND BID**

**ASHLAND INDEPENDENT SCHOOLS
1820 HICKMAN STREET
ASHLAND, KENTUCKY 41101-3000**

1. Service will be from August 15, 2018 through June 30, 2019.
2. Bidder will deliver pizzas to each school one day per week. Day of the week to be determined by school. Bidder will be prepared to deliver by 10:30 a.m. on said day (time will vary by school, but no earlier than 10:00 a.m.). Total weekly pizza orders will vary due to school size. Weekly orders will change due to school size, but each week will not be less than 50 pizzas.
3. Pizzas will be prepared and delivered in accordance with the 2017 FDA Food Code.
4. Vendor will provide hotbox for pizzas.
5. The cafeteria manager is responsible for daily orders.
6. Fuel and vehicle delivery charges will be considered in the cost per whole pizza amount of bid.
7. Pizza will have a minimum of 8 uniform slices and maximum of 10 uniform slices.

BID

Cost per one whole pizza pie\$_____ each

Diameter size of one whole pizza pie _____ inches
(Diameter will remain constant for the entire 2018-2019 school year.)

Number of uniform slices per whole pizza pie _____
(Number of slices will remain constant for the entire 2018-2019 school year.)

“PROHIBITION AGAINST CONFLICTS OF INTEREST, GRATUITIES AND KICKBACKS”

Any employee or any official of the Ashland Independent Board of Education, Ashland, Kentucky elective or appointive, who shall take, receive, or offer to take or receive, either directly or indirectly, any rebate, percentage of contract, money, or other things of value as an inducement or intended inducement, in the procurement of business, or the giving of business, for, or to, or from, any person, partnership, firm or corporation, offering, bidding for, or in the open market seeking to make sales to the Ashland Board of Education, a felony and upon conviction such person or persons shall be punished by a fine not to exceed five thousand dollars (\$5,000) or by imprisonment for not more than ten (10) years, or both so fined and imprisoned at the discretion of the jury.

Every person, firm or corporation offering to make, or pay, or give, any rebate, percentage of contract, money or any other thing of value, as an inducement or intended inducement in the procurement of business, or the giving of business, to any employee or to any official of the Ashland Independent Board of Education, elective or appointive, in his efforts to bid for, or offer for sale, or to seek in the open market shall be deemed guilty of a felony and shall be punished by a fine not to exceed five thousand (\$5,000) or by imprisonment for not more than ten (10) years, or both so fined and imprisoned at the discretion of the jury.

NOTE: It is a misdemeanor not to have this prohibition on every solicitation or contract document. The penalty is a five thousand dollar (\$5,000) fine or one (1) year imprisonment or both on conviction.

REQUIRED AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS CLAIMING RESIDENT BIDDER STATUS

FOR BIDS AND CONTRACTS IN GENERAL:

The bidder or offeror hereby swears and affirms under penalty of perjury that, in accordance with KRS 45A.494(2), the entity bidding is an individual, partnership, association, corporation, or other business entity, that, on the date contract is first advertised or announced as available for bidding:

1. Is authorized to transact business in the Commonwealth of Kentucky;
2. Has for one year prior to and through the date of advertisement
 - a. Filed Kentucky corporate income taxes;
 - b. Made payments to the Kentucky unemployment insurance fund established in KRS 341.49; and
 - c. Maintained a Kentucky workers' compensation policy in effect.

The BIDDING AGENCY reserves the right to request documentation supporting a bidder's claim of resident bidder status. Failure to provide such documentation upon request shall result in disqualification of the bidder or contract termination.

Signature

Printed Name

MAXIMUM FREE AND OPEN COMPETITION:

It is the clear intention of the Ashland Independent School District to foster all procurement transactions in a manner to provide, to the maximum extent practicable, open and free completion. (20 U.S.C. 1221 e-3(a) (I) and 3474, OMB Circular A – 110)

The Ashland Independent School District shall make positive efforts toward procuring and utilizing small business and minority owned business sources of supplies and services. All such efforts shall be made to allow these sources the maximum feasible opportunity to compete for contracts with the Ashland Independent School District.

All procurement procedures developed and implemented by the Ashland Independent School District shall assure that unnecessary or duplicative items are not purchased. Where appropriate, considerations of lease and purchase alternatives will be made to determine which would be the most economical and practical procurement.

All bids and solicitations for goods and services shall be based upon a clear and accurate description of the technical requirements for the material, product or service to be procured. Such description shall not, in competitive procurements, contain features that unduly restrict competition. Brand name or equal clause may be used as a means to define the performance of other salient requirements of procurement, and when so used the specific features of the named brand that must be met by bidders/offers are clearly specified.

The Ashland Independent School District shall use procuring instruments such as fixed price contracts, cost reimbursable contracts, purchase orders, and incentive contracts, where appropriate and or required by state law and which promotes the best interest of its programs and services. A “cost-plus-a percentage-of cost” method of contracting shall not be used.

Contracts will be entered into by the Ashland Independent School District with only responsible contractors who possess the potential ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall be made for such matters as a contractor’s integrity, record of past performance, financial and technical resources or accessibility to other necessary resources. The principles of cost analysis in the review and evaluation of proposals or bids will be followed to determine if the bidder meets the requirements of reasonableness, allow capability, and allow ability.

The Ashland Independent School District shall, for all purchases that exceed \$10,000, maintain procurement files that include the basis for contractor selection; justification for lack of competition when competitive bids or offers were not obtained; basis for award cost or price; and a system for contract administration so as to insure contractor conformance with the terms, conditions and specifications of the contract, and to ensure adequate and timely follow-up of all purchases.

The Ashland Independent School District shall follow all laws of the Commonwealth of Kentucky requiring bidding of goods or services in excess of \$20,000.

BUY AMERICAN REQUIREMENT:

The SP 20-2006 guidance describes actions that School Food Service Authority (SFA) can take to comply with the Buy American requirement, such as:

- Including a Buy American clause in all procurement documents (product specification, bid solicitations, requests for proposals, purchase orders, etc.);
- Monitoring contractor performance;
- Requiring suppliers to certify the origin of the product;
- Examining product packaging for identification of the country of origin; and
- Asking the supplier for specific information about the percentage of U.S. content in the food product.

THIS CERTIFICATE MUST BE EXECUTED BY THE BIDDER

In compliance with this invitation to bid; in consideration of the detailed description attached hereto; And subject to all conditions thereof, the undersigned agrees, if this bid be accepted, in part or whole, to furnish any or all of the items upon which prices are quoted in accordance with the instructions and specifications within this bid document. This signature also certifies that the signer, company, and its key employees have not proposed for debarment, debarred or suspended by any Federal Agency.

FIRM NAME: _____

BY: _____

TITLE: _____

ADDRESS: _____

TELEPHONE: _____

DATE: _____

AUTHORIZED SIGNATURE: _____

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339 FREE. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992 FREE.

Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

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