

REQUEST FOR PROPOSALS

ADDENDUM # 1

ISSUED: 11/19/10

RFP NUMBER: CSP903511
INDEX NUMBER: LDC020

The State of Ohio, through the Department of Administrative Services, Office of Procurement Services, is requesting proposals for:

Produce: Fresh Fruits and Vegetables

Reason for Addendum: Attached are pages 1, 2, 29, 30, 37, 41, 43, 54, and 55 of the RFP. Remove the corresponding pages from the existing RFP and replace with the attached.

PROPOSAL DUE DATE: November 29, 2010 by 1:00 p.m., E.S.T.
OPENING LOCATION: Department of Administrative Services
General Services Bid Desk
4200 Surface Road
Columbus, Ohio 43228-1395

REQUEST FOR PROPOSALS

RFP NUMBER: CSP903511
INDEX NUMBER: LDC020
UNSPSC CATEGORY: 5030000, 5040000

The state of Ohio, through the Department of Administrative Services, Office of Procurement Services, is requesting proposals for:

Produce: Fresh Fruits and Vegetables

RFP ISSUED: November 12, 2010
INQUIRY PERIOD BEGINS: November 12, 2010
INQUIRY PERIOD ENDS: November 24, 2010 at 8:00 a.m., E.S.T.
PROPOSAL DUE DATE: November 29, 2010 by 1:00 p.m., E.S.T.

Proposals received after the due date and time will not be evaluated.

OPENING LOCATION: Department of Administrative Services
Office of Procurement Services
ATTN: Bid Desk
4200 Surface Rd.
Columbus, OH 43228-1395

Offerors must note that all proposals and other material submitted will become the property of the state and may be returned only at the state's option. Proprietary information should not be included in a proposal or supporting materials because the state will have the right to use any materials or ideas submitted in any proposal without compensation to the offeror. Additionally, all proposals will be open to the public after the award of the contract has been posted on the State Procurement Web site. Refer to the Ohio Administrative Code, Section 123:5-1-08 (E).

* This RFP consists of ten (10) parts, totaling 55 consecutively numbered pages. Please verify that you have a complete copy.

* Indicates change to total number of pages.

PART ONE: EXECUTIVE SUMMARY

PURPOSE. This is a Competitive Sealed Proposals (RFP) under Section 125.071 of the Ohio Revised Code (ORC) and Section 123:5-1-08 of the Ohio Administrative Code (OAC). The Department of Administrative Services (DAS), Office of Procurement Services (OPS), on behalf of listed state institutions, (the Agency), is soliciting responses to this RFP for Produce: Fresh Fruits and Vegetables. If a suitable offer is made in response to this RFP, the state of Ohio (State), through DAS, may enter into a requirements contract (the Contract) to have the selected Offeror (the Contractor) perform all or part of the required Scope of Work (the Work). This RFP provides details on what is required to submit a Proposal for the Work, how the State will evaluate the Proposals, and what will be required of the Contractor in performing the Work.

** ENCOURAGING DIVERSITY, GROWTH AND EQUITY (E.D.G.E.). The State of Ohio is committed to making more state contracts, services, benefits and opportunities available to small socially and economically disadvantaged Ohio businesses. EDGE is a contract assistance program designed to assist such businesses by facilitating access to state government contracts and business services for businesses certified in the program. For more information regarding E.D.G.E. and E.D.G.E. certification requirements, including a list of certified E.D.G.E. firms, please visit the DAS Equal Opportunity Division Web site at: <http://das.ohio.gov/Eod/Edge/Index.htm>. Additional information is also available at the DAS Office of Procurement Services Web site at: <http://www.ohio.gov/procure>.

To foster the commitment described above, the State included in the evaluation criteria of this RFP, a provision that measures the level at which an Offeror subcontracts with a business or businesses certified pursuant to ORC 123.152 (E.D.G.E.). Refer to Table Three in Part Four: Evaluation of Proposals and Attachment Fourteen: E.D.G.E. Information.

