

Solicitation 57321

Canned Tomatoes

State of California

## Bid 57321

### Canned Tomatoes

Bid Number 57321  
Bid Title Canned Tomatoes

Bid Start Date May 4, 2009 10:20:56 AM PDT  
Bid End Date May 19, 2009 2:00:00 PM PDT

Bid Contact Eileen Tardiff  
916-375-4432  
Eileen.Tardiff@dgs.ca.gov

**Standard Disclaimer** The State of California advises that prospective bidders periodically check the websites, including but not limited to Bidsync, and/or other state department links for modifications to bid documents. The State of California is not responsible for a prospective bidder's misunderstanding of the bid solicitation or nonresponsive bid due to failure to check these websites for updates or amendments to bid documents, and/or other information regarding the bid solicitations. Failure to periodically check these websites will be at the bidder's sole risk.

The information published and/or responded to on these websites is public information. Confidential questions/issues/concerns should be directed to the contact on the ad.

#### Description

This bid covers the estimated State of California requirements for Canned Tomatoes from 7/1/09 through 6/30/10. The result will be a 1 year Statewide mandatory contract.

STATE OF CALIFORNIA  
DEPARTMENT OF GENERAL SERVICES – PROCUREMENT DIVISION

## Invitation For Bid

**Responses must be delivered to the  
Procurement Division before 2:00 PM  
on the Due Date**

<b>DUE DATE</b> <b>MAY 19, 2009</b>	<b>Responses must be delivered to the Procurement Division before 2:00 PM on the Due Date</b>			
<b>BIDDER NAME AND ADDRESS</b>	<b>SOLICITATION NO.</b>	<b>REV.</b>	<b>DATE</b>	
	<b>57321</b>		<b>5/4/2009</b>	<b>DELIVERY DATE</b> <b>As Specified</b>
<b>BIDDER CONTACT:</b> <b>PHONE:</b> <b>BIDDER NUMBER:</b>	<b>PURCHASE EST. NO.</b> <b>REV.</b>	<b>AGENCY BILLING</b> <b>CODE</b>	<b>AGENCY PURCHASE EST NO.</b> <b>N/A</b>	
	<b>N/A</b>	<b>N/A</b>		
<b>NAME(PRINT)</b>	<b>F.O.B. DESTINATION UNLESS BIDDER STATES OTHERWISE</b>			
	<b>____ % CASH DISCOUNT FOR PAYMENT WITHIN ____ DAYS</b>	<b>SHIP TO:</b>  <b>Various Statewide Agencies</b>	<b>ARE YOU CLAIMING PREFERENCE AS A CALIFORNIA CERTIFIED SMALL BUSINESS?</b> YES <input type="checkbox"/> NO <input type="checkbox"/>  <b>IF YES, MANUFACTURER?</b> YES <input type="checkbox"/> NO <input type="checkbox"/>	
<b>TITLE</b>	<b>FOR FURTHER</b>	<b>BUYER</b>	<b>PHONE</b>	
<b>SIGNATURE</b>	<b>CONTACT: Eileen Tardiff (916) 375-4432</b>			
<b>TELEPHONE NUMBER</b>	<b>FAX NUMBER</b>	<b>Return To:</b> <b>DGS/PROCUREMENT DIVISION</b> <b>707 3<sup>RD</sup> ST. 2<sup>ND</sup> FL (95605)</b> <b>P.O. BOX 989054</b> <b>W. SACRAMENTO, CA 95798</b>		
<b>FEDERAL EMPLOYER IDENTIFICATION NUMBER</b>				
Bidder offers and agrees if this response is accepted within 45 calendar days from the date of opening to furnish all of the items upon which prices are quoted, at the prices set opposite each item, delivered at the designated point(s) by the method of delivery and within the times specified above and subject to the attached General Provisions. DECLARATIONS UNDER PENALTY OF PERJURY: By signing above, with inclusion of the date of signature, the above signed bidder DECLARES UNDER PENALTY OF PERJURY under the laws of the State of California as follows: (1) (STATEMENT OF COMPLIANCE). The above signed has complied with the non-discrimination program requirements of Government Code 12990 and Title 2, California Administrative Code Section 8103, and such declaration is true and correct. (2) the National Labor Relations Board declaration set forth in Paragraph 43 of the General Provisions is true and correct. (3) If a claim is made for the small business preference, the information set forth within is true and correct.				
<b>(89 - 140) Procurement Division Reference Only</b>				
<b>Bidders must take the responsibility to read the entire IFB carefully. If clarification is necessary, the Bidder must submit appropriate questions in writing as soon as an issue becomes apparent. The Bidder must submit all required responses by the required dates and times specified in the IFB in order to receive maximum consideration during the procurement process. The Bidder must make sure that all procedures and requirements of the IFB are accurately followed and appropriately addressed. The Bidder should carefully read the entire IFB before submitting a Bid.</b>				
<ul style="list-style-type: none"> <li><b>PLEASE SEE SECTION III, B. LEGISLATIVE REQUIREMENTS FOR NEW SUBMITTAL REQUIREMENTS (DARFUR).</b></li> </ul>				

**IFB # 57321  
(CANNED TOMATO PRODUCTS)**

**SECTION I: INTRODUCTION AND OVERVIEW**

**A. SCOPE**

This Invitation for Bid (IFB) covers the estimated State of California requirements for Canned Tomato Products for the period of July 1, 2009 through June 30, 2010. In addition, any contract resulting from this solicitation will contain an option to extend the contract for one (1) additional year or any portion thereof. The State and the awarded bidder(s) must mutually agree on the extension.

All contract extensions shall be time-based for the stated term and will not have limits to the amount of product quantities guaranteed during the extension term (exception: see Section 5.M. Contract Dollar Value).

The State has many customers which may utilize the resulting contract. These delivery sites are listed as "Northern Institutions" and "Southern Institutions" in Section VII, Forms and Attachments, Attachment 2. Delivery sites may be added or deleted as deemed necessary by The DGS' Procurement Division.

Responses to this IFB will be evaluated based on the total bid. Award, if made, will be to a responsive and responsible Bidder meeting the requirements of this IFB and per the evaluation criteria established herein. The contract resulting from the IFB will establish a qualified Contractor.

**B. DEPARTMENT OFFICIAL**

Eileen Tardiff, Contract Administrator  
DGS/PD – Food Contracts Unit  
707 3<sup>rd</sup> Street, 2nd Floor, MS 201  
West Sacramento, CA 95605  
Phone: (916) 375-4432  
Fax: (916) 375-4439  
[eileen.tardiff@dgs.ca.gov](mailto:eileen.tardiff@dgs.ca.gov)

**C. COMPANY INFORMATION LISTING**

Bidders that want to participate in this IFB are encouraged to submit an Information Listing sheet (located in Section VIII, Forms and Attachments, Exhibit 1). The listing should identify the contact person for the solicitation process, and include a phone number, fax number, and email. There is to be only one contact person during the process. Information related to a Bidder will only be given to the designated contact person. It shall be the Bidder's responsibility to immediately notify the State Department Official, in writing, regarding any revision to the information pertaining to the designated contact person. The State shall not be responsible for bid correspondence not received by the Bidder if the Bidder fails to notify the State, in writing, about any change pertaining to the designated contact person.

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**SECTION I: INTRODUCTION AND OVERVIEW (continue...)**

**D. DGS/PROCUREMENT DIVISION AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE POLICY OF NON-DISCRIMINATION ON THE BASIS OF DISABILITY**

To meet and carry out compliance with the nondiscrimination requirements of Title II of the Americans with Disabilities Act (ADA), it is the policy of the Procurement Division (within the State Department of General Services) to make every effort to ensure that its programs, activities, employment opportunities, and services are available to all persons, including persons with disabilities.

For persons with a disability needing reasonable accommodation to participate in the procurement process, or for persons having questions regarding reasonable accommodation for the Procurement process, please contact the Department of General Services, Procurement Division at (916) 375-4400 (main office); the Procurement Division TTY/TDD (telephone device for the deaf) and California Relay Service numbers are provided below. The supplier may also contact directly the Department of General Services, Department Official identified.

**IMPORTANT: TO ENSURE THAT THE STATE CAN MEET YOUR ACCOMMODATION, IT IS BEST THAT YOUR REQUEST IS RECEIVED BY THE DEPARTMENT OF GENERAL SERVICES AT LEAST 10 WORKING DAYS PRIOR TO THE NEED FOR SUCH ACCOMMODATION.**

The Procurement Division TTY telephone numbers are:  
Sacramento Office: (916) 322-7535

The California Relay Service Telephone Numbers are:

Voice: 1-800-735-2922  
TTY: 1-800-735-2929

**E. DISCLAIMER**

This bid includes a Response Checklist in Section VIII, Forms and Attachments. The State makes no warranty that this checklist is a full comprehensive listing of every requirement specified in the solicitation. Checking off the items on the checklist does not establish your firm's intent nor does it constitute responsiveness to the requirement(s). This checklist is only a tool to assist participating bidders in compiling their final bid response. Bidders are encouraged to carefully read the entire solicitation. The need to verify all documentation and responses prior to the submission of bids cannot be overemphasized.

