

BIDDER: NC Farm to School Cooperative, Inc.

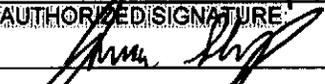
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|  <p><b>STATE OF NORTH CAROLINA</b><br/>         NC Department of Agriculture<br/>         &amp; Consumer Services<br/>         Purchasing Office</p> | <b>INVITATION FOR BID NO: 10-IFB-006205</b>  |
|   | Quotes will be received and publicly opened:<br> <b>3:00 PM JULY 20, 2012</b> |
|   | Contract Type: Open Market   |
|   | Commodity: Fresh Fruits and Vegetables   |
| Refer <b>ALL</b> Inquiries to: Amy Cannady<br>Telephone No. (919) 707- 3056   | Using Agency Name: Food Distribution, Farm 2 School Program  |
| E-Mail: amy.cannady@ncagr.gov   |  |
| (See page 2 for mailing instructions.)  |  |
| INTERNET ADDRESS: <a href="http://www.pandc.nc.gov/">http://www.pandc.nc.gov/</a>   |  |

**NOTICE TO OFFEROR:** Bids subject to the conditions made a part hereof, will be received at this office (NCDA&CS) until 3:00 PM on July 20, 2012 and then opened, for furnishing and delivering the commodity as described herein. Refer to page 4 for proper mailing instructions.

**BIDS SUBMITTED VIA** telegraph, facsimile (FAX) machine, telephone, and electronic means, including but not limited to email, in response to this Invitation for Bid will not be acceptable. Bids are subject to rejection unless submitted on this form. Please review the new addition to the Instructions to Bidders, which are found in new paragraph 22 ("Confidentiality of Bids") which prohibits certain types of communications during the procurement process.

**EXECUTION** In compliance with this Request for Quotes, and subject to all the conditions herein, the undersigned offers and agrees to furnish and deliver any or all items upon which prices are offered, at the prices set opposite each item within the time specified herein. By executing this offer, I certify that this quote is submitted competitively and without collusion, that none of our officers, directors, or owners of an unincorporated business entity has been convicted of any violations of Chapter 78A of the General Statutes, the Securities Act of 1933, or the Securities Exchange Act of 1934 (G.S. 143-59.2), and that we are not an ineligible vendor as set forth in G.S. 143-59.1. False certification is a Class I felony.

**Failure to execute/sign quote prior to submittal shall render bid invalid. Late bids are not acceptable.**

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| OFFEROR:<br><u>NC Farm to School Cooperative, Inc.</u>  |  |  |
| STREET ADDRESS:<br><u>7802 Sadie Road</u>   |  | P.O. BOX:                                |
| CITY & STATE & ZIP:<br><u>Kenly, NC 27542</u>   |  | TELEPHONE NUMBER:<br><u>252-287-1260</u> |
| PRINT NAME & TITLE OF PERSON SIGNING:<br><u>James Sharp, President</u>  |  | TOLL FREE TEL. NO<br>(800)               |
| AUTHORISED SIGNATURE:<br>  |  | FAX NUMBER:<br><u>252-237-6133</u>       |
| DATE:<br><u>7-17-12</u>   | E-MAIL:<br><u>jsharp@freshpick.com</u> |  |
| <p>N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any Department of Agriculture and Consumer Services employee of any gift from anyone with a contract with the Department, or from any person seeking to do business with the Department. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been made, offered, or promised by any employee of your organization.</p> |  |  |

Offer valid for 45 days from date of opening unless otherwise stated here: \_\_\_\_\_ days (See Instructions for Quotes, Item 5). Prompt Payment Discount: \_\_\_\_\_ % \_\_\_\_\_ days (See Instructions for Quotes, Item 6). **ACCEPTANCE OF BID**

In an effort to support the sustainability efforts of the State of North Carolina we solicit your cooperation in this effort.

