

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. 3

TO: LIMITED DISTRIBUTION - OHIO PENAL INDUSTRIES, MEAT PROCESSING CAREER CENTER, 11446
STATE ROUTE 762, ORIENT, OH 43146

FROM: HUGH QUILL, DIRECTOR, DEPARTMENT OF ADMINISTRATIVE SERVICES

SUBJECT: TERM CONTRACT - POULTRY: TRIMMINGS AND GROUND

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 08/01/10 through 07/31/11 with Stellar Marketing and TBS Meat Distributors, Inc. Additionally, Part B of the Contract is not renewed.

Attached are pages 1, 3, 7, 8, 9 and 10 to this Contract. Remove these pages from the existing contract and replace with the attached pages on the effective date and/or revision date. Additionally, pages for Part B, starting on Page 11, are removed from this Contract.

All other prices, terms and conditions remain unchanged.

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

Jan Fitzpatrick, CPPB
janice.fitzpatrick@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):

160669
TBS Meat Distributors, Inc.
2842 Massachusetts Avenue
Cincinnati, OH 45225
pbrownmeats@aol.com

74385
Stellar Marketing, Inc.
2280 Highway 92, East
Plant City, FL 33563
samsidoti@stellarfoods.com

73985
Advanced Commodities
840 West Bartlett Road, Suite 3
Bartlett, IL 60103
advcomminc@aol.com

154870
Crawford & Associates, Inc.
112 South Main Street
Water Valley, MS 38965
jrparsons_2000@yahoo.com

STATE OF OHIO
DEPARTMENT OF ADMINISTRATIVE SERVICES
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4200 SURFACE ROAD, COLUMBUS, OH 43228-1395

REQUIREMENTS CONTRACT: POULTRY: TRIMMINGS AND GROUND

CONTRACT No.: OT901710

EFFECTIVE DATES: 07/29/09 to 07/31/10
Renewal through 07/31/11

The Department of Administrative Services has accepted bids submitted in response to Invitation to Bid No. OT901710 that opened on 07/06/09. 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 item(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 Ohio Penal Industries, Meat Processing Career Center, 11446 State Route 762, Orient, OH 43146, 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:

Janice Fitzpatrick, CPPB
janice.fitzpatrick@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>

Signed: _____
Hugh Quill, Director Date _____

AMENDMENTS TO CONTRACT TERMS AND CONDITIONS: The following Amendments to the Contract Terms and Conditions do hereby become a part hereof. In the event that an amendment conflicts with the Contract Terms and Conditions, the Amendment will prevail.

DELIVERY AND ACCEPTANCE: Supplies will be delivered to the participating agency within twenty-one (21) days after receipt of order and, in accordance with paragraphs S-8, S-9 and S-10 of the Supplemental Contract Terms and Conditions. The delivery location will be noted on the purchase order issued by the participating agency. Acceptance (transfer of title) will occur upon the inspection and written confirmation by the ordering agency that the supplies delivered conform to the requirements set forth in the Contract. Unless otherwise provided in the Contract, acceptance shall be conclusive except as regards to latent defects, fraud, or such gross mistakes as amount to fraud.

MINIMUM ORDER: The minimum quantity of any order placed against a contract awarded pursuant to this bid shall be twenty thousand (20,000) pounds.

EVALUATION: Bids will be evaluated in accordance with Article I-17 of the "Instructions to Bidders". In addition, the state will evaluate the bid according to the markup per pound offered.

CONTRACT AWARD: The contract will be awarded to the lowest responsive and responsible bidder by line item.

- * 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 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, OH 43228-1395, Attn: Jan Fitzpatrick.

SPECIFICATION

I. SCOPE AND CLASSIFICATION

A. Scope

The purpose of this bid is to obtain a contractor(s) to supply chicken and turkey trimmings, ground and diced requirements to be ordered by Ohio Penal Industries (OPI), Meat Processing Career Center. The estimated monthly requirements are fifty thousand (50,000) pounds of all specified poultry products combined. It is unknown how much of each item will be purchased during the term of any contract issued pursuant to this Invitation to Bid. Orders will be placed approximately once every other week. The state of Ohio is not obligated to order the specified poultry products in this or any other amount. Should the OPI Meat Processing Career Center be closed for a time or decrease production for some unforeseen reason, orders may decline in quantity and/or frequency or may cease. Delivery shall be made F.O.B. destination prepaid. The term of any contract issued pursuant to this bid shall be for one (1) year, from July 29, 2009 through July 31, 2010.

B. Classification

1. Trimmings, Frozen and Fresh

- a. Chicken
- b. Turkey

2. Ground, Frozen

- a. Chicken
- b. Turkey

3. Diced, Frozen

- a. Chicken
- b. Turkey

- * To indicate a change to the Usage Report contact.

SPECIFICATION (Cont'd.)

