

Notice Requesting Proposal
Food Service Management Company
Request for Proposal
For Kepler Neighborhood School

Notice is hereby given that Kepler Neighborhood School (hereinafter referred to as **KNS**) is requesting proposals for a Food Service Management Company (hereinafter referred to as **Respondent[s]**) to assist with KNS's food service management.

Respondents should not construe from this legal notice that KNS intends to enter into a contract with the Respondent unless, in the opinion of KNS, it is in the best interest of KNS to do so. KNS reserves the right to negotiate final contractual terms with the successful Respondent.

Respondents must submit written proposals in a sealed envelope labeled "Proposal - Food Service Management Company and addressed to KNS Office at 1537 Fulton, Fresno, CA 93721, Attn: Shiela Skibbie. KNS will accept all proposals received on or before April 29, 2016. KNS will not accept proposals that are received after the deadline. KNS will open proposals at 8:00 AM on March 31, 2016.

KNS reserves the right to reject any or all proposals, and to waive any errors or corrections in a proposal or in the proposal process. KNS will award the Contract based on a review and analysis of the proposals to determine which proposal best meets the needs of KNS. Following the review and analysis of all responsive proposals, KNS will make a recommendation to their Board of Education at its regularly scheduled meeting.

Kepler Neighborhood School



KEPLER

Neighborhood School

**REQUEST FOR PROPOSAL
FOOD SERVICE MANAGEMENT COMPANY**

RFP – Food Services

by

KEPLER NEIGHBORHOOD SCHOOL
FOOD SERVICE PROGRAM

ADDRESS ALL PROPOSALS TO:

Shiela Skibbie
Office Manager

1537 Fulton Ave
Fresno, CA 93721

559-495-0849

s.skibbie@keplerschool.org

559-495-0849
Fax 559-495-0853

Request for Proposal

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Introduction/Purpose of Solicitation

The purpose of this Request for Proposal (RFP) is to enter into a contract with a Food Service Management Company (FSMC) that will provide Kepler Neighborhood School (hereinafter referred to as KNS) with food service management assistance in their food service operation. The FSMC will provide services to KNS as described in the Scope of Work.

KNS's food service goals are to provide nutritious, high-quality meals to students to accommodate special diets where medically necessary, improve the nutritional quality of meals, and maintain a financially viable nonprofit food service program. General food service goals are to:

- Provide an appealing and nutritionally sound program for students as economically as possible
- Stimulate both student and adult participation in the program through improving relations with students, staff, and the community by creating awareness of the direct correlation between adequate nutrition for students and their ability to learn
- Increase participation at all levels of the food service program by improving meal quality, seeking student and parent input, and successful menu variation and planning
- Maintain reasonable prices for students and adults participating in the food service program
- Maintain student and staff morale at a high level

All procurement transactions shall be conducted in a manner that provides maximum open and free competition consistent with Title 7, *Code of Federal Regulations (7 CFR)* sections 3016 and 3019. KNS must share with all Respondents all information necessary for submitting a competitive proposal. The release of this RFP, evaluation of Respondents, and award of a contract will use competitive bidding standards established in all applicable California state and federal statutes and regulations.

Outlined below are competitive bidding basic standards:

- The purpose of soliciting competitive proposals is to secure public objectives in the most effective manner and avoid the possibilities of graft, fraud, collusion, etc.
- KNS released this RFP to benefit KNS and not the Respondents.

- Fulfillment of RFP specifications is based on full and fair competition and acceptance by KNS of the most responsive and responsible Respondent to KNS's requirements, as determined by KNS when evaluating proposals based on the criteria contained in the RFP.
- The RFP must provide a basis for full and fair competition among Respondents on a common standard, free of restrictions that tend to stifle competition.

The above four points are for illustrative purposes only, and do not include all California state and federal requirements to achieve competitive bidding.

To respond to this RFP, interested companies must present evidence of experience, ability, and financial standing necessary to meet the minimum qualifications (Attachment B). KNS will measure this evidence by scoring the proposals using a point system that will score and rank each proposal from highest to lowest, to determine which proposals they will consider for the award of a contract.

