



pennsylvania
DEPARTMENT OF HUMAN SERVICES

April 4, 2019

RE: MILK BID 2019

Dear Vendors,

The 2019 Milk Bid is available to download online at the DGS website (<http://www.emarketplace.state.pa.us/>). If you are unable to download the bid packet, please contact the purchasing agent listed below.

The following documents must be filled out and returned to DHS Procurement by the bid opening date of Thursday, April 18, 2019 by 10:00 a.m. for consideration of your bid.

Section:

3. Local Purchase Proposal Cover Sheet
4. Bid Page
5. Check Applicable Block Page
10. Manufacturer/Mill Certification
11. Reciprocal Limitations Act Requirements

Remember to sign your bid. Unsigned bids will be disqualified.

BIDS MUST BE RECEIVED PRIOR TO THE BID OPENING TIME ON THE DATE OF THE BID OPENING TO BE COUNTED.

If you have any questions, please contact Matthew Lontz at 717-787-7586, Fax 717-787-7615, or E-mail RA-PWBIDQUESTIONS@pa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Carrie Thompson".

Carrie Thompson
Division of Procurement and Contract Management

DHS MILK BID 2019

INCLUDED MATERIALS

1. COVER LETTER
2. INCLUDED MATERIALS LIST
3. LOCAL PURCHASE PROPOSAL COVER SHEET*
4. BID PAGE*
5. CHECK APPLICABLE BLOCK PAGE*
6. MILK REQUIREMENTS; TOTALS BY REGION
7. MILK PROPOSAL PAGES 1, 2, 3.
8. STANDARD TERMS AND CONDITIONS
9. MANUFACTURER/MILL CERTIFICATION*
10. RECIPROCAL LIMITATIONS ACT REQUIREMENTS*

* These items MUST BE COMPLETED BY VENDOR and RETURNED WITH THE BID.

REMEMBER TO SIGN YOUR BID. UNSIGNED BIDS WILL BE FOUND NON-RESPONSIVE.

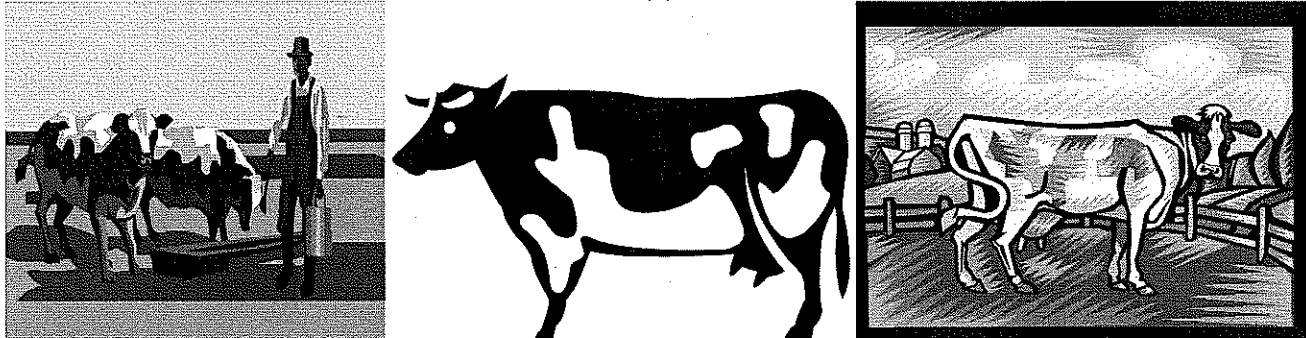
BIDS MUST BE RECEIVED PRIOR TO THE BID OPENING TIME ON THE DATE OF THE BID OPENING TO BE COUNTED.

LOCAL PURCHASE PROPOSAL

INSTRUCTIONS:

RETURN COMPLETED PROPOSAL IN THE ENCLOSED ENVELOPE PRIOR TO THE DATE AND TIME SPECIFIED FOR BID OPENINGS. BIDS RECEIVED AFTER THE DATE AND HOUR SPECIFIED FOR BID OPENING WILL BE CONSIDERED AS "LATE BIDS" AND CANNOT BE ACCEPTED. ALL ARTICLES LISTED ARE TO BE BID F.O.B. DESTINATION