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**SECTION II: RULES GOVERNING COMPETITION**

**A. REQUIREMENTS**

The State has established certain requirements with respect to bids to be submitted by prospective suppliers. The use of "shall" or "will" (except to indicate simple futurity) in the IFB indicates a requirement or condition from which a deviation, if not material, may be waived by the State. A deviation from a requirement is material if the deficient response is not in substantial accord with the IFB requirements, provides an advantage to one bidder over other bidders, or has a potentially significant effect on the delivery, quantity or quality of items bid, amount paid to the supplier, or on the cost to the State. Material deviations cannot be waived.

**B. DESIRABLE ITEMS**

The words "should" or "may" in the IFB indicate desirable attributes or conditions, but are non-mandatory in nature. Deviation from, or omission of, such a desirable feature, even if material, will not in itself cause rejection of the bid.

**C. VALIDATION REQUIREMENTS**

The State will check each bid detail to determine its compliance to the bid requirements. If a bid fails to meet bid requirements, the State will determine if the deviation is material. A material deviation will be cause for rejection of the bid. An immaterial deviation will be examined to determine if the deviation will be accepted. If accepted, the bid will be processed as if no deviation had occurred.

If your bid has any deviations, please list the deviations on a separate page and label "Deviations of Bid".

**D. BID SUBMITTAL**

For this bid, there will be three methods of bid submittal. Bids must be submitted by 2:00 pm as of the due date on front page of this bid. These methods are:

1. Mail: Mailed bids must have the solicitation number listed on the address label. The mailing address is:

Department of General Services, Procurement Division  
Attn: Bid Room **(Bid # 57321)**  
707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, MS 201  
West Sacramento, CA 95605

2. Facsimile: Facsimile (fax) machine bids will be considered only if they are sent to (916) 375-4613 for solicitations originating from the West Sacramento office. Bids sent to any other Procurement Division fax number will not be considered. To be considered, all pages of the faxed bid that are received prior to the bid opening time specified in the bid will be considered "the complete bid". Please be advised that there is a heavy demand placed on the fax machine receiving bids, and the State assumes no responsibility if a bidder cannot transmit their bid via fax, or if the entire bid is not received prior to the bid opening time.

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**SECTION II: RULES GOVERNING COMPETITION (continue...)**

3. Drop Off: Bids may be dropped off at the mailing address above. Submit your bid to the receptionist by no later than 2:00 pm on the bid opening date. The receptionist will stamp your bid in to ensure the time the bid was received.

**E. RESPONSIBLE BIDDER**

The Department of General Services may require bidder evidence of their qualifications at such times, and under such conditions, as it may require. Prior to the award of the contract, the State must be assured that the bidder selected has all of the resources to successfully perform under the contract. This includes, but is not limited to, appropriate personnel to perform the contract with the skills required, availability of appropriate equipment in sufficient quantity to meet the on-going needs of the State, financial resources sufficient to complete performance under the contract, and experience in similar endeavors. If, during the evaluation process, the State is unable to assure itself of the bidder's ability to perform the contract, the State has the option of requesting from the bidder any information, which the State deems necessary to determine the bidder's responsibility. If such information is required, the bidder will be so notified and will be permitted approximately five working days to submit the information requested. The question of whether a particular bidder is a responsible bidder involves an evaluation of the bidders' experience, facilities, reputation, financial resources, and other factors existing at the time of contract award. Being placed on the State bid list shall not preclude the State from determining that the bidder is not a responsible bidder. If determined to be not a responsible bidder, your bid will be rejected.

**F. PAYMENT**

The promptness of payments shall be governed by Government Code 926.19 et seq. Invoices are not due and payable until the services and/or products are provided and accepted by the State (see General Provisions, #30). Delivery of goods must be completed before payment can be authorized.

**G. DEFAULT BY SUPPLIER**

The State reserves the right to take action pursuant to General Provision #24, "Termination for Default" and General Provision #26, "Rights and Remedies of State for Default" for supplier failure to comply with contractual terms and conditions.

**H. NOTICE OF INTENT TO AWARD**

A notice of intent to award will be publicly posted at:

Department of General Service  
Procurement Division  
707 Third Street, Second Floor  
West Sacramento, CA 95605

A written notification of the State's intent to award will be made to all Bidders who request in writing for notification.

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**SECTION III: ADMINISTRATIVE REQUIREMENTS**

**A. DECLARATION FORMS**

All bidders must complete the Bidder's Declaration form. When completing the declaration, bidders must identify all sub-contractors proposed for participation in the contract. Bidders awarded a contract are contractually obligated to use the sub-contractors for the corresponding work identified, unless the State agrees to a substitution.

At the State's option prior to award, bidders may be required to submit additional written clarifying information. Failure to submit the requested written information may be grounds for bid rejection.

Refer to <http://www.documents.dgs.ca.gov/pd/delegations/GSPD105.pdf> for a downloadable version of this document.

**B. LEGISLATIVE REQUIREMENTS**

1. Effective January 1, 2009, all Invitations for Bids (IFB) or Requests for Proposals (RFP) for goods or services must address the requirements of the Darfur Contracting Act of 2008 (Act). (Public Contract Code sections 10475-10481).  
See <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pcc&group=10001-1100&file=10475-10481> for further clarification.

The Public Contract Code section 10478 (a) requires a company that currently has (or within the previous three years has had) business activities or other operations outside of the United States to certify that it is not a "scrutinized" company when it submits a bid or proposal to a State agency. (Bidder must complete and return Exhibit 3 with your bid)

2. If applicable, please note that award will be conditional on providing the following documents prior to award:

If your firm is a certified California Small Business, in accordance with Assembly Bill 669, your company must address specific aspects of the Legislation that requires certified small businesses to perform a commercially useful function as defined by Government Code Section 14837, 14838.6, 14839, 14842, and 14842.5. Therefore, you must provide written documentation that:

- I. Your company is responsible for the execution of a distinct element of the work of the contract. Some examples of distinct elements of work are: manufacturing, warehousing, and delivery.
- II. You carry out its obligation by actually performing, managing, or supervising a distinct element of work.
- III. Performs work that is normal for your business services and functions.
- IV. Is not further sub-contracting a portion of the work that is greater than that expected to be sub-contracted by normal industry practices.
- V. A bidder or sub-contractor will not be considered to perform a commercially useful function if the bidder(s) or sub-contractor(s) role is limited to that of an extra participant in the transaction, contract, or project through which funds are passed in order to obtain the appearance of a small business or micro business participation. Provide proof that this statement does not pertain to your company's potential involvement in this procurement.

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**SECTION III: ADMINISTRATIVE REQUIREMENTS (continue...)**

**NOTE:** Your Company must provide a detailed written work-plan. If your company does not perform a distinct element of the contract, as stated above (1-5), you will be deemed as not performing a commercially useful function and will be rejected.

**C. THE STATE REQUIRES THE FOLLOWING INFORMATION FOR THIS SOLICITATION**

1. A copy of the written agreement between your firm and the manufacturer(s). This agreement must be on the manufacturer's own letterhead and must clearly state that they will provide the product as specified in your bid for the term of the contract. The State encourages vendors to get a firm fixed price agreement from the Manufacturer to ensure product availability through the term of the contract. The manufacturer's written agreement must be signed by the manufacturer(s) governing person that binds their firm to this agreement.
2. Your written plan for distribution of the products. The plan must clearly show distribution from the manufacturer(s) to the end user(s), including all points in between specific to this resulting contract only, and the role that you as the bidder of record will play in the distribution.
3. If your firm is utilizing a warehouse, you will be required to provide a signed written agreement between your firm and the warehousing establishment, on their own letterhead.
4. If your firm is utilizing a transportation company, you may be required to provide a signed written agreement between your firm and the transportation company, on their own letterhead.
5. Provide product specification(s) and/or description(s) to all product(s) offered. This information must clearly show that the product(s) is (are) compliant to all requirements defined in the State Bid Specification.
6. Provide product nutrition facts label for each product offered. The product code number must be listed on the label. If a product nutrition facts label is not available, then a letter on the manufacturer's own letterhead must be submitted clearly stating that the nutrition facts label is not required or is voluntary and cite the applicable law/regulations.