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| <b>FOR STATE USE ONLY</b>   |
| Offer accepted and contract awarded this _____ day of _____                                     |
| by _____ (Authorized representative of the NC Department of Agriculture and Consumer Services). |

**It is desirable that all responses meet the following requirements:**

- All copies are printed **double sided**.
- All submittals and copies are printed on **recycled paper with a minimum post-consumer content of 30%** and indicate this information accordingly on the response.
- Unless absolutely necessary, all bids and copies should **minimize or eliminate use of non-recyclable or non re-usable materials** such as plastic report covers, plastic dividers, vinyl sleeves, and GBC binding. Three-ringed binders, glued materials, paper clips, and staples are acceptable.
- Materials should be submitted in a format which allows for **easy removal and recycling** of paper materials.

**MAILING INSTRUCTIONS:** Mail only one fully executed bid document, unless otherwise instructed, and only one bid per envelope. Address envelope and insert bid number as shown below. It is the responsibility of the bidder to have the bid in this office by the specified time and date of opening. ~~Bids sent by US Mail are routed through the State Mail Service Center. If your bid is not delivered by the State Mail Service Center by the opening date and time shown above the bid will not be considered.~~

**THE DEPARTMENT RECOMMENDS SUBMITTING RESPONSES THROUGH A COMPANY THAT OFFERS A TRACKING/MONITORING SYSTEM.**

| <u>DELIVERED BY US POSTAL SERVICE</u>  | <u>DELIVERED BY ANY OTHER MEANS</u>  |
|--|--|
| Allow at least 5 days for delivery   |  |
| <b>BID NO. 10-IFB-006205</b><br>NC Department of Agriculture & Consumer Services<br>Purchasing Section<br>1001 Mail Service Center<br>Raleigh, NC 27699-1001 | <b>BID NO. 10-IFB-006205</b><br>NC Department of Agriculture & Consumer Services<br>Purchasing Section, Room 226<br>2 West Edenton Street<br>Raleigh, NC 27601 |

**ATTENTION: This is NOT an e-procurement solicitation.**

**Vendor Registration and Solicitation Notification System:** Vendor Link NC allows vendors to electronically register free with the State to receive electronic notification of current procurement opportunities for goods and services available on the Interactive Purchasing System. Online registration and other purchasing information are available on the Internet web site:  
<http://www.pandc.nc.gov>.

**Tabulations:** The State has implemented an Interactive Purchasing System (IPS) that allows the public to retrieve bid tabulations electronically from our Internet web site: [www.ips.state.nc.us](http://www.ips.state.nc.us). Click on Search for Bid, enter the bid number, and then search. Tabulations will normally be available at this web site not later than one working day after opening. Lengthy tabulations may not be available on the Internet, and requests for these verbally or in writing cannot be honored.

**Clarifications and Questions:** Bidder is to notify purchaser in writing by email to [amy.cannady@ncagr.gov](mailto:amy.cannady@ncagr.gov) by **2:00 PM, July 13, 2012** if bidder believes 1) there may be an error in specifications, 2) if bidder is uncertain about the intent of a specific requirement/specification, terms and conditions including instructions to bidders or 3) if bidder has general questions. Questions submitted in less than 5 days before the bid opening date may not be addressed. The State will prepare written responses to all written questions submitted and addenda to this IFB will be posted to the Interactive Purchasing system (IPS - <http://www.state.nc.us/ips/pubmain.asp>, search by bid number). Bidders supply questions will not be identified in the addenda, only the questions and answers will be posted. Oral answers by any agent or representative of the State are not binding on the State. It is the bidders responsibility to review all addenda to this IFB and, if need be, sign and return addenda with the bidder's response.

If any or all parts of this bid are accepted, an authorized representative of the Department of Agriculture and Consumer Services shall affix their signature hereto and this document and the provisions of the Instructions to Bidders, special terms and conditions specific to this Invitation for Bids, the specifications, and the North Carolina General Contract Terms and Conditions shall then constitute the written agreement between the parties. A purchase order will be issued to the successful offeror.

