

HOBBS MUNICIPAL SCHOOLS
P.O. Box 1030
Hobbs, New Mexico 88241

INVITATION TO BID

SUBJECT: HMS Nutritional Services Milk
BID NUMBER: 2425-06
COMMODITY CODE: #24545,38075
BID ISSUED: June 9th, 2024
OPENING DATE: June 26th, 2024 – 1:00 p.m.
PLACE OF OPENING: Hobbs Municipal Schools
Administration Office
1515 E. Sanger – P.O. Box 1030
Hobbs, New Mexico 88241

BIDDER INFORMATION:

We agree to provide the items as listed for the bid prices indicated on the attached Proposal Form. We agree to adhere to the General Conditions and Specifications of this bid.

COMPANY _____ SIGNATURE _____
ADDRESS _____ NAME (PRINT) _____
_____ TITLE _____
TELEPHONE _____ DATE _____
E-Mail Address _____

GENERAL CONDITIONS

1. The Hobbs and Tatum Boards of Education reserves the right to accept or reject any or all bids and to waive all technicalities.
2. Quote a per unit or item price delivered F.O.B. to respective schools.
3. Payment shall be made no less than fifteen (15) business days following service month.
4. If two (2) or more bidders quote the same price, the Board of Education of each School District or City of Hobbs reserves the right to select its supplier.
5. The Board of Education of each School District and City of Hobbs reserves the right to select the supplier that is the most advantageous to the District or City of Hobbs.
6. The Hobbs Municipal Schools will expect one supplier to provide all milk to their schools. No split contracts will be accepted.
7. Consideration for adjustments in variation to fat content of milk as dictated by Federal guideline changes during the bid cycle.
8. All milk shall meet all standards set by the State of New Mexico, Lea County, and the City Health Departments. Supplier shall keep on file with each School District a statement verifying that milk meets all requirements.
9. Good service is an essential part of the milk contract. All bid items of milk shall be supplied to each school in the designated quantities and shall be delivered on time. Product substitution will only be accepted at the substitution price or the bid price, whichever is lower. Milk cases used for delivery shall be kept clean by the supplier.
10. Proper refrigeration of milk shall be maintained by supplier during production, storage and transportation of milk.
11. If cafeteria personnel have reasonable doubt as to the quality of milk delivered, they have the authority to request replacement.
12. Milk supplier shall place milk in coolers as specified. Expiration dates should be no less than seven (7) serving days from delivery date.
13. Orders for milk will be placed on a schedule satisfactory to the supplier and to the school.
14. Pursuant to Section 13-1-191, NMSA, 1978, no bonus or premiums will be accepted or considered in awarding bids or as a result of the purchase of any items.
15. Delivery days for Hobbs Municipal Schools will be Monday, Wednesday and Friday, beginning August 1st, 2024 through May 25th, 2025 with the exception of designated holidays. (calendar attached)

16. It is the bidders' responsibility to deliver the proposal at the proper time to:
Hobbs Municipal Schools
Attention: Jessica Munoz Alvarado / CPO
Administrative Office
P.O. Box 1030 – 1515 East Sanger
Hobbs, NM 88241
17. For a bid to be considered, it must bear the signature of the bidder. Bids must be typed or handwritten in pen.
18. Place Bid # and Attention Jessica Alvarado on outside of bid envelope on lower left corner.
19. Please type or print legibly in completing the proposal form in order to avoid possible delays on errors in tabulating bid results.
20. Bidder may bid on any or all school districts. The bid will be awarded to one vendor per district.
21. All bidders must bid on fixed unit prices including all discounts. Price adjustments will be allowed subject to the following provisions:
 - A. Cost increases or decreases for Class I and/or Class II raw milk shall be limited by actions of the Milk Market Administrator of the US Department of Agriculture. Incidental costs to supplier not relating directly to the cost of raw milk shall be excluded.
 - B. Price adjustments shall be effective on the first day to the month following notice to purchaser of the amount of such cost increases or decreases and price adjustment per unit. If supplier wishes to qualify for the price adjustment, the supplier must furnish the purchaser with an official announcement of class prices and butterfat differential from USDA agricultural marketing service dairy division and accompanying price change notification listing at the beginning of the contract period and on the first day of each month throughout the school year stating the supplier's cost for Class I and/or Class II raw milk.
 - C. The supplier's failure to furnish the School District with the certified cost of Class I raw milk by the designated time, or the supplier's failure to make price adjustments as milk prices fluctuate will disqualify the supplier from the benefits of the price adjustment clause and the price of milk to the purchaser will revert to the lowest price paid by the purchaser during the contract period.
 - D. Third Party or Non-Producing suppliers are subject to the guidelines above for application of pricing adjustments to their initial bid pricing. These adjustments are based on the monthly USDA Milk Market Administration Report. Third Party or Non-Producing supplier's costs from their provider will not be a consideration in using the pricing adjustment clause.
22. This bid will be submitted to the Hobbs Board of Education on Tuesday, July 16th, 2024.

