

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, & 30				1. REQUISITION NUMBER 1000165590	PAGE 1 OF 8	
2. CONTRACT NO. SPE300-23-D-V017	3. AWARD/EFFECTIVE DATE 2023 SEP 20	4. ORDER NUMBER	5. SOLICITATION NUMBER SPE300-23-R-0028	6. SOLICITATION ISSUE DATE 2023 JUN 15		
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 D RECTORATE OF SUBSISTENCE 700 ROBBINS AVENUE PH LADELPHIA PA 19111-5096 USA Local Admin: Linda Saunders DLS0056 Tel: DSN312-737-8600 Email: Linda.Saunders@dla mil		10. THIS ACQUISITION IS <input checked="" type="checkbox"/> UNRESTRICTED OR <input type="checkbox"/> SET ASIDE: _____ % FOR: <input type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOMEN-OWNED SMALL BUSINESS PROGRAM <input type="checkbox"/> HUBZONE SMALL BUSINESS <input type="checkbox"/> EDWOSB NAICS: 311812 <input type="checkbox"/> SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS <input type="checkbox"/> 8 (A) SIZE STANDARD:			
11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE	12. DISCOUNT TERMS Net 10 days		<input type="checkbox"/> 13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700)	13b. RATING		
15. DELIVER TO SEE SCHEDULE		16. ADMINISTERED BY SEE BLOCK 9 Criticality: PAS : None	14. METHOD OF SOLICITATION <input type="checkbox"/> RFQ <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP			
17a. CONTRACTOR/ OFFEROR GARGIULO, FRANK M & SON INC DBA GARGUILO PRODUCE 535 SWEETLAND AVE HILLSIDE NJ 07205-1754 USA TELEPHONE NO. 9082338222	CODE 1KZ65	FACILITY CODE	18a. PAYMENT WILL BE MADE BY DEF FIN AND ACCOUNTING SVC BSM P O BOX 182317 COLUMBUS OH 43218-2317 USA		CODE SL4701	
<input type="checkbox"/> 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER			<input type="checkbox"/> 18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED. <input type="checkbox"/> 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) \$58,875.00		
<input type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52 212-1, 52 212-4. FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA			<input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.			
<input checked="" type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52 212-4. FAR 52.212-5 IS ATTACHED. ADDENDA			<input checked="" type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.			
<input checked="" type="checkbox"/> 28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN <u>1</u> 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			<input checked="" type="checkbox"/> 29. AWARD OF CONTRACT: REF. <u>SPE30023R0028</u> OFFER DATED <u>2023-Sep-07</u> . YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH , HEREIN IS ACCEPTED AS TO ITEMS: <u>See Schedule of Items</u>			
30a. SIGNATURE OF OFFEROR/CONTRACTOR			31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)			
30b. NAME AND TITLE OF SIGNER (Type or Print)		30c. DATE SIGNED	31b. NAME OF CONTRACTING OFFICER (Type or Print)		31c. DATE SIGNED	
			Leah Albright		2023 SEP 20	

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. 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

37. CHECK NUMBER

PARTIAL FINAL

COMPLETE PARTIAL 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

42a. RECEIVED BY (*Print*)

41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER

41c. DATE

42b. RECEIVED AT (*Location*)

42c. DATE REC'D (*YY/MM/DD*)

42d. TOTAL CONTAINERS

Form

SCHEDULE OF SUPPLIES/SERVICES

Group 2 - New York - New Jersey: Edison, JCC, NWS Earle

Fluid Milk Items- Firm-Fixed Price with Economic Price Adjustment

Period of Performance: October 1, 2023 through September 19, 2026

Note: Prices on this award document reflect July 2023 pricing. The subsequent monthly EPA price adjustments will be applied accordingly to this "base price". The STORES catalog will be updated to reflect EPA price adjustments for all months going forward from July 2023.