**Scope:** The Department Agriculture and Consumer Services, Food Distribution Division on behalf of NC Public Schools, is soliciting quotes from NC Growers to promote agriculture within the State of North Carolina and to provide quality products to North Carolina Schools. Offers are to be accepted from qualified growers as defined in the Award Criteria. The Department shall be responsible for:

- Coordinating pickup and delivery of fresh produce from the NC Grower and packing facility to the NC Schools
- Assuring quality of produce from pickup to delivery
- Invoicing to schools and payments to Growers

**Contract Administrator:** Ted Fogleman or designee of Food Distribution Division, is listed as the Contract Administrator for this contract. This will be the contact person **only** after an award has been made. 919-575-4490

**Prohibited Communications:** From the issuance date of this RFP through the date the contract is awarded, each Offeror (including its subcontractors and/or suppliers) is prohibited from having any communications with any person inside or outside the using Agency, Issuing Agency, other Government Agency office, or Body (including the Purchaser named above, Department Secretary, Agency Head, Members of the General Assembly and/or Governor's Office), or Private Entity, and the communication discusses the content of Offeror's proposal or qualifications, the contents of another Offeror's proposal, another Offeror's qualifications or ability to perform the contract, and/or the transmittal of any other communication of information that has the effect of directly or indirectly influencing the evaluation of proposals and/or the award of the contract. Offerors not in compliance with this provision shall be disqualified from contract award, unless it is determined that the best interest of the State would not be served by the disqualification. An Offeror's proposal may be disqualified if its subcontractor and supplier engage in any of the foregoing communications during the time that the procurement is active (i.e., the issuance date of the procurement to the date of contract award). Only the discussions, communications or transmittals of information authorized by the Issuing Agency in this RFP or general inquiries to the Purchaser regarding the status of the contract award are exempt from this provision.

**Confidentiality of Bids:** In submitting its bid, the bidder agrees not to discuss or otherwise reveal the contents of its bid to any source outside of the using or issuing agency, government or private, until after the award of the contract. All bidders are advised that they are not to have any communications with the using or issuing agency during the evaluation of the bids (i.e., after the public opening of the bids and before the award of the contract), unless the State's purchaser contacts the bidder(s) for purposes of seeking clarification. A bidder shall not: transmit to the issuing and/or using agency any information commenting on the ability or qualifications of any other bidder to provide the advertised good, equipment, commodity; defects, errors and/or omissions in any other bidder's bid and/or prices at any time during the procurement process; and/or engage in any other communication or conduct attempting to influence the evaluation and/or award of the contract that is the subject of this IFB. Bidders not in compliance with this provision may be disqualified, at the option of the State, from the contract award. Only those communications with the using agency or issuing agency authorized by this IFB are permitted.

**Transportation Charges:** Department will pick up from predetermined location as agreed between NC Grower and Food Distribution. Product shall be FOB at the NC Grower location.

**Contract Period:** This is an Agency Specific Term Contract beginning from date of award through October 25, 2012. Quantities are estimates and the State reserves the right to increase or decrease quantities as needed. The State is responsible only for items ordered and received. No quantities are guaranteed.

**Award Criteria:** As provided by Statute, award will be based on the lowest and best bid(s) (most advantageous to the State) as determined by consideration of:

- 1) Price
- 2) Quality of produce offered
- 3) Good Agriculture Practices (GAP) Certified
- 4) North Carolina grown product
- 5) Member of NC Goodness Grows Program
- 6) Suitability of produce for intended use
- 7) Conformity with intent of specifications herein
- 8) Guaranteed delivery schedule

**Award of Contract:** It is the general intent to award this contract to a single overall bidder on all items. The right is reserved, however, to make awards on the basis of individual items or groups of items, if such shall be considered by the State to be most advantageous or to constitute its best interest. Bidders should show unit prices, but are requested also to offer a lump sum price.

