



**GOVERNING BOARD AGENDA ITEM
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

DATE OF MEETING: May 24, 2022

TITLE: Award of Contract for Food Service Management - Based Upon Responses to Request for Proposals (RFP) 542022

BACKGROUND:

Request for Proposal 542022 for the Food Service Management was posted for 22 days on the Amphitheater District site www.amphi.com and on www.AZPurchasing.org. There were thirteen vendors who downloaded the solicitation. Four vendors responded, two responses were no bids. The total scores from the evaluations are listed below.

CONTRACTOR	Highest Total Score
Aramark Educational Services	2013.50
Southwest Foodservice Excellence	2329.59

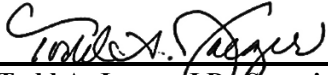
RECOMMENDATION:

It is the recommendation of the Administration that the Governing Board award a contract to **Southwest Foodservice Excellence** as determined by their responsive bid to RFP 542022 for the Food Service Management.

INITIATED BY:


Scott Little, Chief Financial Officer

Date: May 16, 2022


Todd A. Jaeger, J.D., Superintendent



Arizona Department of Education
Health & Nutrition Services Division

May 17, 2022

CTD#10-02-10

Richard La Nasa
Executive Manager
Amphitheater Unified District
1001 W. Roger Rd.
Tucson, Arizona 85705

Dear Mr. La Nasa,

The Arizona Department of Education (ADE) has reviewed your selected Food Service Management Company (FSMC) proposal and all evaluation materials. ADE has determined the materials meet all the Code of Federal Regulations and approves **Amphitheater Unified District** to move forward with the FSMC contract award process.

Within ten days after the contract award has been made, **Amphitheater Unified District** must send ADE the following documents to complete your contract file for the 2022-2023 school year:

- signed copy of the Offer and Award form; and
- signed copy of the Certificate of Independent Price Determination form.

ADE reserves the right to review a material change for compliance with the original solicitation documents in the interest of open and fair competition.

If you have any questions or concerns, please feel free to contact me at (602) 364-2205 or by email at HNSContracts@azed.gov

Sincerely,

Phil Grant

Phil Grant
Contracts Management Officer
Health and Nutrition Services
Arizona Department of Education

Attachment 7.17 - Certificate of Independent Price Determination

Both the School Food Authority and the Food Service Management Company (Offeror) shall execute this Certificate of Independent Price Determination.

SOUTHWEST FOODSERVICE EXCELLENCE, LLC

Name of Food Service Management Company

Amphitheater Unified School District No. 10

Name of School Food Authority (SFA)

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

(1) 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;

(2) 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 in the case of an advertised procurement, or prior to award in the case of a negotiated procurement, directly or indirectly to any other Offeror or to any competitor; and

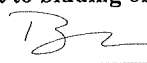
(3) No attempt has been made or will be made by the Offeror to induce any person or firm to submit or not to submit, an Offer for the purpose of restricting competition.

(B) Each person signing this Offer on behalf of the Food Service Management Company (FSMC) certifies that:

(1) He or she is the person in the Offerors 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

(2) He or she is not the person in the Offeror's organization responsible 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 Food Service Management Company, 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:

 _____ Signature of Food Service Management Company's Authorized Representative	_____ Chief Financial Officer Title	_____ 5/2/2022 Date
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In accepting this Offer, the SFA certifies that no representative of the SFA has taken any action which may have jeopardized the independence of the Offer referred to above.

_____ Signature of School Food Authority's Authorized Representative	_____ Title	_____ Date
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Note: Accepting a bidder's Offer does not constitute award of the contract.

Attachment 7.18 - Deviations and Exceptions

OFFER AND AWARD
Solicitation/RFP Number: RFP 05-04-2022

The Undersigned hereby offers and agrees to furnish the materials, service(s), or construction in compliance with all the terms, conditions, specifications, and amendments in the solicitation.

SOUTHWEST FOODSERVICE EXCELLENCE, LLC

Company Name
9366 E RAINTREE DRIVE

Street Address

SCOTTSDALE, AZ 85260

City State Zip Code

Telephone Number: 480-551-6550

Bryan McMahon

Name of Person Authorized to Sign Offer

Chief Financial Officer

Title of Authorized Person

BM 5/2/2022
Signature of Authorized Person Date of Offer

Facsimile Number: 480-551-6552

Offeror's Arizona Transaction (Sales) Privilege Tax License Number: _____

Offeror's Federal Employer Identification Number: 20-1746104

Offeror's DUNS Number: 039302259

Acknowledgement of Amendment(s):
(Offeror acknowledges receipt of amendment(s) to the Solicitation for Offers and related documents numbered and dated)

Amendment Number
<u>1</u>
<u>2</u>

Date
<u>4/19/2022</u>
<u>4/25/2022</u>

ACCEPTANCE OF OFFER AND AWARD

Solicitation/RFP Number: RFP 05-04-2022

Your Offer is hereby accepted as described in the Notice of Award. You are now bound to perform based upon the solicitation and your Offer, as accepted by the SFA.

This Contract shall henceforth be referred to as Contract Number _____, <Insert Contract Number here>

Signature

Date

Printed Name

Title

SFA Name: **Amphitheater Unified School District No. 10**

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