To be competitive in this solicitation, the Respondent must take the responsibility to:

- Carefully read the entire RFP, attachments, exhibits, addenda, and KNS responses to questions before submitting a proposal
- Ask appropriate questions or request clarification by the deadline in the RFP
- Submit all required responses by the required deadlines
- Follow all instructions and requirements of the RFP thoroughly and appropriately

If a Respondent discovers any ambiguity, conflict, discrepancy, omission, or other errors in this RFP, the Respondent shall immediately notify KNS of the error in writing and request clarification or a modification of the RFP. If the Respondent fails to notify KNS of the error prior to the date for submission of proposals, and is awarded the contract, the Respondent shall not be entitled to additional compensation or time by reason of the error or its later correction.

**Schedule of Events
for
RFP – Food Services**

- | | | |
|--|-----------|---------|
| • Release of RFP | Thursday | 3/31/16 |
| • Public Notice | Thursday | 3/31/16 |
| • Respondent Question Submission Deadline | Friday | 4/8/16 |
| • KNS Provides Answers | Tuesday | 4/12/16 |
| • Deadline for Submission of Sealed Proposal | Friday | 4/29/16 |
| • Proposals Opened | Monday | 5/2/16 |
| • Proposals Evaluated | Monday | 5/9/16 |
| • Board Meeting – Proposal Approval | Monday | 5/12/16 |
| • Anticipated Contract Award Date | Wednesday | 5/16/16 |

KNS will use every effort to adhere to the schedule. However, KNS reserves the right to amend the schedule, as it deems necessary, and will post a notice of said amendment at keplerschool.org

General Instructions for Respondents

1. Prepare proposals simply and economically. Provide a straightforward, concise description of the Respondent's capabilities to satisfy KNS's requirements. Emphasis should be placed on completeness and clarity of content.
2. Submit proposals for the performance of all the services described within this RFP. KNS will not consider any deviation from these specifications and will reject such proposals.
3. KNS may reject a proposal if the proposal is conditional or incomplete, deemed nonresponsive, or if it contains any alterations of form or other irregularities of any kind. KNS may reject any or all proposals or waive any immaterial deviation in a proposal. KNS's waiver of an immaterial deviation shall in no way modify the RFP document or excuse the Respondent from full compliance with all other requirements if awarded the contract.
4. Respondents are responsible for the costs of developing proposals, and shall not charge KNS for any preparation costs.
5. KNS asks Respondents who do not intend to submit a proposal to notify KNS in writing.
6. Respondents may modify their proposal after its submission by withdrawing the original proposal and resubmitting a new proposal prior to the submission deadline. KNS will not consider proposal modifications offered in any other manner, either oral or written.
7. Respondents may withdraw their proposal by submitting a written withdrawal request to KNS, signed by the Respondent or their authorized agent, through the contact person named in the "Contact Information" contained in Paragraph 21(c). Thereafter, a Respondent may submit a new proposal prior to the proposal submission deadline. Respondents may not withdraw their proposal without cause after the proposal submission deadline.
8. KNS may modify the RFP prior to the date given for submission of proposals by posting an addendum on the Kepler Neighborhood School website – keplerschool.org Respondents can obtain any addenda by an email request to s.skibbie@keplerschool.org.
9. KNS reserves the right to reject all proposals for reasonable cause. If the costs of all proposals are excessive, KNS is not required to award a contract.
10. KNS will not consider more than one proposal from an individual, firm, partnership, corporation, or association under the same or different names. Reasonable grounds for believing that any Respondent has submitted more than one proposal for work contemplated herein will cause KNS to reject all proposals submitted by the Respondent. If there is reason to believe that collusion exists among the Respondents, KNS will not consider any of the participants of such collusion in this or future solicitations.
11. KNS will not consider a joint proposal submitted by two or more entities.

