



AMERICAN PREPARATORY ACADEMY

REQUEST FOR PROPOSAL

Fresh Fruit and Vegetable Program (FFVP)

**Solicitation #
APA-2020-FFVP**

This RFP is Being Issued by:

Utah Charter Academies (UCA), Inc.
DBA American Preparatory Academy of Draper
12892 S. Pony Express Rd.
Draper, UT 84020

Issue Date: February 13, 2020 4:00 pm
Updated: February 18, 2020 9:30 am
Q&A Deadline: February 21, 2020 4:00 pm
Submission Deadline: February 24, 2020 4:00 pm (time updated)

****All dates are subject to change****

UCA contact information:

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Note: Owner will not answer any questions or provide any information directly to bidders that is not already included in the RFP documents or submitted through Sciqwest. All questions or Request for Information (RFIs) MUST be submitted through and will be answered on Sciqwest. Thank you for helping keep this process fair for all bidders.

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1. GENERAL

A. Purpose of Request for Proposal (RFP)

The purpose of this RFP is to enter into one contract with a qualified firm to provide fresh produce for the Fresh Fruits and Vegetables Program (FFVP) at the following locations:

West Valley 1 Campus
1255 W. Crystal Ave
West Valley City UT 84119

West Valley 2 Campus
3636 W. 3100 S.
West Valley, UT 84120

Utah Charter Academies is the recipient of a Fresh Fruit and Vegetable Grant and is requesting proposals from qualified produce vendors to supply high quality fresh produce to elementary students twice a week at the campuses listed above.

The goal of the FFVP is to expand the variety of fruit and vegetables children experience, increase their fruit and vegetable consumption, which will have a positive impact on students' present and future health.

It is estimated that the school will spend between \$50,000 and \$60,000 per year on produce for the FFVP. We are seeking a vendor that can provide the highest quality produce, a large variety of interesting fruits and vegetables, excellent customer service, and materials to educate our students. The contract will be for a 5 year term, for an estimated total value of \$250,000 to \$300,000.

This RFP is designed to provide interested offerors with sufficient basic information to submit proposals meeting minimum requirements, but is not intended to limit a proposal's content or exclude any relevant or essential data. Offerors are at liberty and are encouraged to expand upon the specifications to evidence service capability under any agreement.

B. Issuing Office and RFP Reference Number

UCA is issuing this document and all subsequent addenda relating to it. The reference number for the transaction is **APA-2020-FFVP**. This number must be referred to on all proposals, correspondence, and documentation relating to the RFP.

C. Key Dates

Issue Date: February 13, 2020

Q&A Deadline: February 21, 2020 4:00 pm

Submission Deadline: February 24, 2020 4:00 pm (time updated)

****All dates are subject to change****

2. BACKGROUND

Utah Charter Academies (UCA), is a non-profit 501c3 providing public education utilizing public funds and doing business as American Preparatory Academy (APA). UCA began operations in 2002 with a single K-9 charter school in Draper, UT and is currently operating 6 public charter schools in Utah, one in Las Vegas, and operating a school in Africa. UCA was recognized as “Charter School of the Year” in 2010, has three ‘Best of State” awards and continues to be a leader in public charter schools in Utah.

3. SERVICE REQUIREMENTS

A. Conditions

Any contract resulting from this RFP must include UCA’s standard terms and conditions which will supersede all other terms & conditions in areas of conflict. (Provided in RFP documents)

B. Scope of Work

Vendor must provide deliveries twice each week, on Monday and Wednesday to West Valley 1 and West Valley 2 campuses. Monday deliveries must be received by 10:00 am, or the time agreed to by the Food Service Director.

Vendor must provide educational materials (descriptive literature) related to the fruit/vegetable which will be distributed to students at the time of service. This shall be provided at no additional charge.

Produce must be Grade Extra Fancy/#1 or better, unless approved by the Food Service Director.

