

Notice of Small Purchase Quotation

Milk, Juice and Dairy Products Jefferson Elementary 2019-2020

Notice is hereby given that the Governing Board of the Jefferson School District (hereinafter referred to as **SFA**) is requesting quotes for a Food Service Management Company (hereinafter referred to as **Respondent[s]**) to assist with the SFA's food service program.

Respondents should not construe from this legal notice that the SFA intends to enter into a fixed-price contract with the Respondent unless, in the opinion of the SFA, it is in the best interest of the SFA to do so. The SFA reserves the right to negotiate final contractual terms with the successful Respondent.

The Request for Small Purchase Quotation (SPQ) documents can be found at the Jefferson Elementary School District website at www.jeffersonschooldistrict.com

To request the SPQ documents by e-mail, postal mail, or fax, please contact
Debbi Rogers, Director of Food Services
E-mail drogers@jsdtracy.com
Postal Mail; 1219 Whispering Wind; Tracy, CA 95377
Fax 209-836-2930

The SFA will accept all SPQ's received on or before July 26, 2019 by 2:00 pm. The SFA will not accept SPQ's that are received after the deadline. The SFA will open proposals at July 29 at 10:00 am.

The SFA reserves the right to reject any or all SPQ's, and to waive any errors or corrections in a SPQ or in the SPQ process. The SFA will award the contract based on a review and analysis of the SPQ that determines which SPQ best meets the needs of the SFA.

Jefferson Elementary School District
Food Service

**Small Purchase Quotation
Milk, Juice and Dairy Products
Non-Commodity
Food Distribution
SPQ #2019-01
Cover Page**



CONTACT INFORMATION

JSD SPQ #2019-01

by

Debbi Rogers
Jefferson Elementary Food Service

ADDRESS ALL PROPOSALS TO:

Debbi Rogers
Director of Food Services

e-mail: drogers@jsdtracy.com

Postal Mail: 1219 Whispering Wind
Tracy, Ca 95377

Phone: 209-836-3388

Fax: 209-836-2930

Small Purchase Quotation

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Introduction/Purpose of Solicitation

The purpose of this Small Purchase Quotation (SPQ) is to enter into a fixed-price contract with a Food Distributor (hereinafter referred to as the Respondent that will provide Jefferson Elementary School District (hereinafter referred to as the school food authority [SFA]) with food service management assistance for their food service operation. The Respondent will provide services to the SFA as described in the Scope of Work in the Model Fixed-price Contract.

The SFA's food service goals are to provide nutritious, high-quality meals to students and participants in the National School Lunch Program and School Breakfast Program to accommodate special diets where medically necessary, improve the nutritional quality of meals, and maintain a financially viable food service program.

- Provide an appealing and nutritionally sound program for students as economically as possible
- Stimulate both student and adult participation in the program through improved relations with students, staff, and the community by creating awareness of the direct correlation between adequate nutrition for students and their ability to learn
- Increase participation at all levels of the food service program by improving meal quality, seeking student and parent input, offering menu variations, and improving planning
- Maintain reasonable prices for students and adults participating in the food service program
- Maintain student and staff morale at a high level

Delivery requirements:

Deliveries must be made twice a week;

Deliveries will be made to;

Tom Hawkins	Anthony Traina	Monticello	Jefferson
475 Darlene Way	4256 Windsong Dr	1001 Cambridge Pl	7500 Linne Dr.
Tracy, Ca 95377	Tracy, Ca 95377	Tracy, Ca 95377	Tracy, Ca 95377

SFAs shall conduct all procurement transactions in a manner that provides maximum open and free competition consistent with Title 2, *Code of Federal Regulations* (2 CFR), Part 200.319(a)(1-7). The SFA must share with every Respondent all information necessary for submitting a competitive proposal. The release of this SPQ, evaluation of Respondents, and award of a contract will use competitive bidding standards established in all applicable California state and federal statutes and regulations.

APPLICABLE "BUY AMERICAN" PROVISIONS

Federal regulations require that to the maximum extent possible, only domestic products be

purchased consistent with the “Buy American” provisions of Public Law [PL 100-237] when purchasing commodities for the school lunch program. Therefore, Distributors offering product and/or products ingredients manufactured or grown in the United States may be given priority for usage under this proposal. This policy will allow for an exception only in the case when an acceptable product is not available domestically, in which case other countries of origin may be considered or purchased.

