



PORTALES MUNICIPAL SCHOOLS
501 S. Abilene
Portales, NM 88130

ITB 21-22-0005

REQUEST FOR PROPOSAL

The Board of Education of the Portales Municipal School District hereby invites the submission of sealed proposals for the **Student Nutrition Services to include: All Food, Non-Food and Supplies, Milk, Dairy and Bread** for use by the Portales Municipal School District.

Invitation to Bids (ITB) may be emailed to the CPO Sarah Stubbs at sstubbs@portalesschools.com or delivered no later than 3:30 pm MST on Friday, June 3, 2022, to the Portales Municipal School District, L.C. Cozzens Administrative Office, 501 South Abilene Ave, Portales, NM 88130, Phone Number (575) 356-7000. Documentation may be obtained by contacting the District or online at <http://www.portalesschools.com/> and click on the tab RFP/RFI Bids.

The Board of Education reserves the right to reject any or all proposals and to waive all formalities.

Board of Education
Portales Municipal Schools
/S/ Rod Savage
President

ITB# 21-22-0005

**PORTALES MUNICIPAL SCHOOLS
SCOPE OF WORK, SPECIFICATIONS AND ITB REQUIREMENTS
EXCLUSIVE ONE YEAR CONTRACT WITH THE OPTION BY THE DISTRICT TO
RENEW FOR TWO ADDITIONAL TERMS OF ONE YEAR**

DUE DATE: Friday, June 3, 2022 at 3:30 PM

**ATTENTION: READ EACH SPECIFICATION AND REQUIREMENT
CAREFULLY, NON-PERFORMANCE COULD RESULT IN REJECTION OF
YOUR PROPOSAL.**

I) INTRODUCTION

- A) **Portales Municipal Schools** is requesting proposals from reputable firms interested in providing and delivering (1) food, non-food and supply products; (2) milk/dairy; (3) bread to six locations within the school district. Pricing will be based on the pack/size listed on the attached proposal forms. If a different pack/size is proposed by the respondent, the item may be rejected and assigned a weighted value. Respondents must indicate on the proposal form the brand or trade name of the item proposed.

Entire proposal will be awarded to the Respondent who receives the highest ranking based on the weighted factors listed in the evaluation section of this document. Any items “non-proposed” will have a weighted average assigned to them. All three areas (1) food, non food & supply; (2) milk/dairy; (3) bread will be awarded separately.

- B) Schools included in Portales Municipal School district:
- 1) Portales High School: 201 S Knoxville
 - 2) Portales Junior High School: 700 E 3rd Street
 - 3) Lindsey/Steiner: 1000 N Ave M
 - 4) Valencia: 1415 S Globe
 - 5) James: 701 W 18th Street
 - 6) Brown Early Childhood Center: 520 W 5th Street
- C) Inquiries regarding this solicitation may be obtained by contacting the following:
- 1) Tanya Baca, Purchasing Agent (575)356-7000
 - 2) Shaunna Smith, Food Service Director (575)356-7000
- D) All prospective respondents are responsible for complying with the criminal laws prohibiting bribes, gratuities, and kickbacks.

- E) By responding to this request, the respondent warrants that it has no interest and will acquire no interest which would directly or indirectly conflict in any manner or degree with the performance of the proposed service.
- F) Multi-Year Contract: The term of this agreement will be from July 1, 2022 to June 30, 2023. This agreement may be renewed by the district for two additional terms of one year, provided that any price increase for subsequent bid periods shall contain a written explanation and market documentation for all price increases and the overall contract price increase shall not be greater than the percentage change in the Consumer Price Index published by the United States Department of Labor, Bureau of Labor Statistics, Food Away from Home (“CPI”) percentage change, or a comparable index if that index is not available. Such percentage change shall be measured from the period March 1 through April 30 period. When making the decision to renew, the district will also review performance history, product quality, delivery, and overall level of services provided. Each renewal will be presented to the Board of Education prior to August of the new year.
- G) Portales Municipal Schools has listed brand-name specifications and has determined that ONLY the brand-name specified will satisfy the needs of the district. The brand-name is for the purpose of describing the standard of quality, performance and characteristics desired and is not intended to limit or restrict competition.
- H) Portales Municipal Schools does not participate in lobbying.
- I) We reserve the right to accept or reject any bid or part of bid and waive any formalities thereof. Bids will be evaluated on the basis of advantages or disadvantages to our school district.
- J) Successful bidders will be notified in writing through a determination letter mailed on June 14, 2022.
- K) By submission of this bid or proposal, the bidder certifies that this bid or proposal has been independently arrived at without collusion with any other bidder or with any competitor, and that it is in all respects fair and in good faith, without collusion or fraud.
- L) Any bidder or offeror who is aggrieved in connection with a solicitation or award of a contract may protest to the Central Purchasing Office. The protest shall be in writing within fifteen (15) calendar days after knowledge of the facts or occurrences giving rise to the protest. (NMSA 1978 13.1.172) The protest shall include the following information: Name and address of the protestant or aggrieved, RFB, IFB or RFP number, statement of grounds for protest, including all documents, evidence or information to substantiate any claim, and specify ruling requested from the Chief Procurement Office.