1. Equal Employment Opportunity

Hobbs Municipal Schools is an Equal Opportunity Employer (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.

Hobbs Municipal Schools is also in accordance with Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Vocational Rehabilitation Act, Americans with Disabilities Act, and other federal and state laws and executive orders affective employment and equal opportunity.

The Hobbs Municipal School District does not discriminate on the basis of race, color, national origin, sex, age or disability in its programs and activities. The following person has been designated to handle inquiries regarding the nondiscrimination policies:

2. Debarment/Suspension

Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

A business (contractor, subcontractor or supplier) that has either been debarred or suspended pursuant to the requirements of 13-1-177 through 13-1- 180, and 13-4-11 through 13-4-17 NMSA 1978 as amended, shall not be permitted to do business with the district and shall not be considered for award of the contract during the period for which it is debarred or suspended with the district.

A. MANDATORY REQUIREMENTS

The individuals/company shall be fully qualified and licensed to provide services requested.

1. Campaign Contribution Disclosure Form

The Offeror must complete an unaltered Campaign Contribution Disclosure Form and submit a signed copy with the Offeror’s proposal. This must be accomplished whether or not an applicable contribution has been made. (See APPENDIX B). **Failure to complete and return the signed, unaltered form will result in Offeror’s disqualification.**

2. Conflict of Interest and Debarment/Suspension Certification Form

The Offeror must complete an unaltered Conflict of Interest and Debarment/Suspension Form and submit a signed copy with the Offeror’s proposal. (See APPENDIX A). **Failure to complete and return the signed, unaltered form will result in Offeror’s disqualification.**

**HOBBS MUNICIPAL SCHOOLS
P.O. Box 1030
Hobbs, NM 88241**

PROPOSAL FORM – MILK

We agree to provide the items as listed for the bid prices indicated below. We agree to adhere to the General Conditions and Specifications of this bid for the 2024-2025 school year

Item	Description	Unit Cost
1.	1% Low Fat White Milk , single-serving ½ pt. paper carton (256,900 units used by HMS Nutritional Services 2023-24 Only)	\$ _____ p/½ pt.
2.	1 % Low Fat Chocolate Milk , single-serving ½ pt. paper carton (570,352 units used by HMS Nutritional Services 2023-24 Only)	\$ _____ p/½ pt.
3.	1 % Low Fat Strawberry Milk , single-serving ½ pt. paper carton (133,030 units used by HMS Nutritional Services 2023-24 Only)	\$ _____ p/½ pt.

The Hobbs Municipal Schools does not require the milk vendor to provide milk boxes.

- **Any vendor failing to honor a proposal submitted or delivering items not meeting specifications may be removed from the bid list for a period of two (2) years. Items delivered not as specified on the award, will be the responsibility of the vendor to pick up and credit the School District at no expense to the District.**

Company

Signature

Address

Title

City, State Zip Code

Date

**TATUM MUNICIPAL SCHOOLS
P.O. Box 685
Tatum, NM 88267**

PROPOSAL FORM – MILK

Specifications & Conditions:

Notice is hereby given that the Tatum Schools will accept sealed bids on milk in ½ pint paper cartons for the **Tatum School Cafeteria** for use during the 2024-2025 school year.

The successful bidder must have the approval of the Tatum Schools before subcontracting for another supplier to furnish and deliver the milk. All deliveries must be by refrigerated truck. Bidder must adhere to all General Conditions set forth in the bid.

