

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

MANDATORY USE CONTRACT FOR: Ice Cubes, Bagged

CONTRACT No.: OT902513

EFFECTIVE DATES: 12/01/12 to 10/30/15

The Department of Administrative Services has accepted bids submitted in response to Invitation to Bid No. OT902513 that opened on 10/15/12. 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 Natural Resources, Division of Parks and Recreation, and the Department of Administrative Services, 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:

Kellie Johnson
kellie.johnson@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: _____
Robert Blair, Director Date

TABLE OF CONTENTS

<u>CLAUSES</u>	<u>PAGE NO.</u>
Award	3
Specifications	4
Contract Items	6
Contractor's Index	13

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, the Department of Natural Resources (DNR), within twenty-four (24) hours after receipt of order from the parks from Memorial Day to Labor Day and within one (1) business day during the balance of the calendar year or in accordance with a mutually agreeable delivery schedule; Delivery for the Department of Administrative Services (DAS) during an emergency will be upon mutually agreeable delivery schedule as events unfold and, all deliveries will be 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: No order shall be placed against a contract awarded pursuant to this bid for less than twenty-five (\$25.00) dollars.

EVALUATION: Bids will be evaluated in accordance with Article I-17 of the "Instructions to Bidders." In addition, the state will determine the lot price for each bid region by multiplying the estimated annual usage for each park by its corresponding unit price and then adding these totals. For parks showing no usage, a usage of one (1) shall be used for evaluation. For the Department of Administrative Services bid regions the usages is unknown, but could be ordered in truck loads, a usage of one (1) shall be used for evaluation. Lot price will be determined by adding the seven (7) pound truckload per bag price plus the twenty-two (22) pound truckload per bag price together. Bidders must bid both non truck load price and truck load price for each bid region that they bid on. Failure to bid on all items within a bid region will disqualify the bidder for that region. Although there will be separate bid regions awards made, bidders are eligible to receive multiple awards, provided he/she is the lowest responsive and responsible bidder meeting all bid specifications and requirements.

CONTRACT AWARD: The contract will be awarded to the lowest responsive and responsible bidder by bid region for the Department of Natural Resources and then by bid region for the Department of Administrative Services. Failure to bid all line items / parks / DAS in a bid region will result in the bidder being deemed not responsive for the applicable bid region.

FIRM FIXED-PRICE CONTRACT: The contract is a Firm Fixed-Price Contract. The Contractor(s) is required to provide to the using agency supplies or services at the listed price(s) for the duration of the contract, and any extensions thereto.

USAGE REPORTS: Every twelve (12) 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, OH 43228-1395, Attn: Kellie Johnson.

DISCLOSURE OF SUBCONTRACTORS / JOINT VENTURES (See Standard Contract Terms and Conditions, Section (roman numeral) V. General Provisions:, Paragraph Q.):

List names of subcontractors who will be performing work under the Contract.

_____	N/A	_____
_____		_____
_____		_____

By the signature affixed to Page 1 of this Bid, Bidder hereby certifies that the above information is true and accurate. The Bidder agrees that no changes will be made to this list of subcontractors or locations where work will be performed or data will be stored without prior written approval of DAS. Any attempt by the Bidder/Contractor to change or otherwise alter subcontractors or locations where work will be performed or locations where data will be stored, without prior written approval of DAS, will be deemed as a default. If a default should occur, DAS will seek all legal remedies as set forth in the Terms and Conditions which may include immediate cancellation of the Contract. Failure to complete this page may deem your bid not responsive.