BACKGROUND. There are currently forty-nine (49) state institutions that maintain active food services for their residents. These institutions include adult and youth correctional facilities, developmental centers, training facilities and schools that will purchase fresh produce under this requirements contract. Historically, institutions have purchased approximately \$5,000,000 from the DAS produce contract over a twelve month period of time. The purpose of this RFP is to establish a mandatory requirements contract with a Contractor to supply and deliver fresh fruits and vegetables for food service at state of Ohio institutions.

REQUEST FOR PROPOSALS. Unlike an Invitation to Bid, where price is the predominant factor in determining the contract awardee, the RFP permits DAS to consider factors other than price. Also, unlike the Invitation to Bid, which is generally evaluated solely by DAS, the RFP is reviewed and evaluated by a committee of state personnel who are experienced in the respective goods or services. It is the responsibility of this committee to review and evaluate responses, score each response and make a recommendation as to which response appears to be most advantageous to the State. Parties responding to the RFP will be required to furnish sufficient information about their company and their capabilities with their response to assist the committee with their evaluation process.

CALENDAR OF EVENTS. The schedule for the RFP process is given below, and is subject to change by DAS at any time. If DAS changes the schedule before the Proposal due date, it will do so through an announcement on the State Procurement website as designated in this RFP. The website announcement will be followed by an addendum to this RFP, also available through the State Procurement website. After the Proposal due date and before the award of the Contract, DAS may make scheduled changes through the RFP addendum process. DAS will make changes in the Work schedule after the Contract award through the change order provisions described in the general terms and conditions of the Contract. It is each prospective Offeror's responsibility to check the web site question and answer area for this RFP for current information regarding this RFP and its calendar of events through award of the Contract. No contact shall be made with agency/program staff until contract award is announced.

DATES:

Firm Dates

RFP Issued:	November 12, 2010
Inquiry Period Begins:	November 12, 2010
Inquiry Period Ends:	November 24, at 8:00 a.m., E.S.T.
* Proposal Due Date:	November 29, 2010, by 1:00 p.m., E.S.T.
Contract Effective Date:	March 01, 2011

Estimated Dates

Contract Award Notification:	January 31, 2011
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* Proposals received after 1:00 p.m., E.S.T., on the due date will not be evaluated.

** Indicates addition of E.D.G.E. language.

Criterion	Weight	Rating (0=Does not Meet to 5=Strong)	Extended Score
Offeror Profile			
1. Provide documentation describing the firm's fresh fruit and vegetable business experience. Information provided must include, but is not limited to: a. Number of years as a full-line fresh fruit and vegetable distributor. b. Annual sales for calendar years 2009 and 2010 (through 07/31/10). c. The total number of full-line fresh fruit and vegetable accounts active in calendar years 2009 and 2010 (through 7/31/10).	10		
* 2. Provide documentation of previous purchases of fresh produce (from January to July 31, 2010), to include a historical comparison of the invoice costs with USDA published price schedules (Pittsburgh, PA.) for the respective time periods and to include additional fees paid to arrive at the laid-in costs (shown separately).	18		
3. Provide documentation on the average number of deliveries made per week during calendar years 2009 and 2010 (through 7/31/10) to include number of individual delivery sites and coverage area (e.g., number of cities, number of counties, mileage radius from distribution site, etc.). Also include documentation on providing fresh produce to adult and/or youth correctional facilities.	10		
Offeror's Facility			
1. Provide a written description of the Offeror's facility (or facilities) including, but not limited to: a) Location b) Total square feet of warehouse c) Total square feet of climate controlled area d) Number of buildings, type of buildings, etc. e) Information regarding different temperatures and humidity settings and how settings are monitored.	10		
2. Provide a description of the Offeror's sanitation and pest control program for all facilities/equipment.	10		
3. Provide information regarding the Offeror's quality control program (e.g., qualifications and experience of Offeror's quality control personnel and the type of training required and/or provided, etc.).	15		

* Indicates change to language and weight for historical pricing information.