Tier 1: October 1, 2023 through September 20 2025

Form (CONTINUED)

CLINs #	ITEM DESCRIPTION	CONTAINER SIZE	EST. USAGE (36) MONTHS FLUID MILK	EST. USAGE (24) MONTHS OTHER DAIRY TIER	EST. USAGE (12) MONTHS OTHER DAIRY TIER 2	UNIT		SPECIFY PRODUCT CODE	SPECIFY WHOLESALE PRICE	FLUID MILK PRICE - (FIXED w/EPA)	OTHER DAIRY TIER 1 PRICE
	PRODUCT, EXAMPLE (Fluid Milk)	Half Gallon	500			CO		12345	\$2.00	\$1.80	
	PRODUCT, EXAMPLE (Other Dairy)	5 LB Container		200	100	CO		6789	\$4.00		\$3.50
1	MILK, WHOLE, CHL, 1/2 PT CO	Half Pint	11370			CO		2821	0.42		
2	MILK, LOW FAT, CHL, 1% MILK FAT, 1/2 PT CO	Half Pint	9720			CO		5210	0.36		
3	MILK, REDUCED FAT, CHL, 2% MILK FAT, 1/2 PT CO	Half Pint	6420			CO		2824	0.364		
4	MILK, CHOC, NONFAT, CHL, 1/2 PT CO	Half Pint	6870			CO		5404	0.392		
5	MILK, WHOLE, CHL, 5 GAL BIB	5 Gallons	81			CO		448	29.15		
6	MILK, NONFAT, CHL, 1/2 PT CO	Half Pint	1950			CO		2822	0.344		
7	EGGNOG, CHL, 1 QT CO	Quart	288			CO		34.25	2.78		
8	CHEESE, COTTAGE, LOW FAT, CHL, CREAMED, LARGE OR SMALL CURD, 5 LB CO	5 Pounds		60	30	CO		5403	8.57		
9	SOUR CREAM, CHL, CULTURED, MIN 18% MILK FAT, 5 LB CO	5 Pounds		64	32	BX		1353	9.17		
10	YOGURT, LOW FAT, BLACK CHERRY, CHL, BLENDED, 6 OZ CO	6 oz		480	240	CO		5395	0.84		
11	YOGURT, LOW FAT, BLUEBERRY, CHL, BLENDED, 6 OZ CO	6 oz		768	384	CO		5398	0.84		
12	YOGURT, LOW FAT, PEACH, CHL, BLENDED, 6 OZ CO	6 oz		624	312	CO		5397	0.84		
13	YOGURT, LOW FAT, RASPBERRY, CHL, BLENDED, 6 OZ CO	6 oz		168	84	CO		5396	0.84		
14	YOGURT, LOW FAT, STRAWBERRY, CHL, BLENDED, 6 OZ CO	6 oz		624	312	CO		5401	0.84		
15	YOGURT, LOW FAT, STRAWBERRY BANANA, CHL, BLENDED, 6 OZ CO	6 oz		960	480	CO		5399	0.84		

Estimated Group 2 Fluid Milk Total Tier 1 [REDACTED]
 Estimated Group 2 Other Dairy Total Tier 1 [REDACTED]

Other Dairy Items

Form (CONTINUED)

Tier 2: September 21, 2025 through September 19, 2026

CLINs #	ITEM DESCRIPTION	CONTAINER SIZE	EST. USAGE (36) MONTHS FLUID MILK	EST. USAGE (24) MONTHS OTHER DAIRY TIER 1	EST. USAGE (12) MONTHS OTHER DAIRY TIER 2	UNIT	SPECIFY PRODUCT CODE	SPECIFY WHOLESALE PRICE	OTHER DAIRY TIER-2 PRICE
	PRODUCT, EXAMPLE (Fluid Milk)	Half Gallon	500			CO	12345	\$2.00	
	PRODUCT, EXAMPLE (Other Dairy)	5 LB Container		200	100	CO	6789	\$4.00	\$3.80
1	MILK, WHOLE, CHL, 1/2 PT CO	Half Pint	11370			CO	2821		
2	MILK, LOW FAT, CHL, 1% MILK FAT, 1/2 PT CO	Half Pint	9720			CO	5210		
3	MILK, REDUCED FAT, CHL, 2% MILK FAT, 1/2 PT CO	Half Pint	6420			CO	2824		
4	MILK, CHOC, NONFAT, CHL, 1/2 PT CO	Half Pint	6870			CO	5404		
5	MILK, WHOLE, CHL, 5 GAL BIB	5 Gallons	81			CO	448		
6	MILK, NONFAT, CHL, 1/2 PT CO	Half Pint	1950			CO	2822		
7	EGGNOG, CHL, 1 QT CO	Quart	288			CO	34.25		
8	CHEESE, COTTAGE, LOW FAT, CHL, CREAMED, LARGE OR SMALL CURD, 5 LB CO	5 Pounds		60	30	CO	5403		
9	SOUR CREAM, CHL, CULTURED, MIN 18% MILK FAT, 5 LB CO	5 Pounds		64	32	BX	1353		
10	YOGURT, LOW FAT, BLACK CHERRY, CHL, BLENDED, 6 OZ CO	6 oz		480	240	CO	5395		
11	YOGURT, LOW FAT, BLUEBERRY, CHL, BLENDED, 6 OZ CO	6 oz		768	384	CO	5398		
12	YOGURT, LOW FAT, PEACH, CHL, BLENDED, 6 OZ CO	6 oz		624	312	CO	5397		
13	YOGURT, LOW FAT, RASPBERRY, CHL, BLENDED, 6 OZ CO	6 oz		168	84	CO	5396		
14	YOGURT, LOW FAT, STRAWBERRY, CHL, BLENDED, 6 OZ CO	6 oz		624	312	CO	5401		
15	YOGURT, LOW FAT, STRAWBERRY BANANA, CHL, BLENDED, 6 OZ CO	6 oz		960	480	CO	5399		