II) SCHEDULE OF EVENTS

Date	Task	Time	Additional Info
5/20/2022	Issue ITB-Posted on Website		
5/22/2022	Printed in Paper		
6/3/2022	Submission of ITB Due	3:30	
6/6/2022	Committee Evaluation	9:00	
6/13/2022	Board Approval	6:00	LC Cozzens Administrative Offices 501 S Abliene Ave Portales, NM 88130
6/14/2022	Determination Letters Mailed		
6/30/2022	Protest Deadline	3:00	
7/1/2022	Issue Purchase Order		

If you have any additional questions regarding this bid or specifications, please write, call or e-mail:

Tanya Baca
 Phone: (575) 356-7000
 Fax: (575) 356-4377
 E-mail: tbaca@portalesschools.com

Thank you,

Sarah Stubbs
 Chief Procurement Officer/Finance Director

III) SCOPE OF WORK

- A) Awarded respondent will be required to deliver to the (6) locations listed above. Brown Early Childhood Center will require delivery for milk only. Products must arrive frozen or chilled as appropriate to product or products will be rejected. Portales Municipal Schools will be checking temperatures at the time of delivery as required by USDA HACCP. When deliveries are made during service times, food service employees will continue serving customers prior to checking in deliveries.
- B) Portales Municipal Schools will not place minimum orders.
- C) Portales Municipal Schools will expect the awarded respondent to follow the “Buy American” provision of the law. Section 104(d) of the William F. Goodling Child Nutrition Reauthorization Act of 1998 “Buy American”; requires schools and institutions participating in the National School Lunch Program and School Breakfast Program in the contiguous United States to purchase, to the maximum extent practicable, domestic commodities or products for use in the meals served. The legislation defines “domestic commodity or product” as one that is produced in the

United States and is processed in the United States substantially using agricultural commodities that are produced in the United States.

- D) If the awarded respondent is temporarily out of stock of a particular item, he or she must deliver an equal or superior product at an equal or lower portion price, with prior approval of the Food Service Director or their designee. Invoices must be adjusted with new price prior to delivery.
- E) Separate invoices must be provided for each delivery location. Invoices must also be separated into Food and Non/Food categories. Invoices must be adjusted at time of delivery for any rejected items.
- F) Pricing must remain firm for 45 days after first delivery. After that time, it will be allowable to negotiate a percentage increase should the market require. A negotiable percentage increase will only be accepted with proper documentation which shows the need for a price increase. Documentation must be reviewed with the Food Service Director prior to price increases. Prices will be increased 10 days after the documentation has been reviewed. In a downward market trend Portales Municipal Schools will expect pricing to decrease.
- G) After contract award, Portales Municipal Schools will occasionally need items added. Pricing on added items will remain firm and follow guidelines in item (F).
- H) Portales Municipal Schools will pay delivery fees only if diesel fuel reaches \$5.00 per gallon. At which time, a \$5.00 delivery fee may be added to each invoice.
- I) Portales Municipal Schools will accept delivery once a week for all items except milk.
- J) Milk must be delivered 2 to 4 times each week if needed by Portales Municipal Schools.
- K) Credit for milk products will be issued by awarded respondent in the following situations: excess milk on day before vacation or end of school year; school cancelations; expired product; expiration date is not available; leaky or difficult to open cartons; and/or foreign object in milk product.
- L) Bread must be delivered fresh not frozen.
- M) If Portales Municipal Schools is charged incorrectly, invoices will be held until awarded Respondent issues a credit. Credits must be issued by awarded firm within 10 days of receipt of invoice.

