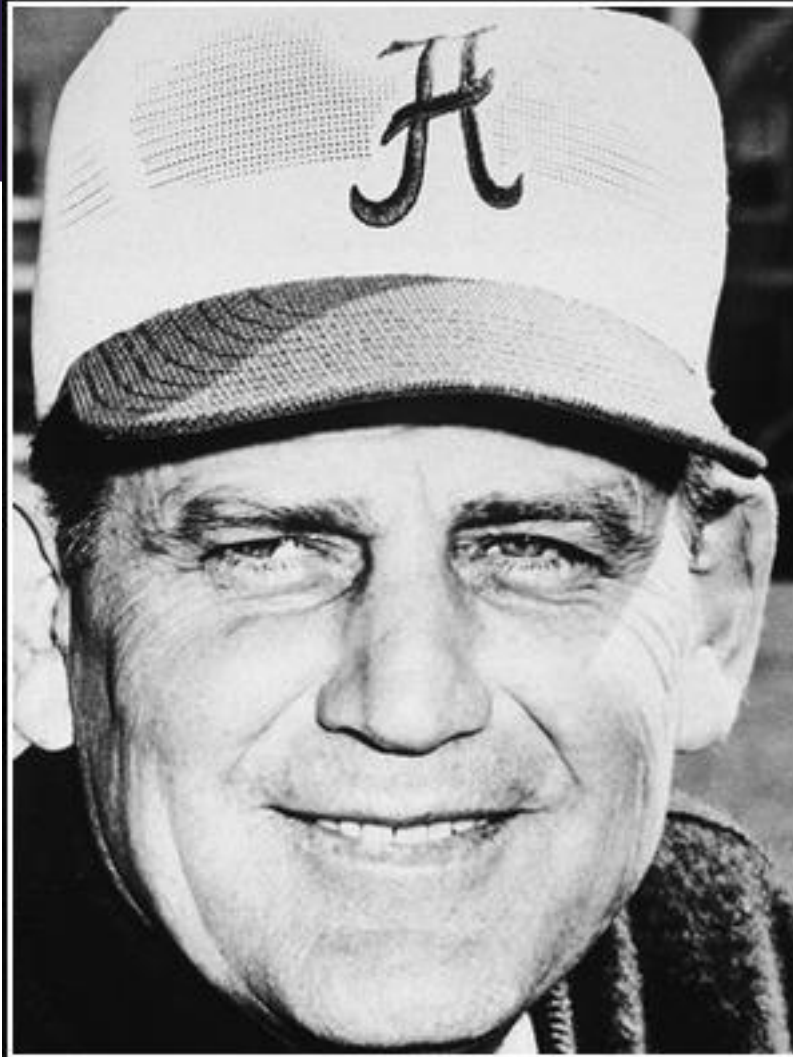




# Organizational Tips & Tricks of Bid Writing

KELLEY WASSERMANN

SYLACAUGA CITY SCHOOLS



When you make a mistake, there are only three things you should ever do about it: 1. Admit it. 2. Learn from it, and 3. Don't repeat it.

— *Bear Bryant* —

AZ QUOTES

You have to write a bid. Where to begin?



# Research!

- ▶ **ASNA expo**
- ▶ **Network with other directors**
- ▶ **Field trip (road trip)**
- ▶ **Online resources (Hubert, Webstaurant, Manufacturers)**
- ▶ **Discuss with maintenance staff**