Vendor will deliver 550-650 servings to West Valley 1, and 700-800 servings to West Valley 2. The specific number will be determined based on enrollment each August. Produce will be whole or individually packaged. Estimated preparation time for whole produce must not exceed 2 hours for any item.

Damaged, Spoiled or Unacceptable Product - UCA will only accept produce of the highest quality. Produce that does not meet the specifications – grade, freshness, quality etc. – will be refused.

Vendor will communicate with the Food Service Director regarding deliveries, recalls, changes, and invoices.

The RFP document package is intended to provide a thorough scope of work from which to bid. It is not intended to stifle the Bidder from offering alternate solutions that add value and/or quality to the project. Specifications are for items the owner knows offer desirable benefits and/or features. When bidding alternate solutions include a narrative description for how the alternate meets or exceeds the features and/or value of the specified item.

C. The School

- UCA is providing sufficient funds for the products that will be provided by the winning bidder. It is estimated that the school will spend between \$50,000 and \$60,000 per year on produce for the FFVP.
- UCA is providing the scope of work via this RFP and will work with the winning bidder on any modifications to the scope of work over the life of the contract.
- UCA will provide clear expectations for service levels and feedback on how well those service levels are being met throughout the contract.
- UCA will provide appropriate access to our facilities.

D. Bidders (not all-inclusive)

- 1) Food Safety - The vendor must provide documentation of passing a third-party food safety audit with a score of 90% or higher. The inspection must consider administration and regulatory compliance, HACCP management, facilities and equipment, sanitation, housekeeping and hygiene, rodent and pest control management, receiving and inventory control, process and product evaluation, packaging and labeling, storage and shipping, and food defense in the event of a recall.
 - a) The bidding supplier shall submit their recall policy with the bid and comply with all Federal, State and Local requirements regarding the identification and recall of foods. The process for recalling foods must include accurate and timely communications to UCA and assurance that unsafe products are identified and removed from District/School sites. The bidder shall maintain all paperwork required for immediate and proper notification of recalls for full and split cases. Recall policy must also include a point of contact and a backup contact to include phone number and an email address.
- 2) Experience - Minimum of five (5) years working experience with educational facilities, specifically with FFVP.
- 3) References - Minimum of five (5) references from educational institutions who participate in the FFVP. References should include:
 - a) Name of the organization
 - b) Location
 - c) Contact person
 - d) Phone and email

- 4) Proposed Menu Plan
 - a) Based on a \$22,000 budget, present a menu plan to serve 1350 students two (2) items a week for twelve (12) weeks (a total of twenty-four (24) items).
 - i) Please provide sample invoices that include
 - (1) name of each fruit/vegetable
 - (2) quantity to be provided
 - (3) price, including all delivery fees
 - (4) serving size
 - (5) number of servings
 - ii) This is to allow us to evaluate the variety of items offered, serving size, and the cost per serving.
 - iii) Educational Information - for each of the 24 items listed above please provide educational materials (descriptive literature) related to the fruit/vegetable which will be distributed to students at the time of service.
- 5) License - Bidders will provide proof of appropriate and current state licensure to engage in their contracted business activities and maintain such for the duration of the contract, making proof available to UCA upon request.
 - a) Bidders utilizing subcontractors will provide proof that the selected subcontractors will hold appropriate and current state licensure to engage in their contracted business activities and maintain such for the duration of the contract, making proof available to UCA upon request.
- 6) Insurance - Bidders will provide proof of comprehensive and sufficient insurance coverages so as to protect the Bidder and owner throughout the project. UCA will assume no liabilities for the Supplier including any of the Supplier's representatives, employees or properties. Any damages occurring during the completion of deliveries, incidental or otherwise, to District or adjacent properties must be repaired at the Supplier's expense, and to UCA's satisfaction.
- 7) Federal Requirements
 - a) Federal Code 7 CFR Part 220.16 (d) Buy American Agriculture Provisions require the District to purchase, to the maximum extent practicable, domestic commodity or product.
 - i) For compliance and auditing purposes, UCA requires in writing from the Supplier delivery invoices and receipts identifying the country of origin as being the United States or its territories, and in the case of a non-domestic product, a limited exception. Limited exceptions are limited exceptions to the Buy American Provision which allow for the purchase of products not meeting the "domestic" standard (nondomestic) in circumstances when use of domestic products is truly not practicable.
 - b) Federal Code 2 CFR 200.321 Buy American Provision supports local and small businesses. The Supplier must take all necessary affirmative steps to assure that Local, Small, Minority, and Women-owned business enterprises and labor surplus firms are used when possible. c) Federal Procurement Regulations 7 CFR 210.21, 215.14a, 220.16, 225.17, 226.22, and 250.4(d) direct Child Nutrition Program operators to comply with procurement requirements as outlined in those parts. In addition, all procurements shall be undertaken consistent with State and local requirements.
 - c) Federal Procurement Regulations 7 CFR 210.21, 215.14a, 220.16, 225.17, 226.22, and 250.4(d) direct Child Nutrition Program operators to comply with procurement

