

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: CONSULTANT TO ASSIST OHIO SCHOOL FOOD AUTHORITIES (SFA's) WITH USDA CERTIFICATION APPLICATIONS FOR THE NATIONAL SCHOOL LUNCH AND BREAKFAST PROGRAMS

CONTRACT No.: OT905015

EFFECTIVE DATES: 11/24/2014 to 11/30/2015
RENEWAL THROUGH: 11/30/16 *

The Department of Administrative Services has accepted bids submitted in response to Invitation to Bid No. OT905015 that opened on 10/31/14. 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](#) (Revised 10/2013), 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 DEPARTMENT OF EDUCATION, 25 SOUTH FRONT STREET, 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.

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

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

Minority Business Enterprise Award in accordance with ORC CH. 125.081

* Mutual Renewal per Amendment #3, effective 12/01/15

Signed: _____
Robert Blair, Director Date

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* Added per amendment #1, effective 02/09/15.

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: Services will be performed as set forth in the Contract and in accordance with paragraphs S-8, S-9, and S-10 of the SUPPLEMENTAL CONTRACT TERMS AND CONDITIONS. The location of performance will be noted on the purchase order issued by the participating agency. Payment for services rendered will occur upon the inspection and written confirmation by the ordering agency that the services provided conform to the requirements set forth in the Contract. Unless otherwise provided in the Contract, payment shall be conclusive except as regards to latent defects, fraud, or such gross mistakes as amount to fraud.

CONTRACT AWARD: One contract will be awarded to the lowest responsive and responsible Bidder by low lot.

EVALUATION: Bids will be evaluated in accordance with Article I-17 of the "Instructions to Bidders". In addition, the state will multiply the prices offered for each service in the Bid Pricing Table by the estimated quantity for each service then add the totals for all services/items together to arrive at the lowest overall responsive and responsible Bidder. Item(s) marked Not Evaluated will not be considered in this evaluation.

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 six (6) months the contractor must submit a report (written, on disk, thumb drive or via eMail, in Excel format) 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: Walt Schneider, CPPB, walter.schneider@das.ohio.gov.

DISCLOSURE OF SERVICE PROVIDERS (See Standard Contract Terms and Conditions, Section [Roman Numeral] V. General Provisions: Paragraph G.): Bidders seeking to enter into a service contract shall disclose the following:

a) Principal location of business for the contractor (Name/City/State/Country)

Rite Bite, Inc. 171 Green Meadows Drive South, Lewis Center, OH 43035 USA

b) Principal location of all subcontractors (Name/City/State/Country)

NOT APPLICABLE

c) Location where services will be performed (Name/City/State/Country)

Rite Bite, Inc. 171 Green Meadows Drive South, Lewis Center, OH 43035 USA

d) Location where any State data, applicable to the Contract, will be maintained or made available (Name/City/State/Country)

Rite Bite, Inc. 171 Green Meadows Drive South, Lewis Center, OH 43035 USA

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, locations where services 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.

GENERAL SPECIFICATIONS

I. SCOPE

The purpose of this invitation to bid is to award a contract to a single lowest cost responsive and responsible Contractor who will work with the Ohio Department of Education, Office of Child Nutrition and approximately 120 School Food Authorities (SFAs) in the State of Ohio which have not yet completed USDA certification under the National School Lunch and School Breakfast Programs to assist those SFAs in obtaining such certification. The Ohio Department of Education desires to have all certifications accomplished no later than June 30, 2015.

II. BACKGROUND

The United States Department of Agriculture is the funding agency for the National School Lunch Program. The Healthy, Hunger Free Kids Act of 2010 established new meal patterns for the National School Lunch and School Breakfast Programs. School Food Authorities (SFAs) participating in the federal school meal programs may receive additional financial support per reimbursable meal served to students if the SFA shows evidence of meeting the new meal pattern requirements. SFAs prove compliance by submitting proof through the Ohio Department of Education, Office of Child Nutrition (ODE, OCN) of compliance with the USDA's new meal patterns. The awarded Contractor will contact each SFA in the State of Ohio not currently certified by the USDA and assist each in completing the required certification paperwork and providing proof of compliance with the new meal patterns with the goal of obtaining USDA Certification for those SFA's.

III. GENERAL REQUIREMENTS

A. Bidder References: Each Bidder shall provide two (2) references from separate clients for whom the Bidder has performed the same or similar services during the last three calendar years. Bidders shall provide the full company/Organization name and address, contact name, address, phone number and email address as well as a summary of the service(s) provided for each reference. If not provided with the Bidder's bid response, Bidder will have seven (7) calendar days after requested to provide the references specified above.

IV. SPECIFICATIONS

- A. Upon award of a Contract, the Ohio Department of Education, Office of Child Nutrition (ODE, OCN) will assign a Department Program Coordinator to supervise and oversee the work of the awarded Contractor on this project.
- B. The awarded Contractor will work on behalf of and in conjunction with the Ohio Department of Education Office of Child Nutrition (ODE, OCN). The awarded Contractor's responsibilities under this contract are:
1. Contact all School Food Authorities (SFAs) in the State of Ohio which have not completed and obtained certification from the United States Department of Agriculture (USDA) under the National School Lunch Program's Healthy, Hunger Free Kids Act of 2010. Upon contract award, ODE, OCN will provide contact names, phone numbers and email addresses for the School Food Authorities.
 2. Collect copies of a minimum of one week of breakfast and one week of lunch menus for each unique menu offered by the each SFA.