SPECIFICATIONS

I. SCOPE AND CLASSIFICATION

- A. Scope: The purpose of this term contract is to obtain a contractor(s) to furnish and deliver bagged ice cubes for resale at state parks in Ohio and for emergency use by the Department of Administrative Services (DAS) when the Emergency Management Agency (EMA) is activated. The term of any contract issued pursuant to this bid shall be three (3) years, from December 1, 2012 through November 30, 2015.
- B. Classification
 - 1. Ice Cubes, Bagged
 - a. 7 lb. bags
 - b. 22 lb. bags

II. APPLICABLE DOCUMENTS

- A. Ohio Administrative Code, Chapter 901.3 – Food Safety
- B. Code of Federal Regulations, Title 21: Food and Drinks, Parts 101.3 – 101.5, and 101.105 – Labeling Requirements

III. REQUIREMENTS

- A. Facility: Ice shall be produced in a facility operating in accordance with safe sanitation and good manufacturing practices and under regular inspection for same by the Ohio Department of Agriculture, Division of Food Safety or other applicable entity if facility is not located in Ohio.
- B. Product
 - 1. Ice shall be produced from potable water.
 - 2. Ice shall be produced utilizing strict sanitation conditions and practices to assure a safe, wholesome product.
 - 3. Ice shall be provided in 7 lb. and 22 lb. bags.
 - 4. Bags shall be a minimum of 1.5 ml for 7 lb. bags and 2.0 ml for 22 lb. bags, clear, virgin plastic.
 - 5. Bags shall be labeled in accordance with legal requirements of paragraph II.B. of the bid specification.
 - 5. Bags shall be sealed by a ring closure or other acceptable method standard to the industry
- C. Merchandisers
 - 1. Contractor shall supply, at no additional charge to the state, an ice merchandiser, complete with lock and key, to each state park participating in the contract. Some parks may require multiple merchandisers.
 - 2. Merchandisers shall be clean, attractive, and in good working order.
 - 3. Contractor shall be responsible for maintaining merchandisers during the term of the contract.
 - 4. Contractor shall repair out of service merchandisers within three (3) business days of notification or shall replace unit.
 - 5. Contractor shall credit the state for ice that melts due to malfunctioning merchandisers.
 - 6. Merchandisers shall be 40 cu. ft. capacity.
- D. Delivery: Delivery shall be made within twenty-four (24) hours of request by the park from Memorial Day to Labor Day and within one (1) business day during the balance of the calendar year or in accordance with a mutually agreeable delivery schedule. Delivery for the DAS during an emergency will be upon mutually agreeable delivery schedule as events unfold. Multiple delivery locations within a bid region may be necessary during a EMA emergency.

SPECIFICATIONS (Cont'd.)

IV. NOTES

- A. Guaranty: By the signature affixed on page 1 of this bid, 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 Federal Food, Drug and Cosmetic Act ("the ACT"), and not an article which may not, under the provisions of section 405, 505, or 512 of the Act, be introduced into interstate commerce.

- B. Park Listing: Some parks listed in the bid pricing pages are currently not participating in ice resale. The state of Ohio reserves the right to require delivery to these or to additional state park locations during the term of any contract issued pursuant to this ITB. Usage may also decline or be discontinued due to operation changes.

- C. If awarded contractor in one region fails to deliver during an emergency event, DAS reserves the right to purchase from another contractor that can deliver in the time required for said emergency. DAS reserves the right to charge damages, per the contract terms and conditions, to the contractor that failed to be able to deliver unless the failure to deliver was due to Force Majeure, "acts of God," per the contract terms and conditions.

