

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 Ohio Department of Rehabilitation and Corrections, Ohio Penal Industries, as applicable

FROM: ROBERT BLAIR, DIRECTOR, DEPARTMENT OF ADMINISTRATIVE SERVICES

SUBJECT: CONTRACT FOR MATERIALS FOR MIXING CATTLE FEED RATIONS

Attached are pages 6, 7, 8, 15, 28 and 41 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 reduce the contract mark-up price for Soybean Meal, Item 1. In Contract Part A. and to add an alternative method of calculating the BASE PRICES for Contract items 1, 2, and 13 in Contract Part A and Contract Item 6. In Contract Part B. ONLY on occasions when no “Daily Cash Price” information is available in the daily Wall Street Journal.

All other prices, terms and conditions remain unchanged.

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

Walt Schneider, CPPB
walter.schneider@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):

0000208077

Agri Services, LLC
25647 Austin Rd.
Frankfort, OH 45628

agriserve@horizonview.net

0000051068

Kalmbach Feeds, Inc.
7148 State Highway 199
Upper Sandusky, OH 43351

pkalmbach@kalmbachfeeds.com

SPECIFICATIONS (Cont'd)

II. REQUIREMENTS:

- A. All feed base, mineral mix and free choice items must be fresh and not over sixty (60) days old on the date of delivery.
- B. Except as specified items must not have moisture content more than 12.5%.
- C. All items must conform to the NRC (National Research Council) requirements.
- D. PRODUCT TAGS: Bidders should submit a sample of their actual product tag for each item bid (do not submit a typed sheet of contents). Any product tag submitted must be the same product tag on packaging of actual product furnished. All product tags under ingredients must name the specific sources of protein, fat, mineral and vitamin additives. All product tags submitted must be properly identified as to item bid, with that Bid Item number from the bid price pages. Please see Appendix C on page 26 of this bid for OPI / ODRC's preferred format for product tags. If not submitted with the bid response, Bidder(s) will have seven (7) calendar days after requested to furnish said product tag(s). Failure to submit product tags as requested may deem your bid not responsive.
- F. FORMULA AND NUTRIENT PROFILE: Bidders should submit the formula and nutrient profile for each item bid with their bid response. Formula and nutrient profiles submitted must be properly identified as to item bid with the bid item number from the bid price pages. Formula and nutrient profiles submitted with the bid shall remain constant and not changed by the Bidder/Contractor for the duration of the contract without permission of DAS Office of Procurement Services and the Ohio Department of Rehabilitation and Corrections Ohio Penal Industries Farm General Manager. If not submitted with the bid response, Bidders will have seven (7) calendar days after requested to furnish said formula and nutrient profile(s). Failure to submit same may deem your bid not responsive.
- G. BASE PRICE AND BID (MARK UP) PRICE FOR ITEMS 1. SOYBEAN MEAL, 2. CORN GLUTEN FEED PELLETS AND 13. OPI / ODRC DAIRY COW PROTEIN BLEND: The BASE PRICE per Ton for Bid Items 1. Soybean Meal and 2. Corn Gluten Feed Pellets and 13. OPI / ODRC Dairy Cow Protein Blend shall be the "Daily Cash Price" from the Wall Street Journal Money & Investing Section "Daily Cash Price" Grains & Feeds Section for:
1. Soybean Meal Cent IL, rail, ton 48% u (for Bid Item 1. Soybean Meal)
 2. Corn Gluten Feed, Midwest u, w (for Bid Item 2. Corn Gluten Feed Pellets)
 3. Soybean Meal Cent IL, rail, ton 48% u (for Bid Item 13. OPI/ODRC Dairy Cow Protein Blend)

On the date the State's order is placed with the contractor.

(An example of the WSJ's "Daily Cash Price" Grains & Feeds section is included as Appendix B, Page 40 to this Bid.) Daily cash prices for Soybean Meal and Corn Gluten Feed are also available at www.wsj.com/commodities ; Cash Commodity Prices.

The BID MARK UP PRICE(S) for bid items 1. Soybean Meal, 2. Corn Gluten Feed Pellets and 13. OPI / ODRC Dairy Cow Protein Blend shall be the Bidder/Contractor's MARK UP price added to the BASE PRICE as described above for these items based upon delivery FOB Destination, Freight Prepaid. The process for pricing, billing and invoicing Soybean Meal, Corn Gluten Feed Pellets and OPI/ODRC Dairy Cow Protein Blend is delineated in Section III. A. below.