requirements as outlined in those parts. In addition, all procurements shall be undertaken consistent with State and local requirements.

- 8) Winning bidder will be knowledgeable of and meet all legal requirements for provision of contracted services to public schools in the State of Utah.
- 9) Winning bidder will comply with all applicable federal, state, local and public-school laws, statutes, rules and codes.
- 10) Winning Bidder will negotiate a suitable contract with UCA in good faith within 3 days of notification of selection notification. Should the winning Bidder fail to execute an agreed upon contract within 3 days, UCA may withdraw the Bid award and make an offer to the next best Bidder.

4. SUBMISSION GUIDLINES

Proposals must be received by the posted due date and time. Proposals received after the deadline will be late and ineligible for consideration.

The preferred method of submitting your proposal is electronically through the SciQuest website.

<https://bids.sciquest.com/apps/Router/PublicEvent?CustomerOrg=StateOfUtah>

When submitting a proposal electronically, please allow sufficient time to complete the online forms and upload documents. The solicitation will end at the closing time listed in the RFP. If you are in the middle of uploading your proposal at the closing time, the system will stop the process and your proposal will not be received by the system.

All documents should be attached as separate files.

Proposals may also be delivered by mail or courier to 12894 S. Pony Express Road #600, Draper, Utah 84020 (This was updated 2/18/20).

A. Questions

All questions must be submitted through the SciQuest website.

B. Proposal Response Format

Bidders should submit their sealed proposal in the preferred format:

Letter of Introduction: Contractor name, contact person, address, telephone number, fax number and a brief introduction to the bidding company, signed by person(s) authorized to bind the company to their proposed offer (RFP response).

Executive Summary: Include a one or two-page executive summary briefly describing the proposal. This summary should highlight the major features of the

proposal. It must indicate any requirements that cannot be met by the Bidder. The reader should be able to determine the essence of the proposal by reading the executive summary. Protected information requests should be identified in this section.

Table of Contents: Should include a list of all sections and appendices in the RFP response and indicate corresponding page numbers, if appropriate.

Proposal Content: Full details of the bidder's proposal including but not limited to:

- Food Safety Audit Results
- Proposed Menu
- Sample Invoices
- Educational Information

This should demonstrate the offeror's understanding of the desired overall performance expectations and their capability to meet or exceed them. Clearly indicate any options or alternatives proposed.

Pricing: It is estimated that the school will spend between \$50,000 and \$60,000 per year on produce for the FFVP. This RFP is to help UCA select a vendor that will provide the best value for this amount of money.

Certification: Proposals should include a signed certification similar to the following:

"The statements made in this proposal are true and correct presentations. If selected, [*bidding company*] shall negotiate in good faith with the school."