Outlined below are competitive bidding basic standards:

- The purpose of soliciting competitive quotes is to secure public objectives in the most effective manner and avoid the possibilities of graft, fraud, collusion, etc.
- The SFA released this SPQ to benefit the SFA and not the Respondents.
- Fulfillment of SPQ specifications is based on full and fair competition and acceptance by the SFA of the most responsive and responsible Respondent to the SFA’s requirements, as determined by the SFA when evaluating proposals based on the criteria contained in the SPQ.
- The SPQ must provide a basis for full and fair competition among Respondents to a common standard, free of restrictions that tend to stifle competition.

The above four points are for illustrative purposes only, and do not include all California state and federal requirements to achieve competitive quotes.

To respond to this SPQ, interested Respondents must present evidence of experience, ability, and financial standing necessary to meet the requirements stated in this SPQ. The SFA will measure this evidence by scoring the proposals, using a point system that will rank each proposal from highest to lowest, to determine which proposals they will consider for the award of a contract.

To be competitive in this solicitation, the Respondent must:

- Carefully read the entire SPQ, attachments, exhibits, addenda, and SFA responses to questions before submitting a quote.
- Ask appropriate questions or request clarification before the deadline in the SPQ
- Submit all required responses by the required deadlines
- Follow all instructions and requirements of the SPQ thoroughly and appropriately

If a Respondent discovers any ambiguity, conflict, discrepancy, omission, or other errors in this SPQ, the Respondent shall immediately notify the SFA of the error in writing and request clarification or a modification of the SPQ. If the Respondent fails to notify the SFA of the error prior to the date for submission of proposals, and is awarded the contract, the Respondent shall not be entitled to additional compensation or time by reason of the error or its later correction.

Schedule of Events

Jefferson Elementary School District SPQ 2019-2020

● Release of SPQ	Friday	June 7, 2019
● Public Notice	Friday	June 7, 2019
● Deadline for Submission of SPQ	Friday	July 26, 2019
● Proposals Opened	Monday	July 29, 2019
● Proposals Evaluated	Monday	July 29, 2019
● Anticipated Contract Award Date	Monday	July 29, 2019

The SFA will make every effort to adhere to the schedule. However, the SFA reserves the right to amend the schedule, as necessary, and will post a notice of said amendment at www.jeffersonschooldistrict.com

General Instructions for Respondents

1. Prepare proposals simply and economically. Provide a straightforward concise description of the Respondent's capability to satisfy the SFA's requirements. Emphasis should be placed on completeness and clarity of content.
2. Submit proposals for the performance of all the services described within this SPQ. The SFA will not consider any deviation from these specifications and will reject such quotes.
3. The SFA may reject a quote if the proposal is conditional or incomplete, deemed nonresponsive, or if it contains any alterations of form or other irregularities of any kind. The SFA may reject any or all quotes or waive any immaterial deviation in a proposal. The SFA's waiver of an immaterial deviation shall in no way modify the SPQ document or excuse the Respondent from full compliance with all other requirements if awarded the contract.
4. Respondents are responsible for the costs of developing quotes, and shall not charge the SFA for any preparation costs.
5. The SFA asks Respondents that do not intend to submit a quote to notify the SFA in writing.
6. Respondents may modify their quote after submission by withdrawing the original quote and resubmitting a new quote prior to the submission deadline. The SFA will not consider quote modifications offered in any other manner, either oral or written.
7. Respondents may withdraw their quote by submitting a written withdrawal request to the SFA, signed by the Respondent or their authorized agent, through the contact person named in the "Contact Information" provided on page iv of this SPQ. Thereafter, a Respondent may submit a new SPQ prior to the proposal submission deadline. Respondents may not withdraw their SPQ without cause after the proposal submission deadline.
8. The SFA may modify the SPQ prior to the date given for submission of proposals by posting an addendum on www.jeffersonschooldistrict.com. The SFA will notify Respondents so they can obtain any addenda from the SFA's Web site, or request it by e-mail, postal mail, or fax.
9. The SFA reserves the right to reject all proposals for reasonable cause. If the costs of all proposals are excessive, the SFA is not required to award a contract.
10. The SFA will not consider more than one proposal from an individual, firm, partnership, corporation, or association under the same or different names. Reasonable grounds for believing that any Respondent has submitted more than one proposal for work contemplated herein will cause the SFA to reject all proposals submitted by the Respondent. If there is reason to believe that collusion exists among the Respondents, the SFA will not consider any of the participants of such collusion in this or future solicitations.
11. The SFA will not consider a joint proposal submitted by two or more entities.
12. Additional charges for regular or express delivery, drayage, parcel post, packing, cartage,

insurance, license fees, permits, or for any other purpose shall be included (and separately identified) in the proposal.