If for any reason, the WSJ's "Daily Cash Price" for Soybean Meal, Cent IL. Rail, ton 48% u is not published or available on the day OPI's order is placed, the BASE PRICE per ton for OPI items # 1 and 13 shall be the earliest futures price at closing on the day the order was placed for Soybean Meal from the Futures Contracts Section of the Daily WSJ or at www.WSJ.com/commodities **PLUS \$ 26.00.** **

** Changed by Amendment # 5 effective 10/02/13.

SPECIFICATIONS (Cont'd)

III. CONTRACT ORDERING AND PRICING PROCEDURES: After the contract is awarded the following procedure shall be followed to place and price purchase order(s) with the contractor(s).

A. PRICING, BILLING & INVOICING; ITEMS 1. SOYBEAN MEAL, 2. CORN GLUTEN FEED PELLETS AND 13. OPI/ODRC DAIRY COW PROTEIN BLEND:

1. After orders are placed by agency authorized users, the contractor shall contact the ordering agency location on the day of or the day following shipment and provide the BASE PRICE prevailing on the day the order was placed as described in paragraph II. G. above. After receipt of the BASE PRICE, the ordering agency location will then process a confirming purchase order.
2. When processing a confirming purchase order, the ordering agency shall add the contract MARK UP Price to the BASE PRICE for Soybean Meal, Corn Gluten Feed Pellets and OPI/ODRC Dairy Cow Protein Blend. The sum of the BASE PRICE and MARK UP Price shall be the invoiced price for each item.
3. A copy of the Wall Street Journal "Daily Cash Price" or Daily Futures ** listing showing the BASE PRICE for Soybean Meal, Corn Gluten Feed or OPI/ODRC Dairy Cow Protein Blend as defined above must be enclosed and submitted with each invoice. (See Appendix B page 24 of this Bid/Contract for an example)
4. Each invoice must include the state of Ohio OAKS Item Number for each item delivered.
5. Additional charges for Soybean Meal, Corn Gluten Feed Pellets or OPI/ODRC Dairy Cow Protein Blend, if authorized by this Bid/Contract must be itemized separately and identified by the appropriate state of Ohio OAKS Item number.

B. PRICING, BILLING & INVOICING FOR CONTRACT ITEMS 3 THROUGH 12, 14 and 15:

1. Pricing for items 3 through 12, 14 and 15 will be on a \$ USD per pound basis FOB Delivered in both twenty-five (25) and fifty (50) pound bags as specified.
2. Each invoice must include the state of Ohio OAKS Item Number for each item delivered.
3. Additional charges for Beef Vitamin & Mineral Pre-Mix Items, if authorized by this Bid/Contract must be itemized separately on the Contractor's invoice and properly identified by the appropriate state of Ohio OAKS item number.

C. PRODUCT ANALYSIS: The various OPI / ODRC farm locations may from time-to-time retain the services of the Ohio Department of Agriculture Laboratories to perform component analysis of protein sources and mineral pre-mixes on this contract to verify conformance with the bid/contract item specifications in this section. If item(s) are found not to be in conformance with specifications, DAS on behalf of OPI will pursue contractual remedies as described in the Contract Terms and Conditions.

IV. ITEM SPECIFICATIONS

A. Bidders shall complete the right column listing their guaranteed analysis. (Guaranteed Analysis must match Product Tags and formula and nutrient profile for each item submitted with or subsequent to the Bid).

BID ITEM 1. SOYBEAN MEAL in Bulk		
CONTRACTOR: AGRI SERVICES, LLC – OAKS Vendor ID # 0000208077		
Content	Percent (%)	Bidder's Guaranteed Analysis (Percent %)
Minimum Crude Protein	45.0%	46.0 %
Maximum Crude Fiber	3.5%	3.5 %
Moisture Maximum	12.5%	12.5%

** Changed by Amendment # 5 effective 10/02/13.

SPECIFICATIONS (Cont'd)

BID ITEM 2. CORN GLUTEN FEED (Pelleted) in Bulk		
CONTRACTOR: AGRI SERVICES, LLC – OAKS Vendor ID # 0000208077		
Content	Percent (%)	Bidder's Guaranteed Analysis (Percent %)
Minimum Crude Protein	18%	18 %
Minimum Crude Fat	2%	2 %
Maximum Crude Fiber	11%	11 %
Maximum Acid Detergent Fiber	14%	14 %
Maximum Sulfur	0.5%	.05%

1. Bidders shall complete the two blank right columns indicating Bidder's Minimum Guarantee by Unit and Bidder's source of nutrient requirement.