<u>Item</u>	<u>Description</u>	<u>Unit Cost</u>
1.	White Milk , Grade A, Homogenized, ½ pint container, 3.25% Milk Fat	\$ _____ p/½ pint
2.	White Milk , Grade A, Pasteurized, ½ pint paper carton, Low Fat, 1% Milk Fat	\$ _____ p/½ pint
3.	Chocolate Milk , Grade A, Homogenized, ½ pint containers, Low Fat, 1% Milk Fat	\$ _____ p/½ pint
4.	Strawberry Milk , Grade A, Homogenized, ½ pint containers, Low Fat, 1% Milk Fat	\$ _____ p/½ pint

We would consider once a week delivery, **only** if delivery date is when milk is the freshest.

Company

Signature

Address

Title

City, State

Zip Code

Date

APPENDIX A

CONFLICT OF INTEREST AND DEBARMENT/SUSPENSION CERTIFICATION FORM

CONFLICT OF INTEREST

As utilized herein, the term “Vendor” shall mean that entity submitting a proposal to Hobbs Municipals Schools in response to the above referenced bids/request for proposals.

The authorized Person, Firm and/or Corporation states that to the best of his/her belief and knowledge: No employee or board member of Hobbs Municipal Schools (or close relative), with the exception of the person(s) identified below, has a direct or indirect financial interest in the Vendor or in the proposed transaction. Vendor neither employs, nor is negotiating to employ, any Hobbs Municipal Schools employee, board member or close relative, with the exception of the person(s) identified below. Vendor did not participate, directly or indirectly, in the preparation of specifications upon which the quote or offer is made. If the Vendor is a New Mexico State Legislator or if a New Mexico State Legislator holds a controlling interest in Vendor, please identify the legislator: _____.

List below the name(s) of any Hobbs Municipal Schools employee, board member or close relative who now or within the preceding 12 months (1) works for the Vendor; (2) has an ownership interest in the Vendor (other than as an owner of less than 1% of Vendor’s stock, if Vendor is a publicly traded corporation); (3) is a partner, officer, director, trustee or consultant to the Vendor; (4) has received grant, travel, honoraria or other similar support from Vendor; or (5) has a right to receive royalties from the vendor.
_____.

DEBARMENT/SUSPENSION STATUS

The Vendor certifies that it is not suspended, debarred or ineligible from entering into contracts with the Federal Government, or any State agency or local public body, or in receipt of a notice or proposed debarment from any Federal or State agency or local public body. The vendor agrees to provide immediate notice to Hobbs Municipal Schools’ Chief Procurement Officer in the event of being suspended, debarred or declared ineligible by any department or agency of the Federal government, or any agency of local public body of the State of New Mexico, or upon receipt of a notice of proposed debarment that is received after the submission of the quote or offer but prior to the award of the purchase order or contract.

CERTIFICATION

The undersigned hereby certifies that he/she has read the above CONFLICT OF INTEREST and DEBARMENT / SUSPENSION Status requirements and that he/she understands and will comply with these requirements. The undersigned further certifies that they have the authority to certify compliance for the vendor named **and that the information contained in this document is true and accurate to the best of their knowledge.**

Signature: _____ Date: _____

Name of Person Signing (typed or printed): _____

Title: _____

Email: _____

Name of Company (typed or printed): _____

Address: _____ City/State/Zip: _____

Telephone: _____ Fax: _____ Email: _____

APPENDIX B

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

THIS FORM MUST BE INCLUDED IN THE REQUEST FOR PROPOSALS AND MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

“**Applicable public official**” means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

“**Campaign Contribution**” means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official’s behalf for the purpose of electing the official to statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

“**Family member**” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

“**Pendency of the procurement process**” means the time period commencing with the Public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“**Prospective contractor**” means a person or business that is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or a small purchase contract.

“**Representative of a prospective contractor**” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

Name(s) of Applicable Public Official(s) if any: _____

(Completed by State Agency or Local Public Body)

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) (Attach extra pages if necessary)

Signature Title/Position

Date _____

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature _____ Date _____
Title (Position)