12. Additional charges for regular or express delivery, drayage, parcel post, packing, cartage, insurance, license fees, permits, or for any other purpose shall be included (and separately identified) in the proposal.
13. The Respondent or their authorized representative must sign the Authorization Agreement (Attachment C) and return it with the proposal package.
14. All proposals shall include the forms provided as attachments to this RFP. Respondents may copy these forms. A proposal is considered responsive if it follows the required format, includes all attachments, and meets all deadlines and other requirements outlined in this RFP.
15. KNS shall not accept proposals after the submission deadline specified in the RFP and shall return the unopened proposals to the respective Respondents. KNS will not consider late proposals under any circumstances.
16. Respondents are responsible for examining the entire RFP package, seeking clarification for any item or requirement that may not be clear to them, and checking all responses in their proposal for accuracy before submitting it.
17. Respondents may submit their questions regarding the information presented in this RFP to Shiela Skibbie in writing by U.S. mail at 1537 Fulton, Fresno CA 93721, e-mail at s.skibbie@keplerschool.org or fax at 559-532-0218 no later than Friday, April 4th, 2014. KNS will answer all questions received by the deadline in writing without exposing the query source. This will be the sole process for asking and answering questions regarding this RFP. Respondents may not contact KNS employees directly to ask questions.
18. KNS representatives reserve the right to inspect a Respondent's other food service operations prior to any award of a contract.
19. KNS reserves the right to negotiate final terms and conditions of the contract, which may differ from those contained in the proposal, provided KNS considers such negotiation to be in its best interest. The changes in the terms and conditions must not create a material change to the original terms released in this RFP.
20. Interested Respondents are required to inspect KNS's premises prior to submitting a proposal in order to determine all requirements associated with the proposed contract.
21. Respondents shall submit one paper copy and one copy in digital format (e.g., CD/DVD, flash drive, etc.).
 1. The paper copy must contain the original signature of the individual(s) authorized to bind the Respondent contractually, and be labeled "Master Copy."
 2. The Respondent must ensure the digital copy is complete and inclusive of all materials contained in the paper copy, including any required signatures. If there is an inconsistency between the paper and digital copies, the paper copy will take precedence.

3. The sealed proposal envelopes must be marked legibly as shown in the following example:

**RFP Food Services
Kepler Neighborhood School
ATTN: Shiela Skibbie
1537 Fulton, Fresno CA 93721**

Proposal Requirements

To be eligible for evaluation, a proposal must adhere strictly to the format set forth below; failure to do so may result in disqualification. Respondents must address each of the required sections indicated below. Please label and separate each section, and number all pages to allow for ease of review. The content and sequence of the proposal will be as follows:

<u>Section</u>	<u>Title</u>
A.	Cover Letter
B.	Table of Contents
C.	Required Attachments
D.	Minimum Qualifications
E.	Proposal Questionnaire
F.	Respondent References
G.	Authorization Agreement

A. Cover Letter

Only the individual(s) authorized to bind the Respondent contractually may sign the cover letter, which shall be a part of the proposal package. If the cover letter is unsigned, KNS will reject the proposal. KNS may reject the proposal if the Respondent fails to include the following required information:

- Name of responding company
- Organizational structure of the responding company (e.g., corporation, partnership, etc.)
- Respondent's Federal Employee Identification Number and Corporate Identification Number, if applicable
- Respondent's name, title, address, phone number, and fax number, and the e-mail address of the representative who will be designated as the primary liaison to KNS
- Name, title, phone number, and e-mail address of the representative(s) authorized to bind the Respondent in a contract
- A statement expressing the Respondent's willingness to perform the services described in this RFP
- A statement expressing the Respondent's ability to perform the services required in the Scope of Work, including availability of staff and other required resources to meet all deliverables as described in this RFP
- A statement regarding the Respondent's proprietary information. If applicable, the Respondent must clearly mark in the upper right hand corner those pages to be considered proprietary. (Please note that the Respondent cannot consider the entire proposal to be proprietary.)

- The following certification:

By signing this cover letter, I (we) certify that the information contained in this proposal is accurate and that all attachments required to be submitted as part of the proposal are certified to be true and binding upon our company.

B. Table of Contents

Immediately following the cover letter, a comprehensive Table of Contents must be included, listing all submitted proposal sections, subsections, attachments, and materials.

C. Required Attachments

Respondent shall include all documents identified in the section titled "Attachments Checklist" (Attachment C). KNS may reject proposals that do not include the proper required attachments.

D. Minimum Qualifications

KNS will only consider Respondents who **meet all minimum qualifications** (as listed on Attachment B) to KNS's satisfaction.

E. Proposal Questionnaire

The Proposal Questionnaire (Attachment D) is intended to provide KNS with specific information concerning the Respondent's capability to provide services as described in this RFP. Respondents should limit their responses to the number of pages noted in the questionnaire and answer each question in the same order.

F. Respondent References

The Respondent must provide three references using the Respondent References form (Attachment F). KNS reserves the right to contact any of the persons/companies listed, and retains the right to conduct reference checks with individuals and entities beyond those supplied by the Respondent.

G. Authorization Agreement

The Respondent must sign the Authorization Agreement (Attachment B) and return it with the proposal package.