BID ITEMS # 3 & 4 - OPI / ODRC R1000 BEEF BASE				
CONTRACTOR: KALMBACH FEEDS, INC. OAKS Vendor ID# 0000051068 – Kalmbach Items 5250ODRC (25 Lb. Bag) and 5500ODRC (50 Lb. Bag)				
For the prevention and control of coccidiosis caused by Eimeria bovis and Eimeria zuernii and improved feed efficiency.				
Vitamin/Mineral	Unit	Required Product Tag Guaranteed Analysis	Bidder Shall Complete the Following - Bidder's Guarantee by unit	Bidder Shall Complete the Following - Bidder's Source of Nutrient Requirement (use additional sheet(s) if necessary)
Calcium, Minimum	%	22.23%	22.23%	Calcium Carbonate
Calcium, Maximum	%	27.18%	27.18%	Calcium Carbonate
Phosphorus, Minimum	%	0.00%	0.00%	N/A
Salt, Minimum	%	7.26%	7.26%	Sodium Chloride
Salt, Maximum	%	8.87%	8.87%	Sodium Chloride
Magnesium, Minimum	%	1.30%	1.3%	Magnesium Oxide
Potassium, Minimum	%	5.65%	5.65%	Potassium Chloride
Sulfur, Minimum	%	0.75%	0.75%	Calcium Sulfate
Copper, Minimum	ppm	410	410ppm	Copper Sulfate
Selenium, Minimum	ppm	13.5	13.5ppm	Sodium Selenite
Zinc, Minimum	ppm	1,640	1,640ppm	Zinc Sulfate
Iron, Minimum	ppm	820	820ppm	Iron Sulfate
Manganese, Minimum	ppm	1,640	1640ppm	Manganese Sulfate
Iodine, Minimum	ppm	36	36ppm	Ethylene Diamine Dihydroiodide
Cobalt, Minimum	ppm	8.25	8.25ppm	Cobalt Sulfate
Vitamin A, Minimum	IU/lb	82,000	82,000 IU/lb	Vitamin A Acetate
Vitamin D, Minimum	IU/lb	10,250	10,200 IU/lb	D-Activated Animal Sterol
Vitamin E, Minimum	IU/lb	102	102 IU/lb	dl-Alpha Tocopherol
Thiamine	mgs/lb	300	300 mgs/lb	Thiamine Mononitrate
Active Drug Ingredient				
Monesin	g/Ton	1,000	1000 g/ton	Rumensin
Ingredients				
Calcium Carbonate, Potassium Chloride, Salt, Distillers Dried Grains with Solubles, Magnesium Oxide, Vegetable Oil, Flour of Sulfur, Thiamine Mononitrate, Manganous Oxide, Ferrous Sulfate, Zinc Sulfate, Copper Sulfate, Sodium Selenite, Vitamin E Supplement, Vitamin A Acetate in Gelatin, Mineral Oil, Vitamin D3 Supplement Ethylenediamine Dihydroiodide and Cobalt Carbonate.				
Product shall be packaged as ordered in 25 and 50 pound 3 ply kraft plastic lined or poly bags as standard to the industry.				
Manufacturer's product tag shall be supplied with the bid and shall list ingredients in order of formula weight using the ingredients listed				
Carrier should be Dried Distillers Grains				
Formula and Nutrient Profile Information should be supplied with the Bid (See II. F. on bid page 6 above)				
Collective terms/items/ingredients are not acceptable.				