FACILITY: DEPARTMENT OF HUMAN SERVICES

THIS PROPOSAL IS SUBJECT TO THE CONDITIONS AND INSTRUCTIONS ATTACHED. THE BIDDER HEREBY GIVES ASSURANCE OF COMPLIANCE WITH ALL THE CONDITIONS AND INSTRUCTIONS APPEARING THERON.		PURCHASING AGENT NAME AND NUMBER Matthew Lontz 717-787-7586	
MAIL DATE MONTH/DATE/YEAR April 04, 2019	OPENING DATE MONTH DATE YEAR April 18, 2019	OPENING TIME 10:00 A.M.	PROPOSAL NUMBER: MILK BID 2019
THE DEPARTMENT RESERVES THE RIGHT TO AWARD BY ITEM OR ON TOTAL BID BASIS, WHICHEVER IS DEEMED MOST ADVANTAGEOUS TO THE COMMONWEALTH	SHIP TO: COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF HUMAN SERVICES HEALTH & WELFARE BLDG., ROOM 402 PO BOX 2675 HARRISBURG, PA 17105-2675		DELIVERY SCHEDULE: DELIVERIES ARE TO BE MADE WITHIN 30 DAYS FROM RECEIPT OF PURCHASE ORDER UNLESS OTHERWISE INDICATED
DESCRIPTION OF COMMODITY <h3 style="margin: 0;">MILK BID FOR YEAR 2019</h3> <h4 style="margin: 0;">PLEASE RETURN ONE (1) COPY OF THIS PROPOSAL</h4>			
			

BELOW AND ALL ATTACHMENTS WITH BID ARE TO BE COMPLETED BY THE VENDOR

IN COMPLIANCE WITH THIS PURCHASE PROPOSAL AND SUBJECT TO ALL THE CONDITIONS THEREOF, THE UNDERSIGNED OFFERS AND AGREES IF THIS PROPOSAL IS ACCEPTED, TO FURNISH ANY OR ALL ITEMS UPON WHICH PRICES ARE QUOTED AT THE PRICE SET OPPOSITE EACH ITEM. BID PRICES SHALL REMAIN FIRM FOR A PERIOD OF 60 DAYS FROM BID OPENING DATE. ALL BID INFORMATION MUST BE COMPLETED IN INK. ALL BIDS MUST BE SEALED.

PRINT NAME	DATE/MONTH/YEAR	FEDERAL ID NO.
SIGNATURE		SAP VENDOR NO.
TITLE	TERMS:	PHONE:

VENDOR INFORMATION MAILING LABEL GOES HERE	DEPARTMENT OF HUMAN SERVICES USE ONLY. BID OPENING DATE _____ TIME: _____ AGENT _____ WITNESS _____ WITNESS _____
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BID PAGE

Are you bidding at Milk Marketing Applicable Discount? Yes ___ No ___

If no, indicate the price per unit above milk marketing minimum.

Cost above minimum: \$ _____ per unit.

Bidder's Name _____

Address _____

Telephone _____

Federal ID# (FIN) _____

The bids will be awarded by facility within each region. No vendor will be allowed a second facility in a region until all vendors are offered an opportunity of an award within the region.

The facilities within each region are ranked from high to low by volume. A lottery will be used to identify the awarded vendor for each facility. You will need to identify those facilities that you are not interested in serving.

Please check the applicable block.

