

<b>ADDENDUM TO THE BID DOCUMENTS</b>		Page: 1	Total Pages: 6
<u>Addendum No:</u> # 1		<u>Date this Addendum Issued:</u> <b>March 20, 2019</b>	
<u>Issuing Office:</u> Matanuska-Susitna Borough School District (MSBSD) Purchasing Department 690 Cope Industrial Way Palmer, Alaska 99645 Phone: (907) 861-5120 Facsimile: (907) 861-5184		<u>Previous Addenda Issued:</u> None _____ _____ _____ _____ _____	
<u>Return Acknowledgment To:</u> <b>Issuing Department</b>  <u>Bid Title:</u> <b>Food Staples for Nutrition Services</b>  <u>Bid No:</u> <b>B19-05</b>		<u>Date and Hour of Bid Due Date:</u> <b>April 10, 2019 at 2:00 p.m.</b>  <u>As Advertised (Frontiersman):</u> <b>February 20 and 22, 2019</b>  <u>As Advertised (ADN):</u> <b>February 20 and 21, 2019</b>	
<p><b>The following corrections, changes, additions, deletions, revisions, and/or clarifications are hereby made a part of the contract documents. In case of conflicts between this addendum and previously issued documents, this addendum shall take precedence. The bidder must acknowledge receipt of this addendum in the space provided on Appendix #1. Failure to do so may subject the bidder to disqualification.</b></p> <p>This addendum incorporates the attached 5 pages.</p> <p><b>Attachments:</b></p> <p>Clarifications (2 pages)  Addendum 1, Appendix 9, Suspension and Debarment Certification (1 page)  Addendum 1, Appendix 10, Clean Air and Water Certification (1 page)  Addendum 1, Appendix 11, Certification Regarding Lobbying/Disclosure of Lobbying Activities (1 page)</p> <p><i>All other terms and conditions remain the same and unchanged.</i></p> <p style="text-align: center;"><b>END OF ADDENDUM #1</b></p>			

APPROVED BY:	Signature on File	DATE:	March 20, 2019
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**MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT  
PURCHASING DEPARTMENT  
690 COPE INDUSTRIAL WAY  
PALMER, AK 99645**

**FOOD STAPLES FOR NUTRITION SERVICES  
BID #B19-05**

**ADDENDUM #1**

Information in this addendum takes precedence over original information. All other provisions of the document remain unchanged.

*Note to Bidders: Bidders are required to acknowledge all addenda on Appendix 1.*

The following additions, corrections and changes are hereby made to the above-referenced Invitation to Bid.

**QUESTIONS AND ANSWERS:**

1. Q: Is this an all or nothing bid?

A: Per the Bid documents, Attachment B: Special Conditions for Supply Bids, Section 2, Award of Line items: "This bid may result in more than one award. Unless otherwise stated in the bidding documents, contracts, if awarded, shall be awarded to the lowest responsive, responsible bidder for each line item."

2. Q: Can you please send us the Bid product sheets in Excel?

A: B19-05 Attachment C: Bid Form – EXCEL has been posted on the MSBSD website: [www.matsuk12.us/bids](http://www.matsuk12.us/bids) for your convenience. Bids must still be submitted in accordance with the Instructions to Bidders. The MSBSD will not accept or consider bids that are oral, telephonic, telegraphic, faxed, e-mailed, or otherwise electronically transmitted.

**CLARIFICATION OF DESCRIPTION:**

1. CHANGE PRODUCT ID NO., Attachment C: Bid Form, page 34, Item #61, MAYONNAISE, Portion Pack, 200/12g/case, Flavor Fresh #70812 to Flavor Fresh #78011.
2. DELETE DISCONTINUED ITEMS, Attachment C: Bid Form, page 34, Item #62, MEAL BREAKS, Variety Meal Kits, 30 meals/case, Meal Breaks, Chicken Salas & Veg Juice, #61421 and Meal Breaks, Cheese Stick & Pepperoni Stick & Veg Juice, #61408.
3. ADD ALTERNATE ITEM, Attachment C: Bid Form, page 34, Item #62, MEAL BREAKS, Variety Meal Kits, 30 meals/case, Meal Breaks, Sunbutter with Jelly, #61411.