13. All proposals shall include the forms provided as attachments to this SPQ. Respondents may copy these forms. A proposal is considered responsive if it follows the required format, includes all attachments, and meets all deadlines and other requirements outlined in this SPQ.
14. The SFA shall not accept quotes after the submission deadline specified in the SPQ and shall return the unopened quotes to the respective Respondents. The SFA will not consider late quotes under any circumstances.
15. Respondents are responsible for examining the entire SPQ package, seeking clarification for any item or requirement that may not be clear to them, and checking all responses in their proposal for accuracy before submitting it.
16. Respondents may submit their questions regarding the information presented in this SPQ to Debbi Rogers in writing by postal mail at 1219 Whispering Wind Tracy, Ca 95377 or e-mail at drogers@jsdtracy.com, no later than July 16 at 2:00 pm. The SFA will answer all questions received by the deadline in writing without exposing the query source. You can also email Debbi Rogers at drogers@jsdtracy.com with questions. Emails must be received no later than July 16th at 2:00 pm.
17. SFA representatives reserve the right to inspect a Respondent's other food service operations prior to any award of a contract.
18. The SFA reserves the right to negotiate the final terms and conditions of the contract, which may differ from those contained in the proposal, provided the SFA considers such negotiation to be in its best interest. Any change in the terms and conditions must not create a material change, which is any alteration or modification to the original terms stated in the SPQ that would have resulted in different proposals from all respondents. A material change will require the SFA to rebid the contract.
19. Respondents shall submit one paper copy and one copy in digital format (e.g. google drive, flash drive, etc.).
 - a. The paper copy must contain the original signature of the individual(s) authorized to bind the Respondent contractually and be labeled "Master Copy."
 - b. The Respondent must ensure the digital copy is complete and inclusive of all materials contained in the paper copy, including any required signatures. If there is an inconsistency between the paper and digital copies, the paper copy will take precedence.
 - c. The sealed proposal envelopes must be marked legibly with the SFA's SPQ number and title, and the SFA name and address.

Proposal Requirements

To be eligible for evaluation, a proposal must adhere strictly to the format set forth below; failure to do so may result in disqualification. Respondents must complete, label, and separate each section, and number all pages. The content and sequence of the proposal will be as follows:

- Section Title
- Cover Letter
- Table of Contents
- Attachments Checklist
- Required Attachments
- Minimum Qualifications
- Proposal Questionnaire
- Respondent References
- Authorization Agreement
- Fee Proposal
- Certifications

Cover Letter

Only the individual(s) authorized to bind the Respondent contractually may sign the cover letter, which shall be a part of the proposal package. If the cover letter is unsigned, the SFA will reject the proposal. The SFA may reject the proposal if the Respondent fails to include the following required information:

- Name and address of responding company
- Organizational structure of the responding company (e.g., corporation, partnership, etc.)
- Respondent's Federal Employee Identification Number and Corporate Identification Number, if applicable
- Name, title phone number, fax number, and e-mail address of the representative who will be designated as the primary liaison to the SFA
- Name, title, phone number, and e-mail address of the representative(s) authorized to bind the Respondent in a contract if different from the primary liaison
- A statement expressing the Respondent's willingness to perform the services described in this SPQ
- A statement expressing the Respondent's ability to perform the services required in the Scope of Work, including availability of staff and other required resources to meet all deliverables as described in this SPQ
- A statement regarding the Respondent's proprietary information; if applicable, the Respondent must clearly mark in the upper right hand corner those pages to be considered proprietary (**Note:** the Respondent cannot consider the entire proposal to be proprietary)

- The following certification:

By signing this cover letter, I (we) certify that the information contained in this proposal is accurate and that all attachments required to be submitted as part of the proposal are certified to be true and binding upon our company.

Table of Contents

Immediately following the cover letter, include a comprehensive Table of Contents that lists all submitted proposal sections, subsections, attachments, and materials.

Attachments Checklist

The Respondent shall include all documents identified in the Attachments Checklist (Attachment A). The SFA may reject proposals that do not include the proper required attachments.

Minimum Qualifications

The SFA will only consider Respondents that **meet all minimum qualifications** (as listed on Attachment B).

Proposal Questionnaire.