Region 1

All _____

YES NO

Norristown State Hospital

Region 2

All _____

YES NO

Wernersville

Region 3

All _____

YES NO

Selinsgrove

Clark Summit

Danville

White Haven

YFC #2

Region 4

All _____

YES NO

South Mountain

Loysville YDC

Region 5

All _____

YES NO

Polk Center

Torrance

New Castle YDC

Region 6

All _____

YES NO

Ebensburg

Warren

YFC #3

ALL REGIONS

Product Code	Type	REGION 1	REGION 2	REGION 3	REGION 4	REGION 5	REGION 6	TOTALS
400	Standard (Whole) Milk 4% and under Butterfat, Vitamin A & D added, Homogenized, 1/2 pt Containers (48 Per Case)		30,000	89,700			19,200	138,900
400	Standard (Whole) Milk 4% and under Butterfat, Vitamin A & D added, Homogenized, (Containers Gallon Each)		900	430				1,330
400	Standard (Whole) Milk NLT 3.25% Milk Fat, Vitamin A & D added, Homogenized, 1/2 pt Containers (48 Per Case)				26,000			26,000
800	Reduced Fat (2% Milk Fat) and under, Vitamin A&D Homogenized (5 Gallon Containers)							
800	Reduced Fat (2% Milk Fat) and under, Vitamin A&D Homogenized (Gallon Containers)							
800	Reduced Fat (2% Milk) and under Butterfat, Vitamin A & D added, Homogenized, 1/2 pt Containers (48 Per Case)							
800	Reduced Fat (2% Milk) and under Butterfat, Vitamin A & D added, Homogenized, 1/4 pt Containers (48 - 4oz Containers Per Case)							
900	Lowfat Milk (1%) and under Vitamin A&D Added 1/2 pt. Containers (48 Per Case)	275,000			112,320		24,000	411,320
900	Lowfat Milk (1%) and under Vitamin A&D Added (1/2 Gallon Containers)			1,872	500		900	3,272
900	Lowfat Milk (1%) and under Vitamin A&D Added (Gallon Containers)							
1200	Nonfat (Skim) Milk Vitamin A&D Added (Quarts-Plastic)			19,968				19,968
1200	Nonfat (Skim) Milk Vitamin A&D Added (5 Gallon Bulk)			5,000				5,000
1200	Nonfat (Skim) Milk Vitamin A&D Added (Gallon Containers)			2,500				2,500
1200	Nonfat (Skim) Milk Vitamin A&D Added (1/2 Gallon Containers)					10,000		10,000
1200	Nonfat (Skim) Milk Vitamin A&D Added 1/2 pt Containers (48 Containers Per Case)		160,000	435,000	78,000	720,000	179,000	1,572,000
1200	Nonfat (Skim) Milk Vitamin A&D Added 1/4 pt Containers (48 Containers Per Case)			165,450				165,450
500	Flavored Milk (Standard Milk) Chocolate Vitamin A & D Added, 1/2 pt (48 Containers Per Case)							
600	Flavored Milk (Reduced Fat Milk) Chocolate Vitamin A & D Added, 1/2 pt (48 Containers Per Case)				20,800	40,000		60,800
700	Flavored Milk (Nonfat Milk) Chocolate Vitamin A & D Added, 1/2 pt (48 Containers Per Case)		19,000	36,500	20,000	48,000	102,000	225,500
500	Flavored Milk (Standard Milk) Strawberry Vitamin A & D Added, 1/2 pt (48 Containers Per Case)			18,300		800		19,100
600	Flavored Milk (Reduced Fat Milk) Strawberry Vitamin A & D Added, 1/2 pt (48 Containers Per Case)							
700	Flavored Milk (Nonfat Milk) Strawberry Vitamin A & D Added, 1/2 pt (48 Containers Per Case)			1,800	20,000		10,000	31,800
1000	Buttermilk Plain 5% Butterfat & Under (Gallon Container)							
1000	Buttermilk Plain 5% Butterfat & Under (1/2 pt Container 48 Containers Per Case)							
1000	Buttermilk Plain 5% Butterfat & Under (Quart Containers)				0			
1600	Sour Cream, Bulk 5 LB Containers			30	0		48	78
1900	Heavy Cream (Quart Containers)			96	0	0		96
1700	Light Cream (Quart Containers)			1,500	0	0		1,500
510	EGG NOG (Quart Containers)			129	0	60		165
1500	Half & Half Creamer, 3/8 oz (400 Per Case)	0	0	0	0	0	0	

MILK PROPOSAL

MILK BID 2019

Bid Opening Date April 18, 2019

This proposal covers the milk and milk product requirements for the Department of Human Services and its facilities located in the six milk-marketing regions within the Commonwealth of Pennsylvania for July 1, 2019 – June 30, 2020.

Deliveries: In most instances each of the facilities requires two deliveries per week. All deliveries shall be made F.O.B. destination. Deliveries must be made on days and times specified on the Purchase Order from the facility regardless of the vendors other commitments, to other customers, (i.e. schools).

Product Condition at Delivery: Dairy products must be delivered in a refrigerated truck. The internal temperature on delivery shall not exceed 41 degrees Fahrenheit for chilled products and 10 degrees Fahrenheit for frozen products. The temperatures will assure quality products at the time of deliveries.

Any products that are rejected at the time of delivery will be returned and replaced at the contractor's expense within 24 hours after notice of rejection unless otherwise identified by the Facility Director of Dietetic Services. If the contractor fails to replace the rejected products within the specified period of time, the facility will purchase the products on the open market and surcharge the contractor the additional cost plus \$100.00.

All products shall have a "sell by" date of not less than 8 days including the date of delivery.

Estimated Quantities: It shall be understood and agreed that the quantities listed on the purchase orders are estimated only and may be increased or decreased in accordance with the actual requirements of the facility. The facility in accepting this bid, agrees to purchase only the items, as listed, on the purchase order, in such quantities as represented.

