

# 2024-2025 Official NCPA NEW Distributor Bid Certification and Agreement

School District or Co-Op Name Orange County Schools

NCPA ZONE NUMBER 680

**Distributor Directions:** Prepare two (2) copies of this **New Bid Certification and Agreement** with original signatures.  
**Double Click on the gray boxes and type in the Default text box to complete agreement.**

DISTRIBUTOR NAME	ADDRESS	CITY & STATE	ZIP
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## DEFINITIONS:

- The term “**New Bid**” as used in this document, means the School District has sent an **Invitation and IFB/Contract with documents** to eligible Distributors for awarding a Distributor to carry out the terms of the **IFB/Contract**.
- The term “**IFB/CONTRACT**” as used in this document, means **the current year NCPA IFB/CONTRACT**. The **IFB/CONTRACT** may be updated annually as needed for clarification, compliance with USDA regulatory policy and for the efficient and effective functioning of the NCPA. Distributors in “renewal status” will receive the updated **IFB/Contract** each year.
- The awarded contract may be renewed for up to four (4) one-year agreements. In such renewals, the School District and the current Distributor of **LOTS 1, 3, and/or 4 agree to “renew OR lower” the fixed fee price per case delivered** per the original IFB/Contract. If the Distributor is unable to maintain or lower the current fixed fee per case pricing, the School District is required to issue a new bid.
- The renewal of **LOT 6** as a “separate” and “firm price” per line item bid requires no price increase in unit price. If the Distributor is unable to maintain the current firm unit price, the School District is required to issue a new bid.
- The term “IFB/Contract,” as used for New Bids, means the comprehensive collection of the following items sent to eligible Distributors as information and to be completed and to be returned, unless otherwise noted, to the School District as part of the Official Documents of the Bid Packet:

0. **DISTRIBUTOR CHECKLIST** - Completed by Distributor. **PLACE UNDER BID TABULATION SHEET AND RETURN**

1. **OFFICIAL NEW BID INVITATION TO DISTRIBUTORS** – Invitation and general procedures for New Bid Distributors. **DO NOT RETURN WITH BID DOCUMENTS**

2. **OFFICIAL NEW DISTRIBUTOR BID TABULATION SHEET** - Provide TOTALS from the bid spreadsheets. This sheet is used to determine the “Preliminary Bid Award” at Bid Opening. Bid review by the school district may show corrections.  
**1-COMPLETED HARDCOPY TO BE PLACED AS FIRST PAGE OF BID PACKET.**

3. **OFFICIAL NEW BID CERTIFICATION AGREEMENT**– Two original forms, each completed and signed by Distributor with **original signature in Blue Ink preferred, but a scanned copy of the form with an original signature of an authorized company official will be accepted**. School District Official signs **after** School District approval of award and the completed/signed Agreement copy is mailed to the awarded Distributor. The agreement is effective by the issue to the Distributor of a School District Purchase Order. **2- COMPLETED HARDCOPIES TO BE RETURNED IN BID PACKET**

4. **OFFICIAL IFB – CONTRACT FOR 2024-2025** details procedures in Sections 1 – 36. **DO NOT RETURN WITH BID DOCUMENTS**

5. **OFFICIAL 2024-2025 CONTRACT ATTACHMENTS A – J** – Attachments A – I are defined in the IFB – Contract and must be completed, signed and returned digitally with the bid packet. Attachment J is the “no bid” sheet. Digital signatures are allowed on Attachments A-J. **SAVE ATTACHMENTS TO BID FLASHDRIVE AND RETURN DIGITAL COPIES**

6. **OFFICIAL NC TAXABLE – NON - TAXABLE STATUS LIST - LOT 3 SUPPLIES** – Information only. **DO NOT RETURN WITH BID DOCUMENTS**

7. **OFFICIAL DISTRICT PROFILE 2024-2025** - Additional Information: cycle menus, 209 reports, etc. may be provided after the bid award but no later than June 1. **DO NOT RETURN WITH BID DOCUMENTS**