Submit the required information stated above along with all supporting documents.

At the State's option prior to award, bidders may be required to submit additional written clarifying information. Failure to submit the requested written information may be grounds for bid rejection.

**Note: This information must be specific to this resulting contract.**

**D. BIDDER'S INSTRUCTIONS**

The applicable Bidder's Instructions are located at the link below:

<http://www.documents.dgs.ca.gov/pd/modellang/BidderInstructions080307.pdf>

**E. GENERAL PROVISIONS**

The applicable General Provisions are located at the link below:

<http://www.documents.dgs.ca.gov/pd/modellang/GPnonIT0407.pdf>

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**SECTION III: ADMINISTRATIVE REQUIREMENTS (continue...)**

**F. SMALL BUSINESS PREFERENCE**

Revised Small Business Regulations:

1. The Small Business regulations, located at 2 CCR 1896 et seq., concerning the application and calculation of the small business preference, small business certification, responsibilities of small business, department certification, and appeals are revised. The new regulations can be viewed at ([www.pd.dgs.ca.gov/smbus](http://www.pd.dgs.ca.gov/smbus)). Access the regulations by clicking on "Small Business Regulations" in the right sidebar.
2. Non-Small Business (Non-SB) Sub-contractor Preference:

A 5% bid preference is now available to a Non-SB claiming 25% California certified small business sub-contractor participation. If applicable, submit corresponding letter claiming the preference.

3. Non-SB if claiming the 25% preference are required to adhere to and provide with their bid the following:
  - a. If claiming the Non-SB sub-contractor preference, the bid response must include a list of the small business(es) with which you commit to subcontract in an amount of at least twenty-five percent (25%) of the net bid price with one or more California certified small businesses in accordance with Government Code Section 14838(b) (1)(2).
  - b. If Applicable, non-SB should provide a list of California Certified Small Business sub-contractor's information with their bid response that contains the following:
    - Sub-contractor(s) name;
    - Sub-contractor(s) address;
    - Sub-contractor(s) phone number;
    - Sub-contractor(s) description of the work to be performed and/or products supplied;
    - and the sub-contractor(s) percentage amount of the net bid price (as specified in the solicitation) per sub-contractor.
  - c. Each listed certified small business must perform a "Commercially Useful Function" (CUF) in the performance of the contract as defined in Government Code Section 14837(d)(4).
4. Small Business Preferences:

Bidders claiming the 5% preference must be certified by California as a small business or must commit to subcontract at least 25% of the net bid price with one or more California certified small businesses. Certification must be obtained no later than 5:00 p.m. on the bid due date.

Small Businesses are desired and encouraged to participate in this bid. Section 14835, et seq. of the California Government Code requires a 5% preference be given to bidders who qualify as a small business. The rules and regulations of this law, including the definition of a small business for the delivery of goods and services, are contained in California Code of Regulations, Title 2, Section 1896, et seq. The small business preference is for California-based small businesses.

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**SECTION III: ADMINISTRATIVE REQUIREMENTS (continue...)**

- a. To claim the small business preference, which may not exceed \$50,000 for any bid, the firm must have its principal place of business located in California, have a complete application (including proof of annual receipts) on file with the State Office of Small Business and Disabled Veteran Business Certification (OSDC) by 5:00 p.m. on the bid due date (see front page) and be verified by such office.

Questions regarding the preference approval process should be directed to the OSDC at (916) 375-4940. A copy of the regulations, instructions and format for claiming the small business preference is available at <http://www.pd.dgs.ca.gov/smbus/default.htm>.

**G. DISABLED VETERAN BUSINESS ENTERPRISE (DVBE)**

Participation agreement is exempt for this procurement, Exemption Code 28.

**H. TARGET AREA CONTRACT PREFERENCE ACT (TACPA) / ENTERPRISE ZONE ACT (EZA) & LOCAL AGENCY MILITARY BASE RECOVERY PREFERENCE REQUEST (LAMBRA)**

This bid contains new and revised procedures for Bidders who wish to apply for TACPA, EZA, or LAMBRA preferences. Bidders are encouraged to review the package carefully to ensure that their submittals conform to the programs requirements.

1. Target Area Contract Preference Act (TACPA), Government Code Section 4530 et seq.; Enterprise Zone Act (EZA), Government Code Section 7070, et seq.; and Local Agency Military Base Recovery Act (LAMBRA), Government Code Section 7118, et seq. information Package. Contract preference will be granted to California-based Bidders in accordance with whenever contracts for goods or services are in excess of \$100,000 and the Bidders meet certain requirements as defined in the California Administrative Code (Title 2, Section 1806.30 et seq.) regarding labor needed to provide the goods being procured.
2. Bidders desiring to claim TACPA, EZA, LAMBRA preferences must submit a fully executed copy of the Standard Form 830, 831S, 832, respectively, with their bid. These forms can be found at: <http://www.pd.dgs.ca.gov/disputes/default.htm>

NOTE: Bidders are not required to apply for TACPA, EZA, or LAMBRA preferences. Denial of TACPA, EZA, or LAMBRA preference requests is not a basis for rejection of the bid. Contracts awarded with applied preferences will be monitored throughout the life of the Contract for compliance to statutory, regulatory and contractual requirements. The State will take appropriate corrective action to apply sanctions as necessary to enforce performance programs.

**I. ALTERNATIVE PROTEST PROCESS**

This IFB is being conducted under public contract code section 12125, et seq., the Alternative Protest Process. Refer to <http://www.oah.dgs.ca.gov/laws/bidprotestRegs.htm#1400>. Submission of a bid constitutes consent of the bidder for participation in the Alternative Protest Process. Any protests filed in relation to the proposed contract award shall be conducted under the procedures in this document for the Alternative Protest Process.

Any bidder wishing to protest the proposed award of this solicitation must submit a written notice of intent to protest the proposed award which must be received (fax accepted) (**email NOT acceptable**)

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**SECTION III: ADMINISTRATIVE REQUIREMENTS (continue...)**

by the coordinator before the close of business (5:00 pm) on the 1<sup>st</sup> day following public posting. Failure to submit a timely, written notice of intent to protest waives bidder's right to file a protest.

**Alternative Protest Process Coordinator/Dispute Resolution**

Department of General Services  
Procurement Division  
Purchasing Authority Management Section  
707 Third Street, 2<sup>nd</sup> Floor South  
West Sacramento, CA 95605  
Voice: (916) 375-4587  
Fax: (916) 375-4611

**Protest Bond Requirement**

Bond amount for this Alternative Protest Process shall not be less than 10% of the estimated contract value. See California Code Regulations, Title, Section 1418.

**J. PAYEE DATA RECORD**

Bidders shall complete the Payee Data Record form and submit the completed document. No payment can be made unless this form is completed and returned.

<http://www.documents.dgs.ca.gov/osp/pdf/std204.pdf>

**K. OTHER**

Only bids quoted on the State's own form will be considered. Bids submitted referencing bidder attachments, which include legal terms and conditions that conflict with the State's general bid provisions, shall be considered non-responsive and such bids shall be rejected.

The web addresses listed in this solicitation should conform to the terms as of the release date of this solicitation (front page of this bid), unless changed with an Addendum to the solicitation from the contract administrator.

**L. FOOD SAFETY PROGRAM**

For this solicitation and the resulting contract, the State requires a Food Safety Program (FSP). The FSP is required for all companies that touch the food products, from manufacturer forward, excluding companies whose sole role is transporting the product from one point to another. (Companies that repack the product or warehouse or store it for any length of time are not solely transporting the product from one point to another.)

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**SECTION III: ADMINISTRATIVE REQUIREMENTS (continue...)**

For a bid to be deemed responsive, the bidder must submit documentation at the time of the bid (or no later than 10 working days after the bid due date) that the food products being procured are produced/prepared and stored under a FSP meeting the requirements set forth in this section. Supporting documentation must be submitted for each company identified in the bidder's distribution plan. (For example, if the distribution plan identifies a manufacturer, packer, co-packer, warehousing company, or other companies that touch the food product, supporting documents must be submitted for each entity.) The document must clearly show that each entity participates in a FSP that is inspected or audited by a third party and assessed/certified to be "acceptable."

Bidders shall provide a Third Party Inspection Information Listing (Section VIII, Forms & Attachments, Exhibit 2) for each company being utilized in the chain of distribution. If you will need more than one listing, make copies of this sheet for as many companies you will need to list.

Failure to fulfill this requirement will result in your bid being deemed non-responsive, in which case the bid will be rejected.

