



**REQUEST FOR BIDS**

**HORIZONTAL FOOD FLOW  
WRAPPER MACHINE**

**FOR**

**CHILD NUTRITION SERVICES (CNS)**

SANTA ROSA CITY SCHOOLS  
110 Stony Point Road, Suite 225  
Santa Rosa, CA 95401

**Request for Bids Issued: 11/27/23**  
**Deadline for Submittal of Bids: 1/16/24**

## NOTICE INVITING BIDS

1. Notice is hereby given that the Governing Board of Santa Rosa City Schools (“District”), of the County of Sonoma, State of California, will receive sealed bids for a Horizontal Food Flow Wrapper Machine for Santa Rosa City Schools Child Nutrition Services (CNS) Program (“Project”) up to, but not later than, 2:00 p.m., on Tuesday, January 16, 2024. All bids shall be received at the office of Santa Rosa City Schools Purchasing Department located at 110 Stony Point Road, Suite 225, Santa Rosa, California, 95401.
2. Each bid shall include all elements of the RFB, required documentation, and must conform and be fully responsive to this invitation. Copies of the RFB and required documentation are available for examination at the Santa Rosa City Schools Purchasing Department, County of Sonoma, and on the District’s website:  
  
<https://www.srcschools.org/site/Default.aspx?PageID=2222>
3. No bid may be withdrawn for a period of sixty (60) days after the date set for the opening of bids except as provided by Public Contract Code §§5100 *et seq.* The District reserves the right to reject any and all bids and to waive any informalities or irregularities in the bidding.

SANTA ROSA CITY SCHOOLS

By: Kelley Cook, Director of Purchasing

DATED: 11/21/2023

Publication Dates: 1) 11/27/2023 2) 12/4/2023

**REQUEST FOR BIDS**  
**HORIZONTAL FOOD FLOW WRAPPER MACHINE**  
**FOR SANTA ROSA CITY SCHOOLS (SRCS)**  
**CHILD NUTRITION SERVICES (CNS)**

Santa Rosa City Schools (herein after referred to as “SRCS”) is soliciting formal bids from vendors for the purchase of a Horizontal Food Flow Wrapper Machine for its Child Nutrition Services (CNS) Program, as further set forth in Exhibit “A.”

Qualified vendors are invited to submit one (1) original, one (1) copy and an electronic version of said bid that meet the requirements described herein no later than **2:00 p.m. on Tuesday, January 16, 2024**, to the following address:

Kelley Cook Director of Purchasing Santa Rosa City Schools 110 Stony Point Road, Suite 225 Santa Rosa, CA 95401
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This Request for Bids does not commit Santa Rosa City Schools to award a contract or pay any costs incurred in the preparation of a bid responsive to this request. SRCS reserves the right to accept all or part of any bid or to cancel in part or in its entirety this Request for Bids.

No bid may be withdrawn for a period of sixty (60) days after the date set for the opening of bids except as provided by Public Contract Code §§5100 *et seq.* SRCS reserves the right to waive any informalities or irregularities in the bidding.

Thank you for your interest in working with Santa Rosa City Schools.

Kelley Cook  
Director of Purchasing

## INSTRUCTIONS FOR SUBMITTAL OF BIDS

### I. PURPOSE OF REQUEST FOR BIDS

#### A. Background Information

SRCS is soliciting formal bids from vendors for the purchase of a Horizontal Food Flow Wrapper Machine for its Child Nutrition Services (CNS) Program. The scope of work and specifications for the machine that SRCS wishes to acquire are described in Exhibit “A.”

### II. GENERAL INSTRUCTIONS

#### A. Submittal of Bids

Bidders shall complete and submit the Bid Proposal Form (Exhibit “B”), Proposal Page, Specifications Variance Form, Offer to Enter Into Agreement, Non-Collusion Declaration, Subcontractors List Form, Workers’ Compensation Certificate, Contractor’s Cert Regarding Alcoholic Beverage & Tobacco Free Campus Policy, Drug-Free Workplace Certification, Debarment Certification, and Lobbying Certification.

