

STATE OF OHIO
DEPARTMENT OF ADMINISTRATIVE SERVICES
GENERAL SERVICES DIVISION
OFFICE OF PROCUREMENT SERVICES
4200 SURFACE ROAD, COLUMBUS, OH 43228-1395

AMENDMENT FOR CHANGE
AMENDMENT NO. 1

TO: LIMITED DISTRIBUTION – DEPARTMENT OF EDUCATION, OFFICE FOR CHILD NUTRITION, 25 SOUTH FRONT STREET, MAILSTOP 303, COLUMBUS, OH 43215

FROM: ROBERT BLAIR, DIRECTOR, DEPARTMENT OF ADMINISTRATIVE SERVICES

SUBJECT: CONTRACT FOR ASIAN-STYLE CHICKEN PRODUCTS, PROCESSED USING USDA COMMODITY CHICKEN

Attached are pages 1, 5, 13 and 14 to this contract. Remove these pages from the existing contract and replace with the attached pages on the effective and/or revision date.

This amendment is issued to renew the subject contract twelve (12) months, effective 07/01/13 through 06/30/14.

All other prices, terms and conditions remain unchanged.

Questions regarding this Amendment and/or the Requirements Contract may be directed to:

Senthan Mahendrarasa
senthan.mahendrarasa@das.ohio.gov

This Amendment, the main Requirements Contract and any additional amendments thereto are available from the DAS Web site at the following address:

<http://www.ohio.gov/procure>

Affected Contractor(s):

181366
Asian Food Solutions
4838 Westminister Ln
Broadview Heights, OH 44147

STATE OF OHIO
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REQUIREMENTS CONTRACT: ASIAN-STYLE CHICKEN PRODUCTS, PROCESSED USING USDA COMMODITY CHICKEN

CONTRACT No.: OT900211

EFFECTIVE DATES: 07/01/2010 to 06/30/2013
Renewal through 06/30/14*

The Department of Administrative Services has accepted bids submitted in response to Invitation to Bid No. OT900211 that opened on 04/21/10. The evaluation of the bid response(s) has been completed. The bidder(s) listed herein have been determined to be the lowest responsive and responsible bidder(s) and have been awarded a contract for the items(s) listed. The respective bid response, including the Terms and Conditions for Bidding, Standard Contract Terms and Conditions, and Supplemental Contract Terms and Conditions, special contract terms & conditions, any bid addenda, specifications, pricing schedules and any attachments incorporated by reference and accepted by DAS become a part of this Requirements Contract.

This Requirements Contract is effective beginning and ending on the dates noted above unless, prior to the expiration date, the Contract is renewed, terminated or cancelled in accordance with the Contract Terms and Conditions.

This Requirements Contract is available to Department of Education, Office for Child Nutrition, 25 South Front Street, Mailstop 303, Columbus, OH 43215, as applicable.

Agencies are eligible to make purchases of the listed supplies and/or services in any amount and at any time as determined by the agency. The State makes no representation or guarantee that agencies will purchase the volume of supplies and/or services as advertised in the Invitation to Bid.

SPECIAL NOTE: State agencies may make purchases under this Requirements Contract up to \$2500.00 using the state of Ohio payment card. Any purchase that exceeds \$2500.00 will be made using the official state of Ohio purchase order (ADM-0523). Any non-state agency, institution of higher education or Cooperative Purchasing member will use forms applicable to their respective agency.

Questions regarding this and/or the Requirements Contract may be directed to:

Senthan Mahendrarasa
senthan.mahendrarasa@das.ohio.gov

This Requirements Contract and any Amendments thereto are available from the DAS Web site at the following address:

<http://www.ohio.gov/procure>

* Contract renewal for twelve (12) months through 06/30/14.

Signed: _____
Robert Blair, Director Date

EVALUATION: Bids will be evaluated in accordance with Article I-17. of the Instructions for Bidders. The fee per pound for processing offered by the bidder will be multiplied by the minimum yield per truckload of USDA commodity and then multiplied by the number of truckloads estimated to be processed annually to obtain an extended line item total. The extended line item totals shall be added to obtain a grand total for the lot. For the purpose of evaluation only, it will be assumed that 50% of the USDA commodity chicken will be processed into each end product specified.