For California-based companies, the FSP requirement must be fulfilled through registration with the California Department of Public Health (CDPH), Food and Drug Branch. Companies based outside California may fulfill this requirement through any of the methods under "Companies Based Outside California."

**California-Based Companies:**

For California-based companies, registration with CDPH is a **mandatory** requirement of this solicitation and the resulting contract. All companies with facilities located in California that engage in the manufacturing, packing, labeling, or warehousing of processed food products must possess a valid Processed Food Registration Certificate (PFRC) for purposes of this contract, even if the law otherwise exempts them from the requirement to register with CDPH. Please refer to <http://www.cdph.ca.gov/programs/Pages/FDB%20ProcessedFoods.aspx> for information. Please read the requirements carefully. If the exemption from obtaining a PFRC is because you possess a different CDPH license, such as a Cannery License or Cold Storage License, then you may use that other license in your response to the solicitation, in lieu of the PFRC. If you have any questions, please contact the contract administrator listed in this solicitation.

**Companies Based Outside California:**

For this solicitation and the resulting contract, the State requires an FSP utilizing Hazard Analysis and Criticality Control Points (HACCP) of companies based outside California.

The assessment/certification must be dated prior to the bid due date but no earlier than 1 calendar year from the due date of this bid. The third-party inspection/audit can be conducted by a company from the approved list below. Use of additional inspection/audit companies not included in the list below must be approved in advance, in writing by DGS, and a copy of the written approval(s) must be submitted with the bid. If the bidder does not receive prior approval(s) from DGS to use an inspection company other than those listed, the bid will be rejected.

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**SECTION III: ADMINISTRATIVE REQUIREMENTS (continue...)**

The approved inspection/audit companies are:

- AIB (American Institute of Baking)
- ASI Food Safety Consultants, Inc.
- Silliker
- NSF Cook & Thurber
- Food Safety Solutions
- GMA-SAFE (formerly FPA-SAFE)
- Food Audits International
- EFSIS / SAI Global / BRC
- Primus Labs

Mandatory or voluntary food safety inspections/audits conducted by the Food and Drug Administration, U.S. Department of Agriculture, or U.S. Department of Commerce are acceptable in lieu of the above listed acceptable companies.

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**SECTION IV: TECHNICAL REQUIREMENTS**

**A. SPECIFICATIONS**

The offered products must be in accordance with the attached Bid Specifications in Section VIII, Forms and Attachments, Specifications. All items furnished shall be latest pack on date of shipment and shall be first quality when grade is not specified. Fill weights in lieu of drained weights are acceptable.

- **8915-09BS-005 dated April 7, 2009**

**B. SHIPPED ORDERS/PRESERVATION, PACKAGING & PACKING**

Unless otherwise specified, preservation, packaging and packing shall be to a degree of protection to preclude damage to containers and/or contents thereof under normal shipping conditions. Handling, etc., shall conform to normal commercial practices and applicable carrier rules and regulations involving shipment from the contractor to the receiving agency for storage.

Packaging and shipping containers shall be in compliance with National Motor freight Classification and Uniform Freight Classification. (Reference [www.nmfta.org](http://www.nmfta.org) for information; issue in effect at time of shipment.)

Each shipping case or shipping unit shall clearly indicate the manufacturer or contractor, a complete description including size and quantity, manufacturer's product code number (if applicable) and net weight.

All shipments must comply with General Provisions; Paragraph 12 entitled "Packing and Shipment". The General Provisions are available at:

<http://www.documents.dgs.ca.gov/pd/modellang/GPnonIT0407.pdf>

Foil, that may present a security or safety risk, is not acceptable packaging material.

**C. TRANS FAT CONTENT**

Pursuant to Section 114377 of the California Health and Safety Code, created by Chapter 207, Statutes of 2008 (Assembly Bill 97), products containing trans fats are being phased out from use in food service facilities in California, including kitchens in State of California institutions. Products packaged for individual consumption are exempt from this phase-out. **Labels for your products must list Trans fat content** in a manner that complies with applicable State and federal labeling requirements. In addition, **if your awarded products contain more than 0.5 grams per serving of Trans fat, the contract will not be considered for extension** unless the only awarded products with more than 0.5 grams per serving are items packaged for individual consumption.

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**SECTION V: CONTRACT PERFORMANCE**

**A. MODIFICATION OF CONTRACT**

At the discretion of the State any contract resulting from this solicitation may be modified in whole or in part upon mutual agreement of both parties. Such modifications shall be in writing, signed and dated by an authorized representative of each party.

**B. EMERGENCY EXTENSION OPTION**

In the event of an emergency, the State upon mutual agreement with the contractor may extend the contract for up to one (1) additional year beyond the stated term and any noted extensions. Extensions during this period may occur in various increments until the establishment of a new contract (the total of the Emergency extension(s) terms shall not exceed one (1) additional year). All original Terms and Conditions shall remain the same during the extensions. Emergency Extension option may be exercised in the event that a replacement contract cannot be established due to the protest of Intent to Award, loss of key State procurement staff, or other circumstance that would otherwise cause an unanticipated disruption in the State contracting process.

**C. MINIMUM ORDER QUANTITY**

The Minimum Ordering Quantity (MOQ) shall be **one delivery per month, 10 case minimum**. No changes/deviations of the MOQ by the bidder will be accepted for this contract.

Delivery schedules for each institution are estimates and may vary from the actual ordering pattern.

**D. 30-DAY TERMINATION**

The State may terminate this contract for convenience upon thirty (30) days written notice. Upon termination or other expiration of this contract, each party will assist the other party in an orderly termination of the contract, as may facilitate the orderly, non-disrupted business continuation of each party.

**E. DELIVERY AND ORDERING PROCEDURE**

1. The supplier must receive agency Purchasing Authority Purchase Order (STD 65) and the delivery schedule 15 days prior to the requested first date of the delivery schedule. The supplier will then confirm with the Institution its' desired delivery schedule. All deliveries are to be made according to the requested delivery schedule or preferred one-time delivery.
2. The supplier shall reject Agency's Purchasing Authority Purchase Order (STD 65), which fails to comply with the terms of the above paragraph.
3. Such rejected Purchasing Authority Purchase Order (STD 65) may be re-submitted for delivery the following month.
4. If a new contract is not in place by the first day of the expiring month of this contract, purchase orders can be submitted up to the final day of contract expiration. Quantities should be relative to regular ordering patterns. Excessive quantities will be reviewed by the State and Contractor for acceptance. The Contractor will be responsible for the deliveries on this contract up to thirty (30) days past the expiration date of the contract.

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**SECTION V: CONTRACT PERFORMANCE (continue...)**

5. At any time, the State may request copies of any Purchase Order drawn from this contract. Please retain all Purchase Order copies for future request.

**F. EMERGENCY ORDERS/FREIGHT RATES**

1. If there is an emergency order, the supplier has the right to accept shorter delivery times, which will be subject to LESS-THAN-TRUCKLOAD (LTL) freight rates.
2. Supplier shall notify the ordering agency upon receipt of the order that such higher freight rates are forthcoming. Such notification shall be by telephone and confirmed in writing within 24 hours of receipt of any late order against this contract.
3. In addition to normal delivery schedules in all other California counties, the supplier is requested to make deliveries during off-peak hours only in these areas: Los Angeles county, Orange county, San Bernardino-metropolitan area, and the San Diego-metropolitan area. Off peak hours are 10:00 am to 4:00 pm.

**G. DELIVERY TIMELINES**

This contract will be separate from any other contract. Deliveries required from this contract shall NOT be withheld due to the unavailability of goods for delivery under any other contract. Failure to deliver goods in strict conformance with the terms and conditions of this contract will incur default action as provided for under Section 26 of the General Provisions. This includes timeliness of deliveries and quality levels of items received.

NOTE: Holding orders for full truckloads is not acceptable. If your company is found doing so, without authorization from the institution(s) being delivered to, your company can be found in default of the contract.

**H. PALLETIZATION**

All pallets employed in the delivery of goods shall be of sturdy construction and adequate condition to assure delivery of the goods without damage to the goods or safety hazards.

Exchange pallets may be available; however, the State assumes no responsibility for the availability to exchange pallets. Delivery drivers shall not remove more pallets from the institutions than delivering at time of delivery.

**I. DELIVERY INSTRUCTIONS**

It shall be the supplier's responsibility to obtain proper clearance for delivery drivers prior to any and all deliveries throughout the California State Prison system. Contact the individual California State prison for its driver clearance procedure, as these procedures may vary from facility to facility. If you do not have proper clearance from an Institution, it is up to the institution to accept delivery. The institution can reject any order without proper clearance, at the expense of your company.