Bids should be reviewed for accuracy before submission to SRCS since said document may not be adjusted after submission to SRCS. SRCS will not be responsible for errors or omissions in any response. SRCS reserves the right to reject any and all bids, or to waive any irregularities, or informalities in the bid.

#### B. Bid Timeline

The following are important dates for the timeline of this bid:

11/27/2023	Publication 1
12/4/2023	Publication 2
12/11/2023	Deadline for questions on bid document
12/29/2023	Deadline for proposed substitutions
1/16/2024	Bid Due

The District reserves the right to alter any of these dates.

**C. Bid Opening and Reading**

All bids shall be publicly opened and read aloud at **2:00 p.m. on Tuesday, January 16, 2024**, in the Santa Rosa City Schools Small Conference Room located at 110 Stony Point Road, Suite 210, Santa Rosa, CA 95401.

The Contract will be awarded, if at all, within sixty (60) calendar days after the opening of bids to the lowest responsible and responsive bidder, subject to Governing Board approval. The time for awarding the Contract may be extended by SRCS with the consent of the lowest responsible, responsive bidder.

**D. Signatures**

All bids must include the signature of an authorized officer of the vendor submitting the bid. A signature form has been included with this document.

**E. Disqualified Bids**

Any bid received after **2:00 p.m. on Tuesday, January 16, 2024**, shall be refused and returned to the vendor unopened.

**F. Withdrawal of Bids**

Vendors may withdraw their bid, either personally or by written request, at any time prior to **2:00 p.m. Tuesday, January 16, 2024**. Any request to withdraw a bid is effective only if *received* by SRCS before **2:00 p.m. on Tuesday, January 16, 2024**, at the following location:

**Kelley Cook, Director of Purchasing**  
**Santa Rosa City Schools**  
**110 Stony Point Road, Suite 225**  
**Santa Rosa, California 95401**  
**Phone: (707) 890-3800 x80223**  
**E-Mail Address: [kcook@srcs.k12.ca.us](mailto:kcook@srcs.k12.ca.us)**

**G. Copies of Bids**

Each vendor submitting a bid must include one (1) original, one (1) copy of the original, and an electronic version of the bid.

**H. Contacts**

In order to control information disseminated regarding this bid, vendors interested in submitting bids are directed **not** to make personal contact with members of the Board of Trustees and SRCS Administration with the exception of the individual listed below:

**Kelley Cook, Director of Purchasing**  
**Santa Rosa City Schools**  
**110 Stony Point Road, Suite 225**  
**Santa Rosa, CA 95401**  
**Phone: (707) 890-3800 x80223**  
**E-Mail Address: [kcook@srcs.k12.ca.us](mailto:kcook@srcs.k12.ca.us)**

**I. Execution of Contract**

After bids are opened and evaluated the District shall circulate a Notice of Intent to Award the Contract to all entities who properly submit a bid. The successful bidder shall, within ten (10) calendar days of the Notice of Intent of Award of the Contract, sign and deliver to SRCS an executed version of the Contract along with providing certificates of insurance required by the Contract Documents. In the event the successful bidder fails or refuses to execute the Contract or fails to provide the certificates as required, SRCS may award the work to the next lowest responsible, responsive bidder, or may reject all bids and, in its sole discretion, call for new bids. In all cases, SRCS reserves the right, without any liability, to cancel the award of Contract at any time prior to the full execution of the Contract and approval of the Contract by the District's Governing Board.

**J. Bid Exceptions, Modification of Bids**

Bid exceptions are not allowed. No oral or telephonic modification of any bid submitted will be considered and a sealed written modification may be considered only if received prior to the opening of bids. E-mailed or faxed bids or modifications will not be accepted.

**K. Discounts**

Any discounts that the bidder desires to provide SRCS must be stated clearly on the bid form itself so that SRCS can calculate the net cost of the bid proposal. Offers of discounts or additional services not delineated on the bid form will not be considered by SRCS in the determination of the lowest responsible responsive bidder.

**L. Quantities**

The requested quantities can be found in Exhibit "A."