H. Fee Proposal

The Respondent must complete and submit the Fee Proposal (Attachment F), which includes the Schedule of Costs, Personnel Costs, and the Cost Per Meal Table.

Evaluation of Proposals

Proposals will be opened on or after the date and time specified in the Schedule of Events. During the evaluation process, KNS may ask Respondents to clarify information in the proposals, but Respondents may not change their proposals.

An error in the proposal may cause KNS to reject that proposal; however, KNS may, at its sole discretion, retain the proposal and make certain corrections. When determining if a correction will be made, KNS will consider the conformance of the proposal to the format and content required by the RFP, and that the Respondent's intent is clearly established based on review of the whole proposal. Based on that established intent, KNS may choose to correct an error such as obvious grammatical or punctuation errors and arithmetic errors. The Master Copy of the proposal shall have priority over additional proposal copies.

KNS will open proposals to determine if they contain all the required information in accordance with this RFP. KNS will evaluate qualifying proposals using the following criteria:

CRITERIA	MAXIMUM POINTS
Administrative Requirements: Did the Respondent include all required information in accordance with the General Instructions and Proposal Requirements?	5
Experience with School Breakfast and National School Lunch Programs	10
Based on the Proposal Questionnaire responses and the Cover Letter, the Respondent demonstrates a complete understanding of KNS's food service program and its service requirements, as described in the RFP and the Scope of Work, and can perform those services to KNS's satisfaction	10
The financial stability of the Respondent	5
Corporate capability and experience as measured by performance record, years in the industry, relevant experience, number of SFAs served, client retention and satisfaction, and references	10
Cost	10
TOTAL POINTS	50

KNS will score and rank selected proposals by assigning a score between zero (0) and the maximum score to each proposal criterion. KNS will recommend awarding the contract to the most responsive and responsible Respondent with the highest total proposal score.

Attachment A

Minimum Qualifications

A Respondent must meet all of the following minimum qualifications to KNS's satisfaction to be given further consideration. Failure to satisfy ANY of the minimum qualifications may result in the immediate rejection of the proposal.

Both the Respondent's company and the responding company's key personnel meet all of the following minimum qualifications:

- I. The responding company has at least 2 of experience with food service programs comparable in size to KNS (defined by enrollment).

Yes _____ No _____

- J. The responding company has the resources and ability to provide 36,000 meals per fiscal year.

Yes _____ No _____

- K. The responding company has knowledge and experience with the School Breakfast Program and National School Lunch Program.

Yes _____ No _____

- L. The responding company has professional references that demonstrate and evidence the ability to perform the required services.

Yes _____ No _____

- M. The responding company is licensed to do business in the State of California.

Yes _____ No _____

Attachment B

Authorization Agreement

Request for Proposal for Food Service Management Company
RFP – Food Services

We, [Enter FSMC name], by our signature on this document certify the following:

- B. That we will operate in accordance with all applicable California state and federal laws, regulations, and statutes.
- C. That the terms, conditions, warranties, and representations made within this RFP and our proposal shall be binding upon us and shall be considered a part of the contract as if incorporated therein.
- D. That the proposal submitted is a firm and irrevocable offer good for one (1) year.
- E. That we have carefully examined all terms and conditions set forth in the RFP Model Contract issued by Kepler Neighborhood School
- F. That we have made examinations and verifications, and are fully conversant with all conditions under which services are to be performed for Kepler Neighborhood School.
- G. That negligence in the preparation or presentation of, errors in, or omissions from proposals shall not relieve us from fulfillment of any and all obligations and requirements in the resulting contract.

FSMC Name: _____

Address: _____

City: _____ State: _____ Zip: _____

E-mail Address: _____

Web site: _____

Name of Authorized Representative: _____

Title of Authorized Representative: _____

Signature of Authorized Representative

Date Signed: _____

Attachment C

Attachments Checklist

Respondent Company Name

Please complete this checklist to confirm that the required documents listed below are included in your proposal. Place a checkmark or "x" next to each item you are submitting to KNS. For your proposal to be considered, all required attachments must be returned, including this checklist. Submit one (1) master copy of your proposal in a sealed package. The cover letter must contain the original signature(s) of the individual(s) authorized to contractually bind the Respondent, and shall certify the following:

"By signing this cover letter, I (we) certify that the information contained in this proposal is accurate, and that all attachments required to be submitted as part of the proposal are certified to be true and binding upon the Respondent."