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**SECTION V: CONTRACT PERFORMANCE (continue...)**

**J. QUALITY ASSURANCE**

1. The contractor shall make available to each institution a reference guide to the quality levels of stocked items.
2. All products ordered shall be delivered under sanitary conditions and must be the items ordered, in the correct quantity and free of damage.
3. The contractor shall provide recall notification, regardless of level, to the Contract Administrator, in writing and each institution through the most expedient method possible. The notices, at a minimum, shall include a complete product description and/or identification; contract and delivery order number; reason for recall; and disposition instructions. The supplier shall issue replacement of product or credit for any product removed or recalled. Each facility shall have the option of accepting either replacement product or credit in exchange for recalled/removed product.

**K. MONTHLY USAGE REPORTS**

The requirement to provide contract activity reports is a mandatory contract requirement that speaks to the issue of your firm being a responsible supplier to the State of California. The required reports shall be submitted to the State monthly, by the 15th day of the proceeding month to the Contract Administrator. If the State does not receive the required reports by the required dates, your firm may be prevented from bidding on future bids until such time we receive these reports. A sample of this report is attached in Section VIII, Forms & Attachments, and Attachment 1. The State's form must be used (if you did not receive a copy, request a copy via email from the contract administrator). The report must be done in the State's Excel spreadsheet form, and submitted to the contract administrator by disk or by email. This report must be done per order, per commodity, per institution. Invoice copies or list of purchase orders will not fulfill this requirement. This report is to include:

1. Agency Name
2. Purchase Order Number
3. Purchase Order Date
4. Number of Deliveries per PO
5. Delivery Date
6. Agency Billing Code
7. Line Item Number & Description
8. Quantity Ordered
9. Contract Cost Per Unit
10. Total cost Item
11. Total per PO, Per Delivery
12. Monthly Grand Total per Institution

The contractor must total each PO, each Institution, and a grand total for the complete month.

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**SECTION V: CONTRACT PERFORMANCE (continue...)**

**L. INVOICING REQUIREMENTS**

Ordering Agencies may require separate invoicing, as specified by each ordering organization. Invoices will contain the following information:

- Supplier's name, address and telephone number
- State's contract number
- Agency purchase order number
- Item and commodity code number
- Quantity purchased
- Contract price and extension
- Prompt payment discounts/cash discounts, if applicable
- Totals for each order

**M. CONTRACT DOLLAR VALUE**

If the contract dollar value plus 40% is expended before the expiration date, the contractor shall notify the State contract administrator immediately. The contractor is responsible for providing a written notification along with providing all usage reports for justification. The contract shall include a statement of intention to either continue or terminate the contract. The contractor may continue to accept orders until the State returns a written decision of the disposition of the contract. At that time, the contract may be terminated by either party or, by mutual agreement, be allowed to continue until the expiration date or such other date mutually agreed upon.

The contractor shall refuse to accept any orders after a date set for termination, and the state may declare liability for any purchases made after such date. The total dollar value of this contract is subject to a variance. If the expiration date occurs before the contract dollar value less 20% is expended, the contract may be extended, upon mutual State and Contractor's agreement, until the minimum dollar value is reached.

The State shall be excused from purchasing the minimum contract quantities to the extent that such reduced requirements are caused by closure of State facilities, cancellation, or reduction of State programs or lack of appropriations.

**IFB # 57321  
(CANNED TOMATO PRODUCTS)**

**SECTION VI: EVALUATION**

**A. PRICES**

Prices will be **firm fixed** for the duration of the contract, including any extensions. All prices shall be FOB destination. Bids quoting other than FOB destination will be rejected.

**B. METHOD OF AWARD**

For the purpose of this bid, award of the contract, if awarded, will be made on a "**Per Region, All or None**" OR "**All or None**" basis (whichever is in the State's best interest) to the responsive and responsible Bidder that offers the lowest cost. The lowest cost will be determined after DGS adjusts Bidder costs for approved applicable preferences.

**C. QUANTITY**

Quantities shown for each line item are estimated and are the anticipated purchasing pattern. Actual purchases may vary from this pattern. A breakdown of estimated usage per institution is attached. The State will not be obligated to purchase successful bidders' excess inventory of any line item if actual acquisitions vary from the quantities used in the model. The State may purchase these items from other than the successful bidder in the event of an emergency.

**D. SAMPLE STATEMENT**

1. For the purposes of evaluation of bids, samples may be required to be submitted prior to award. If required, they shall be delivered to the address specified within 7 working days after the request. When samples are required, the bidder will be notified and have the opportunity to submit the identified samples for testing. It is important to understand that the bidder has **ONLY ONE** opportunity to submit samples that meet the State's requirement. Re-submission will **NOT** be permitted or accepted for any reasons. If the submitted samples fail evaluation or bidder fails to submit samples as specified, the bidder may be rejected.
2. Samples shall be identical in all respects to the product specified for delivery.
3. Specifications and nutritional labels must be submitted for each product.
4. Samples shall be labeled in accordance with all State and Federal Regulations.
5. Shipping cartons shall be labeled with the name and address of bidder, bid number, and bid due date clearly marked on the exterior.
6. Samples of items, when required, must be furnished free of expense to the State and if not destroyed by tests, may upon request made at the time the sample is furnished, be returned at the bidder's expense.
7. Samples shall not be enclosed with the bid or the bid with the samples.

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**SECTION VI: EVALUATION (continue...)**

8. Samples when requested shall be sent directly to (unless otherwise stated):

DGS/Procurement Division  
707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor  
West Sacramento, CA 95605  
ATTN: Food Acquisitions Unit

9. If samples are requested, the State will be allowed up to an additional 45 days for evaluation of the bids, in addition to the 45 days allowed for evaluation, as per the Bidder's Instructions, Section 13, Validity of Bid and on the front page of this bid.

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**SECTION VII: FORMS AND ATTACHMENTS**

**INCLUDED**

Section VIII: Cost Sheets

Response Checklist

Estimated Usage per Institution

**EXHIBITS**

Exhibit 1: Bidder's Information

Exhibit 2: Third Party Inspection Information Listing

Exhibit 3: Darfur Contracting Act Certification

**ATTACHMENTS**

Attachment 1: Food Acquisitions Contract Activity/Usage Report

Attachment 2: Northern/Southern Institution Listings

**SPECIFICATIONS**

815-09BS-005 dated April 7, 2009

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CANNED TOMATO PRODUCTS

**SECTION VIII: COST**

**All quantities are estimated at 6 - #10 cans**

**Region I – Northern Institutions**

Item	Quantity	Unit	UNSPSC #	Description	Unit Price	Extension
(1)	5084	CS	50466400	Catsup, Tomato US Grade B	_____ /CS	_____
				Manufacturer: _____		
				Brand Offered: _____		
				#10 cans per case: _____		
				Product Code: _____		
(2)	14744	CS	50466400	Tomato, Diced in Puree Or in juice, US Grade B	_____ /CS	_____
				Manufacturer: _____		
				Brand Offered: _____		
				#10 cans per case: _____		
				Product Code: _____		
(3)	9223	CS	50466400	Tomato, Puree, Medium Concentrate, US Grade C	_____ /CS	_____
				Manufacturer: _____		
				Brand Offered: _____		
				#10 cans per case: _____		
				Product Code: _____		

**IFB # 57321**  
**CANNED TOMATO PRODUCTS**

<b>Item</b>	<b>Quantity</b>	<b>Unit</b>	<b>UNSPSC #</b>	<b>Description</b>	<b>Unit Price</b>	<b>Extension</b>
(4)	2501	CS	50466400	Tomato, Whole, Solid Pack In Juice, US Grade B	_____/CS	_____
		Manufacturer:				
		Brand Offered:				
		#10 cans per case:				
		Product Code:				
(5)	8054	CS	50466400	Tomato Paste, Light Concentrate, US Grade C	_____/CS	_____
		Manufacturer:				
		Brand Offered:				
		#10 cans per case:				
		Product Code:				

**REGION I GRAND TOTAL \$\_\_\_\_\_**

**IFB # 57321**  
**CANNED TOMATO PRODUCTS**

**Region II – Southern Institutions**

<b>Item</b>	<b>Quantity</b>	<b>Unit</b>	<b>UNSPSC #</b>	<b>Description</b>	<b>Unit Price</b>	<b>Extension</b>
(6)	10929	CS	50466400	Catsup, Tomato US Grade B	_____	/CS _____
		Manufacturer:				
		Brand Offered:				
		#10 cans per case:				
		Product Code:				
(7)	28507	CS	50466400	Tomato, Diced in Puree Or in juice, US Grade B	_____	/CS _____
		Manufacturer:				
		Brand Offered:				
		#10 cans per case:				
		Product Code:				
(8)	15042	CS	50466400	Tomato, Puree, Medium Concentrate, US Grade C	_____	/CS _____
		Manufacturer:				
		Brand Offered:				
		#10 cans per case:				
		Product Code:				
(9)	6459	CS	50466400	Tomato, Whole, Solid Pack In Juice, US Grade B	_____	/CS _____
		Manufacturer:				
		Brand Offered:				
		#10 cans per case:				
		Product Code:				