**M. Prices**

Bidders shall bid each item on the Proposal Page separately. Bid prices must include all costs (including taxes) necessary to deliver the product to the District's site. The District may award each item to the low bidder for that item.

**N. Questions and Substitution Requests**

Vendor shall provide the exact item specified in Exhibit “A” – , or an "equal" product. If Vendors wish to propose an alternative, but "equal" product, they shall provide such proposal, by completing the Specifications Variance Form, and submit *via email* to the contact described above, with supporting information by Friday, December 29, 2023. Such vendors shall have the burden of demonstrating that the product is equal. Vendors may produce sample products at their discretion to meet the burden of establishing that the product is equal. If the school district determines that any product is acceptable as an "equal" substitution, it shall post to its website **no later than** January 8, 2024, as to the acceptance of “equal” substitution.

Any questions concerning this RFB must be submitted *by email* to the above-described contact's address by December 11, 2023. To the extent the District deems it necessary, the District shall provide responses to individual queries as soon as practicable. An anonymous summary of all Q&A's will be posted to the SRCS website **no later than** January 8, 2024. By submitting a bid, a bidder agrees that a bidder's failure to request clarification or interpretation of an apparent error, inconsistency or ambiguity in the bid documents waives that bidder's right to thereafter claim entitlement to additional compensation based upon any ambiguity, inconsistency, or error, which should have been discovered by a reasonably prudent bidder, subject to the limitations of Public Contract Code §1104.

**O. Bid Negotiations**

A bid response to any specific item of the bid using terms such as “negotiable,” “will negotiate,” or similar phrases, will be considered non-responsive.

**P. Allowances**

An “allowance” means an amount included in the bid proposal for work that may or may not be included in the Project, depending on conditions that will become known only after the Project is underway.

**Q. Additive and Deductive Items: Method of Determining Lowest Bid**

Pursuant to Public Contract Code §20103.8, if the bid solicitation includes additive and/or deductive items, the checked [X] method shall be used to determine the lowest bid: [check one]

  X   (a) The lowest bid shall be the lowest bid price on the base contract without consideration of the prices on the additive or deductive items.

       (b) The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation or Bid Proposal Form as being used for the purpose of determining the lowest bid price.

\_\_\_\_\_ (c) The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items taken in order from a specifically identified list of those items that, when in the solicitation, and added to, or subtracted from, the base contract, are less than, or equal to, a funding amount publicly disclosed by the District before the first bid is opened.

\_\_\_\_\_ (d) The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or the proposed Subcontractors or suppliers from being revealed to the public entity before the ranking of all bidders from lowest to highest has been determined.

If no method is checked, sub-paragraph (a) shall be used to determine the lowest bid.

Notwithstanding the method used by the District to determine the lowest responsible bidder, the District retains the right to add to or deduct from the Contract any of the items included in the bid solicitation.

## **R. Subcontractors**

Every bidder shall, on the enclosed Subcontractor List Form, set forth:

a. The name and location of the place of business of each Subcontractor who will perform work or labor or render service to the bidder in or about the work or fabricate and install work in an amount in excess of one-half (1/2) of the one percent (1%) of the bidder's total bid.

b. If the bidder fails to specify a Subcontractor for any portion of the work to be performed under the Contract in excess of one-half (1/2) of one percent (1%) of the bidder's total bid, bidder agrees that bidder is fully qualified to and shall perform that portion of the work. The successful bidder shall not, without the written consent of SRCS:

1) Substitute any person as Subcontractor in place of the Subcontractor designated in the original bid;

2) Permit any subcontract to be voluntarily assigned or transferred or allow the work to be performed by anyone other than the original Subcontractor listed in the bid; or

3) Sublet or subcontract any portion of the work in excess of one-half (1/2) of one percent (1%) of the total bid as to which the bidder's original bid did not designate a Subcontractor.

**S. Licenses and Permits**

Each bidder shall at all times possess all appropriate and required licenses or other permits to perform the work that shall be required by the Contract Documents. Upon request, each bidder shall furnish SRCS with evidence demonstrating possession of the required licenses or permits.

