

**BOARD OF EDUCATION
UTICA CITY SCHOOL DISTRICT
ADMINISTRATION BUILDING
929 YORK STREET
UTICA, NEW YORK 13502**

**SPECIFICATIONS AND BID PROPOSAL FORMS FOR THE PURCHASE
OF PRE-MADE READY TO COOK PIZZA
FOR USE AT THE DEPARTMENT OF FOOD SERVICES
FOR THE PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2024**

Bids will be accepted until 11:00 a.m. JUNE 8, 2023

Dated: May 25, 2023

LEGAL NOTICE

The Board of Education of the Utica City School District invites proposals on the forms provided for the purchase of:

PRE-MADE READY TO COOK PIZZA

Proposals must be delivered to the office of the Purchasing Agent of the Utica City School District, Administration Building, 929 York Street, Utica, New York prior to 11:00 a.m. on June 8, 2023, at which time they will be publicly opened and read. Proposals are to be based on specifications entitled "Specifications and Bid Proposal Form for the Purchase of Pre-Made Ready to Cook Pizza for Use at the Department of Food Services for the 2023-2024 School Year" copies of which, together with bid forms, are on file and may be secured at the office of the Purchasing Agent of the Utica City School District, Administration Building, 929 York Street, Utica, New York. Bid documents also may be obtained digitally in PDF format. Request documents via email to JoAnn Giotto at jgiotto@uticaschools.org.

Proposals signed by bidders shall be enclosed in a sealed envelope, addressed to Ms. JoAnn Giotto, Purchasing Agent, and marked **in red** in the lower, left-hand corner.

PRE-MADE READY TO COOK PIZZA

Before submitting their proposals, bidders shall examine the specifications as contained herein and base their bid upon these specifications. The Board of Education reserves the right to reject any one or all items bid and to decrease or increase the quantities specified herein. In cases where the Utica City School District receives two or more identical bids, the school district reserves the right to accept one bid only on the basis of a random selection process. If requested to do so, the successful bidder must execute a satisfactory contract, guaranteeing the faithful fulfillment of the terms of the contract.

**BOARD OF EDUCATION
UTICA CITY SCHOOL DISTRICT**

JoAnn Giotto, Purchasing Agent

GENERAL SPECIFICATIONS

LAWS:

All supplies furnished under this specification shall comply in all respects to the standards and regulations established by federal and New York State laws, including the federal Pure Food and Drug Act and subsequent decisions of the U.S. Department of Agriculture.

PRICE:

All prices quoted shall include transportation and delivery charges fully prepaid by contractor, FOB Central Kitchen. All prices must remain in effect from July 1, 2023 through June 30, 2024.

INSPECTION:

The Board of Education, a duly appointed agent, or any properly authorized representative of the N.Y.S. Department of Health or a local health department shall have the right to inspect the premises, facilities, and methods on or by which such baking products are handled, and may take or cause to be made standard testing for bacteria count for the purpose of determining whether or not the Contract is being properly executed.

METHOD OF AWARD:

The Bid will be awarded to the lowest Responsive and Responsible Bidder meeting the specifications or providing acceptable deviation. The Board of Education reserves the right to award this bid **as a whole or split between vendors** or in its discretion, reject all bids, and re-advertise in the manner provided by Section 103 of the General Municipal Law. In cases where the Utica City School District receives two or more identical bids, the School District reserves the right to accept one bid only on the basis of a random selection process. Bidder must meet all specifications in order to be awarded this bid.

The award of the bid shall not be construed as a purchase. The Contractor(s) shall await the receipt of a Purchase Order from the buyer(s) before preparing shipments.

QUANTITIES:

Quantities listed are estimates only. Listed quantities are based on the item specification. Quantities increased or decreased are to be furnished at the Contract price.

PACKAGING:

Packaging and subsequent labeling shall comply in all respects to rules and regulations set forth by the N.Y.S. Department of Agriculture and Markets.