**IFB # 57321**  
**CANNED TOMATO PRODUCTS**

<b>Item</b>	<b>Quantity</b>	<b>Unit</b>	<b>UNSPSC #</b>	<b>Description</b>	<b>Unit Price</b>	<b>Extension</b>
(10)	17194	CS	50466400	Tomato Paste, Light Concentrate, US Grade C	_____ /CS	_____
				Manufacturer:	_____	
				Brand Offered:	_____	
				#10 cans per case:	_____	
				Product Code:	_____	

**REGION II GRAND TOTAL \$\_\_\_\_\_**

**REGION I & REGION II GRAND TOTAL \$\_\_\_\_\_**

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CANNED TOMATO PRODUCTS

**NON-AWARD FACTORS**

**Kosher Products**

Are these products all Kosher? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please provide certification proof. If not all line items are Kosher, attach a listing of the items that are not.

NOTE: If no is checked, no further documentation is needed.

**Quantity Discounts**

Bidders may provide additional discounts for customers that order bulk type of deliveries. ( Example: Offers are for discounts of full truckloads (i.e. minimum 800 cases) or half truckloads (i.e. minimum 400 cases). The cost factor you provide may be represented as discount percentage of the overall purchase order cost OR a dollar amount savings of the actual purchase order cost. (MAY BE USED AS A DETERMINING FACTOR IF EVALUATION RESULTS IN A TIE)

<u># of Cases</u>	<u>Discount Percentage</u>	<u>Dollar Savings</u>
-----------------------	--------------------------------	---------------------------

Full Truckload: \_\_\_\_\_

Half Truckload: \_\_\_\_\_

Other: \_\_\_\_\_

(Describe what "other" is below... # of pallets, # of cases, # of pounds, etc.)

Other offers/descriptions:

## **RESPONSE CHECKLIST**

The following checklist identifies the required items to be completed and returned in order to be evaluated for award. To expedite evaluation, please submit all applicable items listed below.

- Signed front page of this solicitation
- Bidder's Declaration (GSPD-05-105)
- Commercially Useful Function letter (California Certified Small Business Only)
- Written Agreement between your company and the manufacturer's  
(unless you are the manufacturer)
- Written Plan of Distribution
- Product Specifications
- Product Nutritional Facts and Nutrition Facts Labels
- Payee Data Record (Std. 204)
- Completed Cost Sheets
- Exhibit 1, Company Information Listing
- Exhibit 2, Third Party Inspection Information Listing
- Exhibit 3, Darfur Contracting Certification

NOTE: The following items must be returned with the bid response only if your intention is to claim the applicable bidder preference(s). If you are not claiming a preference under any of these "Acts", you are not obligated to fill out and/or return any of the following forms.

- Target Area Contract Preference Act (TACPA), request for Std. 830
- Enterprise Zone Act (EZA), request for Std. 831
- Local Agency Military Recovery Area Act (LAMBRA), request for Std. 832
- Manufacturer's Summary form (DGS/PD 525) for goods only
- Bidder's Summary form (DGS/PD 526) for goods and services

**Commodity:** Canned Tomato Products  
**Buyer:** Tardiff  
**Solicitation:** 57321

## Area 1

	Delivery Schedule	Catsup, Tomato	Tomato, Diced in Puree or in Juice	Tomato Puree, Medium Concentrate	Tomato, Solid Pack in Juice	Tomato Paste, Light Concentrate
<b>Institutions</b>						
Blind/Deaf School Fremont	Quarterly		10	5	5	
CA Correctional Center - Susanville	Monthly	672	1020	672	896	524
Central CA Womens Facility	Quarterly	504	1472	672		672
CTF - Soledad	Quarterly	112	1600		1600	1792
Deual Vocational Institution	Quarterly	112	168	112		112
High Desert State Prison	Quarterly	224	1568	1792		112
CHP - Highway Patrol Academy	Quarterly		50	30		10
CA Medical Facility - Main	Monthly	224	1568	1568		572
CA Medical Facility - Diet	Quarterly	128	224			224
Mule Creek Prison	Quarterly	560	1120	896		560
No. CA Youth Center	Quarterly	60	100			60
Pelican Bay Prison	Quarterly	220	940	800		
Preston School	Quarterly	168	500			112
CSP - Sacramento (Folsom)	Quarterly		300	400		300
Salinas Valley State Prison	Monthly	132	900	128		636
San Quentin Prison	Quarterly	1300	1000	700		1000
Sierra Conservation Center	Quarterly	168	504	504		168
CSP - Solano	Monthly		800	800		800
Sonoma Developmental Center	Quarterly		400	144		
Valley Prison for Women	Quarterly	500	500			400

Total Area 1

5084 14744 9223 2501 8054

## Area 2

	Delivery Schedule	Catsup, Tomato	Tomato, Diced in Puree or in Juice	Tomato Puree, Medium Concentrate	Tomato, Solid Pack in Juice	Tomato Paste, Light Concentrate
<b>Institutions</b>						
Atascadero State Hospital	Monthly	120	550	400	150	
Avenal Prison	Quarterly	1000	1000	1000		1000
CA Corr. Center/Tehachapi	Monthly		672	896	672	
CA Institute for Men	Monthly	672	1344		896	1344
Ca Institute for Women	Monthly	224	1120	56		448
CA Mens Colony	Quarterly	900	1250			850
CA Rehabilitation Center	Quarterly	56	224		896	896
Calipatria Prison	Monthly	72	896	224		600
Corcoran State Prison	Monthly	224	896	896	896	
CSATF/Corcoran II	Quarterly	448	1344			1120
R.J. Donovan	Monthly	112	900	500		400
Fairview Developmental Center	Quarterly	150	125	65		10
Kern Valley State Prison	Quarterly	300	300	300		300
Lanterman Developmental Center	Monthly	30	72	112		
L.A. County Prison	Monthly	448	1200			1200
Patton State Hospital	Monthly	336		448	448	
Pleasant Valley State Prison	Quarterly	224	672	224		224
Porterville Developmental Center	Quarterly (X2)	72	250			
South Camp Warehouse	Quarterly	448	448	448		448
Heman G. Stark Youth	Quarterly	9	100	50		
Wasco Prison	Monthly		400	200		300

Total Area 2

5845 13763 5819 3958 9140

Grand Total of 1&amp;2

10929 28507 15042 6459 17194

**Bidder's Information**

Please complete the following information for your company:

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State & Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Title of Contact: \_\_\_\_\_

Email Address: \_\_\_\_\_

## Exhibit 2

**Food Safety Program Information Listing**

**Please complete the following information for each company (including the bidder if applicable) in the chain of the distribution process:**

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Job Performing on  
Contract: \_\_\_\_\_

• **California Companies/Manufacturers/Warehouses:**

\_\_\_\_\_ (Initial) Our company has a valid registration with CDPH.

CDPH Registration Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

\_\_\_\_\_ (Initial) Our company is NOT registered with CDPH but we will have our registration within 10 working days after the bids opening date.  
(To be compliant, the validated registration number OR the certification certificate must be provided to the contract administrator.)

• **Companies outside California:**

Inspection Company  
Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Date of Last  
Inspection: \_\_\_\_\_

**Note: you shall complete a form for every company/manufacturer/warehouse in the process of this contract which applies to the Food Safety Program and submit with your bid – make additional copies as necessary for each company.**

Pursuant to Public Contract Code section 10478, if a bidder or proposer currently or within the previous three years has had business activities or other operations outside of the United States, it must certify that it is not a “scrutinized” company as defined in Public Contract Code section 10476.

Therefore, to be eligible to submit a bid or proposal, please insert your company name and Federal ID Number and complete only one of the following three paragraphs (via initials for Paragraph # 1 or Paragraph # 2, or via initials and certification for Paragraph # 3):

<i>Company/Vendor Name (Printed)</i>	<i>Federal ID Number</i>
<i>Printed Name and Title of Person Initialing (for Options 1 or 2)</i>	

1. \_\_\_\_\_  
Initials      We do not currently have, and have not had within the previous three years, business activities or other operations outside of the United States.  
**OR**
2. \_\_\_\_\_  
Initials      We are a scrutinized company as defined in Public Contract Code section 10476, but we have received written permission from the Department of General Services (DGS) to submit a bid or proposal pursuant to Public Contract Code section 10477(b). A copy of the written permission from DGS is included with our bid or proposal.  
**OR**
3. \_\_\_\_\_  
Initials  
+ certification  
below      We currently have, or we have had within the previous three years, business activities or other operations outside of the United States, but we certify below that we are not a scrutinized company as defined in Public Contract Code section 10476.