**T. Bidders Interested in More Than One Bid**

No person, firm, or corporation shall make, or file, or be interested in more than one bid. However, a person, firm, or corporation that has submitted a subproposal to a bidder, or that has quoted prices of materials to a bidder, is not thereby disqualified from submitting a sub-proposal or quoting prices to other bidders or from submitting a prime proposal.

**U. Bid Protest**

Any bid protest must be in writing and received by SRCS before 5:00 p.m. no later than five (5) working days following receipt of a Notice of Intent to Award and shall comply with the following requirements:

- a. The bid protest must contain a complete statement of the basis for the protest and all supporting documentation.
- b. The party filing the protest must have actually submitted a bid for the Project. A Subcontractor of a bidder submitting a bid for the Project may not submit a bid protest. A bidder may not rely on the bid protest submitted by another bidder, but must timely pursue its own protest.
- c. The protest must refer to the specific portion or portions of the Contract Documents upon which the protest is based.
- d. The protest must include the name, address and telephone number of the person representing the protesting bidder.
- e. The bidder filing the protest must concurrently transmit a copy of the bid protest and all supporting documentation to all other bidders with a direct financial interest which may be affected by the outcome of the protest, including all other bidders who appear to have a reasonable prospect of receiving an award depending upon the outcome of the protest.
- f. The bidder whose bid has been protested may submit a written response to the bid protest. Such response shall be submitted to SRCS before 5 p.m. no later than two (2) working days after the deadline for submission of the bid protest or receipt of the bid protest, whichever is sooner, and shall include all supporting documentation. Such response shall also be transmitted concurrently to the

protesting bidder and to all other bidders who appear to have a reasonable prospect of receiving an award depending upon the outcome of the protest.

g. The procedure and time limits set forth in this section are mandatory and are the bidder's sole and exclusive remedy in the event of bid protest. The bidder's failure to comply with these procedures shall constitute a waiver of any right to further pursue the bid protest, including filing a Government Code claim or legal proceedings.

h. If SRCS determines that a protest is frivolous, the protesting bidder may be determined to be non-responsible and that bidder may be determined to be ineligible for future contract awards by SRCS.

i. A "working day" for purposes of this section means a weekday during which SRCS's office is open and conducting business, regardless of whether or not school is in session.

### III. CONTENTS OF BIDS

#### A. General

Respondents shall submit one (1) original plus one (1) copy of the RFB. Further, a CD or electronic version of the RFB shall also be presented to SRCS at the time the RFB is submitted. **The envelope in which the copies are submitted must identify the title of the RFB.**

All bidders shall follow the order and format specified below.

#### B. Vendor Provided Evidence of Responsibility

Vendor shall complete the Bid Proposal Form attached to this bid package and provide the requested information. SRCS may request additional information at its discretion. SRCS may consider all such evidence before making its decision to award the Contract. Failure to submit requested evidence may result in rejection of the bid.

#### C. Warranties

Warranty periods and terms shall be for a minimum of three (3) years. The vendor agrees that all items furnished under the Contract shall be covered by the most favorable commercial warranties (to include merchantability) that the vendor provides any customer for such items, and that the right and remedies provided therein are in addition to any other provisions of the Contract.

**D. References and Description of Experience**

This section shall identify similar projects that the vendor has completed as outlined in **Exhibit “A”**. Include the names and contact numbers of individuals familiar with your work that can be contacted by SRCS staff.

**E. SRCS Required Forms**

Your bid must include SRCS Required Documents that are enclosed herein which include the Bid Proposal Form, Proposal Page, Specifications Variance Form, Offer to Enter Into Agreement; Non-Collusion Affidavit; Subcontractor List Form, and Substitution Request Form, Workers’ Compensation Certificate, Contractor’s Cert Regarding Alcoholic Beverage & Tobacco Free Campus Policy, Drug-Free Workplace Certification, Debarment Certification, and Lobbying Certification.

**F. Payment Terms**

The Vendor shall invoice the District for all items upon delivery. The District shall issue Purchase Orders to the vendor for the invoice(s). Invoices must itemize the billing for materials, services and sales tax. The invoice must state the Purchase Order Number.