Criterion	Weight	Rating (0=Does not Meet to 5=Strong)	Extended Score
4. Submit copies of the three (3) most recent independent warehouse audits (ASI , AIB , etc.) and/or any state or USDA warehouse inspection reports performed within the last twenty-four (24) months.	2		
Work Plan			
* 1. Submit a plan for providing produce to all institutions listed in Part Ten and how the plan fits in with current company operation. Information to be included, but not limited to: a. Size of the current delivery fleet and how any contract awarded pursuant to this bid will impact the current delivery fleet. * b. Proposed schedule to complete weekly deliveries to all institutions listed in Part Ten to include proposed times and dates. * c. Plan on how the Offeror will make weekly deliveries to institutions listed in Part Ten in inclement weather. * d. Ability to meet scheduled deliveries in the event of a security lock-down situation. * e. Ability to make unscheduled and/or emergency deliveries to any of the institutions listed in Part Ten.	20		
2. Provide a proposed method of distributing weekly price lists and proposed ordering procedure for weekly orders by institutions.	8		
3. Provide documentation of maintaining a 97% or better fill rate on weekly deliveries made during calendar years 2009 and 2010(through 7/31/10). Include plan on how Offeror intends to maintain a 97% or better fill rate under the Contract.	15		
4. Submit a plan demonstrating the Offeror's ability and commitment to procure Ohio-grown produce, when seasonably available.	15		
** 5. An Offeror that subcontracts a portion of the Work detailed in this RFP with a business (es) certified pursuant to ORC 123.152 will be allocated points according to the percentage (described below) so subcontracted. 0 - .99% = 0 points; 1.00 – 1.99% = 1 point; 2.00 – 2.99% = 2 points; 3.00 – 3.99% = 3 points; 4.00 – 4.99% = 4 points; 5% or above = 5 points.	7		

In this RFP, the State asks for responses and submissions from Offerors, most of which represent components of the above criteria. While each criterion represents only a part of the total basis for a decision to award the Contract to an Offeror, a failure by an Offeror to make a required submission or meet a mandatory requirement may result in a rejection of that Offeror's Proposal. The value assigned above to each criterion is only a value used to determine which Proposal is the most advantageous to the State in relation to the other Proposals that DAS received.

* Indicates change from Part Nine to Part Ten.

** Indicates change to E.D.G.E. language and weight.

- K. Ohio-Grown Produce: When seasonally available, of the specified quality and of competitive price, the state's preference is for Ohio-grown produce. Information on Ohio products and Ohio growers can be found at: <http://ohioproud.org/> or <http://ohiovegetables.org/>

IV. CONTRACTOR QUALIFICATIONS

- A. To be considered for award of the Contract, the Offeror shall be a full line fruit and vegetable distributor owning or leasing an established permanent business and has met all bonding and/or licensing requirements, as applicable. This means that the facility is an established place of business, is a permanent structure, warehouse or building at which:

1. Necessary and appropriate produce and produce handling equipment and fixtures are maintained.
2. An adequate quantity of inventory is stored, offered for sale, sold, and delivered.
3. Full time employees are performing business activities during specified business hours.

Offeror's that cannot meet this requirement and/or that indicate in their response of their intent to purchase or lease proper facilities and to hire appropriate staffing will not be considered.

- * B. The Offeror and any proposed subcontractor(s) shall possess and maintain a valid Perishable Agricultural Commodities Act (PACA) license throughout the term of the Contract (see Part Five, Mandatory Requirements, Table One). Offeror is to provide a copy of their current license with their proposal. Failure to maintain a valid PACA license during the Contract term will result in termination of Contract.
- C. Offeror shall have a current Blue Book (Produce Reporter Co.) rating of at least "C" for payment description and at least "XXX" for moral responsibility (see Part Five, Mandatory Requirements, Table One). Offeror is to provide a copy of said report with their proposal.
- D. Offeror shall have maintained a 97% or better fill rate for the past twelve (12) months for its three (3) largest customers that are similar in size and scope to the state of Ohio. Fill rate shall be determined as specified in paragraph III.I.