VI. DELIVERY

1. Deliveries shall be made to Ohio Penal Industries, Meat Processing Career Center, 11446 State Route. 762, Orient, Ohio 43146.
2. Delivery hours are 7:30 a.m. to 2:30 p.m., Monday through Friday, excluding state holidays.
3. A delivery appointment is necessary and must be made prior to loading for shipment.
4. A delivery appointment may be scheduled by contacting Mrs. Rebecca Avery or Mr. John Donnelly at the OPI Meat Processing Career Center at (614) 877-4362, Ext. 316, 319 or 327.
5. Frozen products are to be delivered at 10° F. temperature or less.
6. All delivery trailers shall be clean and odor free.
7. All shipments of product in cases shall be palletized on standard pallets. Pallets shall be wrapped with stretch or shrink wrap. Pallets shall not exceed two thousand five hundred (2500) pounds.
8. If the contractor is unable to meet a scheduled delivery date due to delays caused by the state, the delivery date will be adjusted accordingly to offset such delays.

VII. CONTRACTOR'S QUALIFICATIONS

The bidder shall be an establishment as defined by Revised Code Section 918.21 and shall be the establishment processing the product. The establishment shall be licensed by the Department of Agriculture under Chapter 918. of the Revised Code or produce poultry products under federal inspection, as defined in Revised Code Sections 918.21.

or

The bidder must identify the establishment from which they are obtaining the product and should submit with the bid response a letter from the establishment.

The letter from the establishment shall state that the establishment agrees to supply product to the bidder pursuant to any contract issued as a result of this bid. The letter shall be on establishment's letterhead and shall be signed by an officer of the corporation. The letter shall be addressed to the Department of Administrative Services, Office of Procurement Services.

Establishment name(s) and number(s) from which product will be obtained:

Item	Establishment Name	Establishment Number
Chicken, Ground, Frozen		*
		*
		*
		*
Turkey, Ground, Frozen		*

Contractor(s) shall not provide product from any other source during the term of any contract issued pursuant to this bid without written permission from the Department of Administrative Services, Office of Procurement Services. Failure to comply with this specification may result in immediate cancellation from contract.

* To indicate items not renewed beyond the 07/31/10 expiration date.

SPECIFICATION (Cont'd.)

Failure of bidder who is not the establishment processing the product to submit the specified letter with the bid response may deem your bid not responsive.

If the letter from the establishment is not submitted with the bid response, it may be requested during bid evaluation. Failure to provide a letter(s) requested during the bid evaluation, by the deadline provided (within seven calendar days of request), will deem the bid not responsive.

VIII. SPECIAL NOTE

- A. GUARANTY: By the signature affixed on page 1 of this bid/contract, the contractor guarantees that, as of the date of delivery to the state or the state's agent, the product(s) offered is (are) not adulterated or misbranded within the meaning of the Poultry Products Inspection Act.

PRICE SCHEDULE

ITEM ID NO.	DESCRIPTION	CASE WEIGHT	CONTRACTOR	AMOUNT TO BE DEDUCTED FROM MARKET PRICE
16615	Chicken, Ground, Frozen			*
16616	Turkey, Ground, Frozen			*

* To indicate that item awards will not be renewed beyond the 07/31/10 expiration date.

CONTRACTOR INDEX

CONTRACTOR, TERMS AND DELIVERY:



74385
Stellar Marketing, Inc.
2280 Highway 92, East
Plant City, FL 33563

CONTRACTOR'S CONTACT: Mr. Sam Sidoti

BID/CONTRACT NO.: OT901710-1 (07/31/11)

TERMS: Net 30 Days

DELIVERY: Within 21 Days ARO

Toll Free: (800) 297-3352
Telephone: (813) 856-3663
Fax: (813) 856-3670
Email: samsidoti@stellarfoods.com

CONTRACTOR, TERMS AND DELIVERY:



160669
TBS Meat Distributors, Inc.
2842 Massachusetts Avenue
Cincinnati, OH 45225

CONTRACTOR'S CONTACT: Mr. Paul Brown

BID/CONTRACT NO.: OT901710-2 (07/31/11)

TERMS: 2%-10, Net 30 Days

DELIVERY: Within 21 Days ARO

Telephone: (513) 681-2276
Fax: (513) 681-2289
Email: pbrownmeats@aol.com

CONTRACTOR:

* 173985
Advanced Commodities, Inc.

CONTRACTOR:

* 154870
Crawford & Associates, Inc.

* To indicate that item awards will not be renewed beyond the 07/31/10 expiration date.

SUMMARY OF AMENDMENTS

Amendment Number	Revision Date	Description
3	08/01/10	To indicate a mutually agreed upon renewal to the Contract for twelve (12) months effective August 1, 2010 through July 31, 2011, with Stellar Marketing, Inc. and TBS Meat Distributors, Inc. under the same terms and conditions and pricing. The items in Part B awarded to Crawford & Associates, Inc. and Advanced Commodities will not be renewed beyond the 07/31/10 expiration date.
2	10/01/09	To notify of addition of Part B to contract (award of ground poultry)
1	07/29/09	To notify of corrections to the amount to be deducted from the market price and to add a Summary of Amendments