Methods of Submission: **Electronic** SciQuest Submissions Only
<https://bids.sciquest.com/apps/Router/PublicEvent?CustomerOrg=StateOfUtah>

C. Protected Information

UCA is primarily funded by public funds for the purpose of providing public education and as such is subject to Utah State laws and procurement rules including the following:

The Government Records Access and Management Act (GRAMA), Utah Code Ann., Subsection 63-2-304, provides in part that:

the following records are protected if properly classified by a government entity:
(1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has provided the governmental entity with the information specified in Section 63-2-308 (Business Confidentiality Claims);

(2) commercial information or non-individual financial information obtained from a person if:

(a) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future;

(b) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access; and

(c) the person submitting the information has provided the governmental entity with the information specified in Section 63-2-308;

** * * * **

(6) records the disclosure of which would impair governmental procurement proceedings or give an unfair advantage to any person proposing to enter into a contract or agreement with a governmental entity, except that this Subsection (6) does not restrict the right of a person to see bids submitted to or by a governmental entity after bidding has closed;

GRAMA provides that trade secrets, commercial information or non-individual financial information may be protected by submitting a Claim of Business Confidentiality.

To protect information under a Claim of Business Confidentiality, the Bidder must:

1. provide a written Claim of Business Confidentiality *at the time the information (proposal) is provided to the school*, and
2. include a concise statement of reasons supporting the claim of business confidentiality (Subsection 63-2-308(1)).
3. submit an electronic "redacted" (excluding protected information) copy of your proposal response. Copy must clearly be marked "Redacted Version."

A Claim of Business Confidentiality may be appropriate for information such as client lists and non-public financial statements. Pricing and service elements may not be protected. An entire proposal may not be protected under a Claim of Business Confidentiality. The claim of business confidentiality must be submitted with your proposal on the form which may be accessed at:

<http://www.purchasing.utah.gov/contract/documents/confidentialityclaimform.doc>

To ensure the information is protected, the School asks the Bidder to clearly identify in the Executive Summary and in the body of the proposal any specific information for which a Bidder claims business confidentiality protection as "PROTECTED".

D. Disclosure

All materials submitted become the property of UCA. Materials may be evaluated by members of UCA's evaluation committees and others as necessary to properly evaluate bids. Proposal information is considered proprietary and as such shall be treated as confidential subject to GRAMA requirements. Materials submitted may be returned at UCA's discretion.

Information pertaining to the school obtained by the bidder as a result of participation in this project is confidential and must not be disclosed without written authorization from the school.

E. Discussions with Bidders (Oral Presentations)

An oral presentation by a Bidder to clarify a proposal may be required at the sole discretion of UCA. However, UCA may award a contract based on the initial proposals received without discussion with the Bidder(s). If oral presentations are required, they will be scheduled after the submission of proposals. Oral presentations will be made at the Bidders expense.

5. RFP CONDITIONS

A. Evaluation Criteria

<u>WEIGHT</u>	<u>EVALUATION CRITERIA</u>
50 %	Sample menu, invoices, and educational information - evaluation of variety, ease of serving, professional presentation, etc.
50 %	References - Satisfaction, Quality of Service, Quality of Produce

Appendix 1

PERFORMANCE RATING SYSTEM

A UCA employee will contact at least three of the references and complete the table below.

Educational Institution Name: _____

How long have you been doing business with the vendor? _____

Do you have any unresolved concerns with the vendor? _____

Scoring will be from 1-5 with the ratings listed below:

Rate the supplier with the following:

- 1 = Very Poor or Inadequate
- 2 = Poor
- 3 = Satisfactory
- 4 = Good
- 5 = Excellent

These scores will be applied to the following criteria:

	Criteria	Score
1	Timeliness of performance (delivery)	
2	Customer Service (interaction between vendor & school staff, timely response to complaints)	
3	Condition of Delivery (condition of goods delivered including appropriate temperature, product boxes condition, organization of pallets)	
4	Replacement of Damaged or Unacceptable Goods Delivered (frequency and response from vendor in replacing goods, issuing credits)	
5	Quality of Produce (freshness, grade, size, mold, ripeness, how frequent are problems)	
6	Accuracy and Timeliness of Billing and/or Invoices (accuracy and timeliness of off invoices, and response to corrections)	
7	Overall Satisfaction	