SRCS shall make payment within 30 days after delivery of order and receipt of invoice, whichever is later. Invoices should be sent to Santa Rosa City Schools, Attention Accounting Department, 211 Ridgway Avenue, Santa Rosa, CA 95401 or faxed to 707-890-3795.

**G. Delivery Requirements**

Bidders shall be required to deliver all items awarded to Santa Rosa City Schools located at 211 Ridgway Avenue, Santa Rosa, CA 95401 **within the time frame that is referenced in the bidder's submitted Proposal Page.**

All items on which bids are accepted shall be new and in first-class condition. Prior to delivery, all equipment shall be tested and integrated at the bidder’s facility. All items found faulty shall be replaced prior to delivery, installation and acceptance by the District. Delivery will be coordinated with the District’s designated representative. Each shipment shall be clearly marked with the District purchase order number. Failure to mark the packages may delay District acceptance and payment for the shipment.

**H. Inspection and Acceptance**

All items provided under this RFB shall meet or exceed the bid specifications outlined in Exhibit “A”, and shall comply with all Federal and California State laws governing their productions, handling, processing and labeling. Inspection and acceptance of all items shall be at Santa Rosa City Schools, 211 Ridgway Avenue, Santa Rosa, CA 95401. Items found to be defective or not in accordance with the RFB specifications shall be replaced immediately by the vendor at no cost to SRCS. Failure to replace said items shall be considered sufficient cause for termination of the Contract.

### **NOTICE**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800)877-8339.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866)632-9992.

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

## **EXHIBIT “A”**

### **SCOPE OF WORK**

This Request for Bids aims to invite prospective companies to prepare and submit a proposal to furnish and install one (1) Ossid ReeFlow 50 Horizontal Flow Wrapper Machine or equal with equal features. The contractor must make such Horizontal Flow Wrapper Machine available to the District as may be ordered and at the prices offered herein. The bid packet must specify the Horizontal Flow Wrapper Machine installation date.

### **SPECIFICATIONS**

The Horizontal Flow Wrapper Machine must meet the specifications set forth in the following pages. The District reserves the right to waive minor variations in specifications, evaluate bid offerings and make awards considering the equipment being offered and its ability to perform the task for which it is being procured. Bids varying from District specifications in any major detail are not solicited and may be disqualified. The District’s opinion shall be final. Prices shall be FOB Santa Rosa City Schools.

The one (1) Ossid ReeFlow 50 Horizontal Flow Wrapper Machine or an equivalent with equal features. The model features include, but are not limited to, the following:

- Two meters infeed
- Right-hand configuration
- Reel mounting for max film width 600 mm handly adjustable
- Standard photocell No product No bag
- Longitudinal sealing station with two pairs of Teflon-coated sealing wheels and one pair of edge
- Rotatory Motion system for transversal sealing and cutting
- Product discharge through 800 mm automatic driven flat belt
- PLC with Display 7" colored touchscreen
- Motorization with 3-axis stepless + two asynchronous motors.
- Auto-centering film shaft (pneumatic fixing)
- Spare Parts Kit

**EXHIBIT “B”  
BID PROPOSAL FORM**

Governing Board  
Santa Rosa City Schools (District)

Dear Members of the Governing Board:

The undersigned, doing business under the name of \_\_\_\_\_, having carefully examined, the Notice Inviting Bids, the General Conditions, the Instructions to Bidders, the Specifications, and all other Contract Documents for the proposed Horizontal Food Flow Wrapper Machine Bid for Santa Rosa City Schools Child Nutrition Services (“Project”), proposes to perform all work and activities in accordance with the Contract Documents, including all of its component parts, and to furnish all required labor, materials, equipment, transportation and services required for the fulfillment of the Project in strict conformity with the Contract Documents, and the completed Bid Proposal Form, as follows:

The undersigned has checked carefully all the above figures and understands that the District is not responsible for any errors or omissions on the part of the undersigned in making this bid.

Vendor agrees to commence the work within the time specified in the Notice to Proceed. It is understood that this bid is based upon completing the work within the number of calendar days specified in the Contract Documents.

