

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, & 30			1. REQUISITION NUMBER 1000034343	PAGE 1 OF 7
2. CONTRACT NO. SPE3S1-15-D-Z203	3. AWARD/EFFECTIVE DATE 7/15/15	4. ORDER NUMBER	5. SOLICITATION NUMBER SPE3S1-15-R-0003	6. SOLICITATION ISSUE DATE 2015 MAR 25

7. FOR SOLICITATION INFORMATION CALL:	a. NAME	b. TELEPHONE NUMBER (No collect calls)	8. OFFER DUE DATE/ LOCAL TIME
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9. ISSUED BY DLA TROOP SUPPORT SUBSISTENCE SUPPLY CHAIN 700 ROBBINS AVENUE PHILADELPHIA PA 19111-5096 USA Local Admin: Kelley Mauldin PSPRTA6 Tel: 215-737-7896 Fax: 215-737-7541 Email: KELLEY.MAULDIN@DLA.MIL	CODE SPE3S1	10. THIS ACQUISITION IS <input type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> HUBZONES SMALL BUSINESS <input type="checkbox"/> SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS	<input checked="" type="checkbox"/> UNRESTRICTED OR <input type="checkbox"/> SET ASIDE: _____ %FCR <input type="checkbox"/> WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOMEN-OWNED SMALL BUSINESS PROGRAM <input type="checkbox"/> EDWOSB NAICS: 311999 <input type="checkbox"/> 8 (A) SIZE STANDARD:
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11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE	12. DISCOUNT TERMS Net 30 days	13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700) <input type="checkbox"/>	13b. RATING	14. METHOD OF SOLICITATION <input type="checkbox"/> RFQ <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP
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15. DELIVER TO SEE SCHEDULE	CODE	16. ADMINISTERED BY SEE BLOCK 9 Criticality: PAS: None	CODE SPE3S1
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17a. CONTRACTOR/ OFFEROR STERLING FOODS, LLC DBA 1075 ARION PKWY SAN ANTONIO TX 78216-2883 USA TELEPHONE NO. 2104901669	CODE 7M712	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
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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
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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) \$38,472,000.00
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<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 type="checkbox"/> ARE <input checked="" type="checkbox"/> ARE NOT ATTACHED.

<input checked="" type="checkbox"/> 28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN 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> Sterling Foods </u> OFFER DATED <u> 2015-Apr-27 </u> YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH, HEREIN IS ACCEPTED AS TO ITEMS: <u> All Amend & Revisions </u>
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30a. SIGNATURE OF OFFEROR/CONTRACTOR 	31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)
30b. NAME AND TITLE OF SIGNER (Type or Print) Fred J. Friend SUP & GM	31b. NAME OF CONTRACTING OFFICER (Type or Print) Debbie Goffman
30c. DATE SIGNED 7/14/15	31c. DATE SIGNED 7/15/15

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

33. SHIP NUMBER <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL	34. VOUCHER NUMBER	35. AMOUNT VERIFIED CORRECT FOR	36. PAYMENT <input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL	37. CHECK NUMBER
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38. S/R ACCOUNT NO.	39. S/R VOUCHER NUMBER	40. PAID BY
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41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT	42a. RECEIVED BY (<i>Print</i>)	
41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER	41c. DATE	
	42b. RECEIVED AT (<i>Location</i>)	
		42c. DATE REC'D (<i>YY/MM/DD</i>)
		42d. TOTAL CONTAINERS

Part 12 Clauses**UGR-H&S Bakery****SCHEDULE OF SUPPLIES****Block 11.**

Delivery shall be FOB Destination. Inspection is at the Contractor's Plant and Acceptance is at Destination. Supplies will be inspected at the following plant for Sterling Foods:

Sterling Foods
1075 Arion Parkway
San Antonio, TX 78216-2883

Inspection conducted by the U.S. Department of Agriculture (USDA) is paid for by the Contractor for end item inspection and is required for all characteristics herein. The USDA Office Branch responsible for the inspection of supplies is located at:

U.S. Department of Agriculture, Agricultural Marketing Service,
Fruit and Vegetable Program, Specialty Crops Inspection Division
3453 IH 35 North, Suite 103
San Antonio, Texas 78219-2333
Phone: 210-228-9695, 210-228-9663, or
210-228-9626

Block 15.