**ADDITIONS:**

1. Attachment A: Scope of Services, page 15: Add the following Section:

**17. ADDITIONAL SUBMITTAL REQUIREMENTS**

**The following appendices must be completed and submitted with the bid documents or the bid may be considered non-responsive:**

- A. Suspension and Debarment Certification; this form is attached as Addendum 1, Appendix 9.
  
- B. Clean Air and Water Certification; this form is attached as Addendum 1, Appendix 10.
  
- C. Certification Regarding Lobbying/Disclosure of Lobbying Activities; this form is attached as Addendum 1, Appendix 11.

**ADDENDUM 1, APPENDIX 9:**  
**SUSPENSION AND DEBARMENT CERTIFICATION**

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY  
EXCLUSION -- LOWER TIER COVERED TRANSACTIONS

NOTE: This certificate must be completed for all new and renewal contract years when the contract exceeds \$25,000.

1. This contract is a covered transaction for purposes of 2 C.F.R. pt. 180 and 2 C.F.R. pt. 3000. As such the contractor is required to verify that none of the contractor, its principals (defined at 2 C.F.R. § 180.995), or its affiliates (defined at 2 C.F.R. § 180.905) are excluded (defined at 2 C.F.R. § 180.940) or disqualified (defined at 2 C.F.R. § 180.935).
2. The contractor must comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C and must include a requirement to comply with these regulations in any lower tier covered transaction it enters into.
3. This certification is a material representation of fact relied upon by the Matanuska-Susitna Borough School District (MSBSD). If it is later determined that the contractor did not comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C, in addition to remedies available to the State of Alaska and the MSBSD, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment.
4. The bidder or proposer agrees to comply with the requirements of 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions.
  - A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
  - B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

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Organization Name

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Names(s) and Title(s) of Authorized Representative(s)

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Signature(s)

Date



**ADDENDUM 1, APPENDIX 10:**  
**CLEAN AIR AND WATER CERTIFICATION:**

CLEAN AIR ACT AND THE FEDERAL WATER POLLUTION CONTROL ACT

Contracts of amounts in excess of \$150,000 must contain a provision that requires the contractor to agree to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act (42 U.S.C. §§ 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. §§ 1251-1387). Violations must be reported to the Federal Awarding Agency and the Regional Office of the Environmental Protection Agency. See 2 C.F.R. Part 200, Appendix II, ¶ G.

1. Clean Air Act

- A. The contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. § 7401 et seq.
- B. The contractor agrees to report each violation to the State of Alaska and understands and agrees that the State of Alaska will, in turn, report each violation as required to assure notification to the Matanuska-Susitna Borough School District (MSBSD), Federal Awarding Agency, and the appropriate Environmental Protection Agency Regional Office.
- C. The contractor agrees to include these requirements in each subcontract exceeding \$150,000 financed in whole or in part with Federal assistance provided by the Federal Awarding Agency.

2. Federal Water Pollution Control Act

- A. The contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq.
- B. The contractor agrees to report each violation to the State of Alaska and understands and agrees that the State of Alaska will, in turn, report each violation as required to assure notification to the Matanuska-Susitna Borough School District (MSBSD), Federal Awarding Agency, and the appropriate Environmental Protection Agency Regional Office.
- C. The contractor agrees to include these requirements in each subcontract exceeding \$150,000 financed in whole or in part with Federal assistance provided by the Federal Awarding Agency.

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Organization Name

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Names(s) and Title(s) of Authorized Representative(s)

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Signature(s) Date



**ADDENDUM 1, APPENDIX 11:**  
**CERTIFICATION REGARDING LOBBYING/DISCLOSURE OF LOBBYING ACTIVITIES**

BYRD ANTI-LOBBYING AMENDMENT, 31 U.S.C. § 1352 (as amended)

Contractors who apply or bid for an award of \$100,000 or more shall file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the recipient."

APPENDIX A, 44 C.F.R. PART 18 – CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

To be submitted with each bid or offer exceeding \$100,000.

The undersigned Contractor certifies, to the best of his or her knowledge, that:

1. 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 an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. 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 contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Contractor certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.

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Organization Name

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Names(s) and Title(s) of Authorized Representative(s)

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Signature(s)

Date