**CERTIFICATION For # 3.**

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective proposer/bidder to the clause listed above in # 3. This certification is made under the laws of the State of California.

<i>By (Authorized Signature)</i>	
<i>Printed Name and Title of Person Signing</i>	
<i>Date Executed</i>	<i>Executed in the County and State of</i>

## FOOD ACQUISITIONS CONTRACT ACTIVITY/USAGE REPORT

**Calendar Month & Year:**

**Contract Number:**

**Contractor:**

**Address:**

**Contact Name:**

## Phone ▶

**Email:**

**Total dollars for month:**

**\$0.00**

**\*Tax must NOT be included in the report, even if the agency includes tax on the purchase order.**

\*\*\*Must also include total of each PO, total of each Institution, and Grand total of all orders. (insert cells and total as needed)

**Grand Total per Month** **\$0.00**

**NORTHERN INSTITUTIONS**

<b>SHIPPING INFORMATION</b>		
<b>AGNEWS DEVELOPMENTAL CENTER</b> 3500 Zanker Road, Main Kitchen San Jose, Ca 995134 8:00 am – 4:00 pm M-F	<b>R.A. McGEE CORRECTIONAL TRAINING CENTER</b> 9850 Twin Cities Road Galt, Ca 95632 7:30 am – 4:00 pm M-F	<b>SAC - CALIFORNIA STATE PRISON – SACRAMENTO</b> Receiving Warehouse 100 Prison Road Repressa, Ca 95630 7:00 am – 4:00 pm M-F
<b>BEN LOMOND YCC</b> 13575 Empire Grade Road Santa Cruz, Ca 95060 7:00 am - 4:30 pm M-F (7:00 – 3:00 pm preferred)	<b>CMF - MEDICAL FACILITY – MAIN</b> 1600 California Drive Vacaville, Ca 95687 8:00 am – 2:00 pm M-F	<b>SVSP - SALINAS VALLEY STATE PRISON</b> 31625 Hwy. 101 Soledad, Ca 93960 8:00 am – 3:00 pm M-F
<b>CALIFORNIA SCHOOL FOR THE DEAF - FREMONT</b> 39350 Gallaudet Drive, Building 20 Fremont, Ca 94538 9:00 am – 2:00 pm M-Thurs.	<b>MULE CREEK STATE PRISON</b> 4001 Highway 104 Ione, Ca 95642 7:30 am - 2:30 pm M-F	<b>SAN QUENTIN STATE PRISON</b> Receiving Warehouse/Food Service Department San Quentin, Ca 94964 8:00 am – 2:00 pm M-F
<b>CCC - CALIFORNIA CORRECTIONAL CENTER – SUSANVILLE</b> 711-045 Center Road Susanville, Ca 96130 (Co. Rd A-27) 8 miles east of Susanville Ca, 96130 8:15 am – 3:15 pm M-F	<b>MT. BULLION CONSERVATION CAMP</b> 5730 Mt. Bullion Access Road Mariposa, Ca 95338 Contact: Sgt. Codramal Phone: (209) 742-5490 Fax: (209) 742-5488	<b>SCC - SIERRA CONSERVATION CENTER</b> 5100 O'Byrnes Ferry Road Jamestown, Ca 95327 8:00 am – 3:00 pm M-F
<b>CCWF - CENTRAL CALIFORNIA WOMENS FACILITY</b> 23370 Road 22 Chowchilla, Ca 93610 8:00 am – 3:00 pm M-F	<b>NAPA STATE HOSPITAL</b> 2100 Napa-Vallejo Highway Napa, Ca 94558-6293 6:00 am – 2:00 pm M-F	<b>SOL – CALIFORNIA STATE PRISON – SOLANO</b> 2100 Peabody Road Vacaville, Ca 95687 7:00 am – 3:00 pm M-F
<b>CTF - CORRECTIONAL TRAINING FACILITY – SOLEDAD</b> 5 Miles North of Soledad on US 101 Soledad, Ca 93960 7:30 am – 2:30 pm M-F	<b>NORTH COAST WAREHOUSE</b> 2 Miles North of Redway off Hwy. 101 Redway, Ca 95560 8:00 am – 3:30 pm M-F	<b>SONOMA DEVELOPMENTAL CENTER</b> 15000 Arnold Drive Eldridge, Ca 95431 6:00 am – 3:30 pm M-F
<b>DEUEL VOCATIONAL INSTITUTION Warehouse</b> 23500 Kasson Road P.O. Box 400 Tracy, Ca 95376 (Kasson Road Exit, 1 mile south of Hwy 205) 7:30 am – 3:30 pm	<b>NCYC - NORTHERN CALIFORNIA YOUTH CORRECTIONAL CENTER</b> 7650 S. Newcastle Road Stockton, Ca 95215 8:00 am – 3:30 pm M-F	<b>VSPW - VALLEY STATE PRISON FOR WOMEN</b> 21633 Ave. 24 Chowchilla, Ca 93610 8:00 am – 3:00 pm M-F
<b>HDSP - HIGH DESERT STATE PRISON</b> 475-750 Rice Canyon Road Susanville, Ca 96130 7:00 am – 3:00 pm M-F	<b>PBSP - PELICAN BAY STATE PRISON</b> Support Warehouse 5905 Lake Earl Drive Crescent City, Ca 95532 8:00 am – 3:00 pm M-F	<b>DEPARTMENT OF VETERAN'S AFFAIRS</b> <b>VET'S HOME OF CA-YOUNTVILLE</b> 190 California Drive Yountville, Ca 94599 8:00 am – 12:00 pm M-F 12:45 pm – 3:30 pm M-F
<b>CHP - HIGHWAY PATROL ACADEMY</b> 3500 Reed Avenue West Sacramento, Ca 95605 8:00 am – 4:00 pm M-F	<b>PRESTON YOUTH CORRECTIONAL FACILITY</b> 201 Waterman Road Ione, Ca 95640 7:30 am – 3:30 pm M-F	