<input checked="" type="checkbox"/>	Attachment	Attachment Name
	A	Minimum Qualifications
	B	Authorization Agreement
	C	Attachments Checklist
	D	Proposal Questionnaire
	E	Respondents References
	F	Fee Proposal
	G	Certifications

Attachment D

Proposal Questionnaire

This proposal questionnaire is intended to provide KNS with specific information concerning the Respondent's capability to provide services as described in the RFP. Please be as concise as possible and limit your responses **to no more than two (2) pages per question, unless instructed otherwise. Type each question in the same order as listed in the questionnaire.**

Note: KNS may choose to add or delete any provisions to their RFP as applicable.

Provide a general description of your company's qualifications and experience relevant to the minimum qualifications in Attachment A, along with any necessary substantiating information. Limit your responses to information about your company's capabilities.

Provide a statement indicating the year your company was founded; what the primary business(es) of the company is (are); the length of time the company has been providing food service management services (consulting, food purchase, etc.), and related services described in this RFP. In addition, provide the duration and extent of experience the company has with similar KNS food management services.

Provide a general description of how your company will be able to provide the experience, ability, and financial standing necessary to meet the requirements set forth in this RFP.

Provide a complete list of SFAs that have discontinued or terminated your company's services in the last five years, and the reason(s) why.

Provide a complete balance sheet or annual report (verified by a certified public accountant) for the last three years of operation.

Provide a description of promotional and/or marketing materials you will use to attract students to the program.

Provide a recommended transition plan that describes the steps you will take to begin providing the services described in this RFP.

Attachment E

Respondent References

List three (3) references that the Respondent has provided food service management services within the past [insert number] year(s).

Failure to complete and return this attachment will cause your proposal to be rejected.

Reference 1		
Name of Reference		
Street Address		
City	State	Zip Code
Contact Person	Contact Title	Contact Phone Number
Brief Description of Services Provided		
Dates of Service		
Reference 2		
Name of Reference		
Street Address		
City	State	Zip Code
Contact Person	Contact Title	Contact Phone Number
Brief Description of Services Provided		
Dates of Service		
Reference 3		
Name of Reference		
Street Address		
City	State	Zip Code
Contact Person	Contact Title	Contact Phone Number
Brief Description of Services Provided		
Dates of Service		

Attachment F

Fee Proposal

Respondents must provide a breakdown of all costs included in the fixed fee in the SCHEDULE OF COSTS section below, provide personnel costs in the PERSONNEL COSTS section below, and provide a cost per meal in the COST PER MEAL table below. **(NOTE: All costs are based on 180 days of meals served)**

SCHEDULE OF COSTS (NOTE: Clearly identify all costs)

Item #	ITEM DESCRIPTION	Annual Cost
1.	Food (including milk or juice) – Breakfast (40 per day)	
2.	Food (including milk) – Lunches (160 per day)	
3.	Serving Trays & Utensils	
4.	Plates, napkins, utensils	
5.		
SUBTOTAL		
GRAND TOTAL		

COST PER MEAL (NOTE: prices must NOT include values for USDA Foods)

LINE ITEM	UNITS*	RATE	TOTAL
Non-Reimbursable Breakfast	1800	\$	\$
Reimbursable Breakfast	5400	\$	\$
Non-Reimbursable Lunch	7200	\$	\$
Reimbursable Lunch	21600	\$	\$
Reimbursable Snacks		\$	\$
Management Fee Per Meal		\$	\$
Consultant Fee Per Meal		\$	\$
TOTAL		\$	\$

*Units to be provided by KNS

By submission of this cost proposal, the FSMC certifies that, in the event the FSMC is awarded a contract, this cost proposal shall constitute the final cost proposal and the FSMC shall operate in accordance with this cost proposal for the duration of the contract.

Printed Name of FSMC Representative

Title

Signature

Date

Attachment G

Certifications

CERTIFICATIONS REGARDING LOBBYING, DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under Title 7, *Code of Federal Regulations (CFR)* Part 3018, "New Restrictions on Lobbying," 7 *CFR*, Part 3017, "Government-wide Debarment and Suspension (Nonprocurement)" and 7 *CFR*, Part 3021, "Government-wide Requirements for Drug-Free Workplace (Grants)." The certification shall be treated as a material representation of fact upon which reliance will be placed when KNS determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Title 31, *U.S. Code (U.S.C.)* Section 1352, and implemented at 7 *CFR*, Part 3018, for a person entering into a grant or cooperative agreement over \$100,000, as defined at 7 *CFR*, Section 3018.105, the applicant certifies that:

- (a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;
- (b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with these instructions; and
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime federal recipient, at the initiation or receipt of a covered federal action, or a material change to a previous filing, pursuant to Title 31 *U.S.C.* Section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered federal action. Complete

all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget (OMB) for additional information.