***“Details matter.  
It’s worth waiting  
to get things right.”***

**- Steve Jobs**

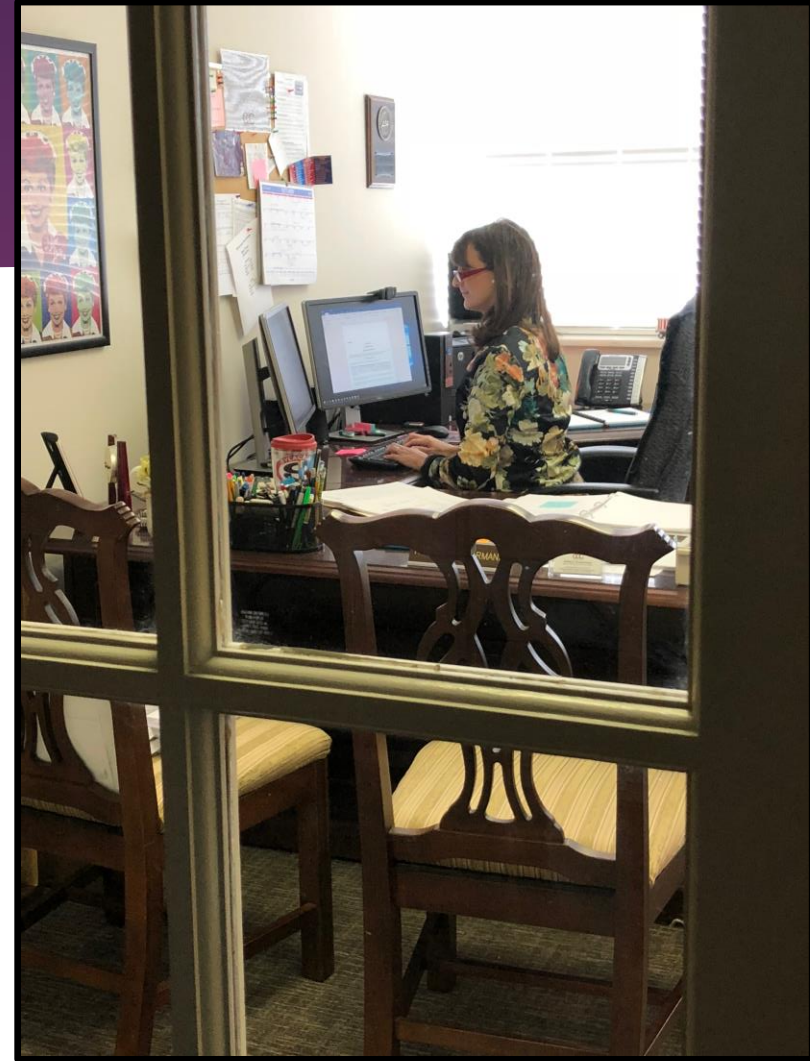
Let's get started!



# To begin:

**Isolate yourself from  
all distractions**

- ❑ **Close your door**
- ❑ **Close your e-mail**
- ❑ **Set phone to Do Not Disturb**



# Bid Timeline

**Back track from date of board meeting.**



# Bid Timeline

- ▶ **Check Board Calendar for meeting date**
- ▶ **Have the bid opening no later than one week before the meeting (to verify documents, specifications, etc.)**
- ▶ **Issue the bid at least 14 days before the opening date (as a courtesy, I like to give 10 business days)**

# Bid Timeline

- ▶ **When bid is issued, schedule one to three people to attend the bid opening as witnesses**
- ▶ **Start working on the bid at least one week before you want to send it and be sure to go over specifications carefully**
- ▶ **Compare bid document with the checklist and make sure all forms are included**

# Bid Timeline: Example

**Board meets Tuesday, October 26**

**Bid opening would be scheduled for no later than Tuesday, October 19 (one week prior)**

# Bid Timeline: Example

**Bid document would be released to vendors no later than Tuesday, October 5 (Two weeks on the street)**

**Begin writing the bid Monday, September 27 (One week before release)**

**Plan on five weeks from start to award**

# Delivery Time:



**4-6 Weeks (before COVID)**

**2-4 Months (current)**

# Therefore....



**“Never put off until  
tomorrow what you can do  
today.”**

**- Benjamin Franklin**

# What needs to go in a bid?



# Bid Document

- ▶ **Number the bid (fiscal year-xx)**
- ▶ **Date the invitation to bid is issued**
- ▶ **State the items for which you are seeking price quotes**



# Bid Document

- ▶ **Date of bid opening**
- ▶ **Time of bid opening**
- ▶ **Where bids should be mailed (name and address)**

# Bid Document

- ▶ **Terms for contract termination**
- ▶ **Any standard district phraseology**
- ▶ **Affidavit of immigration compliance**

