

**SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS**  
**OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, & 30**

1. REQUISITION NUMBER  
1000034856

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2. CONTRACT NO.  
8PE300-18-D-5876

3. AWARD/EFFECTIVE DATE  
2016 JUL 28

4. ORDER NUMBER

5. SOLICITATION NUMBER

6. SOLICITATION ISSUE DATE

7. FOR SOLICITATION INFORMATION CALL:

a. NAME

b. TELEPHONE NUMBER (No collect calls)

8. OFFER DUE DATE/ LOCAL TIME

9. ISSUED BY  
DLA TROOP SUPPORT  
DIRECTORATE OF SUBSISTENCE  
700 ROBBINS AVENUE  
PHILADELPHIA PA 19111-5096  
USA  
Local Admin: Darren Long DD10003 Tel: 216-737-5834  
Email: Darren.Long@dla.mil

10. THIS ACQUISITION IS  
 SMALL BUSINESS  
 HUBZONE SMALL BUSINESS  
 SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS  
 UNRESTRICTED OR SET ASIDE: 100 % FOR:  
 WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOMEN-OWNED SMALL BUSINESS PROGRAM  
 EDWOSB NAICS: 311991  
 8 (A) SIZE STANDARD:500

11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED  
 SEE SCHEDULE

12. DISCOUNT TERMS  
Net 10 days

13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700)

13b. RATING  
14. METHOD OF SOLICITATION  
 RFQ  IFB  RFP

15. DELIVER TO  
SEE SCHEDULE

16. ADMINISTERED BY  
SEE BLOCK 9  
Citation: PAS:None

17a. CONTRACTOR/ OFFEROR  
BROTHERS PRODUCE OF DALLAS, INC.  
2608 MCCREE RD  
GARLAND TX 75041-3901  
USA  
TELEPHONE NO. 2144286666

18a. PAYMENT WILL BE MADE BY  
DEF FIN AND ACCOUNTING SVC  
BSM  
P O BOX 182317  
COLUMBUS OH 43218-2317  
USA

17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER

18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED.  SEE ADDENDUM

| 19. ITEM NO. | 20. SCHEDULE OF SUPPLIES/SERVICES | 21. QUANTITY | 22. UNIT | 23. UNIT PRICE | 24. AMOUNT |
|--------------|-----------------------------------|--------------|----------|----------------|------------|
|              | See Schedule                      |              |          |                |            |

25. ACCOUNTING AND APPROPRIATION DATA

26. TOTAL AWARD AMOUNT (For Govt. Use Only)  
\$30,888,690.91

27a. SOLICITATION INCORPORATES BY REFERENCE FAR 62.212-1, 62.212-4, FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA  ARE  ARE NOT ATTACHED.  
 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 62.212-4, FAR 52.212-5 IS ATTACHED. ADDENDA  ARE  ARE NOT ATTACHED.

28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN 1 COPIES TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED

29. AWARD OF CONTRACT: REF. Brothers Produce OFFER DATED 2016-Jul-28 YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH, HEREIN IS ACCEPTED AS TO ITEMS:

30a. SIGNATURE OF OFFEROR/CONTRACTOR  
*James Bos*

31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)  
*Warren R. Brown*

30b. NAME AND TITLE OF SIGNER (Type or Print)  
James Bos, Vice President

30c. DATE SIGNED  
7/28/2016

31b. NAME OF CONTRACTING OFFICER (Type or Print)  
WARREN R. BROWN

31c. DATE SIGNED  
2016 JUL 28

| 19.<br>ITEM NO. | 20.<br>SCHEDULE OF SUPPLIES/SERVICES | 21.<br>QUANTITY | 22.<br>UNIT | 23.<br>UNIT PRICE | 24.<br>AMOUNT |
|-----------------|--------------------------------------|-----------------|-------------|-------------------|---------------|
|                 |                                      |                 |             |                   |               |

32a. QUANTITY IN COLUMN 21 HAS BEEN

RECEIVED   
 INSPECTED   
 ACCEPTED, AND CONFORMS TO THE CONTRACT, EXCEPT AS NOTED: \_\_\_\_\_

|  |           |   |
|--|-----------|---|
| 32b. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE | 32c. DATE | 32d. PRINTED NAME AND TITLE OF AUTHORIZED GOVERNMENT REPRESENTATIVE |
|--|-----------|---|

|  |   |
|--|---|
| 32e. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE | 32f. TELEPHONE NUMBER OF AUTHORIZED GOVERNMENT REPRESENTATIVE |
| 32g. E-MAIL OF AUTHORIZED GOVERNMENT REPRESENTATIVE          |   |

|   |                    |                                 |  |                  |
|---|--------------------|---------------------------------|--|------------------|
| 33. SHIP NUMBER   | 34. VOUCHER NUMBER | 35. AMOUNT VERIFIED CORRECT FOR | 36. PAYMENT<br><input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL | 37. CHECK NUMBER |
| <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL |                    |                                 |  |                  |

|                     |                        |             |
|---------------------|------------------------|-------------|
| 38. S/R ACCOUNT NO. | 39. S/R VOUCHER NUMBER | 40. PAID BY |
|---------------------|------------------------|-------------|

|   |                                    |                                      |  |
|---|------------------------------------|--------------------------------------|--|
| 41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT<br>41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER | 41c. DATE                          | 42a. RECEIVED BY ( <i>Print</i> )    |  |
|   |                                    | 42b. RECEIVED AT ( <i>Location</i> ) |  |
|   | 42c. DATE REC'D ( <i>YYMM/DD</i> ) | 42d. TOTAL CONTAINERS                |  |