**General Specifications:**

1. All produce shall be grown and packaged in North Carolina by a NC Department of Agriculture "NC Goodness Grows" member certified in Good Agriculture Practices (GAP). ~~Grower must send in GAP Certification with Bid.~~
2. Product must be identified by label indicating the farm from which it came. If the cases of the product does not have the name of the farm it came from, the product will be refused and not picked up.
3. Product must be held at the proper temperature as noted in product specifications to begin the cold chain and the cold chain shall not be broken.
4. Product not satisfying specifications shall be rejected by the NCDA&CS warehouse.
5. Apple varieties may be substituted based on availability due to weather conditions.
6. Schools shall have twenty-four (24) hours from time of delivery to report any problem to NCDA&CS.
7. Exact quantities cannot be guaranteed by NCDA&CS at time of award. Quantities are our best estimates for the year. Schools will submit their orders after award.
8. Notification of quantities shall be provided to Grower a minimum of two weeks and a maximum of four weeks before required pickup from the Grower. NCDA&CS and NC Schools reserve the right to increase the quantity of produce indicated herein within seventy-two (72) hours of pickup from Grower with no change in the price offered.
9. In the event the Grower is unable to fulfill the contract, notification shall be submitted to NCDA&CS Marketing Specialist in his area by 12:00 noon on the Thursday before scheduled pickup of the product.  

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|-----------------|----------------|--------------|
| Tommy Fleetwood | Elizabeth City | 252-331-4773 |
| Nick Augostini  | Raleigh        | 252-521-5959 |
| Jack Ruff       | Asheville      | 828-253-1691 |
| Heather Barnes  | Raleigh        | 919-707-3127 |
10. In the event of a product recall of a delivered item, the successful Grower will immediately notify NCDA&CS Food Distribution.
11. The successful bidder shall have product ready for pickup at assigned date and time defined herein and location or pickup point designated by NCDA&CS, Food Distribution Division.
12. All produce is to be the current season's harvest.

**Responsibilities of NC Department of Agriculture and Consumer Services:**

1. Coordinating pickup and delivery of fresh produce from the NC Growers and packing facility to the NC Schools.
2. Assuring quality of produce from pickup to delivery
3. Invoicing the schools and payments to the growers.

**Mail only one fully executed bid document, unless otherwise instructed.**

| Item | Description  | Qty  | Unit | Unit Price | Extended Price |
|------|--|------|------|------------|----------------|
| 1    | <p><b>Seedless Watermelons</b><br/> <u>Packed:</u> 2 to 3 melons per box, melons shall weigh between 10-15 pounds a piece, case weight 30-35 pounds<br/> <u>Quality:</u> melons shall be US Grade A No. 1; melons should be packed in NC Farm to School watermelon boxes. Handling temperatures 50 to 60 degrees F from harvest to final destination. Melons must arrive at school systems receiving point as fresh as possible.</p> <p><u>Delivery:</u> Seedless Watermelons 3500 boxes to be purchased and picked up at the farm on <b>August 24, 2012.</b></p>                | 3500 | Box  | \$ 8.50    | \$ 29,750.00   |
| 2    | <p><b>Cantaloupes</b><br/> <u>Packed:</u> 9 to 12 count, a 35-40 pound case<br/> <u>Quality:</u> Athena type variety, US Grade A No. 1, cantaloupes must be washed in 100-150 parts per million chlorine solution, handling temperatures 36-41 degrees F from harvest to final destination. Cantaloupes must arrive at school systems receiving point as fresh as possible.</p> <p><u>Delivery:</u> Cantaloupes 2200 cases to be purchased and picked up at the farm on <b>August 24, 2012.</b></p>  | 2200 | Case | \$ 13.00   | \$ 28,600.00   |
| 3    | <p><b>Tomatoes</b><br/> <u>Packed:</u> 10 pound case<br/> <u>Quality:</u> US Grade A No. 1, pink number three color, 5 by 6 size, tomatoes must be washed; variety should be that of a slicing tomato. Handling temperature 62-68 degrees F from harvest to final destination. Tomatoes must arrive at school systems receiving point as fresh as possible.</p> <p><u>Delivery:</u> Tomatoes 700 cases to be purchased and picked up at the farm on <b>August 24, 2012.</b></p> <p>Tomatoes 600 cases to be purchased and picked up at the farm on <b>September 7, 2012.</b></p> | 1300 | Case | \$ 11.25   | \$ 14,625.00   |