V. CONTRACTOR RESPONSIBILITIES

- A. Delivery Schedule. Upon receipt of Contract, Contractor will contact institutions to establish a mutually agreeable weekly delivery schedule. The Contract pricing includes one (1) delivery per location per week. The Contractor may be required to make two (2) deliveries per week to some institutions. A delivery fee may be added for additional deliveries, based on the delivery price quoted in this RFP. Those institutions choosing to receive a second weekly delivery will do so on a consistent basis throughout the term of the Contract and not on an "as needed" basis. A listing of state institutions is specified in Part Ten. The delivery schedule should indicate a delivery time, plus or minus one hour. It is understood that weather conditions, as well as security-related conditions at some of the institutions, may cause delivery delays. However, repeated occurrences of late delivery by the Contractor, related to factors other than those cited above will be considered as an event of default and may be basis for immediate termination of the Contract.

B. Customer Service

1. Contractor's Contact. The Contractor will designate a contact to serve as a liaison between the Contractor and state institutions. The contact person will be responsible for operation and administration of the Contract and for reports/audit documentation. The contact person is to respond to the Office of Procurement Services and institutions in a timely manner. The name and contact information of the customer service representative(s) are to be made available to the Office of Procurement Services and all state institution food service contacts prior to the start of the Contract.

- ** 2. Market Report. The Contractor shall provide a brief cover note to the institutions/Office of Procurement Services with the weekly ordering/price list. The note is to address market conditions, supply availability, product quality, associated growing areas, price trends, weather conditions and handling tips. The note will also address cost effective alternatives, when available.

- C. The Contractor shall maintain all pertinent financial and accounting records and evidence pertaining to the Contract in accordance with generally accepted principles of accounting and other procedures specified by the state of Ohio.

* Indicates addition of "proposed subcontractor(s)"

** Indicates re-numbering.

PART NINE: PROPOSAL SUBMISSION

PROPOSAL FORMAT. Each Proposal must include sufficient data to allow the State to verify the total cost for the Work and all of the Offeror's claims of meeting the RFP's requirements. Each response requires submission of documentation to substantiate compliance with the requirement. Simply repeating the RFP's requirement and agreeing to comply will be an unacceptable response and may cause the Proposal to be rejected.

These instructions describe the recommended format for a responsive Proposal. The Offeror may include any additional information it believes is relevant. An identifiable tabbed separator sheet must precede each section of a Proposal. Each tabbed section should indicate the number of pages included in the section to ensure that all responses are complete. Any material deviation from this format may result in a rejection of the non-conforming Proposal.

During the proposal evaluation, the state may request from the Offeror a site visit of their facility and an oral presentation. A minimum of seven (7) calendar days notice will be given for the site visit or oral presentation.

SECTION ONE (TAB 1):

1. **Cover Letter.** The cover letter must be in the form of a standard business letter on company letterhead prepared by an individual authorized to legally bind the Offeror. The cover letter will provide an executive summary of the solution the Offeror plans to provide. At a minimum, the cover letter must contain the following:

A statement regarding the Offeror's legal structure (e.g., an Ohio corporation), the Offeror is properly registered with Ohio Secretary of State, has a statutory agent located in Ohio (if applicable), the Federal tax identification number, and principal place of business. All Offerors who seek to be considered for a contract award must be registered with the Ohio Secretary of State. The Offeror's Charter/Registration number shall be included in the Cover Letter. Questions regarding this registration should be directed to (614) 466-3910 or visit their Web site at: <http://www.sos.state.oh.us/>

- a. The name, phone number, fax number, e-mail address, and mailing address of a contact person who will serve as a liaison if a contract is awarded to the Offeror.
- * b. A list of all subcontractors that the Offeror will use on the Work and the work the subcontractor(s) will be performing under the contract if awarded to the Offeror. This section must also include the Offeror's plan for using EDGE companies certified by the DAS Equal Opportunity Division. For each certified E.D.G.E. subcontractor the Offeror must provide a list that includes the subcontractor name and the anticipated dollar amount being subcontracted.