CONTINUATION OF BLOCKS ON THE SF 1449

BLOCK 5 = SPE300-15-R-0017

BLOCK 6 = 2015 AUG 17

BLOCK 14 = RFP

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**Form****Award Document****I. SOLICITATION / CONTRACT FORM**

The terms and conditions set forth in solicitation SPE300-15-R-0017 are incorporated into subject contract.

**II. PERFORMANCE PERIOD:****A. Effective Period of the Contract:**

Base Period – July 28, 2016 through January 27, 2018.  
Option Period 1 – January 28, 2018 through July 27, 2019.  
Option Period 2 – July 28, 2019 through January 27, 2021.

Performance begins on August 7, 2016

**B. ESTIMATED DOLLAR VALUE / GUARANTEED MINIMUM / MAXIMUM**

The following chart includes the 18 month estimated dollar value and the 4.5 year estimated dollar value, along with the guaranteed 10% minimum and 200% maximum. The guaranteed minimum and maximum, although based on estimates, are a firm dollar amount calculated as a percentage of the estimated dollar value; the minimum contract dollar value below constitutes the Government's legal ordering obligation under the contract. The maximum contract dollar value is the legal limit of dollars that can be obligated against this contract.

| Group                   | 18 Month Estimate | 4.5 Year Estimate | 10% Minimum    | 200% Maximum    |
|-------------------------|-------------------|-------------------|----------------|-----------------|
| Group 1 (North Schools) | \$5,114,781.82    | \$15,344,345.45   | \$511,478.18   | \$30,688,690.91 |
| Group 2 (South Schools) | \$10,354,818.27   | \$31,064,454.82   | \$1,035,481.83 | \$62,128,909.64 |

The term "18 Month Estimate" refers to the Government's good faith estimate of the requirement for the base period.

The total minimum contract dollar value is \$1,546,960.01.  
The maximum contract dollar value is \$92,817,600.55.

**III. START-UP PERIOD**

The Contractor's startup period will take place prior to the first order. The Contractor shall submit a proposed implementation schedule to the Contracting Officer within fifteen (15) days after award highlighting the steps that will be taken to implement a fully functional distribution account, including all EDI transactions for all customers covered by this solicitation. An additional thirty (30) days will be granted for actual implementation. No more than forty-five (45) days after award will be permitted for each contractor to have fully functional distribution accounts in place for all customers.

**IV. ORDERING CATALOGS**

The following form a part of Brothers' offer and are hereby incorporated as part of subject contract:

Offered delivered price to be utilized for first week of ordering. The Pricing Proposal spreadsheet submitted on March 23, 2016 is attached.

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Distribution prices are fixed for each Base Period and for each Option Period as follows:

| Distribution Price (18 month base) |  |
|------------------------------------|--|
| Distribution Price (Option 1)      |  |
| Distribution Price (Option 2)      |  |

#### V. SUPPLIES OF SERVICES AND PRICES

**ITEMS:** Full-Line Fresh Fruit and Vegetables

**CUSTOMERS:** USDA School Customers in the San Antonio Zone are listed in Attachment 1 of this document.

**FOB TERMS:** FOB Destination for all items.

**CATALOG #:** USDA School Group 1 customers will order under SPE300-16-D-S675 and USDA School Group 2 customers will order under SPE300-16-D-S676. Brothers will invoice in accordance with the customer's orders.

#### CATALOG PRICING

All catalog pricing is valid from Sunday thru Saturday. Catalog updates must be received no later than 12:00 P.M. EST the preceding Wednesday.

All pricing will be firm at time of order.

Brothers will not invoke any additional charges for emergency orders (defined as an order that is placed for same day delivery).

#### VI. DELIVERIES AND PERFORMANCE

The following are the designated plant locations for the performance of this contract for all contract line items:

| Place of Performance   |
|--|
| <p>Brothers Produce of Dallas<br/>2600 McCree Road<br/>Garland, TX 75041</p>   |
| <p>Brothers Produce of Austin<br/>979 Springdale Road<br/>Austin, TX 78702</p> |

#### Part 12 Clauses

252.232-7010 LEVIES ON CONTRACT PAYMENTS (DEC 2006) DFARS

CONTINUED ON NEXT PAGE

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED:  
SPE300-16-D-S675

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