The US Department of Agriculture (USDA) defines a menu as the following:

For purposes of 6 cents certification, a menu is a descriptive list of all of the reimbursable meals offered each school week by age/grade group. A menu may include multiple offerings and may represent more than one serving line in a particular facility. Therefore, schools serving only one age/grade group are expected, for the purposes of certification, to have only one menu within each school, regardless of how many serving lines are available in the cafeteria. Additionally, an SFA with a centralized meal service may have a single menu for all schools in a particular age/grade group.

SPECIFICATIONS (Continued)

For example, for an SFA that has five schools for grades 9-12, each with multiple serving lines or serving configurations, but the same reimbursable meals offered within each school (centralized menu), the SFA would have one menu for that grade group. The SFA would fill out one corresponding menu worksheet for lunch and one for breakfast; resulting in two total worksheets. Alternatively, if an SFA has five schools for grades 9-12 and each school offers different meals than their counterparts, this SFA has five different menus at lunch and breakfast. The SFA would submit five menus for lunch and five for breakfast, and fill out a total of ten worksheets for grades 9-12.

3. Conduct a pre-assessment of the menus collected using the “[Meal Assessment Tool](#)” provided by the Ohio Department of Education, Office of Child Nutrition. The URL for a sample of ODE, OCN’s Meal Assessment Tool follows:

<http://education.ohio.gov/Topics/Other-Resources/Food-and-Nutrition/Resources-and-Tools-for-Food-and-Nutrition/6-Cents-Certification-New-Meal-Pattern-Resources>

4. Based upon the results of the pre-assessment, the awarded Contractor will accomplish one of the following:
 - a. Contact the SFA and Ohio Department of Education, Office of Child Nutrition and provide written documentation either by mail or email of all menu deficiencies which must be corrected to continue the certification process. Or, if no deficiencies are indicated by the assessment tool:
 - b. Continue the process for each SFA as prescribed in Steps five (5) through eight (8) below.
5. If the Pre-assessment results in no issues, the awarded Contractor shall complete the appropriate USDA required Excel workbook(s) (supplied by ODE, OCN) for the six (6) cent (\$.06) certification process for each menu type (see definition of menu in step two above) operated by the SFA. Required USDA Excel workbooks may be viewed at: <http://www.fns.usda.gov/school-meals/certification-compliance>
6. Upon completion of the USDA Excel workbook(s), the awarded Contractor will accomplish one of the following:
 - a. Contact and work with the SFA to resolve any and all issues in the menu in order for the certification process to be completed.

When all menu issues have been resolved or if no menu issues exist, the awarded contractor shall:

- b. Upload the completed USDA Excel Workbook(s) and corresponding menus to the ODE, OCN Claims Reimbursement and Reporting System (CRRS) as directed by the ODE, OCN Coordinator. (Contractor will be assigned a CRSS User Name and Password by ODE, OCN).
7. Upon successful completion of the CRSS upload for each SFA, the awarded Contractor will notify the ODE, OCN, Coordinator by eMail or by phone that the Excel Workbook(s) are completed, uploaded and ready for final review by ODE, OCN. Email shall be sent to Brigette Hires, Assistant Director, Ohio Department of Education, Office of Child Nutrition at: Brigette.Hires@education.ohio.gov or by phone to the contact designated by the ODE, OCN Program Coordinator.
8. ODE, OCN requires completion of the above process under this contract for all non-certified SFA’s in the State of Ohio no later than June 30, 2015.

CONTRACT PRICES

OAKS Item ID #	Description	Unit of Measure (UoM)	Price in U.S. Dollars (\$ USD)
26693	Menu assessment completed for each MENU using Ohio Department of Education, Office of Child Nutrition's MENU ASSESSMENT TOOL	Each	\$ 225.00
26694	EACH USDA Excel Workbook Completed (to be billed and paid after USDA certification is confirmed) USDA Certification confirmed March 1, 2015 or after	Each	\$ 375.00
26696	EACH USDA Excel Workbook Completed (to be billed and paid after USDA certification is confirmed) USDA Certification confirmed PRIOR TO March 1, 2015.	Each	\$ 18.75

CONTRACTOR INDEX

MINORITY BUSINESS ENTERPRISE

CONTRACTOR AND TERMS:

0000180754

Rite Bite, Inc.
171 Green Meadows Drive S. *
Lewis Center, OH 43035



BID CONTRACT NO.: OT905015-1

DELIVERY: As Indicated

TERMS: Net 30 Days

CONTRACTOR'S CONTACT: Kay Lakhi, MS, RDN, LD

Toll Free: (866) 668-7483
Telephone: (614) 985-6569
FAX: (614) 985-6568
E-Mail: Klakhi@riteforyouwellness.com

CONTRACTOR'S MIS CONTACT: Kay Lakhi, MS, RDN, LD

Telephone: (614) 985-6569

OHIO DEPARTMENT OF EDUCATION OFFICE OF CHILD NUTRITION PROGRAM COORDINATOR

Dr. Brigette Hires, PhD, RD, LD
Assistant Director – NSLP
25 S. Front St., Mail Stop 303
Columbus, OH 43215

Telephone: (614) 466-0522
FAX: (614) 752-7613
E-Mail: Brigette.hires@education.ohio.gov

* Corrected by Amendment #2, effective 07/17/15

SUMMARY OF AMENDMENTS

Amendment Number	Effective Date	Description
4	06/06/16	Notice of expiration. Contract will not be renewed beyond its current expiration date of 11/30/16
3	12/01/15	This amendment is issued to renew this contract from 12/01/15 through 11/30/16 by mutual agreement of the parties.
2	07/17/15	This amendment is issued at the request of the contractor to correct the contractor's address on the Contractor Index, page #7 effective July 17, 2015.
1	02/09/15	This amendment is issued to correct a typographical error in the toll free telephone number for the contractor on page 7 and to add a summary of amendments page # 8 to the contract effective 02/09/15.