| Item | Description  | Qty  | Unit | Unit Price | Extended Price |
|------|--|------|------|------------|----------------|
| 4    | <p><b>Grape tomatoes</b><br/>           Packed: 12 / one pint clam shells<br/> <u>Quality:</u> US Grade A No. 1, color red, firm, small to medium size, must be washed, handling temperatures 62-68 degrees F from harvest to final destination. Tomatoes must arrive at school systems receiving point as fresh as possible.</p> <p><u>Delivery:</u> Grape tomatoes 800 boxes to be purchased and picked up at the farm on <b>August 24, 2012.</b></p> <p>Grape Tomatoes 700 boxes to be purchased and picked up at the farm on <b>September 7, 2012.</b></p>   | 1500 | Box  | \$ 13.95   | \$ 20,925.00   |
| 5    | <p><b>Apples</b><br/>           Packed: 113-125 count, 40 pound case, tray packed<br/> <u>Quality:</u> US Grade No.1 Fancy, apples must be washed, handling temperature 34-38 degrees F from harvest to final destination. Apples are to be from 2012 harvested crop. * Red Delicious variety must meet 75% color specifications for US Grade No.1 Fancy.</p> <p>Please write in the variety you will have available for the dates listed below. Please choose from the varieties Red Delicious, Golden Delicious, Gala, Ginger Gold, Fuji, Jonathan, Rome, Granny Smith, Jonagold, Gala, Red Delicious, Golden Del.,<br/> <u>Delivery:</u> <u>Ginger Gold, Rome Beauty</u> apples 2000 cases to be purchased and picked up at the farm on <b>September 7, 2012.</b></p> <p><u>Gala, Red Delicious, Golden Delic, Rome Beauty, Jonathan, Fuji, Gala</u><br/> <u>Delivery:</u> <u>Beauty, Jonathan,</u> apples 2000 cases to be purchased and picked up on the farm on <b>September 21, 2012.</b></p> <p><u>Red Delic, Golden Delic, Rome Beauty,</u><br/> <u>Delivery:</u> <u>Fuji</u> apples 2000 cases to be purchased and picked up on the farm on <b>October 5, 2012.</b></p> <p><u>Red Delicious, Golden Delic, Rome Beauty</u><br/> <u>Delivery:</u> <u>Fuji</u> apples 2000 cases to be purchased and picked up on the farm on <b>October 19, 2012.</b></p> | 8000 | Case | \$ 30.00   | \$ 240,000.00  |