# Bid Document

- ▶ **Terms of payment**
- ▶ **List of documents the bidder should include when returning the signed bid packet**
- ▶ **List of general instructions to bidders**

# Bid Document

- ▶ **Delivered bids should have the bid name, number, and opening date on the outside envelope**

# Bid Document

- ▶ **Any bids inadvertently opened are rejected**
- ▶ **No oral, telegraphic, or telephone proposals will be accepted**
- ▶ **Unit cost prices are not to exceed two decimal places**

# Bid Document

- ▶ **Bid will be awarded to lowest responsible bidder meeting all requirements**
- ▶ **Delivery requirements**
- ▶ **Prices must be firm for the contract period**
- ▶ **Successful bidder will be responsible for damage to buildings and grounds**

# Bid Document

- ▶ **Code of conduct**
- ▶ **Buy American**
- ▶ **Contact information for inquiries concerning the bid**
- ▶ **Non-discrimination statement**





# Item Specifications

- ▶ **Name of equipment or item**
- ▶ **Number needed**
- ▶ **Preapproved model and manufacturer**
- ▶ **Standard features**
- ▶ **Warranty**
- ▶ **Utility requirements**
- ▶ **Additional requirements**

# Bid Document

- ▶ **Itemized list bid proposal form**
- ▶ **Lists the name of the item for price quotes and school location**
- ▶ **Preferred model number / acceptable alternates**
- ▶ **Total bid price**

# Bid Document

- ▶ **Name of vendor/dealer**
- ▶ **Name of contact person**
- ▶ **Telephone number of contact person**
- ▶ **Signature of contact person**
- ▶ **Notarized**

**ITEMIZED LIST BID PROPOSAL FORM**

**Combi Oven – Indian Valley Elementary School**

The undersigned offers this bid price, terms, and delivery as per specification.

**PREFERRED: Vulcan Model ABC7G-NATP**

TOTAL BID PRICE: \_\_\_\_\_

Vendor / Dealer: \_\_\_\_\_

Contact Person (please print): \_\_\_\_\_

Telephone: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

THIS BID MUST BE  
NOTARIZED \_\_\_\_\_ Day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Notary Public

ALABAMA STATE LICENSE NO. \_\_\_\_\_

# Vendors

- ▶ **Compile list of at least two to three, preferably more, vendors to receive bid**
- ▶ **If emailing, add a “read receipt” and print for documentation**

# Advertise



**SYLACAUGA CITY SCHOOL DISTRICT**  
College Career Community

*Website posting*

## CHILD NUTRITION PROGRAM

- > Blended and Virtual Student Meal Order Form
- > Home
- > CNP Documents
- > Lunch Menus
- > Nutrition Presentations
- > Wellness Plans
- > Summer Feeding

## ALABAMA SMART SNACK POLICY

- [Alabama Smart Snacks Policy](#)

## BIDS

- [Walk-In Freezer Renovation 2021](#)
- [Chemical Bid 2021-2022](#)
- [Produce Bid 2021-2022](#)
- [Milk Bid 2021-2022](#)

## BROCHURES

- [School Breakfast Program page 2](#)
- [Letter to Parents](#)
- [USDA Smart Snacks](#)
- [School Breakfast Program](#)

# Bid File Checklist



## Sylacauga City Schools Bid File Checklist

- Approval from Angelice Lowe (if applicable)
- Invitation to Bid - Document
- General Requirements of Sylacauga City Schools
- A copy of the bid specifications
- Itemized List Bid Proposal Form
- Buy American Attestation (Produce, Bread, Milk, Ice Cream)
- Buy American Attestation Noncompliant Product List (if applicable)
- Vendor Certification
- Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier
- Affidavit of Alabama Immigration Compliance signature page
- Notice of Alabama Immigration Law Compliance Requirements to all Contractors
- E-Verify Memorandum of Understanding
- Required Federal Provisions for Procurement in CNP Programs
- The original bids of each vendor that submitted a bid
- A bid tabulation sheet which identifies the low bidder
- Documentation to support the conclusion that a bidder did not meet specifications. Reasons should be recorded in
- Documentation to support that a bidder was not responsive
- A copy of the advertisement that was posted on the bulletin board, website, or advertised in the newspaper
- Any decision made by the BOE pertaining to the omission of a certain vendor should be documented in the bid file
- A copy of the recommendation that was sent to the BOE requesting award of bid
- Copy of Board Minutes awarding the bid