The Proposal Questionnaire (Attachment C) is intended to provide the SFA with specific information concerning the Respondent's capability to provide services as described in this SPQ. Respondents should limit their responses to the number of pages noted in the questionnaire and answer each question in the same order.

Respondent References

Respondents must provide two references. The SFA reserves the right to contact any of the references listed, and retains the right to conduct reference checks with individuals and entities beyond those listed.

Authorization Agreement

The Respondent or their authorized representative must sign the Authorization Agreement (Attachment D) and return it with the proposal package.

Fee Proposal

The Respondent must complete the Fee Proposal (Attachment E) and return it with the proposal package.

Certifications

The Respondent must complete the certifications (Attachments F, G, H, and I) and return them with the proposal package.

Evaluation of Proposals

Proposals will be opened on or after the date and time specified in the Schedule of Events. During the evaluation process, the SFA may ask Respondents to clarify information in the proposals, but Respondents may not change their proposals.

An error in the proposal may cause the SFA to reject that proposal; however, the SFA may, at its sole discretion, retain the proposal and make certain corrections. When determining if a correction will be made, the SFA will consider the conformance of the proposal to the format and content required by the SPQ and that the Respondent's intent is clearly established based on review of the whole proposal. Based on that established intent, the SFA may choose to correct errors such as obvious grammatical or punctuation errors and arithmetic errors. The Master Copy of the proposal shall have priority over additional proposal copies.

The SFA will open quotes to determine if they contain all the required information in accordance with this SPQ. The SFA will evaluate qualifying proposals using the following criteria:

CRITERIA	MAXIMUM POINTS
Administrative Requirements: did the Respondent include all required information in accordance with the General Instructions and SPQ Requirements?	1
Experience and Competence Bidder should be able to provide state-of-the-art technology in order to provide services including data collection, customized reports, trend analysis, information sharing, real-time reporting, and complete traceability of product. Bidder should demonstrate substantial and recent experience in providing the products to California public schools. Bidder should provide an efficient supply-chain management system to ensure timely and accurate delivery and flexibility to address changes in needs of JSD.	1
Based on the Proposal Questionnaire responses and the Cover Letter, the Respondent demonstrates a complete understanding of the SFA's food service program and its service requirements, as described in the SPQ and the Scope of Work, and can perform those services to the SFA's satisfaction.	1
Customer Service & References Bidders should demonstrate their ability to promptly respond to request for information, to resolve complaints and issues, and to provide timely and accurate delivery. Bidder's customer service staff should be easily accessible for inquiries or issues. Bidder should be able to provide marketing strategies to assist the Co-Op in promoting school meal programs.	2

Corporate capability and experience as measured by performance record, years in the industry, relevant experience, number of SFAs served, client retention and satisfaction, and references.	1
Cost	4
TOTAL POINTS	10

The SFA will score and rank selected proposals by assigning a score between zero and the maximum score to each proposal criterion. The SFA will recommend awarding the contract to the most responsive and responsible Respondent with the highest total proposal score.

Attachment A

Attachments Checklist

Respondent Company Name

Please complete this checklist to confirm that the items listed below have been included in your proposal. Place a checkmark or “x” next to each item submitted to the SFA. For your proposal to be considered, all required attachments must be returned, including this checklist. Submit one copy of your proposal in a sealed package.

Attachment	Attachment Name
_____	Cover Letter
_____	Table of Contents
_____	Attachments Checklist (attachment A)
_____	Minimum Qualifications (Attachment B)
_____	Distributor Questionnaire (Attachment C)
_____	Authorization Agreement (Attachment D)
_____	Certifications Regarding Lobbying, Disbarment Suspension and Other Responsibility Matters (Attachment E)
_____	Disclosure of Lobbying Activities and Instructions (Attachment F)
_____	Debarment, Suspension, and Other Responsibility Matters (Attachment G)
_____	Certificate of Independent Price Determination (Attachment H)
_____	Fee Proposal (Attachment I) *Excel Spreadsheet

Attachment B

Minimum Qualifications

A Respondent must meet all of the following minimum qualifications to the SFA's satisfaction to be given further consideration. Failure to satisfy any of the minimum qualifications may result in the immediate rejection of the proposal.

As of July 1 2018, both the Respondent's company and its key personnel meet all of the following minimum qualifications:

1. The Respondent has at least 5 years of experience with food service programs.

Yes _____ No _____

2. The Respondent has the resources and ability to provide food for 400,000 meals per fiscal year.

Yes _____ No _____

3. The Respondent has knowledge and experience with the School Breakfast Program and National School Lunch Program.

Yes _____ No _____

4. The Respondent has professional references that demonstrate and evidence the ability to perform the required services.