**ADDENDA:**

Receipt of the following addenda is hereby acknowledged:

Addendum # \_\_\_\_\_ Dated: \_\_\_\_\_ Addendum # \_\_\_\_\_ Dated: \_\_\_\_\_

Respectfully submitted,

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

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

\_\_\_\_\_

By: \_\_\_\_\_  
*(Please Print Or Type)*

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

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

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

Title: \_\_\_\_\_

Company website: \_\_\_\_\_

Key contact personnel who will provide service:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email address

Company Information:

\_\_\_\_\_  
Years in Business

\_\_\_\_\_  
Organizational structure

\_\_\_\_\_  
Years in business

**References of 3 most recent school or government clients similar to Santa Rosa City Schools**

Name	Entity Name	Contact Information

List and briefly describe all legal action for the past ten years in which your company has been: a debtor in bankruptcy; or a defendant in a lawsuit for deficient performance under a contract; or a defendant in an administrative action for the deficient performance on a project; or a defendant in any criminal action. Attach additional pages if necessary.

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Describe the ability of your company to complete the project in the desired timeframe stated in the Request for Bids.

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- Required Attachments:
- Proposal Page
  - Specifications Variance Form
  - Offer to Enter Into Agreement
  - Non-Collusion Declaration
  - Subcontractors List Form
  - Workers' Compensation Certificate
  - Contractor's Cert Regarding Alcoholic Beverage & Tobacco Free Campus Policy
  - Drug-Free Workplace Certification
  - Debarment Certification
  - Lobbying Certification

## **PROPOSAL PAGE**

Horizontal Food Flow Wrapper Machine, as per bid specifications contained herein:

\$ \_\_\_\_\_ x 1 = \$ \_\_\_\_\_

Note: Above prices to include labor, material, warranties, taxes – including sales tax – and any and all other fees. Prices are to be firm, fixed prices. Price shall be FOB Santa Rosa City Schools.

If an order is placed, the Horizontal Food Flow Wrapper Machine shall be delivered and installed to Santa Rosa City Schools \_\_\_\_\_ weeks after the contractor's receipt of the District's purchase order.

Bidder shall state the Wrapper Machine make and model offered:

\_\_\_\_\_

## **VARIANCES**

How many variances are proposed? \_\_\_\_\_

Is a "Specification Variance Form" enclosed with this bid for each variance being submitted?

\_\_\_\_\_ YES      \_\_\_\_\_ NO

Are the current literature and specifications clearly describing the wrapper machine enclosed with this bid as required?

\_\_\_\_\_ YES      \_\_\_\_\_ NO

**SPECIFICATIONS VARIANCE FORM**  
**A SEPARATE FORM MUST BE SUBMITTED FOR EACH VARIANCE**

COMPANY NAME:

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**ITEM SPECIFIED IN THE BID**

BID PAGE NUMBER: \_\_\_\_\_

BID PARAGRAPH OR SECTION NUMBER:

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MANUFACTURER SPECIFIED (IF ANY):

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MODEL NUMBER SPECIFIED (IF ANY):

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TECHNICAL DESCRIPTION SPECIFIED:

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**PROPOSED VARIANCE**

INCLUDE ALL INFORMATION NECESSARY TO SUBSTANTIATE  
EQUIVALENCY TO THE BID SPECIFICATION

MANUFACTURER (IF ANY):

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MODEL NUMBER (IF ANY):

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TECHNICAL DESCRIPTION (ALSO ATTACH ANY APPROPRIATE  
MANUFACTURER'S LITERATURE, ENGINEERING DRAWINGS, AND  
PERFORMANCE DATA:

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**OFFER TO ENTER INTO AGREEMENT**

The undersigned hereby proposes to enter into an agreement with Santa Rosa City Schools and furnish services as outlined in the request for bids subject to the terms and conditions contained therein.