** Specification for Bid Item # 2, Corn Gluten Feed moved to this page per Amendment # 5 effective 10/02/13.

CONTRACT PRICES

CONTRACT ITEM 1 - SOYBEAN MEAL, BULK DELIVERY (1)						
CONTRACTOR: AUSTIN AGRI SERVICES, LLC - 0000208077						
Oaks Item ID #	Item Description	Farm Location	UoM	Contract Mark-Up Price Per Ton in Bulk FOB Delivered in Rear Dump Vehicle (\$USD)	OAKS Item ID for Item in Bulk FOB Delivered in Auger Vehicle	Contract Mark-Up Price Per Ton in Bulk FOB Delivered in Auger Vehicle (\$USD)
24140	Soybean Meal - Bulk Delivery	Chillicothe, Ohio (CCI)	Ton	\$ 38.00 *	24141	\$ 53.00 *
24142	Soybean Meal - Bulk Delivery	Lancaster, Ohio (SCI)	Ton	\$ 40.00 *	24143	\$ 55.00 *
24144	Soybean Meal - Bulk Delivery	Lebanon, Ohio (LeCI)	Ton	\$ 38.00 *	24145	\$ 55.00 *
24147	Soybean Meal - Bulk Delivery	Lima, Ohio (ACI)	Ton	\$ 38.00 *	24148	\$ 55.00 *
24150	Soybean Meal - Bulk Delivery	London, Ohio (LoCI)	Ton	\$ 37.00 *	24151	\$ 52.00 *
24152	Soybean Meal - Bulk Delivery	Mansfield, Ohio (ManCI)	Ton	\$ 37.00 *	24153	\$ 52.00 *
24154	Soybean Meal - Bulk Delivery	Marion, Ohio (MCI)	Ton	\$ 37.00 *	24155	\$ 52.00 *
24159	Soybean Meal - Bulk Delivery	Orient, Ohio (PCI)	Ton	\$ 36.00 *	24160	\$ 52.00 *
Note: No bids were received for charges for Soybean Meal Bulk Delivery in bottom hopper vehicles.						

CONTRACT ITEM 2 - CORN GLUTEN FEED - PELLETED - BULK DELIVERY (1)						
CONTRACTOR: AUSTIN AGRI SERVICES, LLC - 0000208077						
Oaks Item ID #	Item Description	Farm Location	UoM	Contract Mark-Up Price Per Ton in Bulk FOB Delivered in Rear Dump Vehicle (\$USD)	OAKS Item ID for Item in Bulk FOB Delivered in Auger Vehicle	Contract Mark-Up Price Per Ton in Bulk FOB Delivered in Auger Vehicle (\$USD)
24161	Corn Gluten Feed Pellets - Bulk	Chillicothe, Ohio (CCI)	Ton	\$ 80.00	24162	\$ 100.00
24163	Corn Gluten Feed Pellets - Bulk	Lancaster, Ohio (SCI)	Ton	\$ 80.00	24164	\$ 100.00
24165	Corn Gluten Feed Pellets - Bulk	Lebanon, Ohio (LeCI)	Ton	\$ 80.00	24166	\$ 100.00
24167	Corn Gluten Feed Pellets - Bulk	Lima, Ohio (ACI)	Ton	\$ 80.00	24168	\$ 100.00
24169	Corn Gluten Feed Pellets - Bulk	London, Ohio (LoCI)	Ton	\$ 80.00	24170	\$ 100.00
24171	Corn Gluten Feed Pellets - Bulk	Mansfield, Ohio (ManCI)	Ton	\$ 80.00	24172	\$ 100.00
24173	Corn Gluten Feed Pellets - Bulk	Marion, Ohio (MCI)	Ton	\$ 80.00	24174	\$ 100.00
24175	Corn Gluten Feed Pellets - Bulk	Orient, Ohio (PCI)	Ton	\$ 80.00	24176	\$ 100.00
Note: No bids were received for charges for Corn Gluten Feed, Pelleted Bulk Delivery in bottom hopper vehicles.						

* Price Reduction per amendment # 5 effective with orders placed on or after October 2, 2013.

(1) See III. CONTRACT ORDERING AND PRICING PROCEDURES on pages 6 and 7 above for billing, invoicing and pricing instructions for items 1 and 2.

SPECIFICATIONS (Cont'd)

- H. **FORMULA AND NUTRIENT PROFILE:** Bidders should submit the formula and nutrient profile for each item bid with their bid response. Formula and nutrient profiles submitted must be properly identified as to item bid with the bid item number from the bid price pages. Formula and nutrient profiles submitted with the bid shall remain constant and not changed by the Bidder/Contractor for the duration of the contract without permission of DAS Office of Procurement Services and the Ohio Department of Rehabilitation and Corrections Ohio Penal Industries Farm General Manager. If not submitted with the bid response, Bidders will have seven (7) calendar days after requested to furnish said formula and nutrient profile(s). Failure to submit same may deem your bid not responsive.
- I. **BASE PRICE AND BID (MARK UP) PRICE FOR ITEM 6. OPI / ODRC LONDON PROTIEN BLEND #2:** The BASE PRICE per Ton for Bid Item 6. OPI / ODRC London Protein Blend #2 shall be the "Daily Cash Price" from the Wall Street Journal Money & Investing Section "Daily Cash Price" Grains & Feeds Section for:

Soybean Meal Cent IL, rail, ton 48% u On the date the State's order is placed with the contractor.