## SOUTHERN INSTITUTIONS

<b>SHIPPING INFORMATION</b>		
<b>ATASCADERO STATE HOSPITAL</b> 10333 El Camino Real Atascadero, Ca 93422 8:00 am – 3:30 pm M-F	<b>CVSP - CHUCKAWALLA VALLEY STATE PRISON</b> 19025 Wiley's Well Road Blythe, Ca 92225 8:00 am – 3:00 pm M - F	<b>KERN VALLEY STATE PRISON</b> 3000 Cecil Avenue P.O. Box 60000 Delano, Ca 93216-60 7:30 am – 3:00 pm M-F
<b>ASP - AVENAL STATE PRISON</b> 1 Kings Way P.O. Box 8 Avenal, Ca 93204 8:00 – 3:00 pm M-F	<b>CSH - COALINGA STATE HOSPITAL</b> 24511 W. Jayne Avenue Coalinga, Ca 93210 8:00 am – 3:00 pm M - F	<b>LANTERMAN DEVELOPMENTAL CENTER</b> 3530 W. Pomona Blvd. Pomona, Ca 91769-100 7:30 am –3:30 pm M-F
<b>CCI - CALIFORNIA CORRECTIONAL INSTITUTION – TEHACHAPI</b> 24900 End of Hwy 202 Tehachapi, Ca 93561 8:00 am – 3:00 pm M-F	<b>COR - CORCORAN STATE PRISON</b> 4001 King Avenue Corcoran, Ca 93212 8:30 am – 3:30 pm M-F	<b>LAC - LOS ANGELES COUNTY STATE PRISON</b> Support Warehouse 44750 60 <sup>th</sup> Street, West Lancaster, Ca 93536-7620 7:30 am – 2:30 pm M-F
<b>CIM - CALIFORNIA INSTITUTION FOR MEN</b> Receiving Warehouse 6101 East Facility Drive Chino, Ca 91710 7:00 am – 3:00 pm M-F	<b>CSATF/STATE PRISON-CORCORAN II</b> 900 Quebec Avenue Corcoran, Ca 93212 7:00 am – 3:00 pm M-F	<b>MSH - METROPOLITAN STATE HOSPITAL</b> 11401 S. Bloomfield Avenue Norwalk, Ca 90650 7:00 am - 2:30 pm
<b>CIW - CALIFORNIA INSTITUTION FOR WOMEN – FRONTERA</b> 16756 Chino-Corona Road Corona, Ca 91718 8:00 am - 3:00 pm	<b>DEAF SCHOOL – RIVERSIDE</b> Maude Street Entrance, 3000 Block Riverside, Ca 92506 8:00 am – 12:00 pm 1:00 pm – 4:00 pm M-F	<b>NKSP - NORTH KERN STATE PRISON</b> 2737 W. Cecil Avenue Delano, Ca 93215 8:00 am – 3:00 pm M-F
<b>CMC - CALIFORNIA MEN'S COLONY</b> Food Service, East West camp Highway 1 North San Luis Obispo, Ca 93409 7:30 am – 2:45 pm M-F (Direct Deliveries) 7:00 am – 4:00 pm M-F	<b>RJD - R. J. DONAVAN CORRECTIONAL FACILITY</b> 480 Alta Road San Diego, Ca 92179 8:00 am – 3:30 pm M-F	<b>PSH - PATTON STATE HOSPITAL</b> Attn: Nutritional Service Warehouse 3102 E. Highland Avenue Patton, Ca 92369 8:00 am – 12:00 pm 1:00 pm – 3:30 pm M-F
<b>CRC - CALIFORNIA REHABILITATION CENTER</b> Fifth & Western P.O. Box 1841 Norco, Ca 92860-0991 8:00 am – 2:00 pm M-F	<b>EL PASO de ROBLES YOUTH CORRECTIONAL FACILITY</b> 4545 Airport Road Paso Robles, Ca 93446 8:00 am – 3:30 pm M-F	<b>PVSP - PLEASANT VALLEY STATE PRISON</b> 24863 West Jayne Avenue Coalinga, Ca 93210 8:00 am – 3:00 pm M-F
<b>CAL - CALIPATRIA STATE PRISON</b> 7018 Blair Road CalipatRIA, Ca 92233 7:30 am – 3:00 pm M-F	<b>FAIRVIEW DEVELOPMENTAL CENTER</b> 2501 Harbor Blvd. Costa Mesa, Ca 92626 8:00 am – 2:00 pm M-F	<b>PORTERVILLE DEVELOPMENTAL CENTER</b> P.O. Box 2000 26501 Avenue 140 8:00 am – 4:00 pm
<b>CSP - CENTINELA STATE PRISON</b> 2302 Brown Road Imperial, Ca 92251 8:00 am – 3:00 pm M-Thurs. 9:00 am – 3:00 pm Fridays	<b>ISP - IRONWOOD STATE PRISON</b> 19005 Wiley's Well Road Blythe, Ca 92225 8:00 am - 3:00 pm M-F	<b>SOUTHERN CAMP WAREHOUSE</b> 701 South Dupont Avenue Ontario, Ca 91761 8:00 am – 3:00 pm M-F

Attachment 2

**SOUTHERN INSTITUTIONS  
(continued)**

<b>SHIPPING INFORMATION</b>	
<b>SYCRCC – SOUTHERN YOUTH CORRECTIONAL RECEPTION CENTER &amp; CLINIC</b> 13000 S. Bloomfield Avenue Norwalk, Ca 90650 7:30 am – 11:00 am 1:00 pm – 3:00 pm	
<b>HEMAN G. STARK YOUTH CORRECTIONAL FACILITY</b> 15180 S. Euclid Avenue Chino, Ca 91710 6:30 am – 10:30 am M-F 11:30 pm – 3:30 pm M-F	
<b>VENTURA YOUTH CORRECTIONAL FACILITY</b> 3100 Wright Road Camarillo, Ca 93010 7:00 am - 12:00 pm 1:00 pm - 3:00 pm M-F	
<b>WSP - WASCO STATE PRISON</b> Attn: Food Service Department 701 Scofield Avenue Wasco, Ca 93280 8:30 am – 3:30 pm M-F	



# STATE OF CALIFORNIA

## Bid Specification

8915-09BS-005

### Canned Tomato Products

#### 1.0 SCOPE

This bid specification establishes requirements for canned tomato products packed in commercially acceptable containers suitable for use by State of California Institutions.

#### 2.0 GENERAL REQUIREMENTS

- 2.1 The products shall comply with all applicable Federal & State mandatory requirements and regulations relating to the preparation, packaging, labeling, storage, distribution, and sales of the product within the commercial marketplace.
- 2.2 The products shall be prepared in accordance with the 21 CFR §110, Current Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food.
- 2.3 The products shall comply with the provisions of the Federal Food, Drug, and Cosmetic Act and regulations promulgated thereunder.

#### 3.0 REQUIREMENTS

- 3.1 The tomato products shall be prepared from clean, sound, properly matured tomatoes.
- 3.2 The products shall be packed in size #10 cans, 6 per case.
- 3.3 The standard of fill of container for the products (as determined by the general method for fill of container prescribed in 21 CFR §130.12(b)) is not less than 90 percent of the total capacity.

### CANNED TOMATO PRODUCTS

Products	Descriptions	Standard of Identity	Grade
Tomato, Catsup	a.k.a. Ketchup	21 CFR 155.194	B
Tomato, Paste	Light Concentrate	21 CFR 155.191	C
Tomato, Puree	Medium Concentrate	21 CFR 155.191	C
Tomato, Diced	in puree or in Juice	21 CFR 155.190	B
Tomato, Whole	Solid Pack	21 CFR 155.190	B

#### 3.4 Tomato Catsup

- 3.4.1 The catsup (a.k.a ketchup) shall be as defined in the standard of identity for catsup, ketchup, catchup (21 CFR 155.194)
- 3.4.2 The catsup shall contain tomato concentrate and may contain ingredients such as, but not limited to, vinegar, nutritive carbohydrate sweeteners, spices, onion, garlic, salt, smoke flavor, and natural flavorings.
- 3.4.3 The catsup shall be smooth and possess a consistency such that not more than a slight separation of free liquid occurs. All spices and seasonings shall be uniformly comminuted and distributed.
- 3.4.4 The catsup may have a spicy, sweet, slightly tangy, cooked tomato flavor and odor. There shall be no foreign flavors or odors.
- 3.4.5 The tomato catsup shall be of U.S. Grade B (U.S. Extra Standard) or better.

### 3.4.6 Tomato Paste

- 3.4.6.1 The tomato paste shall be as defined in the standard of identity for tomato paste (21 CFR 155.191).
- 3.4.6.2 The tomato paste shall be of light concentration having natural tomato soluble solids of 24.0 to 28.0 percent.
- 3.4.6.3 The tomato paste shall be of U.S. Grade C (U.S. Standard) or better:
  - has at least a fairly good flavor and odor,
  - has at least a fairly good color,
  - is at least fairly free from defects

### 3.4.7 Tomato Puree

- 3.4.7.1 The tomato puree shall be as defined in the standard of identity for tomato puree (21 CFR 155.191).
- 3.4.7.2 The tomato puree shall be of medium concentration having natural tomato soluble solids of 10.2 to 11.3 percent.
- 3.4.7.3 The tomato puree shall be of U.S. Grade C (U.S. Standard) or better:
  - has at least a fairly good flavor and odor,
  - has at least a fairly good color,
  - is at least fairly free from defects

### 3.4.8 Tomato, Diced

- 3.4.8.1 The diced tomato shall be peeled as defined in the standard of identity for diced, peeled tomato (21 CFR 155.190).
- 3.4.8.2 The diced tomato shall be cut into approximate cube-shaped units.
- 3.4.8.3 The diced tomato shall be packed in puree or in tomato juice.
- 3.4.8.4 The diced tomato shall be of U.S. Grade B (U.S. Extra Standard) or better as defined in the United States Standards for Canned Tomato, dated April 13, 1990.

### 3.4.9 Tomato, Whole

- 3.4.9.1 The whole tomato shall be peeled as defined in the standard of identity for whole, peeled tomato (21 CFR 155.190).
- 3.4.9.2 The whole tomato shall be substantially whole or almost whole.
- 3.4.9.3 The whole tomato shall be solid packed (no added liquid).
- 3.4.9.4 The whole tomato shall be of U.S. Grade B (U.S. Extra Standard) or better as defined in the United States Standards for Canned Tomato, dated April 13, 1990.

## 4.0 PACKAGING and MARKING

- 4.1 Institutional or retail pack packaging is acceptable.
- 4.2 As a minimum, the product label shall include a product name, content amount and pack date. Date codes only are not acceptable.

## Question and Answers for Bid #57321 - Canned Tomatoes

### OVERALL BID QUESTIONS

There are no questions associated with this bid. If you would like to submit a question, please click on the "Create New Question" button below.