**Name and Address of Organization**

**Signature of Authorized Officer  
or Employee of Organization**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Title

\_\_\_\_\_  
City and State

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone Number

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

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

**NONCOLLUSION DECLARATION**

*To be executed by the respondent and submitted with the bid.*

\_\_\_\_\_, declares and says that he or she is \_\_\_\_\_ of \_\_\_\_\_, the party making the foregoing bid, and affirms that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or a sham; that the respondent has not directly or indirectly induced or solicited any other respondent to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any respondent or anyone else to put in a sham bid, or that anyone shall refrain from responding; that the respondent has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the respondent or any other respondent, or to fix any overhead, profit, or cost element of the bid price, or of that of any other respondent, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true and correct; and, further, that the respondent has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

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

\_\_\_\_\_  
Signature

State of \_\_\_\_\_

County of \_\_\_\_\_



## WORKERS' COMPENSATION CERTIFICATE

Labor Code §3700 in relevant part provides:

"Every employer except the State shall secure the payment of compensation in one or more of the following ways:

- (a) By being insured against liability to pay compensation in one or more insurers duly authorized to write compensation insurance in this State.
- (b) By securing from the Director of Industrial Relations a certificate of consent to self-insure, which may be given upon furnishing proof satisfactory to the Director of Industrial Relations of ability to self-insure and to pay any compensation that may become due to his employees."

I am aware of the provisions of §3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the work of this Contract and will require all Subcontractors to do the same.

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Vendor

By: \_\_\_\_\_

*In accordance with Article 5 (commencing at §1860), Chapter 1, Part 7, Division 2 of the Labor Code, the above certificate must be signed and filed with the awarding body prior to performing any work under this Contract.*

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**CONTRACTOR'S CERTIFICATION REGARDING ALCOHOLIC  
BEVERAGE and TABACCO-FREE CAMPUS POLICY**

The Contractor agrees that it will abide by and implement the District's Alcoholic Beverage and Tobacco-Free Campus Policy, which prohibits the use of alcoholic beverages and tobacco products, at any time, on District-owned or leased buildings, on District property and in District vehicles. The Contractor shall procure signs stating "ALCOHOLIC BEVERAGES AND TOBACCO USE IS PROHIBITED" and shall ensure that these signs are prominently displayed at all entrances to school property at all times.

DATE: \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_

BY: \_\_\_\_\_

AUTHORIZED SIGNATURE: \_\_\_\_\_

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## **CONTRACTOR'S CERTIFICATION REGARDING DRUG-FREE WORKPLACE**

This Drug-Free Workplace Certification form is required from all successful bidders pursuant to the requirements mandated by Government Code Sections 8350 et. seq., the Drug-Free Workplace Act of 1990. The Drug-Free Workplace Act of 1990 requires that every person or organization awarded a contract or grant for the procurement of any property or service from any state agency must certify that it will provide a drug-free workplace by performing certain specified acts. In addition, the Act provides that each contract or grant awarded by a State agency may be subject to suspension of payments or termination of the contract or grant, and the Contractor or grantee may be subject to debarment from future contracting, if the contracting agency determines that specified acts have occurred.

Pursuant to Government Code Section 8355, every person or organization awarded a contract or grant from a State agency shall certify that it will provide a drug-free workplace by doing all of the following:

- a. publishing a statement, notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the person's or organization's workplace, and specifying actions which will be taken against employees for violations of the prohibition;
- b. establishing a drug-free awareness program to inform employees about all of the following:
  1. the dangers of drug abuse in the workplace;
  2. the person's or organization's policy of maintaining a drug-free workplace;
  3. the availability of drug counseling, rehabilitation and employee-assistance programs; and
  4. the penalties that may be imposed upon employees for drug abuse violations;
- c. requiring that each employee engaged in the performance of the contract or grant be given a copy of the statement required by subdivision (a) and that, as a condition of employment on the contract or grant, the employee agrees to abide by the terms of the statement.

I, the undersigned, agree to fulfill the terms and requirements of Government Code Section 8355 listed above and will publish a statement notifying employees concerning the prohibition of controlled substance at the workplace,

- a. establish a drug-free awareness program, and
- b. require each employee engaged in the performance of the contract be given a copy of the statement required by Section 8355(a) and require such employee agree to abide by the terms of that statement.