For each proposed subcontractor, including the E.D.G.E. subcontractors, the Offeror must attach a letter from the subcontractor, signed by an authorized representative of the subcontractor who can legally bind the subcontractor. The subcontractor's letter must include the following:

- 1) The subcontractor's legal status, tax identification number, and principal place of business address.
 - 2) The name, phone number, fax number, e-mail address, and mailing address of a person who is authorized to legally bind the subcontractor to contractual obligations.
 - 3) A description of the work the subcontractor will do.
 - 4) A commitment to do the work if the Offeror is selected.
 - 5) A statement that the subcontractor has read and understood the RFP and will comply with the requirements of the RFP.
 - 6) A statement that the Subcontractor will maintain any permits, licenses, and certifications required to perform work.
- c. A statement that the Offeror's proposed solution for the Work meets all the requirements of this RFP.
 - d. A statement that the Offeror has not taken any exception to the Terms and Conditions.
 - e. A statement that the Offeror does not assume there will be an opportunity to negotiate any aspect of the proposal.
 - f. A statement indicating the Offeror will comply with all Federal and Ohio Laws and Rules as those law and rules are currently enacted and promulgated, and as they may subsequently be amended and adopted.
 - g. A statement that the Offeror is not now, and will not become subject to an "unresolved" finding for recovery under Revised Code Section 9.24, prior to the award of a Contract arising out of this RFP, without notifying DAS of such finding.

* Indicates the addition of E.D.G.E. language.

2. Offeror Disclosure of Location of Services and Data. As part of the Proposal, the Offeror must disclose the following:
 - a. The location(s) where all services will be performed.
 - b. The location(s) where any State data applicable to the Contract will be maintained or made available.
 - c. The principal location of business for the Contractor.

During the performance of this Contract, the Offeror must not change the location(s) of the country where the services are performed, change the location(s) of the country where the data are maintained, or made available without prior written approval of the Department of Administrative Services.

SECTION 3 (TAB 3):

1. Offeror Profile and Accounts. Each Proposal must include a profile of the Offeror's capability, capacity, and relevant experience working on projects similar to this Work. The profile must also include the Offeror's legal name; address; telephone number; fax number; e-mail address; home office location; date established; ownership (such as public firm, partnership, or subsidiary); firm leadership (such as corporate officers or partners); number of employees; number of employees engaged in tasks directly related to the Work; and any other background information that will help the State gauge the ability of the Offeror to fulfill the obligations of the Contract. The financial stability of the company should also be described and is considered a necessary component of this portion of the Proposal's response.

The Offeror shall also provide information on the firm's background as well as evidence that it has in place the personnel, internal procedures, and any other resources required under the terms of the Contract to ensure successful performance and contract compliance. Offerors must describe current operational capacity of the organization and the Offeror's ability to absorb the additional workload resulting from this Project.

The Offeror must document previous experience and expertise in providing its three (3) largest accounts, similar in size and complexity, in the previous three (3) years. Details of the similarities must be included.

- * 2. Historical Purchasing Power. The State is seeking historical data to indicate the purchase power of the Offeror which translates into the ability of the Offeror to provide fresh produce to the State at competitive pricing. There is no minimum or maximum number of documents that are required to be furnished. It is the responsibility of the Offeror to provide sufficient documentation to convince the State of their ability to procure fresh produce at competitive prices, the savings of which will be passed on to the State. The evaluation of this data will be subjective and compared with other Offerors who have responded to this RFP.

Documentation should reflect laid-in costs for purchases made during Jan.1 – July 31, 2010, and should be in a format that allows for comparison (ex. Excel spreadsheet). Documentation should be accompanied by any necessary forms or explanations that validate the information provided, including copies of U.S.D.A. terminal market price reports for Pittsburg, PA., for the respective dates. Documentation (e.g., invoices) from sources the Offeror uses may include, but not be limited to:

- a. Grower/supplier company name
 - b. Item description
 - c. Quantity
 - d. Price
 - e. Shipping point, date and price
 - f. Freight price / container
3. The Offeror must provide documentation addressing the firm's fresh fruit and vegetable corporate experience. Information provided must include, but is not limited to:
 - a. Number of years as a full-line fresh fruit and vegetable distributor
 - b. Annual dollar sales for calendar years 2009 and 2010 (through 07/31/10)
 - c. Current total number of full-line fresh fruit and vegetable accounts
 - d. Average number of deliveries per week during calendar years 2009 and 2010 (through 07/31/10); number of delivery sites and coverage area (e.g., number of cities, counties, mileage radius for distribution sites, etc.)
 - e. Documentation on providing fresh produce to adult and/or youth correctional facilities
 4. The Offeror is to provide documentation that a 97% or better fill rate has been maintained for the past twelve (12) months for its three (3) largest customers that are similar in size and scope to the state of Ohio. Documentation may consist of a certification on the Offeror's company letterhead signed by an officer of the company.