BILLING:

All Bid prices must include all charges and costs related to delivering the order to the address indicated on the purchase orders. If unauthorized charges appear on invoices and are not corrected to the satisfaction of the UCSD, Contractor will be deemed to be not in compliance and in breach of the Contract. The Contract may be terminated. Further the Contractor may be disqualified from participating in the bidding program thereafter. A delivery receipt shall accompany daily deliveries. All billing is to be done weekly.

DELIVERY:

All deliveries shall be made between 7:00 a.m. and 3:30 p.m. on Monday through Thursday, as ordered, to the Central Kitchen, 400 Elizabeth Street, Utica, New York. Delivery schedules and times for delivery will be worked out by the successful Bidder and the Director of Food Services.

Delivery or packing slips must accompany every delivery and be clearly marked with quantity, unit price, extended price and total.

CERTIFY USDA REGULATORY STANDARDS ARE MET:

Utica City School District is required to comply with USDA regulations concerning the nutritional content of all foods served to students, and any changes or amendment to those regulations whenever they become effective. Therefore, every Bidder must certify to the Utica City School District that each product offered for purchase meets the USDA regulatory standards currently in effect along with its Bid, or the Bid will not be considered complete. During the term of the Agreement, the Contractor shall provide, upon request and for each substitute product whenever an item is replaced, a certification that any or all of the products meet the USDA regulatory standards then in effect. At any time during the Contract in the event that a product item is determined to not be in compliance with applicable USDA regulations, whether such determination is made by the Contractor or the Utica City School District, a substitute product which meets all applicable regulatory standards shall be substituted at the same Contract price. If the substitute product cost is different than the item replaced, the Contractor may apply to Utica City School District for an adjustment in price for the substitute product item. Utica City School District reserves the right, in its sole discretion, to determine whether a proposed substitute product is acceptable.

The Utica City School District Board of Education reserves the right to correct or revise the specifications to meet the industry standards for the product as may be required.

GENERAL SPECIFICATIONS

SAMPLE:

The Director of Food Services requests a representative sample of all items quoted one week (seven calendar days) prior to the award. The Utica City School District may take such a sample at regular intervals during the Contract. Failure to supply the samples will mean rejection of the bid. If the samples do not meet the specifications, the Utica City School District may reject the bid, or if the award has been made, cancel the Contract and hold the Bidder responsible for any damages thereunder.

BUY AMERICAN PROVISION:

The Utica City School District to the maximum extent possible will purchase domestic commodities or products for use in the National School Lunch Program and the School Breakfast Program. We require suppliers certify product(s) are processed in the U.S. and certify the percentage of U.S. content by weight or volume. Therefore, over 51% of the final processed product (by weight or volume) must consist of agricultural commodities that were grown domestically. Thus, for foods that are unprocessed, agricultural commodities must be domestic. For foods that are processed, they must be processed domestically using domestic agricultural food components that are comprised of over 51% domestically grown items, by weight or volume as determined by the School Food Authority. Vendors should make every effort to bid items that meet this requirement. Any item that does not meet this criterion should be so noted on the bid.

PERFORMANCE:

The Utica City School District reserves the right to cancel the Contract for unsatisfactory performance or quality of product or packaging upon thirty (30) days written notice to vendor.

NON-DISCRIMINATION:

The Contractor agrees that, in selecting its employees to perform the tasks and services contained in this Agreement, it will not discriminate on the grounds of race, color, religion, gender or national origin, physical handicaps or other physical limitations. The Contractor further agrees that it will make reasonable accommodation to the known physical or mental limitations of qualified disabled applicants and/or employees and will document any specific reasonable accommodation requested, made, or denied, with the basis for such denial. The Bidder further agrees and warrants that he/she will be in compliance with all civil rights requirements promulgated by Congress, the State of New York and the State in which the producing plant(s) is located.