Notes:

# Bid File Checklist

- Approval from Angelice Lowe (if applicable)**
- Invitation to Bid – Document**
- General Requirements**
- Copy of Bid specifications**
- Itemized List bid proposal form (if applicable)**



# Bid File Checklist

- Buy American attestation (produce, bread, milk, ice cream)**
- Buy American noncompliant product list (if applicable)**
- Vendor certification**
- Certification regarding debarment, suspension, etc.**
- Affidavit of Alabama immigration compliance signature page**

# Bid File Checklist

- ❑ **Notice of ala immigration law compliance to all contractors**
- ❑ **E-verify memorandum of understanding**
- ❑ **Required federal provisions for procurement in cnp**
- ❑ **Original bids of each vendor that submitted a bid**
- ❑ **Tabulation sheet identifying low bidder**

# Bid File Checklist

- Documentation supporting a bidder not meeting specifications**
- Documentation supporting a bidder was not responsive**
- Copy of advertisement posted on bulletin board or sent to media**
- Any decision made by BOE to omission of a vendor**
- Copy of recommendation for BOE approval**
- Copy of BOE minutes disclosing how each board member voted**



# Bid Opening Checklist

**At the time bid is written, go ahead and prepare the following:**

- Bid opening sign-in sheet**
- Bid opening posting**
- Bid tally sheet**
- Bid requirements checklist**

**SYLACAUGA CITY SCHOOLS**

**BID OPENING**

**Combi Oven - Indian Valley**

**Wednesday, April 10, 2019 at 10:00 AM**









# Procurement Plan



# Procurement Plan

- ▶ **Keep updated for compliance**
- ▶ **Sept. 12, 2018 Memo from Dr. Mackey**
- ▶ **Aug. 9, 2021 Pre-Approved Capital List**
- ▶ **Aug. 20, 2021 Emergency Purchases**

# Procurement Plan

- ▶ **Federal Micro-Purchase threshold increased from \$3,500 to \$10,000**
- ▶ **Small Purchases – below \$15,000**
- ▶ **Formal Procurement - \$15,000 or greater**

# CNP CAPITAL EQUIPMENT PRE-APPROVED LIST



ALSDE has pre-approved the equipment established on the capital equipment list below. The SFA may purchase those equipment items, following competitive Federal, State, or local procurement procedures, as applicable, without submitting a request to ALSDE. For any capital equipment expenditure of \$5,000 or more not included on the pre-approved list, please contact CNP School Programs at ALSDE for guidance.

SFAs must consult with the local Chief School Financial Officer to determine a suitable budget for Child Nutrition. Any equipment replacements made prior to the equipment's projected end of useful life or the expiration of the warranty period, require documentation/justification for the replacement(s). If the revenues generated by CNP operations are less than the expenditures, non-federal funds must be utilized to cover those expenses, including equipment. ALSDE retains primary responsibility for determining whether a capital project expenditure is considered an allowable cost. **\*\*Equipment that involves renovation or improvement of facilities such as: new kitchen exhaust systems/hoods and new walk-in refrigeration and freezers require ALSDE approval through submission of the Fixed Asset Equipment Purchase Request Form.**