Specifications for deliveries should be made as listed below:

¼ Pint	48 each per case
½ Pint	48 each per case
½ Pint Lactaid	20 each per case
Quart	16 each per case
½ Gallon	9 each per case
Gallon	4 each per case

Purchase Order: Each facility will issue a purchase order against this proposal. The purchase order constitutes the contractor's authority to make delivery. Contractors are permitted to only accept Purchase Orders which require deliveries within the contract period.

Special Terms and Conditions: The contract may not be assigned, sublet, or transferred without the written consent of the facility. Awarded vendors shall be responsible for all of the terms and conditions of the contract.

All specified Dairy Products shall conform to Title 7 PA Code Chapter 59, Milk Sanitation and Standards, authorized Commonwealth personnel will inspect products at time of delivery. If random visual inspection of products does not meet specifications, deliveries may be rejected.

In addition to conforming with the provisions of the Milk Marketing Board, milk for use through bulk milk dispensing machines shall be (1) in a container size and shape to accommodate the dispensing equipment of the facility, (2) equipped to permit ready removal of milk there from without contamination of same, and (3) if providing milk in bulk cardboard or corrugated container, said container shall not be waxed or coated.

Milk Marketing Board minimum/applicable discount is defined as the milk market wholesale pricing with limited service, including quantity discounts as shown in general orders.

Any milk configuration as recognized by the Milk Marketing Board may be substituted with a thirty (30) day notification by the facility and approved by the vendor.

All tie bids will be broken by a lottery system. In the event tie bids are received, after the Vendor Responsibility Evaluation Requirements are performed, the tie bids will be broken by a public lottery.

The bid opening and lottery will be held by the Procurement Office in Room 402 of the Health & Welfare building, Harrisburg, PA. Each bidder is invited to have a representative at the bid opening; however, a bidder need not be present to receive an award.

Any facility may change quantity or delivery requirements by notification to the awarded vendor. If the change affects the applicable milk marketing discount, it is the responsibility of both the facility and vendor to make the appropriate changes. Any orders issued as a result of this proposal are subject to cancellation. The facility is only responsible for the portion of the order that was actually received.

Since the prices are based on the Milk Marketing minimum/applicable discounts, pricing will be adjusted upon notification of changes by the Milk Marketing Board. Copies of price computations will be sent to the vendor by the facility.

It is the Commonwealth's intent that the legal minimum prices shall include all mandatory and optional discounts and allowances permitted by the Pennsylvania Milk Marketing Board.

In any dispute between the requirements of the facility and the schedule of the awarded vendor, the requirements of the facility shall prevail and the awarded vendor will not be granted relief from the bid due to a conflict.

Bidding Instructions: Minimum deliveries and applicable discounts will be obtained by using formulas as directed by current Milk Marketing Board.

If not bidding minimum, circle "NO" and indicate the cost above minimum applicable discount in space provided.

Be sure to sign your bid and complete the information requested and return in the enclosed envelope.



MANUFACTURER/MILL CERTIFICATION

(To be submitted with invoice for each order)

TO BE COMPLETED BY MANUFACTURER/MILL:

NAME OF MANUFACTURER/MILL: _____

ADDRESS OF MANUFACTURER/MILL: _____

FEDERAL EMPLOYER I.D. NO.: _____

CONTRACT OR REQUISITION NO. _____

NAME OF CONTRACTOR: _____

ADDRESS OF CONTRACTOR: _____

Type of product(s) which the manufacturer/mill furnished to the contractor: _____

CERTIFICATION: I, the undersigned officer of the above-named manufacturer/mill, do hereby certify that I am authorized to provide this certification on behalf of the above-named manufacturer/mill and that the type of product(s) listed above which my company furnished to the contractor named above for the referenced contract or purchase requisition, contained not less than _____% post-consumer materials and _____% recovered materials as those terms are defined in the invitation for bids. I understand that this document is subject to the provisions of the Unsworn Falsification of Authorities Act (18 P.S. Section 4904).

Signature

Name of Signatory

Title

Date

RECIPROCAL LIMITATIONS ACT REQUIREMENTS

Please Complete Applicable Portion of Pages 3 & 4 and Return with Bid.