Estimated Group 2 Other Dairy Total Tier 2:



CONTINUED ON NEXT PAGE

Form (CONTINUED)**ESTIMATED GROUP 2 TOTAL: \$23,550.00****Aggregate Total with 250% max: \$58,875.00****Group 2 - New York - New Jersey: Edison, JCC, NWS Earle**

Gargiulo will receive orders through EDI.

Point of Contact for **ORDERING/DELIVERY ISSUES: Richard Young**E-mail: rich@gargiuloproduce.com

Phone: 908-233-8222 ext. 103

Point of Contact for **INVOICING & PAYMENT: Richard Young**

Phone Number: 908-233-8222 ext. 103

Email: rich@gargiuloproduce.comPoint of Contact for **ITEM RECALLS: Richard Young**E-mail: rich@gargiuloproduce.com

Phone: 908-233-8222 ext. 103

There is a 2-day (48 hours) order lead time for all items on this contract.

The delivery preference is for a 48 hours(skip day) delivery. Delivery is required 48 hours after order is placed. Orders may be placed with a longer lead-time; however, the minimum lead-time is "skip day".

Saturdays and Sundays are the non-delivery days.**The following documents are hereby incorporated by reference into this contract: the terms and conditions of Solicitation SPE300-23-R-0028, Amendments 0001 - 0005 and your final offer, which is being accepted by the Government to form this contract.****There is a \$75.00 minimum order requirement for all orders placed under this contract. The vendor is not obligated to make deliveries that are under \$75.00.****Schedule of Deliveries - See Delivery Schedule Attachment****Part 12 Clauses****52.204-19 INCORPORATION BY REFERENCE OF REPRESENTATIONS AND CERTIFICATIONS (DEC 2014) FAR****252.204-7009 LIMITATIONS ON THE USE OR DISCLOSURE OF THIRD-PARTY CONTRACTOR REPORTED CYBER INCIDENT INFORMATION (JAN 2023) DFARS****CONTINUED ON NEXT PAGE**

Part 12 Clauses (CONTINUED)

252.204-7012 SAFEGUARDING COVERED DEFENSE INFORMATION AND CYBER INCIDENT REPORTING (JAN 2023) DFARS

252.204-7014 LIMITATIONS ON THE USE OR DISCLOSURE OF INFORMATION BY LITIGATION SUPPORT CONTRACTORS (JAN 2023) DFARS

252.215-7014 EXCEPTION FROM CERTIFIED COST OR PRICING DATA REQUIREMENTS FOR FOREIGN MILITARY SALES INDIRECT OFFSETS (DEC 2022) DFARS

52.232-40 PROVIDING ACCELERATED PAYMENTS TO SMALL BUSINESS SUBCONTRACTORS (MAR 2023) FAR

252.232-7006 WIDE AREA WORKFLOW PAYMENT INSTRUCTIONS (JAN 2023) DFARS

As prescribed in [232.7004](#) (b), use the following clause:

(a) *Definitions.* As used in this clause -

Department of Defense Activity Address Code (DoDAAC) is a six position code that uniquely identifies a unit, activity, or organization.

Document type means the type of payment request or receiving report available for creation in Wide Area WorkFlow (WAWF).

Local processing office (LPO) is the office responsible for payment certification when payment certification is done external to the entitlement system.

Payment request and receiving report are defined in the clause at 252.232-7003, Electronic Submission of Payment Requests and Receiving Reports.

(b) *Electronic invoicing.* The WAWF system provides the method to electronically process vendor payment requests and receiving reports, as authorized by Defense Federal Acquisition Regulation System (DFARS) 252.232-7003, Electronic Submission of Payment Requests and Receiving Reports.