## APPROVED SCHOOL FOOD SERVICE CAPITAL EQUIPMENT

Food Preparation Equipment		Dishwasher/Sanitation/Safety Equipment	Food Serving Equipment
<ul style="list-style-type: none"> <li>Commercial Worktables</li> <li>Refrigerated Prep Tables</li> <li>Fruit &amp; Vegetable Sinks</li> </ul>	<ul style="list-style-type: none"> <li>Commercial Ranges</li> <li>Ovens/ Combi Ovens</li> <li>Steamers</li> <li>Holding/Proofing Cabinets</li> </ul>	<ul style="list-style-type: none"> <li>Commercial Dishwashers</li> <li>3-Compartment Sinks</li> </ul>	<ul style="list-style-type: none"> <li>Hot/Cold Serving Lines</li> <li>Pass thru warmers and refrigerators.</li> <li>Countertop/Drawer Warmers</li> </ul>
<b>Countertop Equipment:</b> <ul style="list-style-type: none"> <li>Slicers/Choppers</li> <li>Microwaves/Toasters</li> <li>Blenders</li> <li>Hot Water Dispensers</li> </ul>	<ul style="list-style-type: none"> <li>Commercial Food Mixers</li> <li>Char Broilers</li> <li>Pizza Ovens</li> </ul>	<ul style="list-style-type: none"> <li>Handwash Sinks</li> <li>Water Heater Boosters</li> <li>Dish Tables/Drain Racks,</li> <li>Industrial Floor Scrubbers</li> <li>Waste Disposal/Grease Traps</li> <li>Floor Troughs</li> <li>Washers/ Dryers (for CNP use only)</li> </ul>	<ul style="list-style-type: none"> <li>Kiosks, Vending Machines</li> <li>Breakfast Serving Carts</li> <li>Dining tables &amp; chairs.</li> </ul>
<ul style="list-style-type: none"> <li>Commercial Kettles</li> <li>Braising Skillets</li> </ul>		<b>**Parts for existing Kitchen Exhaust Systems/Hoods</b>	<ul style="list-style-type: none"> <li>Refrigerated Merchandisers</li> <li>Milk Coolers,</li> <li>Ice Machines (for CNP use only)</li> </ul>
Food Storage Equipment/Supplies		Packaging	General Purpose Equipment/Supplies
<b>** Parts for Walk-in Freezers and Refrigeration</b>	<ul style="list-style-type: none"> <li>Storage racks for dry and refrigerated storage</li> </ul>	<ul style="list-style-type: none"> <li>Tray sealers</li> <li>Vacuum Packaging Systems</li> <li>Shrink Wrap</li> </ul>	<ul style="list-style-type: none"> <li>Office Furnishings</li> <li>HVAC systems for kitchen</li> </ul>
<ul style="list-style-type: none"> <li>Reach in Refrigerators and Freezers Blast Chillers/Flash Freezers</li> <li>Generators</li> </ul>	<b>Refrigeration Parts:</b> <ul style="list-style-type: none"> <li>Compressors</li> <li>Condensers</li> </ul>	<ul style="list-style-type: none"> <li>Dough Presses</li> <li>Muffin and Cookie depositors</li> <li>Conveyer system</li> </ul>	

### BACKGROUND

USDA regulation 2 CFR 200.1 defines "equipment" as tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser capitalization level established for financial statement purposes, \$5,000, set by State or local level regulations. 2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards), 2 CFR §220.439 (Equipment and other capital expenditures) require a School Food Authority (SFA) to obtain the prior written approval of its state agency before incurring the cost of a capital expenditure. On March 28, 2014, the USDA issued Policy Memorandum SP 31-2014: State Agency Prior Approval Process for School Food Authority Equipment Purchases. This policy memo allows state agencies to develop an approved list and criteria for capital expenditure purchases that are routinely purchased by the SFA. On June 2, 2016, USDA issued Policy Memorandum SP 39-2016 to include new regulation citations and continue this flexibility for State agencies.



# Procurement Plan

## **For purchases over \$5,000**

- ❑ For items not on 8/9/2021 memo list, must submit equipment request form to Angelice Lowe for approval**
- ❑ Do not proceed until you have this approval**

SYLACAUGA CITY SCHOOLS  
PROCUREMENT PLAN  
FOR  
CHILD NUTRITION PROGRAMS

This procurement plan for the Child Nutrition Program of Sylacauga City Schools is effective July 1, 2017 and from that date forward until amended. All procurements must adhere to free and open competition. Source documentation must be available to determine open competition, the reasonableness, the allowability, and the allocation of costs.