NOTE: These Requirements Do Not Apply To Bids Under \$10,000.00

I. REQUIREMENTS

- A.** The Reciprocal Limitations Act requires the Commonwealth to give preference to those bidders offering supplies produced, manufactured, mined or grown in Pennsylvania as against those bidders offering supplies produced, manufactured, mined or grown in any state that gives or requires a preference to supplies produced, manufactured, mined or grown in that state. The amount of the preference shall be equal to the amount of the preference applied by the other state for that particular supply.

The following is a list of states which have been found by the Department of General Services to have applied a preference for in-state supplies and the amount of the preference:

STATE	PREFERENCE
1. Alaska	7% (applies only to timber, lumber, and manufactured lumber products originating in the state)
2. Arizona	5% (construction materials produced or manufactured in the state only)
3. Hawaii	10%
4. Illinois	10% for coal only
5. Iowa	5% for coal only
6. Louisiana	4% meat and meat products 4% catfish 10% milk & dairy products 10% steel rolled in Louisiana 7% all other products
7. Montana	5% for residents * 3% for non-residents* *offering in-state goods, supplies, equipment and materials
8. New Mexico	5%
9. New York	3% for purchase of food only
10. Oklahoma	5%
11. Virginia	4% for coal only
12. Washington	5% (fuels mined or produced in the state only)
13. Wyoming	5%

- B.** The Reciprocal Limitations Act requires the Commonwealth to give preference to those bidders offering printing performed in Pennsylvania as against those bidders offering printing performed in any state that gives or requires a preference to printing performed in that state. The amount of the preference shall be equal to the amount of the preference applied by the other state for that particular category of printing.

The following is a list of states which have been found by the Department of General Services to have applied a preference for in-state printing and the amount of the preference:

STATE	PREFERENCE
1. Hawaii	15%
2. Idaho	10%
3. Louisiana	3%
4. Montana	8%
5. New Mexico	5%
6. Wyoming	10%

- C.** The Reciprocal Limitations Act, also requires the Commonwealth to give resident bidders a preference against a nonresident bidder from any state that gives or requires a preference to bidders from that state or exclude bidders from states that exclude nonresident bidders. The amount of the preference shall be equal to the amount of the preference applied by the state of the nonresident bidder. The following is a list of the states which have been found by the Department of General Services to have applied a preference for in-state bidders and the amount of the preference:

STATE	PREFERENCE
1. Alaska	5% (supplies only)
2. Arizona	5% (construction materials from Arizona resident dealers only)
3. California	5% (for supply contracts only in excess of \$100,000.00)
4. Connecticut	10% (for supplies only)
5. Montana	3%
6. New Mexico	5% (for supplies only)
7. South Carolina	2% (under \$2,500,000.00) 1% (over \$2,500,000.00)
	This preference does not apply to construction contracts nor where the price of a single unit exceeds \$10,000.
8. West Virginia	2.5% (for the construction, repair or improvement of any buildings)
9. Wyoming	5%

STATE	PROHIBITION
1. New Jersey	For supply procurements or construction projects restricted to Department of General Services Certified Small Businesses, New Jersey bidders shall be excluded from award even if they themselves are Department of General Services Certified Small Businesses.

D. The Reciprocal Limitations Act also requires the Commonwealth not to specify, use or purchase supplies which are produced, manufactured, mined or grown in any state that prohibits the specification for, use, or purchase of such items in or on its public buildings or other works, when such items are not produced, manufactured, mined or grown in such state. The following is a list of the states which have been found by the Department of General Services to have prohibited the use of out-of-state supplies:

STATE	PROHIBITION
1. Alabama	Only for printing and binding involving "messages of the Governor to the Legislature", all bills, documents and reports ordered by and for the use of the Legislature or either house thereof while in session; all blanks, circulars, notices and forms used in the office of or ordered by the Governor, or by any state official, board, commission, bureau or department, or by the clerks of the supreme court . . . /and other appellate courts/; and all blanks and forms ordered by and for the use of the Senate and Clerk or the House of Representatives, and binding the original records and opinions of the Supreme Court . . . /and other appellate courts/
2. Georgia	Forest products only
3. Indiana	Coal
4. Michigan	Printing
5. New Mexico	Construction
6. Ohio	Only for House and Senate bills, general and local laws, and joint resolutions; the journals and bulletins of the Senate and house of Representatives and reports, communications, and other documents which form part of the journals; reports, communications, and other documents ordered by the General Assembly, or either House, or by the executive department or elective state officers; blanks, circulars, and other work for the use of the executive departments, and elective state officers; and opinions of the Attorney General.
7. Rhode Island	Only for food for state institutions.