(An example of the WSJ's "Daily Cash Price" Grains & Feeds section is included as Appendix B, Page 17 to this Bid.) The WSJ Daily Cash Price for Soybean Meal as described above is also available at www.wsj.com/commodities ; Cash Commodity Prices.

The BID MARK UP PRICE(S) for bid item, 6. OPI / ODRC London Protein Blend #2 required on Bid Price Page 10 shall be the Bidder/Contractor's **MARK UP** price added to the BASE PRICE as described above for this item based upon delivery FOB Destination, Freight Prepaid. The process for pricing, billing and invoicing OPI / ODRC London Protein Blend #2 is delineated in Section III. A. below.

If for any reason, the WSJ's "Daily Cash Price" for Soybean Meal, Cent IL. Rail, ton 48% u is not published or available on the day OPI's order is placed, the BASE PRICE per ton for OPI item # 6, London Protein Blend #2 shall be the earliest futures price at closing on the day the order was placed for Soybean Meal from the Futures Contracts Section of the Daily WSJ or at www.WSJ.com/commodities **PLUS** \$ 26.00. **

III. **CONTRACT PRICING, INVOICING, ADDITIONAL CHARGES AND OTHER INFORMATION:**

A. **PRICING, BILLING & INVOICING FOR ITEM 6. OPI / ODRC LONDON PROTEIN BLEND #2:**

6. After orders are placed by agency authorized users, the contractor shall contact the ordering agency location on the day of or the day following shipment and provide the BASE PRICE prevailing on the day the order was placed as described in paragraph II. G. above. After receipt of the BASE PRICE, the ordering agency location will then process a confirming purchase order.
7. When processing a confirming purchase order, the ordering agency shall add the contract MARK UP Price to the BASE PRICE for London Protein Blend #2, the sum of the BASE PRICE and MARK UP Price shall be the invoiced price for the item.
8. A copy of the Wall Street Journal "Daily Cash Price" or "Daily Futures" ** listing showing the BASE PRICE for OPI / ODRC London Protein Blend #2 as defined above must be enclosed and submitted with each invoice. (See Appendix B page 17 of this Bid/Contract for an example)
9. Each invoice must include the state of Ohio OAKS Item Number for each item delivered.
10. Additional charges for OPI / ODRC London Protein Blend #2, if authorized by this Bid/Contract must be itemized separately and identified by the appropriate state of Ohio OAKS Item number.

B. **PRICING, BILLING & INVOICING FOR CONTRACT ITEMS 1 THROUGH 5, 7 and 8:**

4. Pricing for items 1 through 5, 7 and 8 will be on a \$ USD per pound basis FOB Delivered as specified.
5. Each invoice must include the state of Ohio OAKS Item Number for each item delivered.
6. Additional charges if authorized by this Bid/Contract must be itemized separately on the Contractor's invoice and properly identified by the appropriate state of Ohio OAKS item number.

C. **PRODUCT ANALYSIS:** The various OPI / ODRC farm locations may from time-to-time retain the services of the Ohio Department of Agriculture Laboratories to perform component analysis of protein sources, minerals, vitamins, medicated and other additives on this contract to verify conformance with the bid/contract item specifications. If item(s) are found not to be in conformance with specifications, DAS on behalf of OPI will pursue contractual remedies as described in the Contract Terms and Conditions.

** Changed by Amendment # 5 effective 10/02/13.

SUMMARY OF AMENDMENTS

Amendment Number	Revision Date	Description
5	10/02/13	This amendment is issued to reduce the contract mark-up price for Soybean Meal, Item 1. In Contract Part A. and to add an alternative method of calculating the BASE PRICES for Contract items 1, 2, and 13 in Contract Part A and Contract Item 6. In Contract Part B. ONLY on occasions when no "Daily Cash Price" information is available in the daily Wall Street Journal.
4	08/31/13	This amendment is issued to temporarily adjust prices on contract item 1. Soybean Meal - Bulk Delivery effective August 30, 2013.
3	06/11/13	This amendment is issued to post to the DAS Office of Procurement Services website a corrected copy of the revised contract effective 06/11/13
2	06/11/13	This amendment is issued to mutually renew this contract from 08/01/13 through 07/31/14 by mutual agreement of the parties.
1	06/10/13	This amendment is issued to add Part B to this contract pursuant to Invitation to Bid OT905813 and the award of same, to repaginate pages 23, 24 and 25 of the original contract to pages 38, 39 and 40 effective 06/10/13.