Yes _____ No _____

5. The Respondent is licensed to do business in the state of California.

Yes _____ No _____

DISTRIBUTOR QUESTIONNAIRE

Please complete this questionnaire and submit with your proposal. Attach additional sheets if needed.

This questionnaire will help us with evaluating your proposal.

1. Will you be able to meet the specified delivery days and hours? If not, attach proposed alternative delivery schedule.
2. What is the lead time you require for orders that ensures a 99.5% fill rate? Can District order on-line?
3. How will emergency deliveries (deliveries not on a scheduled date) be handled?
4. How late can add-ons be added to next day delivery? Is there a limit on the number of cases that can be added on?
5. What is your procedure for notifying the customer of shortages and/or substitutes?
6. What is your company's "fill rate" to your customers? Please explain how you calculate this fill rate. What provisions does your firm take to achieve a high level of execution?
7. Please describe the reports that you make available to your customers (e.g. monthly usage, data analysis, business intelligence, etc.). How are customers able to access these reports?
8. What is the current make up of your delivery vehicle fleet? Please include the year, make, and model of each delivery vehicle as well as the refrigeration and freezer units on these delivery vehicles. Please describe your vehicle preventative maintenance program.
9. How does your company assist school district(s) if a freezer goes down and the district(s) ask for assistance?
10. Describe your policy regarding your delivery driver/staff assisting sites in moving received products to storage areas?
11. What is your procedure to bring in new products for District(s)?
12. How many years has your company been in the K-12 food service business? How would you describe your company's financial stability?
13. Has your firm resigned or been replaced at the will of a district(s) during the school year within the last 18 months? If so, explain.

Authorization Agreement

Small Purchase Quotation for Food Service Management Company

We, [Enter Name], by our signature on this document certify the following:

1. That we will operate in accordance with all applicable California state and federal laws, regulations, and statutes.
2. That the terms, conditions, warranties, and representations made within this SPQ and our proposal shall be binding upon us and shall be considered a part of the contract as if incorporated therein.
3. That the proposal submitted is a firm and irrevocable offer good for one year.
4. That we have carefully examined all terms and conditions set forth in the Model Fixed-price Contract issued by Jefferson Elementary School District.
5. That we have made examinations and verifications, and are fully conversant with all conditions under which services are to be performed for Jefferson Elementary School District.
6. That negligence in the preparation or presentation of, errors in, or omissions from proposals shall not relieve us from fulfillment of any and all obligations and requirements in the resulting contract.

Company Name: _____

Address: _____

City: _____ State: _____ Zip: _____

E-mail Address: _____

Web Site Address: _____

Name of Authorized Representative: _____

Title of Authorized Representative: _____

Signature of Authorized Representative

Date Signed: _____

Certifications Regarding Lobbying, Debarment, Suspension, and Other Responsibility Matters

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 7 *CFR*, Part 3018, "New Restrictions on Lobbying," 7 *CFR*, Part 3017, "Government-wide Debarment and Suspension (Nonprocurement)," and 7 *CFR*, Part 3021, "Government-wide Requirements for Drug-Free Workplace (Grants)." The certification shall be treated as a material representation of fact upon which reliance will be placed when the SFA determines to award the covered transaction, grant, or cooperative agreement.

LOBBYING

As required by Title 31, *U.S. Code* (31 *U.S.C.*) Section 1352, and implemented at 7 *CFR*, Part 3018, for a person entering into a grant or cooperative agreement over \$100,000, as defined at 7 *CFR*, Section 3018.105, the applicant certifies that:

- a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;
- b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with these instructions; and
- c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

Attachment F

Disclosure Of Lobbying Activities and Instructions

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1
(See next page for public burden disclosure)