Delivery quantities shall be provided via delivery orders issued on an as needed basis to the following ship to address:

W62GT
W1BG DLA Distribution
25600 S Chrisman Road
Rec Warehouse 57
Tracy, CA 95304-5000
United States

Please note: appointments must be scheduled prior to making all deliveries (call 209-839-5028, 24 hours prior to delivery to schedules appointments).

Order Limitations:

(a) Minimum order. When the Government requires supplies or services covered by this contract in an amount of less than 9,000 tray packs; and not less than 4,500 tray packs of any individual line item (NSN), the Government is not obligated to purchase, nor is the Contractor obligated to furnish, those supplies or services under the contract.

(b) Maximum order. The Contractor is not obligated to honor—

(1) Any order for a single item in excess of 200% of the estimated quantity of that single line item;

(2) Any order for a combination of items in excess of 200% of the estimated quantity of that single line item; or

(3) A series of orders from the same ordering office within 60 calendar days that together call for quantities exceeding the limitation in subparagraph (1) or (2) above; except that the contractor cannot be obligated to deliver greater than 160,000 tray packs per 30-day delivery period. Note: In the event of Surge & Sustainment, the contractor shall deliver a maximum of 336,000 tray packs per 30-day period.

(c) If this is a requirements contract (i.e., includes the Requirements clause at subsection 52.216-21 of the Federal Acquisition Regulation (FAR), the Government is not required to order a part of any one requirement from the Contractor if that requirement exceeds the maximum-order limitations in paragraph (b) of this section.

(d) Notwithstanding paragraphs (b) and (c) of this section, the Contractor shall honor any order exceeding the maximum order limitations in paragraph (b), unless that order (or orders) is returned to the ordering office within 2 days after issuance, with written notice stating the Contractor's intent not to ship the item (or items) called for and the reasons. Upon receiving this notice, the Government may acquire the supplies or services from another source.

Order Lead-Time:

Order Lead-Time shall be 90 Days. Required delivery dates shall be no later than 90 days after issuance of each delivery order (after a successful first article, which is required within 45 days of contract award.) Accelerated delivery may be authorized by the Contracting Officer.

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Block 19-24.

This contract is a Firm-Fixed Price, Indefinite Quantity Tiered Contract under which the Contract shall function as the supplier for the Bakery Tray Pack Items. Item and product information are as follows:

Item: Bakery Tray Packs Used as Components in the Assembly of the Unitized Group Ration Heat & Serve End-Item/Module. The shelf life of the required items is a minimum of 36 months at 80°F.

Unit of Issue: Packaged in an Individual Polymeric Tray

<u>Line Item</u>	<u>NSN</u>	<u>Item Description</u>
0001	8920-01-564-2523	Cake, Apple Spice Breakfast without Apple Topping, PCR-C-024D, Type 1 - Flavor 10
0002	8920-01-537-8488	Cake, Breakfast with Maple Flavored Syrup, PCR-C-024D, Type 1, Flavor 4
0003	8920-01-615-1857	Cake, Carrot with White Icing, PCR-C-024D, Type 1, Flavor 20
0004	8920-01-583-8699	Cake, Chocolate Cherry Cake with Cherry Fruit Topping, PCR-C-024D, Type 1, Flavor 17
0005	8920-01-537-8487	Cake, Dulce De Leche with White Icing, PCR-C-024D, Type 1, Flavor 3
0006	8920-01-583-8702	Cake, Golden Harvest with White Icing, PCR-C-024D, Type 1, Flavor 15
0007	8920-01-573-1772	Cake, Red Velvet with White Icing, PCR-C-024D, Type 1, Flavor 12
0008	8920-01-542-4552	Cake, Yellow with Chocolate Icing, PCR-C-024D, Type 1, Flavor 5
0009	8920-01-615-1815	Cookies, Chocolate Covered Crunchy Peanut Butter Candy with Chocolate Chips, CID A-A-20295D, Class 2, Type I Regular - Crisp, Style J, Flavor 11
0010	8920-01-573-1769	Cookies, Oatmeal Chocolate Chip, CID A-A-20295D, Class 2, Type I, Regular - Crisp, Style I, Flavor 5
0011	8920-01-573-1767	Cookies, White Chocolate Chip w/Cranberry, CID A-A-20295D, Class 2, Type I Regular - Crisp, Style I – Flavor 5
0012	8920-01-553-7032	Cornbread, PCR-C-071

NOTE: Current First Articles for all 12 bakery tray pack items are 'Acceptable' for use under contract SPE3S1-15-D-Z203.

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This contract contains Two 24-Month Periods consisting of a total of Four Years:

Tier 1 effective period is from July 15, 2015 through July 14, 2017.
 Tier 2 effective period is from July 15, 2017 through July 14, 2019.

