

**Procurement Sample Language**

The following sample language has been obtained from a variety of sources. This information may be used to assist Wisconsin schools in the development of each school’s procurement document(s).

The Department of Public Instruction does not endorse nor guarantee the use of this sample language.

**Alternate Items for Bid Submission**

Only one alternate per item number, as close to specifications as possible, will be allowed. If more than one alternate on an item is submitted, the bids for that entire item number will not be considered.

**Processor Eligibility**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (school name) is seeking to enter into USDA Foods’ processing contracts with manufacturers that have USDA National Processing Agreement (NPA) approval and have completed the required Wisconsin Department of Public Instruction’s Intent to Participate application. Bidders not meeting these requirements will be rejected.

**Pricing**

All prices will be F.O.B. destination including cost, insurance, and freight. Bidder will own goods during transit.

Total price per portion will be determined by including the value of USDA Food per portion, as calculated using the most current USDA Foods value indicated on the Summary End Product Data Schedule.

**Minimum Run Requirement**

Specify if your company will impose any minimum order quantity in either product or dollars. If bid is conditioned with minimums that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (school name) cannot meet, bid will be considered non-responsive.

What is your minimum run requirement? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

What is your minimum delivery requirement? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Full Truck Load Requirement**

Bidders must have a minimum of one full truckload of bulk USDA Foods committed to them as a result of orders place by eligible school food authorities through the Wisconsin Internet Annual Ordering System in order to process. Therefore, Awarded Contract(s) resulting from this solicitation are contingent upon meeting this minimum full truckload requirement.

**Delivery** (applies to Net Off Invoice Value Pass Through Method)

The delivery of Net Off Invoice items will be handled by the Distributor who has been currently awarded \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_’s (school name) prime vendor contract.

Delivery of Net Off Invoice and Fee for Service through Distributor (Modified Fee for Service) items will be handled by the distributor who has been currently awarded mainline food items. Delivery charges or fees, if any, shall be included in the bid price.

**Multiple Awards**

1. The district reserves the right to make multiple awards as may be necessary to ensure complete coverage of product(s) or to take advantage of best pricing. \_\_\_\_\_\_\_\_\_\_ (school name) has the right to add products as they are introduced into the market with prior approval from \_\_\_\_\_\_\_\_\_\_\_\_(school name).

2. Where applicable, the school district reserves the right to make multiple awards or to award a contract by individual line items or alternatives by a group of line items or alternatives, or to make an aggregate award, whichever is deemed most advantageous to the school district. If the school district deems that an aggregate award to one Bidder is not in the school district’s best interest, (all or none) offers shall be rejected.

3. The district reserves the right to make a multiple award to more than one supplier. The award will be limited to the least number of suppliers that the school district determines is necessary to meet the needs of the school district.

**Award** (applies to Fee for Service and Net Off Invoice Value Pass Through Methods)

Items will be awarded on an “all or none basis” based on the “lowest and best” responsive and responsible per portion price on “Fee For Service” or “Net Off Invoice” pricing. Fee for Service awards will be based upon total price per portion, and Net Off Invoice awards will be based upon gross bid price per portion.

**Additional language**

* Must be able to process using \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (insert USDA material identification code and description here).
* Please submit pricing information on the following value-pass-through method option(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (school must indicate which value-pass-through method(s) they are seeking pricing on).
* Each \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (school to indicate name of finished end product, i.e., chicken patty) must contribute \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (school to indicate here the meal pattern contribution for this item, i.e., 2 oz meat/meat alternate, at least 1 oz. equivalent grain, etc.) towards the NSLP child nutrition program.

This institution is an equal opportunity provider. October 2022