[Signature]  
Superintendent  
Sylacauga City Schools

Date 9/1/17

[Signature]  
Chief School Financial Officer  
Sylacauga City Schools

Date 8/31/17

[Signature]  
Kelley S. Wassermann  
Director, CNP / Wellness / Communications  
Sylacauga City Schools

Date 8/31/2017

DATE OF REVIEW:  
AMMENDMENTS:

DATE OF REVIEW:  
AMMENDMENTS:

DATE OF REVIEW:  
AMMENDMENTS:

11/12/18 / Micro Purchase  
Threshold change.  
5/24/2021 - Pre-approval Capital list

- Noncompetitive Negotiation Federal Laws
- Micro Purchasing Table of Contents
- Professional Services
- Tally Docs
- Micro and Small SCS Bid Template
- Equipment General Requirements
- Procurement Checklist
- Small Procurement Code of Conduct / Conflict of Interest
- Formal Procurement Buy American
- Attachments
- Buy American

# Procurement Plan

- ❑ **Approvals**
- ❑ **General requirements**
- ❑ **Code of conduct and conflicts of interest**
- ❑ **Buy American**
- ❑ **Federal laws**



# Procurement Plan

- ❑ **Micro purchasing**
- ❑ **Small procurement**
- ❑ **Formal procurement**
- ❑ **Equipment**
- ❑ **Professional services**
- ❑ **Emergency purchasing**

# Purchasing Groups

- ▶ **PACA**
- ▶ **US Communities**
- ▶ **Local Cooperatives**

Almost there!



Sylacauga City Schools  
Bid File Checklist

- Approval from June Barrett (if applicable)
- Invitation to Bid - cover letter
- General Requirements of Sylacauga City Schools
- A copy of the bid specifications
- Itemized List Bid Proposal Form
- Buy American Attestation (Produce, Milk, Ice Cream)
- Buy American Attestation Noncompliant Product List (if applicable)
- Vendor Certification
- Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier
- Affidavit of Alabama Immigration Compliance signature page
- Notice of Alabama Immigration Law Compliance Requirements to all Contractors
- E-Verify Memorandum of Understanding
- Required Federal Provisions for Procurement in CNP Programs
- The original bids of each vendor that submitted a bid
- A bid tabulation sheet which identifies the low bidder
- Documentation to support the conclusion that a bidder did not meet specifications. Reasons should be recorded in
- Documentation to support that a bidder was not responsive
- A copy of the advertisement that was posted on the bulletin board or advertised in the newspaper
- Any decision made by the BOE pertaining to the omission of a certain vendor should be documented in the bid file
- A copy of the recommendation that was sent to the BOE requesting award of bid
- The final decision as to which vendor was awarded the bid (Board meeting minutes) and the reasons for the award (low bidder that met specifications). Board minutes should fully disclose the vendor that was awarded the bid. Board minutes should disclose how each Board Member voted on the awarding of the bid.
- Add purchase to Procurement Tool

Notes:

ALSDS Approval Letter

IV-Vulcan Corrib Oven Assa# 56922  
Serial# 54-108-995 DOP / April 2019  
Model# 46C7G-NATP

# Equipment Asset Inventory

- ❑ **File folder for each piece of equipment filed by school (Bid folder)**
- ❑ **Labeled with name of equipment, serial number, asset id**
- ❑ **Folder contains copy of purchase order**
- ❑ **Copy of invoice**
- ❑ **Copies of all work orders for that equipment**
- ❑ **Photograph of each piece in master binder**

# Tips and Tricks

- ▶ **Desktop Folder called “BIDS”**
- ▶ **Contains subfolders of every bid I have written since 2004**
- ▶ **Milk > Milk Bid 2007, Milk Bid 2009, Milk Bid 2012, Milk Bid 2014, etc**

# Tips and Tricks

- ▶ **Folder for every piece of equipment, coded by school name**
- ▶ **IV 3-compartment sink 2020**
- ▶ **IV combi 2019**
- ▶ **IV freezer 2019**
- ▶ **IV slicer 2012**
- ▶ **IV tilt skillet 2008**

# Tips and Tricks

- ▶ **If you need to write a bid for a similar piece of equipment for another school, this makes it easy to see what you did before (and may want to do differently.)**





Alabama State Department of Education  
Child Nutrition Programs Procurement Quick Reference Guide  
Updated July 12, 2021



