

## INVITATION FOR BID: VENDED MEALS

STEM PREPARATORY SCHOOLS, INC.

This Invitation for Bid establishes the conditions to be met by agencies interested in providing vended meals to STEM PREPARATORY SCHOOLS, INC. hereinafter referred to as the AGENCY. Subject to the conditions prescribed, sealed bids are invited for the purpose of providing breakfasts, lunches, and/or snacks, hereinafter referred to as MEALS, that meet the National School Lunch Program (NSLP), School Breakfast Program (SBP), and Meal Supplements in the National School Lunch Program meal pattern requirements. MEALS are required for the following schools:

CROWN PREPARATORY ACADEMY  
2055 W 24<sup>TH</sup> STREET  
LOS ANGELES, CA 90018

MATH AND SCIENCE COLLEGE PREPARATORY  
3202 W ADAMS BLVD  
LOS ANGELES, CA 90018

Bidders may request copies of the IFB by contacting Eric Barlow by any of the following methods:

- Phone: (424) 250-0095
- Fax : (213) 607-1453
- Email: ebarlow@stem-prep.org
- Website: <http://stem-prep.org/vendors>

**Scope of Work:** The Vendor will supply MEALS to the AGENCY that comply with the nutrition standards established by the United States Department of Agriculture (USDA) for the New Food-Based Menu Planning which is further described in Attachment A to this IFB. The vendor will prepare MEALS at a site that maintains the appropriate state and local health certifications for the facility and will package and deliver these MEALS in accordance with the food safety guidelines of the appropriate governing health departments. Vendors must submit with their bid a copy of the current state and local health certifications.

### VENDOR RESPONSIBILITIES

- a. VENDOR will provide the necessary utensils and napkins in sufficient quantity for the number of MEALS ordered.
- b. VENDOR shall deliver meals to location(s) at times specified by AGENCY.
- c. VENDOR shall be responsible for the condition or care of MEALS until they are delivered to the school.
- d. VENDOR shall provide to AGENCY no later than one (1) week prior to the end of each month, a monthly menu covering the meals to be served for the following

month.

- e. When requested by the AGENCY, the VENDOR shall provide AGENCY with sack lunches for field trips. All meals for field trips must meet the appropriate meal pattern requirements.
- f. VENDOR shall be responsible for maintaining the proper temperature of the lunch components until they are consumed.
- g. VENDOR shall maintain all necessary records on the nutritional components and quantities of the MEALS served at the AGENCY and make said records available for inspection by State and Federal authorities upon request
- h. VENDOR shall maintain all necessary records pertaining to the receipt and use of USDA donated foods provided to the VENDOR by the AGENCY.
- i. VENDOR shall assume all liability for proper use and protection of commodities and materials necessary to prepare the meals while they are stored at the preparation site.

#### AGENCY RESPONSIBILITIES

- a. AGENCY shall notify VENDOR of the number of MEALS needed each week by the end of business Friday of the preceding week. AGENCY shall be obligated to pay for the number of MEALS requested even if not served or consumed.
- b. The AGENCY shall notify the VENDOR of the number of sack lunches needed by the end of business Friday of the week preceding the day that sack lunches will be required.
- c. The AGENCY shall not pay for meals that are spoiled or unwholesome at time of delivery.

The vendor's food service program must also meet the following criteria:

- NSLP/SBP compliant MEALS (all MEALS must be eligible for state and federal reimbursement)
- NSLP/SBP menu recordkeeping and planning necessary to receive reimbursements
- All bids must include milk provided with each MEAL and indicate what type(s).
- Fresh fruit and vegetable with every MEAL.

All bids **must** include:

- a per- MEAL cost for lunch
- a per- MEAL cost for breakfast
- a per- MEAL cost for snack
- a 21-day cycle menu for each meal as an example of expected offerings. Offerings must be compliant with state and federal portion sizes and nutritional values. See Appendices.

- **whenever fruit is offered as part of a meal, AGENCY requests it be served pre-cut**
- A copy of the vendor's current health permit for the facility at which meals will be prepared and food items stored.
- Most recent audited financial statements (balance sheet, income statement, and cash flow statement)

All bids **must** also include the following certifications (see Appendices):

- Certificate of Independent Price Determination
- Certification Regarding Lobbying
- Disclosure of Lobbying Activities
- Certification Regarding Debarment, Suspension, and Ineligibility

Bids will be received only **via email to [ebarlow@stem-prep.org](mailto:ebarlow@stem-prep.org) or via US Mail to 3200 W ADAMS BLVD., LOS ANGELES CA 90018**. No bids will be received after **9:00 AM on Wednesday, June 15, 2016**. All bids will be publicly opened and announced at **3200 W ADAMS BLVD., LOS ANGELES, CA 90018 at 9:00 AM on Wednesday, June 15, 2016**.

AGENCY reserves the right to waive any informalities or to reject any or all bids.

No submitted bid may be withdrawn by a bidder within sixty (60) days after the bid opening unless AGENCY consents to a withdrawal of the bid during such period.

## **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," and 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 Department of Education determines to award the covered transaction, grant, or cooperative agreement.

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### **1. LOBBYING**

As required by Section 1352, Title 31 of the U. S. Code, and implemented at 7 CFR Part 3018, for a person entering into a grant or cooperative agreement over \$25,000, as defined at 7 CFR Part 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.

## DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352  
 (See reverse for public burden disclosure)

Approved by OMB  
 0348-0046

<b>1. Type of Federal Action:</b> a. Contract b. Grant c. Cooperative agreement d. Loan e. Loan guarantee f. Loan insurance	<b>2. Status of Federal Action:</b> a. Bid/Offer/Application b. Initial Award c. Post-Award	<b>3. Report Type:</b> a. Initial filing b. Material change <b>For Material Change Only:</b> Year _____ Quarter _____ Date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> I. Subawardee <input type="checkbox"/> Tier, if known  Congressional District, if known:		<b>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</b>   Congressional District, if known:
<b>6. Federal Department/Agency:</b>	<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable:	
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b>  \$	
<b>10. a. Name and Address of Lobbying Registrant</b> (if individual, last name, first name, MI):	<b>c. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI)	
<b>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.</b>	<b>Signature:</b>	
	<b>Print Name:</b>	
	<b>Title:</b>	
	<b>Telephone No:</b> (        )	<b>Date:</b>
<b>FEDERAL USE ONLY:</b>		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether sub-awardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to Title 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 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 sub-award recipient. Identify the tier of the sub-awardee, e.g., the first sub-awardee of the prime is the 1<sup>st</sup> tier. Sub-awards include but are not limited to subcontracts, sub-grants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Sub-awardee," 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, Department of Transportation, United States Coast Guard.
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., Request for Proposal (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 telephone 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.

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## 2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 7 CFR Part 3017, Section 3017.510, for prospective participants in primary covered transactions, as defined at 7 CFR Part 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

\_\_\_\_\_  
PR/Award Number or Project Name

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

\_\_\_\_\_  
Signature(s)

\_\_\_\_\_  
Date

Form AD-1047 (1/92)

### CERTIFICATE OF INDEPENDENT PRICE DETERMINATION

Both the school food authority and vendor shall execute this Certificate of Independent Price Determination.

\_\_\_\_\_  
Name of Vendor

\_\_\_\_\_  
Name of Sponsor

(A) By submission of this offer, the offeror (vendor) 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:

- (4) 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
- (5) 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:**

\_\_\_\_\_  
Signature of Vendor's  
Authorized Representative

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Signature of Sponsor's  
Authorized Representative

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**NOTE: Accepting a bidder's offer does not constitute award of the contract.**