

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. 5

TO: LIMITED DISTRIBUTION - The Department of Education, Office of Safety, Health and Nutrition, 25 South Front Street, Mailstop 303, Columbus, OH 43215

FROM: ROBERT BLAIR, DIRECTOR, DEPARTMENT OF ADMINISTRATIVE SERVICES

SUBJECT: CONTRACT FOR SALISBURY STEAK WITH SOY AND MEATLOAF WITH SOY, PROCESSED USING USDA COMMODITY GROUND BEEF

Attached are pages 1, 4, 10 and 11 to this contract. Remove these pages from the existing contract and replace with the attached pages on the effective and/or revision date.

As a result of mutual agreement between the state of Ohio and the Contractor, this amendment is issued to renew the subject contract an additional twelve (12) months, effective 07/01/12 through 06/30/13.

This amendment is also issued to update the contract analyst, usgae report contact and the contractor contact.

All other prices, terms and conditions remain unchanged.

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

Jennifer Shaefer
jennifer.shaefer@das.state.oh.us

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):

169240
Pierre Foods, Inc.
9990 Princeton-Glendale Road
Cincinnati, OH 45246
donna.plageman@advancepierre.com



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

REQUIREMENTS CONTRACT: SALISBURY STEAK WITH SOY AND MEATLOAF WITH SOY, PROCESSED USING USDA COMMODITY GROUND BEEF

CONTRACT No.: OT901309

EFFECTIVE DATES: 07/14/08 to 06/30/11
Renewal through 06/30/13*

The Department of Administrative Services has accepted bids submitted in response to Invitation to Bid No. OT901309 that opened on 05/19/08. 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 the Department of Education, Office of Safety, Health and 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:

Jennifer Shaefer **
jennifer.shaefer@das.state.oh.us

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

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

*Denotes contract renewal for twelve months

**Denotes a change to the Contract Analyst

Signed: _____
Robert Blair, Director Date

Documentation listed above that is designated to be submitted with the bid response may also be requested during bid evaluation. Documents will be requested during evaluation and a deadline of seven (7) calendar days provided for submission. Failure to provide documents requested by the deadline provided will deem the bid not responsive.

PRODUCT SAMPLES: A sample of each product offered is required. A sample shall consist of one (1) case of each end product specified. Product samples shall meet all requirements specified herein and shall bear required labeling and markings. Each sample shall be identified as to content, processor, bid number, and bidder's company name. The sample must be certified by the United States Department of Agriculture (USDA) Agricultural Marketing Service (AMS), Livestock and Seed Division as meeting formulation, specification, fabrication and packaging requirements, as well as having been processed under constant USDA supervision. Samples submitted without a USDA, AMS, Livestock and Seed Division grading certificate will not be considered for award. Product samples shall be submitted prior to the close of business on Friday, May 16, 2008 to the address shown below.

Office for Safety, Health, and Nutrition
c/o SYSCO Foodservice
Attn: Erik Jablanka/J.R. Green
2400 Harrison Road
Columbus, OH 43228
Telephone: (614) 930-4229

One-half (1/2) case of each product sample shall be used in sample evaluation and the other one-half (1/2) case shall be used for comparison to actual processed product received during the term of any contract issued pursuant to this bid. The samples may be analytically tested. Samples will not be returned. Failure to submit samples as specified will deem the bid not responsive.

EVALUATION: Bids will be evaluated in accordance with Article I-5 of the "Instructions to Bidders". In addition, the minimum yield per 42,000 lbs. of USDA commodity ground beef for each item shall be multiplied by number of truckloads of USDA commodity ground beef to be processed annually and then multiplied by the bidder's fee for processing per pound to obtain an extended total for each line item. The extended totals for each line item shall be added to obtain a grand (lot) total. For purposes of evaluation, it will be assumed that seventy percent (70%) of the USDA commodity ground beef will be processed into Salisbury steak and thirty percent (30%) of the USDA commodity ground beef will be processed into meatloaf.

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. Any variation between the sample and the actual product delivered that is due to processor changes may be acceptable and shall require prior written approval from the Department of Administrative Services (DAS).

CONTRACT AWARD: The contract will be awarded 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 bid all items may result in the bidder being deemed not responsive.

CONTRACT RENEWAL: Should the term contract be renewed beyond the June 30, 2011 expiration date, the prices offered for the third year of the contract shall be effective for the renewal period.

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 Procurement Services, 4200 Surface Road, Columbus, Ohio 43228-1395, Attn: Jennifer Shaefer.*

* Denotes a change in the Usage Reports Contact

CONTRACTOR, TERMS AND DELIVERY:

BID/CONTRACT NO.: OT900309-1 (06/30/13)**



169240
Pierre Foods, Inc.
9990 Princeton-Glendale Road
Cincinnati, OH 45246

CONTRACTOR'S CONTACT: Ms. Donna Plageman*

TERMS: Net 90 Days

DELIVERY: 30 Days ARO

Toll Free: (800) 553-0282
Telephone: (513) 682-1644
Fax: (513) 874-5150
Email: donna.plageman@advancepierre.com*

* Denotes a change in contractor contact.

** Denotes contract renewal through June 30, 2013.

SUMMARY OF AMENDMENTS

Amendment Number	Revision Date	Description
5	07/01/12	Contract renewal for twelve months, change in contract analyst , usage report contact and contractor contact.
4	07/01/11	Contract renewal for twelve months
3	08/30/10	To indicate a change in the Contract Analyst, Usage Report Contact and the Contractor's address
2	08/22/08	To change the OAKS Item ID Number for Salisbury steak with soy and to correct the case weight
1	07/21/08	To add meatloaf with soy to the contract effective July 21, 2008. The evaluation was re-opened based on additional information