<p>1. Type of Federal Action:</p> <p>a. Contract</p> <p>b. Grant</p> <p>c. Cooperative agreement</p> <p>d. Loan</p> <p>e. Loan guarantee</p> <p>f. Loan insurance</p>	<p>2. Status of Federal Action:</p> <p>a. Bid/Offer/Application</p> <p>b. Initial Award</p> <p>c. Post-Award</p>	<p>3. Report Type:</p> <p>a. Initial filing</p> <p>b. Material change</p> <p>For Material Change Only:</p> <p>Year _____ Quarter _____</p> <p>Date of last report _____</p>
<p>4. Name and Address of Reporting Entity:</p> <p><input type="checkbox"/> Prime <input type="checkbox"/> Subawardee</p> <p><input type="checkbox"/> Tier, if known</p> <p>Congressional District, if known:</p>		<p>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</p> <p>Congressional District, if known:</p>
<p>6. Federal Department/Agency:</p>	<p>7. Federal Program Name/Description:</p> <p>CFDA Number, if applicable:</p>	
<p>8. Federal Action Number, if known:</p>	<p>9. Award Amount, if known:</p> <p>\$</p>	
<p>10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):</p>	<p>b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI)</p>	
<p>11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</p>	<p>Signature:</p>	
	<p>Print Name:</p>	
	<p>Title:</p>	
	<p>Telephone No: ()</p>	<p>Date:</p>
<p>FEDERAL USE ONLY:</p>		<p align="center"><i>Authorized for Local Reproduction</i> Standard Form (SF—LLL (Rev. 7-97)</p>

INSTRUCTIONS

Disclosure Of Lobbying Activities (SF-LLL)

This disclosure form shall be completed by the reporting entity, whether subawardee or prime federal recipient, at the initiation or receipt of a covered federal action, or a material change to a previous filing, pursuant to 31 U.S.C. Section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget (OMB) for additional information.

1. Identify the type of covered federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered federal action.
2. Identify the status of the covered federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered federal action.
4. Enter the full name, address, city, state, and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the first tier. Subawards include but are not limited to subcontracts, subgrants, and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, state, and zip code of the prime federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, U.S. Department of Agriculture, Food and Nutrition Service.
7. Enter the federal program name or description for the covered federal action (Item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate federal identifying number available for the federal action identified in item 1 (e.g., RFP number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered federal action where there has been an award or loan commitment by the federal agency, enter the federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state, and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered federal action.
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter last name, first name, and middle initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and phone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

Debarment, Suspension, and Other Responsibility Matters

As required by Executive Order 12549, Debarment and Suspension, and implemented at 7 *CFR* Section 3017.510, for prospective participants in primary covered transactions, as defined at 7 *CFR* Section 3017.200:

- A. The contractor certifies that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 - (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.
- B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

Contractor/Company Name

Award Number, Contract Number, or Project Name

Name(s) and Title(s) of Authorized Representatives

Signature(s)

Date

Attachment H

Certificate of Independent Price Determination

Both the SFA and Respondent shall execute this Certificate of Independent Price Determination.

Name of Respondent

Name of SFA

A. By submission of this offer, the offeror Respondent certifies and, in the case of a joint offer, each party thereto certifies as to its own organization that in connection with this procurement:

- 1. The prices in this offer have been arrived at independently—without consultation, communication, or agreement—for the purpose of restricting competition, as to any matter relating to such prices with any other offeror or with any competitor;
2. Unless otherwise required by law, the prices which have been quoted in this offer have not been knowingly disclosed by the offeror and will not knowingly be disclosed by the offeror prior to opening the case of an advertised procurement, directly or indirectly to any other offeror or to any competitor; and
3. No attempt has been made or will be made by the offeror to induce any person or firm to submit, or not to submit, an offer for the purpose of restricting competition.

B. Each person signing this offer on behalf of the offeror certifies that:

- 1. He or she is the person in the offeror's organization responsible within the organization for the decision as to the prices being offered herein and has not participated, and will not participate, in any action contrary to (A)(1) through (A)(3) above; or
2. He or she is not the person in the offeror's organization responsible within the organization for the decision as to the prices being offered herein, but that he or she has been authorized in writing to act as agent for the persons responsible for such decision in certifying that such persons have not participated, and will not participate, in any action contrary to (A)(1) through (A)(3) above and as their agent does hereby so certify; and he or she has not participated, and will not participate, in any action contrary to (A)(1) through (A)(3) above.

To the best of my knowledge, this vendor and its affiliates, subsidiaries, officers, directors, and employees are not currently under investigation by any governmental agency and have not in the last three years been convicted or found liable for any act prohibited by state or federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding on any public contract, except as follows (provide detail):

Two horizontal lines for providing details of any exceptions to the above statement.

Signature of Respondent
Authorized Representative

Title

Date

In accepting this offer, the SFA certifies that no representative of the SFA has taken any action that may have jeopardized the independence of the offer referred to above.

Signature of SFA's
Authorized Representative

Title

Date

Note: Accepting a Respondent's offer does not constitute award of the contract+