

November 1, 2013

We are currently requesting a price for all-natural chicken drums as described below with the following conditions:

The vendor must be able to provide delivery service to eight Omaha Public School locations (see attached listing). **The scheduled day of delivery is November 26, 2013, between the hours of 6:00am and 1:00pm.** Delivery must be to the dock and product delivered to the kitchen. Delivery vehicle must be clean and acceptable for food delivery. The quoted price is to include packaging, handling and delivery and shall be the total cost to the District delivered to the specific location and there shall be no additional charges, fees or taxes invoiced to Omaha Public Schools.

The item described on this request for price quotation **MUST BE** the item delivered. No substitutions or alternative products will be shipped or accepted.

Omaha Public Schools reserves the right to inspect the preparation, packaging and storage locations at any time. Hair restraints must be worn when products are being packaged, repackaged or cut. Proper food handling practices will be used. Food sanitation practices perceived as improper may result in termination of the agreement. Company must have a HACCP program in place and production facility must be USDA inspected. Omaha Public Schools reserves the right to request copies of USDA Inspection Reports. The vendor must comply with all applicable governmental laws, ordinances, regulations and codes in the production, fabrication, packaging, storage and shipment of the chicken drums.

Buy American Provision - Public Law 100-237 requires that whenever possible the recipient agencies purchase food products that are produced in the United States. This law defines American food products as products being grown in America or, in the case of processing or packaging in America, product that contains at least 51 percent of domestic product. Exceptions to the "Buy American" requirement are allowed in the following circumstances listed below:

1. The recipients have unusual or ethnic food preferences that can be met only through purchases of products not produced in the United States.
2. The products are not produced or manufactured in the United States in sufficient and reasonably available quantities of satisfactory quality.
3. The cost of the domestic produced food products is significantly higher than the cost of the similar foreign products.

We require suppliers certify the percentage of U.S. content in products supplied to us

and list the country of origin for all contents.

The undersigned certifies that our products have at least _____ % U.S. content.

The country of origin: _____. Omaha Public Schools prefers with this quotation, whenever economically and logistically feasible, with everything being equal, to purchase locally produced foods.

Omaha Public Schools reserves the right to reject any and all quotations submitted and to waive any and all technicalities and irregularities. The vendor awarded the contract will be issued a purchase order incorporating by reference these quotation documents and the successful vendor's proposal.

In the event the vendor awarded the contract fails or refuses to perform any duty or obligation under this Agreement, Omaha Public Schools may terminate this Agreement. In such event, such vendor shall be responsible to pay the District the difference between the vendor's quoted price and the price charged to the District by a substitute vendor for such product, plus any other damages recoverable at law.

The successful vendor agrees to comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Regulations of the Department of Education (34 C.F.R. Part 100) issued pursuant to the title, to the end that, in accordance with Title VI of that Act and Regulation, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under any program or activity for which the School District receives federal financial assistance from the department; and hereby gives assurance that the successful vendor will take any measures necessary to effectuate this agreement. The successful vendor further agrees to comply with all applicable requirements of state and local laws, ordinances, and regulations regarding nondiscrimination in employment.

If this contract provides for the physical performance of services in the State of Nebraska, as determined under state law, vendor must register with and utilize an electronic verification system or program, whether the work authorization program of the illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. 1324a now known as the "E-Verify Program" or an equivalent federal program designated by the Department of Homeland Security or other federal agency to verify the work eligibility status of a newly hired employee pursuant to the Immigration Reform and Control Act of 1986. The vendor shall contractually require all subcontractors performing work under such contract to also register and utilize such electronic verification system. The vendor and all of vendor's subcontractors shall use such electronic verification system to determine the work eligibility status of each new employee physically performing any services within the State of Nebraska under the contract. Any person whom the electronic verification systems determines is ineligible or not authorized to work in the United States shall not be permitted by the vendor nor any subcontractor to perform

services in Nebraska under such contract. The vendor shall provide such reasonable documentation as District may request, from time to time, during the performance of the contract and for 5 years thereafter documenting compliance with the provisions of this Section. Failure to comply with the provisions of this Section shall constitute a default under the contract with the District.

Omaha Public Schools will give geographic preference to local all-natural chicken drums local is defined as raised within 240 miles of the Teacher's Administration Building, 3215 Cuming St., Omaha, NE), in determining the contract award. Any vendor submitting a quote for this product will be awarded a geographic preference of 1%. In other words, for the purpose of determining the award, any vendor providing local all-natural drums will receive a reduction of 1% in bid price. This reduction is for bid award purposes only and will not affect the price paid.

Item Description: Chicken All-Natural Drumsticks - Bulk, Frozen or Fresh. Average pieces per case 137, average weight per drum 4.64 oz. and average meat weight per drum, at least 2.56 oz. Packaged under USDA inspection and USDA inspected, using USDA approved packaging.

Packaged in 40 pound cases. Approximately 269 cases. See attachment for locations and quantities.

Any questions regarding this information can be directed to Kristi Kuhn at (402) 557-2229.

All proposals must be faxed to Omaha Public Schools, Nutrition Services Office, attention: Kristi Kuhn by 2:00 pm on November 7, 2013.

Delivered Price Per Case: _____

Date final confirmation of amounts needed: _____

The undersigned agrees that this quote shall remain open, non-revocable and subject to acceptance by Omaha Public Schools for 60 days after the date for submission of quotations.

Signed by: _____ Title: _____

Company Name: _____

Address: _____ Zip Code: _____

Telephone: _____ Date: _____

Telephone: _____ Date: _____

Omaha Public Schools does not discriminate on the basis of race, color, national origin, religion, sex, marital status, sexual orientation, disability, age, genetic information, citizenship status, or economic status in its programs, activities and employment practices and provides equal access to the Boy Scouts and other designated youth groups. The following individual has been designated to process inquiries regarding the non-discrimination policies: Superintendent of Schools, 3215 Cuming Street, Omaha, NE 68131 (402-557-2001).