Price Schedule

Index No. LDC029
 Rev. 12/01/12
 Page 6

LOCATION	ITEM ID	EST. ANNUAL USAGE (7 LB. BAGS)	PRICE PER BAG (7 LB.)	ITEM ID	EST. ANNUAL USAGE (22 LB. BAGS)	PRICE PER BAG (22 LB.)
NORTHWEST REGION						
Independence Dam State Park 27722 State Route 424, Defiance, OH 43512-8766 (419) 237-1503	7674	0		2704	0	No Award
Van Buren State Park 12259 Township Road 218, Van Buren, OH 45889-9702 (419) 832-7662	2705	0		7675	0	
Catawba Island, Lake Erie Islands State Park 4049 East Moores Dock Road, Port Clinton OH 43452-9704 (419) 797-4530	7676	0		2706	0	
East Harbor State Park 1169 North Buck Road, Lakeside Marblehead, OH 43440-9610 (419) 734-4424	2707	3700		7677	2842	
Harrison Lake State Park 26246 Harrison Lake Road, Fayette, OH 43521-9779 (419) 237-2593	2708	2117		7678	0	
Mary Jane Thurston State Park 1-466 State Route 65, McClure, OH 43534-9711 (419) 832-7662	2856	200		2857	2857	
Maumee Bay State Park 1400 State Park Road, Oregon, OH 43618-9664 (419) 836-7758	8209	2839		2858	2089	
*Middle Bass Island, Lake Erie Islands State Park 4049 East Moores Dock Road, Port Clinton OH 43452-9704 (419) 797-4530	8210	1834		7828	0	
*South Bass Island, Lake Erie Islands State Park 4049 East Moores Dock Road, Port Clinton OH 43452-9704 (419) 797-4530	3000	1962		7829	0	
Grand Lake St. Marys State Park 834 Edgewater Drive, St. Marys, OH 45885-1132 (419) 394-3611	8420	0		3170	0	
Indian Lake State Park 12774 State Route 235 North, Lakeview, OH 43331-9394 (937) 843-2717	8421	0		3171	0	
Kiser Lake State Park 4889 North State Route 235, St. Paris, OH 43072-9567 (937) 362-3822	8422	443		3172	368	

* Park access via ferry

LOCATION	ITEM ID	EST. ANNUAL USAGE (7 LB. BAGS)	PRICE PER BAG (7 LB.)	ITEM ID	EST. ANNUAL USAGE (22 LB. BAGS)	PRICE PER BAG (22 LB.)
NORTHEAST REGION						
Findley State Park 25381 State Route 58, Wellington, OH 44090-9010 (440) 647-4490	3001	1000		7830	1500	No Award
Malabar Farm State Park 4050 Bromfield Road, Lucas, OH 44843-9745 (419) 892-2784	3002	0		7831	0	
Mohican State Park 3116 State Route 3, Loudonville, OH 44842-9526 (419) 994-5125	3003	3500		7832	2500	
Geneva State Park 4499 Padanarum Road, P.O. Box 429, Geneva, OH 44041-0429 (440) 466-8400	3004	0		3005	0	
Lake Milton State Park 16801 Mahoning Avenue, Lake Milton, OH 44429-9675 (330) 654-4989	7881	0		3006	0	
Mosquito Lake State Park 1439 State Route 305, Cortland, OH 44410-9303 (330) 637-2856	7882	2500	No Award	3007	0	
Portage Lakes State Park 5031 Manchester Road, Akron, OH 44319-3909 (330) 644-2220	7883	100		3008	0	
Pymatuning State Park 6260 Pymatuning Lake Road, P.O. Box 1000, Andover, OH 44003-1000 (440) 293-6030	7884	0		3009	0	
Quail Hollow State Park 13480 Congress Lake Avenue, Hartville, OH 44632-9300 (330) 877-1528	7885	0		3010	0	
Wingfoot Lake State Park 993 Goodyear Park Blvd., Suffield, OH 44260 (330) 628-4720	TBD	100		TBD	0	
West Branch State Park 5708 Esworthy Road, Ravenna, OH 44266-9617 (330) 296-3239	7886	7669		3011	266	
Beaver Creek State Park 12021 Echo Dell Road, East Liverpool, OH 43920-9719 (330) 385-3091	3397	0		9433	0	

LOCATION	ITEM ID	EST. ANNUAL USAGE (7 LB. BAGS)	PRICE PER BAG (7 LB.)	ITEM ID	EST. ANNUAL USAGE (22 LB. BAGS)	PRICE PER BAG (22 LB.)
NORTHEAST REGION (cont.)						
Beaver Creek State Park 12021 Echo Dell Road, East Liverpool, OH 43920-9719 (330) 385-3091	3397	0	No Award	9433	0	No Award
Guilford Lake State Park 6835 East Lake Road, Lisbon, OH 44432-9444 (330) 222-1712	3398	472		3399	557	
Jefferson Lake State Park 501 TWP Road 261A, Richmond, OH 43944-7832 (740) 765-4459	9434	0		9289	0	
Cleveland Lakefront State Park 8701 Lake Shore Boulevard, Cleveland, OH 44108-1069 (216) 881-8141	3635	0		9290	0	
Headlands Beach State Park 9601 Headlands Road, Mentor, OH 44060-1001 (216) 881-8141	3636	0		9291	0	
Punderson State Park P.O. Box 338, 11755 Kinsman Road, Newbury, OH 44065-9691 (440) 564-9144	3637	0		9292	0	