- * Indicates change of language for clarification.

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CURRENT DELIVERY SCHEDULE

<u>Facility Code</u>	<u>District</u>	<u>Facility Name</u>	<u>Delivery Day</u>
A.C.I.	1	Allen Correctional Institution	Wednesday
T.C.I.	2	Toledo Correctional Institution	Friday
N.W.O.D.C.	2	Northwest Ohio Development	Friday
T.D.C.	2	Tiffin Developmental Center	Wednesday
G.C.I.	3	Grafton Correctional Institution	Wednesday
LOR C.I.	3	Lorain Correctional Institution	Wednesday
MAN C.I.	3	Mansfield Correctional Institution	Tuesday
RIC C.I.	3	Richland Correctional Institution	Tuesday
M.J.C.	3	Mohican Juvenile Facility	Tuesday
O.V.H.S.	3	*Ohio Veterans Home	Wednesday
I.R.J.C.F.	4	Indian River Juvenile	Tuesday
O.S.P.	4	Ohio State Penitentiary	Tuesday
TRUM C.I.	4	Trumbull Correctional Institution	Tuesday
Y.D.C.	4	Youngstown Development	Tuesday
M.V.D.C.	5	Mount Vernon Developmental	Tuesday
S.E.C.I.	5	Southeastern Correctional Institution	Thursday
C.J.C.F.	6	Circleville Juvenile	Thursday
C.R.C.	6	Correctional Reception Center	Monday
C.D.C.	6	Columbus Developmental	Wednesday
C.M.C.	6	Correctional Medical Center	Wednesday
C.T.A.	6	Correctional Training Academy	Monday
F.P.R.C.	6	Franklin Pre-Release Center	Wednesday
LON C.I.	6	London Correctional Institution	Monday
** MAD C.I.	6	Madison Correctional Institution	Monday
N.C.C.I.	6	North Central Correctional Institution	Wednesday
O.R.W.	6	Ohio Reformatory for Woman	Wednesday
O.S.D.	6	Ohio School For The Deaf	Wednesday
O.S.B.	6	Ohio School For The Blind	Wednesday
P.C.I.	6	Pickaway Correctional Institution	Monday
S.J.C.F.	6	Scioto Juvenile	Wednesday
MAR C.I.	6	Marion Correctional Institution	Wednesday
D.C.I.	7	Dayton Correctional Institution	Wednesday
M.D.C.	7	Montgomery Developmental	Wednesday
M.E.P.R.C.	7	Montgomery Education + Pre-Release	Wednesday
LEB C.I.	8	Lebanon Correctional Institution	Thursday
S.W.O.D.C.	8	Southwest Ohio Developmental	Thursday
W.C.I.	8	Warren Correctional Institution	Thursday
C.C.I.	9	Chillicothe Correctional Institution	Thursday
O.R.V.J.C.C.	9	Ohio River Valley Juvenile	Friday
O.V.H.G.	9	Ohio Veterans Home	Thursday

* Indicates addition of page

** Institution needs deliveries changed to Wednesdays

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CURRENT DELIVERY SCHEDULE, CONT'D.

	ROS C.I.	9	Ross Correctional Institution	Thursday
	S.O.C.F.	9	Southern Ohio Correctional Institution	Friday
	G.D.C.	10	Gallipolis Developmental	Friday
	H.C.F.	10	Hocking Correctional Institution	Thursday
**	N.C.I.	10	Noble Correctional Institution	Wednesday
	B.C.I.	11	Belmont Correctional Institution	Wednesday
	C.H.J.C.F.	12	Cuyahoga Hills Juvenile	Tuesday
	N.E.P.R.C.	12	Northeast Pre-Release	Wednesday
	W.D.C.	12	Warrensville Developmental	Tuesday

* Indicates addition of page

** Institutions that want 2 or more deliveries per week. Others may be added if they desire.