NOTE: Deliveries might fall outside of the effective period. For each of the two tier periods of the contract, the ordering period shall commence on the award date of the tier period and shall continue for one calendar year thereafter.

<u>Line Item</u>	<u>NSN</u>	<u>Item Description</u>	<u>Estimated Tier (2-Year) Quantity</u>
0001	8920-01-564-2523	Cake, Apple Spice Breakfast w/out Apple Topping	120,000 Trays
0002	8920-01-537-8488	Cake, Breakfast w/Maple Syrup	120,000 Trays
0003	8920-01-615-1857	Cake, Carrot w/White Icing	36,000 Trays
0004	8920-01-583-8699	Cake, Chocolate Cherry w/Cherry Topping	36,000 Trays
0005	8920-01-537-8487	Cake, Dulce De Leche w/White Icing	36,000 Trays
0006	8920-01-583-8702	Cake, Golden Harvest w/White Icing	120,000 Trays
0007	8920-01-573-1772	Cake, Red Velvet w/White Icing	36,000 Trays
0008	8920-01-542-4552	Cake, Yellow w/Chocolate Icing	72,000 Trays
0009	8920-01-615-1815	Cookies, Chocolate Cov'd Crunchy PB Candy w/Choc Chips	24,000 Trays
0010	8920-01-573-1769	Cookies, Oatmeal Chocolate Chip	48,000 Trays
0011	8920-01-573-1767	Cookies, White Chocolate Chip w/Cranberry	24,000 Trays
<u>0012</u>	<u>8920-01-553-7032</u>	<u>Cornbread</u>	<u>36,000 Trays</u>
Total			708,000 Trays

Tier 1 and Tier 2 unit prices are listed below are for FOB Destination delivery orders.

<u>Line Item</u>	<u>Item Description</u>	<u>Tier 1 Unit Price</u>	<u>Tier 2 Unit Price</u>
0001	Cake, Apple Spice Breakfast w/out Apple Topping	\$14.02	\$14.30
0002	Cake, Breakfast w/Maple Syrup	\$13.14	\$13.41
0003	Cake, Carrot w/White Icing	\$14.53	\$14.82
0004	Cake, Chocolate Cherry w/Cherry Topping	\$16.63	\$16.97
0005	Cake, Dulce De Leche w/White Icing	\$13.04	\$13.30
0006	Cake, Golden Harvest w/White Icing	\$13.11	\$13.37
0007	Cake, Red Velvet w/White Icing	\$13.38	\$13.65
0008	Cake, Yellow w/Chocolate Icing	\$13.44	\$13.71
0009	Cookies, Chocolate Crunchy PB Candy w/Choc Ch	\$12.30	\$12.54
0010	Cookies, Oatmeal Chocolate Chip	\$12.79	\$13.05
0011	Cookies, White Chocolate Chip w/Cranberry	\$12.92	\$13.17
0012	Cornbread	\$11.95	\$12.19

<u>Term</u>	<u>Estimated 2-Year Quantity</u>	<u>Estimated 2-Year Value</u>
Tier 1 (July 15, 2015 - July 14, 2017):	708,000 Trays	\$9,522,360

Tier 2 (July 15, 2017 - July 14, 2019):	708,000 Trays	\$9,713,640
Estimated Contract (for the 4-Year Period) Value:	1,416,000 Trays	\$19,236,000
Minimum Contract (for the 4-Year Period) Value:	70,800 Trays	\$952,236
Maximum Contract (for the 4-Year Period) Value:	2,832,000 Trays	\$38,472,000

FAR Clauses 52.212-4 & 52.212-5

In addition to the terms & conditions of Solicitation SPE3S1-15-R-0003, which are incorporated into contract SPE3S1-15-D-Z203, the following clauses have been updated:

52.212-4 Contract Terms and Conditions (May 2015)

52.212-5 Contract Terms and Conditions to Implement Statutes or Executive Orders (May 2015)

52.204-7012 SAFEGUARDING OF UNCLASSIFIED CONTROLLED TECHNICAL INFORMATION (NOV 2013) DFARS

52.211-15 DEFENSE PRIORITY AND ALLOCATION REQUIREMENTS (APR 2008) FAR

52.247-34 F.O.B. DESTINATION (NOV 1991) FAR

52.247-9034 POINT OF CONTACT FOR TRANSPORTATION INSTRUCTIONS (JUN 2013) DLAD