Central Region Awarded to Capital City Ice

CENTRAL REGION						
Buckeye Lake State Park 2905 Liebs Island Road, P.O. Box 488, Millersport, OH 43046-0488 (740) 467-2690	7888	0	\$0.69	3013	0	\$2.15
A.W. Marion State Park 7317 Warner-Huffer Road, Circleville, OH 43113-9235 (740) 869-3123	7891	260	\$0.69	3016	0	\$2.15
Alum Creek State Park 3615 S. Old State Road, Delaware, OH 43015-9455 (740) 548-4631	7892	1740	\$0.69	3017	2970	\$2.15
Deer Creek State Park 20635 Waterloo Road, Mt. Sterling, OH 43143-9501 (740) 869-3124	7893	2227	\$0.69	3018	2690	\$2.15
Delaware State Park 5202 U.S. 23 North, Delaware, OH 43015 (740) 369-2761	7894	2000	\$0.69	3019	1864	\$2.15
Mt. Gilead State Park 4119 State Route 95, Mt. Gilead, OH 43338-9586 (419) 946-1961	7895	310	\$0.69	3020	0	\$2.15

LOCATION	ITEM ID	EST. ANNUAL USAGE (7 LB. BAGS)	PRICE PER BAG (7 LB.)	ITEM ID	EST. ANNUAL USAGE (22 LB. BAGS)	PRICE PER BAG (22 LB.)
SOUTH WEST REGION						
Buck Creek State Park 1901 Buck Creek Lane, Springfield, OH 45502-8876 (937) 322-5284	3168	774		3169	569	
Sycamore State Park 4675 North Diamond Mill Road, Trotwood, OH 45426-4254 (513) 523-6347	8424	0		3174	0	
Caesar Creek State Park 8570 East State Route 73, Waynesville, OH 45068-8502 (513) 897-3055	7848	0		3315	0	
Cowan Lake State Park 1750 Osborn Road, Wilmington, OH 45177-8615 (937) 382-1096	7849	0		3316	0	
East Fork State Park P.O. Box 119, Bethel, OH 45106-0119 (513) 734-4323	8028	0		3317	0	
Hueston Woods State Park 6301 Park Office Road, College Corner, OH 45003-9040 (513) 523-6347	8029	0	No Award	6189	0	No Award
John Bryan State Park 3790 State Route 370, Yellow Springs, OH 45387-7724 (937) 767-1274	3318	172		8030	0	
Stonelick State Park 2895 Lake Drive, Pleasant Plain, OH 45162-9639 (513) 625-7544	3319	0		8031	0	
Great Seal State Park 635 Rocky Road, Chillicothe, OH 45601-9469 (740) 663-2125	3320	0		8032	0	
Jackson Lake State Park 35 Tommy Been Road, P.O. Box 174, Oak Hill, OH 45656-8540 (740) 682-6197	3321	68		8033	0	
Lake White State Park 2767 State Route 551, Waverly, OH 45690 (740) 947-4059	3322	0		8034	0	
Paint Creek State Park 14265 U.S. Route 50, Bainbridge, OH 45612 (937) 365-1401	3323	0		3324	0	

LOCATION	ITEM ID	EST. ANNUAL USAGE (7 LB. BAGS)	PRICE PER BAG (7 LB.)	ITEM ID	EST. ANNUAL USAGE (22 LB. BAGS)	PRICE PER BAG (22 LB.)
SOUTH WEST REGION (cont.)						
Pike Lake State Park 1847 Pike Lake Road, Bainbridge, OH 45612-9640 (740) 493-2212	8035	0	No Award	3325	0	No Award
Rocky Fork State Park 9800 North Shore Drive, Hillsboro, OH 45133-9203 (937) 393-4284	8036	0		3326	0	
Scioto Trail State Park 144 Lake Road, Chillicothe, OH 45601-9478 (740) 663-2125	8037	555		3327	0	
Shawnee State Park 4404 State Route 125, Portsmouth, OH 45663-9003 (740) 858-6652	8038	0		3328	0	
Tar Hollow State Park 16396 Tar Hollow Road, Laurelville, OH 43135-9210 (740) 887-4818	3394	1447		9430	0	