*If the bid discloses that the bidder is offering to supply one of the above-listed products that is manufactured, mined, or grown in the listed state, it shall be rejected. Contractors are prohibited from supplying these items from these states.

II. CALCULATION OF PREFERENCE

In calculating the preference, the amount of a bid submitted by a Pennsylvania bidder shall be reduced by the percentage preference which would be given to a nonresident bidder by its state of residency (as found by the Department of General Services in Paragraph C above). Similarly, the amount of a bid offering Pennsylvania goods, supplies, equipment or materials shall be reduced by the percentage preference which would be given to another bidder by the state where the goods, supplies, equipment or materials are produced, manufactured, mined or grown (as found by the Department of General Services in Paragraphs A and B above).

THIS FORM MUST BE COMPLETED AND RETURNED WITH THE BID

III. STATE OF MANUFACTURE

All bidders must complete the following chart by listing the name of the manufacturer and the state (or foreign country) of manufacture for each item. If the item is domestically produced, the bidder must indicate the state in the United States where the item will be manufactured. **This chart must be completed and submitted with the bid or no later than two (2) business days after notification from the Issuing Office to furnish the information. Failure to complete this chart and provide the required information prior to the expiration of the second business day after notification shall result in the rejection of the bid.**

ITEM NUMBER	NAME OF MANUFACTURER	STATE (OR FOREIGN COUNTRY) OF MANUFACTURE

IV. BIDDER'S RESIDENCY

A. In determining whether the bidder is a nonresident bidder from a state that gives or requires a preference to bidders from that state, the address given on the first page of this invitation to bid shall be used by the Commonwealth. If that address is incorrect, or if no address is given, the correct address should be provided in the space below:

Correct Address: _____

- B.** In order to claim the preference provided under Section I.B., Pennsylvania resident bidders must complete the following or have such information on file with the Issuing Office:
- 1.** Address of bidder's bona fide establishment in Pennsylvania at which it was transacting business on the date when bids for this contract/requisition were first solicited: _____
 - 2. a.** If the bidder is a corporation:
 - (1)** The corporation is or is not incorporated under the laws of the Commonwealth of Pennsylvania.
 - (a)** If the bidder is incorporated under the laws of the Commonwealth of Pennsylvania, provide date of incorporation: _____
 - (b)** If the bidder is not incorporated under the laws of the Commonwealth of Pennsylvania, it must have a certificate of authority to do business in the Commonwealth of Pennsylvania from the Pennsylvania Department of State as required by the Pennsylvania Business Corporation Law (15 P.S. §2001). Provide date of issuance of certificate of authority: _____
 - (2)** The corporation is or is not conducting business in Pennsylvania under an assumed or fictitious name. If the bidder is conducting business under an assumed or fictitious name, it must register the fictitious name with the Secretary of the Commonwealth and the office of the prothonotary of the county wherein the registered office of such corporation is located as required by the Fictitious Corporate Name Act, as amended 15 P.S. §51 et seq. Corporate bidders conducting business under an assumed or fictitious name must provide date of registry of the assumed or fictitious name: _____
 - b.** If the bidder is a partnership:
 - (1)** The partnership is or is not conducting business in Pennsylvania under an assumed or fictitious name. If the bidder is conducting business under an assumed or fictitious name, it must file with the Secretary of the Commonwealth and the office of the prothonotary the county wherein the principal place of business is located as required by the Fictitious Name Act of May 24, 1945, P.L. 967, as amended 54 P.S. §28.1. Partnerships conducting business under an assumed or fictitious name must provide the date of filing of the assumed or fictitious name with the Secretary of the Commonwealth: _____
 - (2)** The partnership is or is not a limited partnership formed under the laws of any jurisdiction other than the Commonwealth of Pennsylvania. If the bidder is an Out-of-state limited partnership, it must register with the Pennsylvania Department of State as required by the Act of July 10, 1981, P.L. 237, as amended, 59 Pa. C.S.A. §503. Out-of-state limited partnerships must provide the date of registry with the Pennsylvania Department of State: _____
 - c.** If the bidder is an individual:

He or she is or is not conducting business under an assumed or fictitious name. If the bidder is conducting business under an assumed or fictitious name, he or she must file with the Secretary of the Commonwealth and the office of the prothonotary in the county wherein the principal place of business is located as required by the Fictitious Name Act of May 24, 1945, P.L. 967, as amended, 54 P.S. §28.1. Individuals conducting business under an assumed or fictitious name must provide the date of filing of the assumed or fictitious name with the Secretary of the Commonwealth: _____