- Full and Open Competition:
  - Most important principle of procurement ensures equal opportunity for vendors to compete
  - This results in as many bids as possible of the highest quality goods and services at the lowest prices

- Regulations:
  - Federal and State regulations apply to CNP Programs when using Federal funds
  - Most restrictive regulation (i.e. less restrictive will never apply to Federal funds)
  - Federally awarded contracts must contain all required Federal provisions
  - Forecasting, detailed specifications and documentation

- Aggregate Purchasing Threshold:
  - THIS IS THE COMBINED TOTAL PURCHASE AMOUNT THAT DETERMINES WHICH METHOD OF PROCUREMENT IS REQUIRED
  - Intentionally splitting a bid or invoice to stay under an aggregate purchasing threshold is unlawful

- Miscellaneous:
  - Informed and non-competitive
  - Threshold is under \$10,000 Federal or any stricter local regulation
  - Distribute these equitably among various sources

- Informal Small Purchases:
  - Require at least three current written quotes on an adequate number of sources
  - Thresholds are under \$15,000 in Alabama and under \$250,000 Federal
  - The Alabama Farm-to-School Procurement Act matches the state threshold to the Federal limit for purchasing Unprocessed Agricultural Products

- Formal Sealed Bid Purchases:
  - Require extensive solicitation, a publicly advertised IFB/RFP, sealed bid evaluation, award to the most responsible bidder, and contract management
  - Thresholds are over \$15,000 in Alabama and over \$250,000 Federal
  - Unprocessed Agricultural Products
  - These contracts typically award up to 4 years with 60-day termination clause terms

- Site Source:
  - In Alabama, a site source is when no other goods/services can meet the required purpose without the delay of public advertisement in deemed cases of emergency due to public health, safety or convenience
  - Federally non-competitive proposals must meet one of the following competitive solicitation criteria:
    - The item is available only from a single source
    - The item is available only on a split-source, unity aggregate, authorities non-competitive proposals in response to a written request from the non-Federal entity
    - The federal awarding agency or split-source unity aggregate authorities non-competitive proposals in response to a written request from the non-Federal entity
    - After solicitation of a number of sources, competition is determined inadequate

- Purchasing Cooperatives:
  - Both Alabama and Federal laws recognize In-state Purchasing Coops, but their bids are not exempt from Alabama and Federal bid when procurement uses Federal funds
  - Organizing Organization's may use services as Federal funds

This institution is an equal opportunity provider



CHILD NUTRITION PROGRAMS  
REQUIRED FEDERAL PROVISIONS

Disclaimer: This is a living document and is subject to revision. This is merely a guidance document and does not necessarily contain every requirement that pertains to a contract. ACDA accepts no liability for any of its contents. This document was created with input from the ACDA Education Committee, State Agencies, Recipient Agencies, and the Urban School Food Alliance.

In addition to other contract provisions required by the program regulations for the Federal award, all contracts made by a non-Federal entity under a Federal award must contain provisions set forth in 2 CFR 200.318 -326 and 2 CFR 200 Appendix II, as applicable. Please note, however, that not all of these provisions must be included in every contract awarded by a program operator. If you are unsure whether you will need to include a specific Federal provision in your contract, please consult with your State Agency or an Attorney. There may be additional State or local requirements required, please consult with your State Agency. Program operators always need to follow the strictest of Federal, State, or local requirements.

Below are the required Federal Provisions listed in 2 CFR 200 Appendix II that may pertain to your contract:

- REMEDIES: If the contract is for more than the simplified acquisition threshold currently set at \$150,000, your contract must include a clause that addresses administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate. The USDA does not prescribe the form or content of these clauses. Check with an attorney to determine if state or local law prescribes the use of specific language.
- TERMINATION: If the contract is in excess of \$10,000, your contract must contain a clause that addresses termination for cause and for convenience by the school district including the manner by which it will be effected and the basis for settlement. The USDA does not prescribe the form or content of these clauses. Check with an attorney to determine if state or local law prescribes the use of specific language.
- EQUAL EMPLOYMENT OPPORTUNITY: This clause would be required only for contracts that meet the definition of "federally assisted construction contract." You should consult with the State agency or an attorney to determine whether this clause should be included.
- DAVIS-BACON ACT CLAUSE: The clause would be required only for prime construction contracts in excess of \$2,000 awarded by non-Federal entities. You should consult with the State agency or an attorney to determine whether this clause should be included.
- CONTRACT WORK HOURS AND SAFETY STANDARDS ACT CLAUSE: This clause would be required only for contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers. You should consult with your State agency or an attorney to determine whether this clause should be included.