LOCATION	ITEM ID	EST. ANNUAL USAGE (7 LB. BAGS)	PRICE PER BAG (7 LB.)	ITEM ID	EST. ANNUAL USAGE (22 LB. BAGS)	PRICE PER BAG (22 LB.)
SOUTH EAST REGION						
Blue Rock State Park 7924 Cutler Lake Road, Blue Rock, OH 43720-9728 (740) 674-4794	7887	270		3012	287	
Dillon State Park 5265 Dillon Hills Drive, Nashport, OH 43830-9568 (740) 453-4377	7889	1157		3014	1295	
Salt Fork State Park 14755 Cadiz Road, Lore City, OH 43755-9602 (740) 439-3521	7890	7836		3015	0	
Burr Oak State Park 10220 Burr Oak Lodge Road, Glouster, OH 45732-8909 (740) 767-3570	8039	772		3329	0	
Forked Run State Park 63300 State Route 124, P.O. Box 127, Reedsville, OH 45772-0127 (740) 378-6206	8040	1185		3330	0	
Hocking Hills State Park 19852 State Route 664 South, Logan, OH 43138-9537 (740) 385-6842	8041	3181		3331	2907	
Lake Alma State Park Lake Alma Road, Wellston, OH 45692 (740) 384-4474	8042	203		3332	0	
Lake Hope State Park 27331 State Route 278, McArthur, OH 45651-8220 (740) 596-5253	3391	1153		9427	0	
Lake Logan State Park 30443 Lake Logan Road, Logan, OH 43138-9546 (740) 385-6842	3392	0		9428	0	
Strouds Run State Park 11661 State Park Road, Athens, OH 45701-9781 (740) 592-2302	3393	0		9429	0	
Wolf Run State Park 16170 Wolf Run Road, Caldwell, OH 43724-9503 (740) 732-5035	3395	1070		9431	0	
Barkcamp State Park 65330 Barkcamp Park Road, Belmont, OH 43718-9733 (740) 484-4064	3396	1560		9432	0	

No Award

No Award

LOCATION	ITEM NUMBER	NON TRUCKLOAD PRICE PER BAG (7 LB.)	ITEM NUMBER	TRUCKLOAD PRICE PER BAG (7 LB.)	ITEM NUMBER	NON TRUCKLOAD PRICE PER BAG (22 LB.)	ITEM NUMBER	TRUCKLOAD PRICE PER BAG (22 LB.)
DAS Emergency Locations Awarded to Capital City Ice								
Department of Administrative Services								
Delivery Locations TBD								
For emergency events only.								
North West Region	23379	\$ 0.69	23380	\$ 0.69	23389	\$2.15	23390	\$2.15
North East Region	23381	\$ 0.69	23382	\$ 0.69	23394	\$2.15	23395	\$2.15
Central Region	23383	\$ 0.69	23384	\$ 0.69	23396	\$2.15	23397	\$2.15
South West Region	23385	\$ 0.69	23386	\$ 0.69	23398	\$2.15	23399	\$2.15
South East Region	23387	\$ 0.69	23388	\$ 0.69	23400	\$2.15	23401	\$2.15

CONTRACTOR INDEX

CONTRACTOR AND TERMS:



OAKS Vendor ID: 0000136956
D&D Group Ltd.
dba- Capital City Ice
3080 Valleyview Drive
Columbus, OH 43204