There will be a taste test of the samples submitted to determine acceptability. There will be, at a minimum, a five (5) member panel composed of members of the Ohio Advisory Committee made up of food service professionals from across the state of Ohio. Samples will be evaluated for appearance, color, aroma, flavor (taste), and texture. If product sample is deemed unacceptable as a result of the taste test, no further consideration for award shall be given. If the product sample submitted for the taste test exceeds the specifications, as stated in the bid and is presented as being the end product for the entire contract, then the sample shall be the standard for the entire contract with anticipated yields as projected and costs as stated.

CONTRACT AWARD: There will be one (1) award to the lowest responsive and responsible bidder by low lot total. Lot total will be determined as specified in the 'Evaluation' paragraph above. Failure to offer pricing for all items may result in the bidder being deemed not responsive.

CONTRACT RENEWAL: Should the term contract be renewed beyond the June 30, 2013 expiration date, the prices offered for the third year of the contract shall be effective for the term of the renewal(s).

QUALITY CONTROL: The contractor shall make available, at the request of the Department of Education, Office for Safety, Health and Nutrition, independent laboratory test results for each processed item produced from USDA commodity chicken. Samples shall be randomly drawn by the Office for Safety, Health and Nutrition from a current production lot or shall be a reference sample maintained by the processor.

For the purpose of this requirement, the following definitions shall apply:

Batch of Chilled Chicken Legs: One (1) 36,000 lb. truckload of chilled chicken leg meat

Tests shall include, but not be limited to, *listeria monocytogenes*, *staphylococcus*, *E. coli 0157:H7*, *salmonella*, any extraneous matter and undercooking. All costs for testing shall be the responsibility of the contractor. Failure to meet the specification requirements will invalidate the awarded contract and will result in the contractor being liable for any financial losses incurred by the state of Ohio.

* **USAGE REPORTS:** Every six (6) months the contractor must submit a report (written or on disk) indicating sales generated by this contract. The report shall list usage by customer, by line item, showing the quantities/dollars generated by this contract. The report shall be forwarded to the Office of State Purchasing, 4200 Surface Road, Columbus, Ohio 43228-1395, Attn: Senthana Mahendrarasa.

PRICE SCHEDULE

| OAKS ITEM ID NUMBER | PRODUCT | CASE PACK OFFERED | USDA COMMODITY TL WEIGHT | MINIMUM YIELD PER 36,000 LBS. OF USDA COMMODITY CHICKEN | FEE FOR PROCESSING (PER LB. OF FINISHED PRODUCT |
|---------------------------|---|---|--------------------------------|---|---|
| 17971 | Asian-style chicken battered, breaded, pre-cooked, frozen, covered with tangy sauce | 6/5lb.(chicken) w/ 6/2.15 lb. (sauce) Total case weight 42.9 lb. | 36,000 lbs. | 44,500 lbs. | \$ 2.39 per lb. |
| 17972 | Asian-style chicken, pre-cooked, frozen, covered with Teriyaki sauce | 6/7.2 lb.(chicken w/sauce) Total case weight 43.2 lb. | 36,000 lbs. | 33,500 lbs. | \$ 2.12 per lb. |

CONTRACTOR INDEX

CONTRACTOR, TERMS AND DELIVERY:

BID/CONTRACT NO.: OT900211-1 (06/30/14)*



181366
 Asian Food Solutions
 4838 Westminister Ln
 Broadview Heights, OH 44147

DELIVERY: As specified on page 3, paragraph 'Delivery and Acceptance'

TERMS: Net 60 Days

Remit To:

2572 W. State Route 426 Ste 2016
 Oviedo, FL 32765

CONTRACTOR'S CONTACT: Mr. Lincoln Yee

Toll Free: (888) 499-6888
 Telephone: (216) 926-8857
 Fax: (440) 848-8488
 Email: lincoln.yee@asianfoodsolutions.com

* To indicate renewal of the contract for another year.

SUMMARY OF AMENDMENTS

| Amendment Number | Revision Date | Description |
|------------------|---------------|--|
| 1 | 07/01/13 | Amendment #1 is issued to renew the subject contract an additional twelve (12) months, effective 07/01/13 through 06/30/14. In addition change in Usage Reports Contact. |