PRE-MADE READY TO COOK PIZZA
BID FORM TABLE FOR THE 2023-2024 SCHOOL YEAR
EACH BIDDER MUST COMPLETE THIS TABLE AND SUBMIT WITH THE BID

Item Description	Price Per Pizza	Price Per Slice	Estimated Quantity of Usable Rounds / Sheets	Total Cost
<u>16" Round-Pizza</u> 1" Thick, 22 Ounces 51% Whole Grain 10 Ounces of Sauce 1 Pound of Whole Milk Mozzarella Cheese			30,000	
<u>18x26 Full Sheet -Pizza**</u> 1 ¼ "Thick, 44 Ounces 51 % Whole Grain 40 Ounces of Sauce 3 Pounds of Whole Milk Mozzarella Cheese			8,000	
<u>18x26 Full Sheet -Tomato Pie**</u> 1 ¼ "Thick, 44 Ounces 51 % Whole Grain 40 Ounces of Sweet Sauce 1 Pounds of Parmesan Cheese			500	

**Prepared Sheet pizzas are placed on sheet pans and sent on racks, covered, wrapped with cellophane and ready to cook.

**UTICA CITY SCHOOL DISTRICT
UTICA, NEW YORK**

TITLE & DATE OF SPECIFICATION: _____

DATE OF PROPOSAL: _____

NON-COLLUSION BIDDING CERTIFICATION

By submission of this bid or proposal, the bidder and each person signing on behalf of the bidder or bidders, subject to the terms of Section 103-d of the General Municipal Law amended by Chapter 675 of the Laws of 1966 certifies that:

- a. The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.
- b. Unless otherwise required by Law, the prices that have been quoted in this bid have not been knowingly disclosed by the bidder and are not knowingly being disclosed by the bidder, prior to opening, directly or indirectly, to any other bidder or to any competitor.
- c. No attempt has been made or is to be made by the bidder to induce any other person, partnership, or corporation to submit or not to submit a bid for the purpose of restricting competition.
- d. The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statement contained in the certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as the person signing in its behalf.
- e. Iran Divestment Act: By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organization under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the state finance law.

SIGNATURE: _____

TITLE: _____

LEGAL ADDRESS: _____

DATE: _____

This non-collusion form must be completed, signed, and included with your bid.

**BID PROPOSAL FORM
PRE-MADE READY TO COOK PIZZA**

TO: The Board of Education of the Utica City School District, Utica, New York

The undersigned, having examined the specifications, including the advertisement for bids and the general conditions and specifications dated May 25, 2023 and on file in the office of the Purchasing Agent of the Utica City School District, 929 York Street, Utica, New York, hereby proposes to furnish the items in the appropriate quantities listed on the bid form table for the services for the period of July 1, 2023 through June 30, 2024.

Please fill in the bid table on page 5 and put the total bid price below:

Total Bid Price \$ _____

_____ **Dollars and** _____ **Dollars**

The Board of Education reserves the right to reject any or all bids and reduce or increase the quantity specified herein.

FIRM NAME _____

PRINT NAME _____

SIGNATURE _____ **TITLE** _____

FIRM ADDRESS _____

DATE _____ **TELEPHONE** _____

PLEASE RETURN THIS ENTIRE BID PACKAGE WITH YOUR BID.

UTICA CITY SCHOOL DISTRICT

PROPOSER'S CERTIFICATION OF COMPLIANCE WITH IRAN DIVESTMENT ACT OF 2012

In accordance with General Municipal Law Section 103-g, which generally prohibits the School District from entering into contracts with persons engaged in investment activities in the energy sector of Iran, the bidder/proposer submits the following certification:

[Please Check One]

Proposer's Certification

_____ By submission of this bid or proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief, that each bidder/proposer is not on the list created by the Office of General Services (OGS) pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law

_____ I am unable to certify that my name and the name of the bidder/proposer does not appear on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law. I have attached a signed statement setting forth in detail why I cannot so certify.

Dated: _____

Name of Bidder/Proposer

Signature of Authorized Official

Printed or Typed Name of Official and Title

Sworn to before me this

_____ day of _____, 20____

Notary Public