8. **SPECIAL CONDITIONS SHEET** (if required) – agreement to Special Conditions must be made prior to bid opening and acknowledged on the New Bid Certification and Agreement. Any change to the Special Conditions by one Distributor requires the School District to issue a local amendment to all potential bidders, a minimum of seven (7) working days prior to bid opening, which would be **May 7, 2024**. **DO NOT RETURN WITH BID DOCUMENTS. ACKNOWLEDGE ACCEPTANCE OF SPECIAL CONDITIONS HERE ON THE BID CERTIFICATION AND AGREEMENT PAGE.**

a. **If Special Conditions are included in this IFB Contract, indicate Distributor acceptance: YES/NO:**

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9. **OFFICIAL NCDA STORAGE CONTRACT** – (if required) Sign and return with the Official Bid Documents, keeping a copy on file. The SN Director will forward a copy of the dual signed Official NCDA Storage Contract to the Director of NCDA & CS Food Distribution. ***IF REQUIRED, RETURN SIGNED HARDCOPY IN BID PACKET***
10. **Official 2024-2025 Bid Spreadsheets with Product Usage Estimates** – Distributor is to complete and return with the School District bid package a flash drive containing a copy of bid spreadsheets with bid Category Totals by LOT using the Usage Estimates as provided by the School District. ***SAVE PRICING SPREADSHEETS TO BID FLASHDRIVE AND RETURN DIGITAL COPIES***
11. **Produce Distributors Only:** In addition to Master Pricing on flash drive, include the Annual Contract/Weekly pricing Supplier contracts and invoices as detailed in 11.1-11.1.1 of the **IFB Contract**. This data is used by the Audit Committee for the required Audit before districts can award their bids. ***SAVE COPIES OF REQUIRED SUPPORTING DOCUMENTATION TO BID FLASHDRIVE AND RETURN DIGITAL COPIES***

**HAND DELIVERED DISTRIBUTOR BIDS** - Label the outside of the **SEALED BID ENVELOPE** containing both the **REQUIRED HARD COPIES** and **DIGITAL** documents as follows: ***DISTRIBUTOR NAME, SCHOOL DISTRICT NAME AND ZONE NUMBER***

**MAILED DISTRIBUTOR BIDS (allowed only when submitting 5 or less bids)** - Label the outside of the **SEALED BID ENVELOPE** containing both the **REQUIRED HARD COPIES** and **DIGITAL** documents as follows: ***DISTRIBUTOR NAME, SCHOOL DISTRICT NAME AND ZONE NUMBER***. Place the sealed bid envelope inside of a mailer envelope addressed to: **Leann Seelman, NCPA Consultant, C/O Enter the School District or Co-Op Name on Second Line, 3006 Pinecrest Drive, Greenville, NC 27858. Mailed bid envelope must be received by 5:00 PM ET, May 14, 2024.**

- **BIDDER DISQUALIFICATION:** Distributor failure to include any of the required documentation at the time of bid submittal or multiple bid errors **MAY** be considered grounds for bidder disqualification as determined by the School District. School District officials will make the final determination regarding Distributor submittal errors other than the two Distributor errors defined by the NCPA Board of Directors as an immediate **Non-Responsive Bid**:
  - **FAILURE TO SIGN THE OFFICIAL NEW BID CERTIFICATION & AGREEMENT FORM**
  - **ANY CHANGE TO THE ALLIANCE IFB/CONTRACT BID LANGUAGE**