I also understand that if the DISTRICT determines that I have either (a) made a false certification herein, or (b) violated this certification by failing to carry out the requirements of Section 8355, that the contract awarded herein is subject to termination, suspension of payments, or both. I further understand that, should I violate the terms of the Drug-Free Workplace Act of 1990, I may be subject to debarment in accordance with the requirements of Sections et. seq.

I acknowledge that I am aware of the provisions of Government Code Sections 8350 et. seq. and hereby certify that I will adhere to the requirements of the Drug-Free Workplace Act of 1990.

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

By: \_\_\_\_\_ Authorized Signature \_\_\_\_\_

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**SUSPENSION AND DEBARMENT CERTIFICATION**  
**U.S. DEPARTMENT OF AGRICULTURE**

INSTRUCTIONS: SFA to obtain from any potential vendor or existing contractor for all contracts in excess of \$100,000. This form is required each time a bid for goods/services over \$100,000 is solicited or when renewing/extending an existing contract exceeding \$100,000 per year (Includes Food Service Management and Food Service Consulting Contracts.)

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND  
VOLUNTARY EXCLUSION LOWER TIER COVERED TRANSACTIONS**

This certification is required by the regulations, implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 2017, Section 3017.510, Participants' responsibilities. The regulations were amended and published on August 31, 2005 in 70 Fed. Reg. 51865-51880. Copies of the regulation may be obtained by contacting the Department of Agriculture agency with which this transaction originated.

**(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)**

A. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, or proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (A.2.) of this certification; and
4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

B. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name of School Food Authority: \_\_\_\_\_  
Agreement Number Potential Vendor or Existing Contractor (Lower Tier Participant): \_\_\_\_\_

Printed Name \_\_\_\_\_

Title: \_\_\_\_\_ Signature \_\_\_\_\_ Date: \_\_\_\_\_

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## **INSTRUCTIONS FOR CERTIFICATION**

1. By signing and submitting this form, the prospective primary participant is providing the certification set out on page 1 in accordance with these instructions.
  2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out on this form. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
  3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
  4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
  5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549, at 2 C.F.R. Parts 180 and 417. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
  6. The prospective primary participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
  7. The prospective primary participant further agrees by submitting this form that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
  8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the System for Award Management (SAM) database.
  9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
  10. Except for transactions authorized under paragraph (6) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
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## **CERTIFICATION REGARDING LOBBYING**

### Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form- LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**Signature:** \_\_\_\_\_ **By:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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## Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

(See reverse for public burden disclosure)

<p><b>1. Type of Federal Action:</b></p> <p>a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance</p>	<p><b>2. Status of Federal Action:</b></p> <p>a. bid/offer/application b. initial award c. post-award</p>	<p><b>3. Report Type:</b></p> <p>a. initial filing b. material change</p> <p><b>For material change only:</b> Year _____ Quarter _____ Date of last report _____</p>
<p><b>4. Name and Address of Reporting Entity:</b> ____ Prime      _____ Subawardee Tier _____, if Known:</p> <p><b>Congressional District, if known:</b></p>	<p><b>5. If Reporting Entity in No. 4 is Subawardee,</b> Enter Name and Address of Prime:</p> <p><b>Congressional District, if known:</b></p>	
<p><b>6. Federal Department/Agency:</b></p>	<p><b>7. Federal Program Name/Description:</b></p> <p>CFDA Number, if applicable: ____</p>	
<p><b>8. Federal Action Number, if known:</b></p>	<p><b>9. Award Amount, if known:</b></p> <p style="text-align: center;">\$</p>	
<p><b>a. Name and Address of Lobbying Registrant</b> (if individual, last name, first name, MI):</p>	<p><b>b. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI):</p>	
<p><b>11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</b></p>	<p><b>Signature:</b> _____</p> <p><b>Print Name:</b> _____</p> <p><b>Title:</b> _____</p> <p><b>Telephone No.:</b> _____</p> <p><b>Date:</b> _____</p>	
<p><b>Federal Use Only</b></p>	<p><b>Authorized for Local Reproduction Standard Form – LLL (Rev. 7-97)</b></p>	

## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State, and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1<sup>st</sup> tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action. (b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a) Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

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