BID CONTRACT NO.: OT902513-1

DELIVERY: As specified on pages 3 & 5

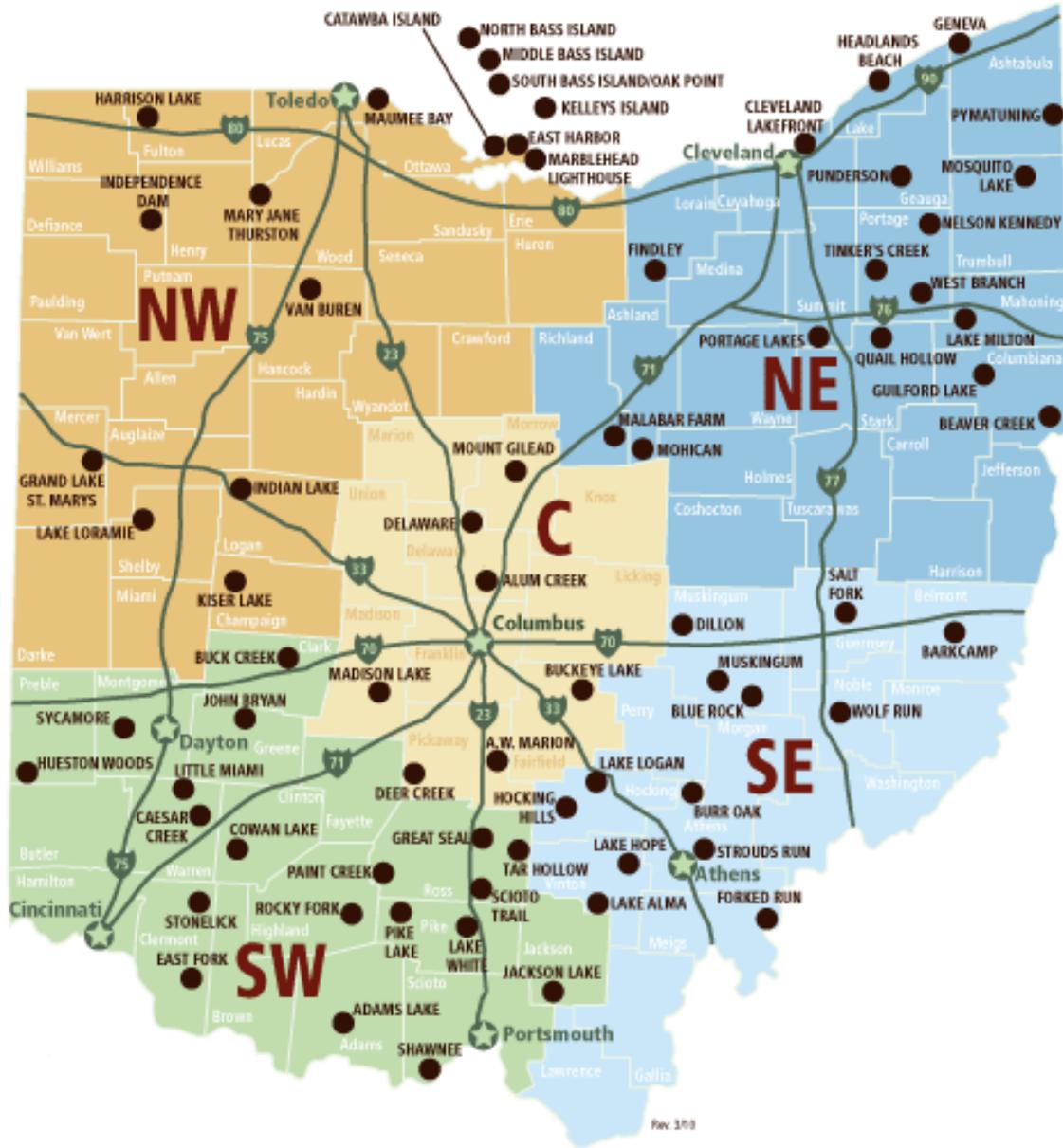
TERMS: Net 30 Days

CONTRACTOR'S CONTACT: Mr. Greg Steele

Telephone: (614) 272-8404
FAX: (614) 272-2040
E-Mail: gregg@capitalcityice.com

REGION AWARDS: Central and DAS Emergency

REGION REFERENCE MAP



<http://www.dnr.state.oh.us/parks/parks/locatormap/tabid/726/Default.aspx>