| Item | Description  | Qty  | Unit  | Unit Price | Extended Price |
|------|--|------|-------|------------|----------------|
| 6    | <p><b>Cucumbers</b><br/> <u>Packed:</u> in ½ bushel box<br/> <u>Quality:</u> USDA Grade 3A or Deal 1.<br/>           Temperature shall be 45 to 55 degrees from harvest to final destination. Cucumbers must arrive at the school systems receiving point as fresh as possible.<br/> <u>Delivery:</u> Cucumbers 600 boxes to be purchased and picked up at the farm on <b>September 7, 2012.</b></p>   | 600  | Boxes | \$ 12.85   | \$ 7,710.00    |
| 7    | <p><b>Sweet Potatoes – No. 1 Sweet Potatoes</b><br/> <u>Packed:</u> 8-10 ounce, 65-70 count per case, 40 pound case.<br/><br/>           Quality: US Grade A No. 1 Covington or Beauregard variety, sweet potatoes must be cured, handling temperatures 55-60 degrees from harvest to final destination, sweet potatoes are to be from 2011 harvested crop.<br/><br/> <u>Delivery:</u> Sweet potatoes 1200 cases to be purchased and picked up at the farm on <b>September 21, 2012.</b></p> | 1200 | Cases | \$ 15.50   | \$ 18,600.00   |
| 8    | <p><b>Peaches</b><br/> <u>Packed:</u> 50 – 60 peaches per 25 lb. box<br/> <u>Quality:</u> US No. 1, size 2 ½ and up, yellow or white variety depending on availability. Peaches are to be held at 40 degrees. Peaches must arrive at school systems receiving point as fresh as possible.<br/><br/> <u>Delivery:</u> Peaches 1600 cases to be purchased and picked up at the farm on <b>August 24, 2012.</b></p>   | 1600 | Cases | \$ 17.00   | \$ 27,200.00   |
| 9    | <p><b>Squash</b><br/> <u>Packed:</u> in ¾ bushes box weighing 30 lbs.,<br/> <u>Quality:</u> Squash should be US Grade No. 1 and be kept at 40-45 degrees. Squash must arrive at school systems receiving point as fresh as possible.<br/><br/> <u>Delivery:</u> Squash 500 cases to be purchased and picked up at the farm on <b>September 21, 2012.</b><br/><br/> <u>Delivery:</u> Squash 500 Cases to be purchased and picked up at the farm on</p>  | 1000 | Cases | \$ 16.85   | \$ 16,850.00   |

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|-------------------|--|--|--|--|
| October 19, 2012. |  |  |  |  |
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| Item | Description  | Qty  | Unit  | Unit Price         | Extended Price |
|------|--|------|-------|--------------------|----------------|
| 10   | <p><b>Zucchini</b><br/> <u>Packed:</u> in ½ bushel boxes weighing 30 lbs.<br/> <u>Quality:</u> Zucchini should be US Grade No. 1 and kept at 40-45 degrees. Zucchini must arrive at school systems receiving point as fresh as possible. <u>Delivery:</u> Zucchini 500 cases to be purchased and picked up at the farm on <b>September 21, 2012.</b><br/> <u>Delivery:</u> Zucchini 500 cases to be purchased and picked up at the farm on <b>October 19, 2012.</b></p>  | 1000 | Cases | \$ 14.85           | \$ 14,850.00   |
| 11   | <p><b>Kale</b><br/> <u>Packed:</u> in 6 two pound bags, 2x2 diced cut, Chlorinated wash, trimmed and de-stemmed, pre-cooled and stored at 40 degrees.<br/> <u>Delivery:</u> Kale 500 cases to be purchased and picked up at the farm on <b>October 5, 2012.</b><br/> <u>Delivery:</u> Kale 500 cases to be purchased and picked up at the farm on <b>October 19, 2012.</b></p>   | 1000 | Cases | \$ 11.00           | \$ 11,000.00   |
| 12   | <p><b>Grape Tomatoes</b><br/> <u>Packed:</u> 100 X 2.0 oz. bags, bags must equal ½ cup<br/> <u>Quality:</u> US Grade A No. 1, color red, firm, small to medium size, washed, handling temperatures 62-68 degrees F from harvest to final destination. Variety "Smarty" Grape Tomatoes must be fresh as possible.<br/> <u>Delivery:</u> Grape Tomatoes 500 cases to be purchased and picked up at the farm on <b>August 24, 1012.</b><br/> <u>Delivery:</u> Grape Tomatoes 500 cases to be purchased and picked up at the farm on <b>September 7, 2012.</b></p> | 1000 | Cases | \$ 24.85           | \$ 24,850.00   |
|      |  |      |       | <b>GRAND TOTAL</b> | \$ 454,960.00  |