(c) *WAWF access.* To access WAWF, the Contractor shall -

(1) Have a designated electronic business point of contact in the System for Award Management at <https://www.sam.gov> and

(2) Be registered to use WAWF at <https://wawf.eb.mil/> following the step-by-step procedures for self-registration available at this Web site.

(d) *WAWF training.* The Contractor should follow the training instructions of the WAWF Web-Based Training Course and use the Practice Training Site before submitting payment requests through WAWF. Both can be accessed by selecting the “Web Based Training” link on the WAWF home page at <https://wawf.eb.mil/>.

(e) *WAWF methods of document submission.* Document submissions may be via Web entry, Electronic Data Interchange, or File Transfer Protocol.

(f) *WAWF payment instructions.* The Contractor shall use the following information when submitting payment requests and receiving reports in WAWF for this contract or task or delivery order:

(1) *Document type.* The Contractor shall submit payment requests using the following document type(s):

(i) For cost-type line items, including labor-hour or time-and-materials, submit a cost voucher.

(ii) For fixed price line items -

(A) That require shipment of a deliverable, submit the invoice and receiving report specified by the Contracting Officer.

(Contracting Officer: Insert applicable invoice and receiving report document type(s) for fixed price line items that require shipment of a deliverable.)

(B) For services that do not require shipment of a deliverable, submit either the Invoice 2in1, which meets the requirements for the invoice and receiving report, or the applicable invoice and receiving report, as specified by the Contracting Officer.

(Contracting Officer: Insert either “Invoice 2in1” or the applicable invoice and receiving report document type(s) for fixed price line items for services.)

(iii) For customary progress payments based on costs incurred, submit a progress payment request.

(iv) For performance based payments, submit a performance based payment request.

(v) For commercial financing, submit a commercial financing request.

(2) Fast Pay requests are only permitted when Federal Acquisition Regulation (FAR) 52.213-1 is included in the contract.

[Note: The Contractor may use a WAWF “combo” document type to create some combinations of invoice and receiving report in one step.]

(3) *Document routing.* The Contractor shall use the information in the Routing Data Table below only to fill in applicable fields in WAWF when creating payment requests and receiving reports in the system.

Routing Data Table *

Field Name in WAWF	Data to be entered in WAWF
Pay Official DoDAAC	
Issue By DoDAAC	
Admin DoDAAC	
Inspect By DoDAAC	
Ship To Code	
Ship From Code	
Mark For Code	
Service Approver (DoDAAC)	
Service Acceptor (DoDAAC)	

Part 12 Clauses (CONTINUED)

Field Name in WAWF	Data to be entered in WAWF
Accept at Other DoDAAC	
LPO DoDAAC	
DCAA Auditor DoDAAC	
Other DoDAAC(s)	

(* Contracting Officer: Insert applicable DoDAAC information. If multiple ship to/acceptance locations apply, insert "See Schedule" or "Not applicable.")

(** Contracting Officer: If the contract provides for progress payments or performance-based payments, insert the DoDAAC for the contract administration office assigned the functions under FAR 42.302(a)(13).)

(4) *Payment request.* The Contractor shall ensure a payment request includes documentation appropriate to the type of payment request in accordance with the payment clause, contract financing clause, or Federal Acquisition Regulation 52.216-7, Allowable Cost and Payment, as applicable.

(5) *Receiving report.* The Contractor shall ensure a receiving report meets the requirements of DFARS Appendix F.

(g) *WAWF point of contact.* (1) The Contractor may obtain clarification regarding invoicing in WAWF from the following contracting activity's WAWF point of contact.

(Contracting Officer: Insert applicable information or "Not applicable.")

(2) Contact the WAWF helpdesk at 866-618-5988, if assistance is needed.

52.233-3 PROTEST AFTER AWARD (AUG 1996) FAR

252.244-7000 SUBCONTRACTS FOR COMMERCIAL PRODUCTS OR COMMERCIAL SERVICES (JAN 2023) DFARS

52.253-1 COMPUTER GENERATED FORMS (JAN 1991) FAR

252.204-7018 PROHIBITION ON THE ACQUISITION OF COVERED DEFENSE TELECOMMUNICATIONS EQUIPMENT OR SERVICES (JAN 2023) DFARS

52.204-27 PROHIBITION ON A BYTEDANCE COVERED APPLICATION (JUN 2023) FAR

Attachments

PID Data - Custom Clause

Header
C1