suggestion of clause that can be used:  
The Contractor will comply with the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) and certifies to the tier above that it will not and has not used Federal appropriated funds to pay an person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by U.S.C. 1352. If applicable, lobbying with non-Federal funds using Lobbying Activities name of contracting entity) annually.

RIGHTS TO INVENTIONS MADE UNDER A CONTRACT OR AGREEMENT: This clause is only necessary when the award meets the definition of "funding agreement" under 37 CFR § 401.2 (a) and the school food authority wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or sub recipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements" issued by the awarding agency. A food service and contracts of this nature. You should consult with your State Agency and the Regional Office of the Environmental Protection Agency to determine whether this clause should be included.

contracts and sub grants of amounts in excess of \$150,000, you are required to comply with all applicable standards, orders or regulations issued by the Clean Air Act (42 U.S.C. 7401-7671e) and the Federal Water Pollution Control Act as amended (33 U.S.C. §§ 1251 et seq. The contractor agrees to comply with all applicable standards, orders or regulations issued by the Environmental Protection Agency and the appropriate EPA Regional Office.

JSDA prescribes the form or content of these clauses. The following is a suggestion of language that can be used:  
The Contractor understands that a contract award (see 2 CFR 200.318) for a government wide exclusion in the System for Award Management (SAM) system at the time of the award (see 2 CFR 101.11) shall not be deemed or suspended using the SAM system: info@commodityfoods.org

smaller tasks or quantities to permit by businesses, and women's business enterprises; appropriate, of such organizations as the Small Business Development Agency of the Department of Commerce, and contracts are to be let, to take the affirmative steps listed in the following suggested language that can be used:  
I, the bidder or proposer certifies as follows:  
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I, the bidder or proposer certifies as follows:  
I, the bidder or proposer certifies as follows:

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ADDITIONAL CONTRACT PROVISIONS REQUIRED BY THE FEDERAL AGENCY (USDA) FOR NSLP, SBP, AND FOOD DISTRIBUTION CONTRACTS

also include additional required contract provisions identified in the Federal award (7 CFR 210.250, etc.).  
American provision was added to the National School Lunch Act (42 USC 1750(n)), requiring school food authorities to purchase domestic commodity or product.

defined as an agricultural commodity that is produced in the United States using substantial percentage of the final processed product consists of agricultural commodities produced in the United States.  
SARMOA, Virgin Islands, Puerto Rico, and the Northern Mariana Islands as territories of the United States.  
FR Part 210.21(d), 7 CFR 220.16(d), 7 CFR 250.23 ) is one of the United States or any territory or possession of the United States or any territory or possession of the United States.

in accordance with efforts to promote cost-effective use of non-Federal funds and inter-entity agreements where appropriate for goods and services.  
USDA memo SP-02:2019-010 (2/20/19) prescribes the form or content of these clauses. The following is a suggestion of language that can be used:  
I, the bidder or proposer certifies as follows:  
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- (7 CFR 210.16 (d)) Duration of contract. The contract between a school food authority and food service management company shall be of a duration of no longer than 1 year, and options for the yearly renewal of a contract signed after February 15, 1998, may not exceed 4 additional years. All contracts shall include a termination clause whereby either party may cancel for cause with 60-day notification.

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## USDA Nondiscrimination Statement

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- (1) mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

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Celebrate! You are done!



Kelley Wassermann, SNS  
Director CNP/Wellness Communications  
Sylacauga City Schools

[Kelley.Wassermann@scsboe.org](mailto:Kelley.Wassermann@scsboe.org)







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End*