- Identify the type of covered federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered federal action.
- Identify the status of the covered federal action.
- Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered federal action.
- Enter the full name, address, city, state, and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
- If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, state, and zip code of the prime federal recipient. Include Congressional District, if known.
- Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
- Enter the federal program name or description for the covered federal action (Item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
- Enter the most appropriate federal identifying number available for the federal action identified in item 1 (e.g., RFP number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the federal agency). Include prefixes, e.g., "RFP-DE-90-001."
- For a covered federal action where there has been an award or loan commitment by the federal agency, enter the federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
 - (a) Enter the full name, address, city, state, and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered federal action.
- Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
- The certifying official shall sign and date the form, print his/her name, title, and phone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1 Approved by OMB
(See next page for public burden disclosure) No. 0348-0046

Type of Federal Action: a. Contract b. Grant c. Cooperative agreement d. Loan e. Loan guarantee f. Loan insurance	Status of Federal Action: Bid/Offer/Application Initial Award Post-Award	Report Type: Initial filing <input type="checkbox"/> Material change For Material Change Only: Year _____ Quarter _____ Date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee <input type="checkbox"/> Tier, if known		5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District, if known:
6. Federal Department/Agency: Congressional District, if known:		7. Federal Program Name/Description: CFDA Number, if applicable:
8. Federal Action Number, if known:		9. Award Amount, if known: \$
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):		Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI)
11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		Signature:
		Print Name:
		Title:
		Telephone No: () Date:
FEDERAL USE ONLY:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 7 *CFR*, Section 3017.510, for prospective participants in primary covered transactions, as defined at 7 *CFR*, Section 3017.200:

1. The contractor certifies that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 - (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph 1.(b) of this certification; and
 - (d) Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

2. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

Contractor/Company Name

Award Number, Contract Number, or Project Name

Name(s) and Title(s) of Authorized Representatives

Signature(s)

Date

CERTIFICATE OF INDEPENDENT PRICE DETERMINATION

Both KNS and FSMC shall execute this Certificate of Independent Price Determination.

Name of FSMC

Name of KNS

By submission of this offer, the offeror (FSMC) certifies and in the case of a joint offer, each party thereto certifies as to its own organization, that in connection with this procurement:

The prices in this offer have been arrived at independently, without consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other offeror or with any competitor; Unless otherwise required by law, the prices which have been quoted in this offer have not been knowingly disclosed by the offeror and will not knowingly be disclosed by the offeror prior to opening the case of an advertised procurement, directly or indirectly to any other offeror or to any competitor; and

No attempt has been made or will be made by the offeror to induce any person or firm to submit or not to submit, an offer for the purpose of restricting competition.

(B) Each person signing this offer on behalf of the offeror certifies that:

He or she is the person in the offeror's organization responsible within the organization for the decision as to the prices being offered herein and has not participated, and will not participate, in any action contrary to (A)(1) through (A)(3) above; or

He or she is not the person in the offeror's organization responsible within the organization for the decision as to the prices being offered herein, but that he or she has been authorized in writing to act as agent for the persons responsible for such decision in certifying that such persons have not participated and will not participate, in any action contrary to (A)(1) through (A)(3) above, and as their agent does hereby so certify; and he or she has not participated, and will not participate, in any action contrary to (A)(1) through (A)(3) above.

To the best of my knowledge, this vendor and its affiliates, subsidiaries, officers, directors and employees are not currently under investigation by any governmental agency and have not in the last three years been convicted or found liable for any act prohibited by state or federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding on any public contract, except as follows (provide detail):

Signature of FSMC's
Authorized Representative

Title

Date

In accepting this offer, KNS certifies that no representative of KNS has taken any action that may have jeopardized the independence of the offer referred to above.

Signature of KNS's
Authorized Representative

Title

Date

NOTE: Accepting a Respondent's offer does not constitute award of the contract.