III) REQUIRED PROPOSAL SUBMITTALS

- A) Submittal Sheet
- B) Responses must consist of one (1) electronic copy and/or one (1) hard copy

- a. Hard copies of the proposal responses must be received by the above **DUE DATE/TIME** at Portales Municipal Schools-Administrative Office. Documents must be in a sealed envelope and may be hand carried or mailed to the following address:

ATTENTION: Tanya Baca
ITB 21-22-0005
STUDENT NUTRITION SERVICES
PORTALES MUNICIPAL SCHOOLS
501 S. ABILENE
PORTALES, NM 88130

- b. Electronic copy (emailed to sstubbs@portaleschools.com or CD/jump drive mailed) of attachments A – C; Attachment A – food, non-food & supply; Attachment B – milk/dairy; Attachment C – bread. DO NOT alter the Attachments; DO NOT delete line items. If respondent is proposing a different pack/size please note the proposal in **RED**.
 - c. Items will be proposed based on the pack/size listed on the attached forms. If a different pack/size is proposed the item may be rejected and assigned a weighted value. Any items that are “non-proposed” will have a weighted average assigned to them.
 - d. Child Nutrition (CN) Labels and Product Analysis sheets must accompany the items proposed in attachments A – C. **Portales Municipal Schools reserves the right to refuse any proposal that does not contain all CN Labels and Product Analysis.** Awarded Vendor must make sure that all information given is up-to-date. Including nutrition information on vendor website. Anytime there are changes to the bid or new items are added the vendor **MUST** provide CN label and/or Product Analysis sheets for each item.
- C) A company profile that includes:
- a. A brief history and philosophy of the company
 - b. Organizational structure
 - c. Personnel resources
 - d. Physical plant including size and location of distribution center
 - e. Stock composition and inventory size
 - f. Fleet composition and size
 - g. General financial condition
 - h. Marketing area (local, regional and/or national)
 - i. Any other information deemed by the respondent that is useful in describing the company, its resources, and capabilities
- D) A listing of New Mexico public and private school districts serviced by your company including the contact persons that may provide information on the respondent’s performance, capabilities and reliability.
- E) A detailed description of approach to be taken by the company in providing products and services to Portales Municipal Schools.
- F) Campaign Disclosure Form (signed).

- G) Copy of Resident Business or Resident Veteran Business Certificate (if applicable):
 - a. “resident business” means a business that has a valid resident business certificate issued by the taxation and revenue department pursuant to Section 13-1-22 NMSA 1978 but does not include a resident veteran business; and
 - b. “resident veteran business” means a business that has a valid resident veteran business certificate issued by the taxation and revenue department pursuant to Section 13-1-22 NMSA 1978.

H) The proposals will be kept confidential until a contract is awarded.

IV) EVALUATION FACTORS

A) Proposal award will be based on the following weighted factors:

Price and product documentation	50 Points
Respondent’s experience, qualification and capacities	15 Points
Respondent’s performance history	20 Points
Respondent’s approach to providing product, delivery and overall level of services offered	15 Points

Total Points **100 Points**

ITB respondents will be awarded points if their principle place of business is located in the State of New Mexico as defined in 13-1-12 NMSA 1978. To be awarded the points, respondents must include a copy of their preference certificate.

The points will be 5% of respondents total points ... example: 100 points possible 5 points for this factor.

Total w/ Preference Certificate **105 Points**

V) ITB DOCUMENTS

- A) To avoid premature opening of ITB documents, the outside of the envelope must be properly marked “**SEALED REQUEST FOR PROPOSAL 21-22-0005**”.

Period of performance will be from July 1 to June 30 with the option to renew for two additional terms of one year.

Portales Municipal Schools – Student Nutrition

**ITB SUBMITTAL SHEET
ITB # 21-22-0005**

Please return this form and complete ITB Proposal to:

**ATTENTION: Tanya Baca
ITB 21-22-0005
STUDENT NUTRITION SERVICES
PORTALES MUNICIPAL SCHOOLS
501 S. ABILENE
PORTALES, NM 88130**

Please also mark on a sealed envelope:

**“STUDENT NUTRITION SERVICES to include ALL FOOD, NON-FOOD,
SUPPLIES, MILK and BREAD”**

INVITATION FOR BID # 21-22-0005

Please check mark which proposals you have submitted:

Food, Non-Food and Supplies _____
Milk _____
Bread _____

Company Name _____

Representative _____

Address _____

City/State _____

Phone _____

Signature of Representative _____

New Mexico Resident Bidder Certificate Number _____
(copy of preference certificate **must** be included)

Note: A copy of **Respondent’s NM Preference Certificate** must be submitted to receive an additional 5% of respondents total evaluation points.

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

“Applicable public official” means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

“Campaign Contribution” means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or

unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

“Family member” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

“Pendency of the procurement process” means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“Person” means any corporation, partnership, individual, joint venture, association or any other private legal entity.

“Prospective contractor” means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

“Representative of a prospective contractor” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(Attach extra pages if necessary)

ITB 21-22-0005

Signature

Date

Title (position)

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature

Date

Title (position)

ITB 21-22-0005