## FEDERAL PROGRAM REGULATIONS

- The School Nutrition Programs receiving goods and services under this Contract are **FEDERALLY-FUNDED** programs operated under the authority of the United States Department of Agriculture (USDA). This IFB and the subsequent Contract shall comply with 7 CFR Parts 210, 220, 225, 250, 2 CFR 200 and applicable cost circulars issued by the Office of Management and Budget (OMB) including A-87 Cost Principals, A -102 Administrative Requirements, and A -133 Audit Requirements.
- In compliance with the **NCPA IFB/Contract**, and subject to all conditions required therein, the undersigned offers and agrees to furnish and deliver, by LOT, any or all items upon which prices are bid, at the “cost” prices set correlating to each item plus the “firm fixed fee” and within the time frame specified.
- By responding to this **IFB/Contract**, the Distributor certifies that the Bid Offer is made without prior understanding, agreement, or connection with any firm, corporation, or person submitting a Bid for the same items, and is in all respects fair and without collusion or fraud. The Distributor also certifies no one connected to this company has had any connection with the development or drafting of this **IFB/CONTRACT**. Under penalty of perjury, the undersigned Distributor certifies that this Bid has not been arrived at collusively or otherwise in violation of Federal or State of North Carolina laws or regulations. **By signing this Bid Certification, the individual whose name is shown assures that the Distributor has read and understands all the General Terms and Conditions in the Official NCPA IFB/CONTRACT and agrees to be bound by them and is authorized to submit Bids on behalf of the Distributor.**

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**ADDENDA ACKNOWLEDGEMENT - The deadline for NCPA E- Mail Addenda Notification is May 7, 2024.**

1. Addenda issued are hereby acknowledged by bidder and become part of the 2024-2025 Official IFB/Contract. The NCPA Board of Directors and the School District may also submit Addenda to Distributors, as it applies independently to bid requirements. It is the Distributor’s sole responsibility, before the bid opening, to determine all Addenda issued is received. It is assumed bidders received email addenda if dates are not provided.

**Distributor Directions:** Insert date Addenda received below in gray box. Addenda are part of this Official IFB/Contract.

Addendum 1	Date:		Addendum 2	Date:		Addendum 3	Date:	

**DISTRIBUTOR NEW BID CERTIFICATION AND SIGNATURE:**

I certify by my signature below that I have received the **IFB/Contract**, Instructions for completing the bid documents and have acknowledged issued Addenda; and that the required PRICES quoted, and brands specified in the bid spreadsheets of this **IFB/CONTRACT** are correct and that I have the authority to obligate the company named to perform under requirements of this Bid Certification and all General Terms and Conditions stated in the Official 2024-2025 IFB/Contract, Attachments, Special Conditions and addenda. **All contract documents are signed and attached.**

\_\_\_\_\_  
**Name of Authorized Signer**

\_\_\_\_\_  
**Original Signature of Representative Authorized to Sign**

\_\_\_\_\_  
**Title of Authorized Signer**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Company Name**

**SCHOOL DISTRICT OFFICIAL ACCEPTANCE SIGNATURE**

If any, or all parts, of the Distributor Bid are accepted by the School District, an authorized School District representative shall affix their signature hereto and collectively this **New Bid Certification and Agreement, along with the current Official IFB/Contract, Attachments, Addenda and the Distributor’s bid sheets** shall become the Contract and shall represent the agreement between the School District and the Distributor. The sections outlined in the General Terms and Conditions of the **NCPA IFB/Contract** are for convenience and reference only, and in no-way define, describe, extend, or limit the scope or intent of the provisions of any section of this document.

The **NCPA Pre-Bid Audit Approval** and local school district approval (if required) are prerequisites PRIOR TO school district signature on the New Bid Certification and Agreement. One (1) original copy is mailed to the awarded Distributor and one (1) original copy retained by the School District. Agreement is finalized with (1) the signature and return of this document by vendor to the school district and (2) issue of Purchase Order to the vendor by school district.

Anne Purcell

\_\_\_\_\_  
**Name of School District/Co-Op Representative**

\_\_\_\_\_  
**Signature of School District/Co-Op Representative**

OCS Board of Education Chair

\_\_\_\_\_  
**Title of School District/Co-Op Representative**

\_\_\_\_\_  
**Date**

Orange County Schools

\_\_\_\_\_  
**Name of School District**

This instrument has been pre audited in the manner required by the School Budget and Fiscal Control Act.

\_\_\_\_\_  
 School System Finance Officer

\_\_\_\_\_  
 Date