



Illinois State Board of Education

100 North First Street • Springfield, Illinois 62777-0001
www.isbe.net

James T. Meeks
Chairman

Tony Smith, Ph.D.
State Superintendent of Education

June 15, 2018

Mr. R Dane Gale
Belle Valley SD 119
2465 Amann Dr.
Belleville, IL 62220

Agreement Number
50-082-1190-02

Dear Mr. Gale:

The documents regarding the results of your bid solicitation for food service management meal services received in this office have been reviewed and our office has determined you may now proceed with the contract award.

The bid solicitation, which is the same document previously submitted to the Illinois State Board of Education (ISBE), must become the contract. Revisions cannot be made to the executed *Invitation for Bid and Contract* without first submitting proposed revisions to the ISBE Nutrition Programs Division for review and receiving notification the proposed revisions are allowable. Furthermore, additional documents and/or agreements, including those developed by the contractor, cannot become part of the executed contract.

All procurement transactions must be conducted in compliance with the Conflict of Interest standards and requirements included in 2 CFR 200.112 and 2 CFR 200.318. All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of 2 CFR 200.319. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that developed or drafted specifications requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for this procurement.

Following the contract award, you must submit the enclosed *Post-Contract Award Summary Sheet* along with all requested documentation noted on the form. The form is available online at http://www.isbe.net/nutrition/htmls/contract_submission.htm and is interactive. Ensure also the certification statement is signed by the school food authority's authorized representative. Completed documents must be mailed to: Illinois State Board of Education, Nutrition Programs Division W-270, 100 North First Street, Springfield, IL 62777-0001. Faxed copies or email attachments will not be accepted.

If you have questions, please contact our office at 800-545-7892.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Haller".

Mark Haller, S.N.S.
Division Administrator
Nutrition Programs

Enclosure

Post-Contract Award Summary Sheet

Upon completion of the contract award, please submit this completed form along with the required documentation listed below. An original signed and dated copy of this form must be submitted.

A. School Food Authority Information

Agreement Number (RCDT Code) 50-082-1190-2
School Food Authority Name Belle Valley School District No. 119
Address, City, Zip Code 2465 Amann Drive Belleville, IL 62220
Authorized Representative R. Dane Gale Phone ⁶¹⁸ 236-4513 Ext.
Authorized Representative Email rdgale@bv119.net
Contract Contact Person R. Dane Gale Phone ⁶¹⁸ 236-4513 Ext.
Contract Contact Person Email rdgale@bv119.net

B. Contract Award

Provide the requested information for the following:

- 1) Contract Award Date June 19, 2018
- 2) Company Awarded the Contract Opaa!
- 3) Total Estimated Contract Cost \$ 289,455.57

C. Required Documentation

Submit copies of the following documents with this completed form. Retain originals in SFA file.

- 1) Executed copy of the contract—Signed *Bid Summary* only
- 2) Signed copy of the *Bid-Rigging Certification*
- 3) Signed copy of the *Certificate of Independent Bid Determination*
- 4) If the contract is \$25,000 or more—Signed copy of the *Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions*
- 5) If the contract is over \$100,000—Signed copy of the *Certificate Regarding Lobbying*
- 6) If the contract is over \$100,000 and any funds other than Federal appropriated funds have been used for lobbying—Signed copy of the *Disclosure of Lobbying Activities*

Certification

Under the provisions of the United States Department of Agriculture, Food and Nutrition Service, I certify as a sponsor in the Child Nutrition Programs the executed *Invitation for Bid and Contract* is the same *Invitation for Bid and Contract* previously submitted to the Illinois State Board of Education on May 9, 2018 (bid documents initial compliance letter date).

I understand revisions cannot be made to the executed *Invitation for Bid and Contract* without first submitting proposed revisions to the Illinois State Board of Education for review and receiving written notification the proposed revisions are allowable within the regulatory guidelines. Furthermore, I understand additional documents and/or agreements, including those developed by the contractor, cannot become part of the executed contract.

I understand the nonprofit school food service program account cannot be used to pay for unallowable contract costs. As authorized representative for the school food authority noted above, I will ensure operation of the nonprofit school food service program, including use of nonprofit school food service program account funds, is in compliance with the rules and regulations of the Illinois State Board of Education and the United States Department of Agriculture regarding Child Nutrition Programs.

I understand the *Invitation for Bid and Contract* and all related documents are subject to review by the Illinois State Board of Education and the United States Department of Agriculture at any time. I understand all contract information provided to the Illinois State Board of Education is being given in connection with the receipt of federal funds and deliberate misrepresentation may subject me to prosecution under applicable state and federal criminal statutes. Further, I understand such misrepresentation could result in the loss of federal and state funding received by the school food authority for school-based Child Nutrition Programs.

I hereby confirm the *Invitation for Bid and Contract* documents submitted to the Illinois State Board of Education have been reviewed by the school food authority's legal counsel as necessary to ensure compliance with all federal, state, and local regulations, statutes, and policies.

I certify that all procurement transactions were conducted in compliance with the Conflict of Interest standards and requirements included in 2 CFR 200.112 and 2 CFR 200.318 and I hereby certify there are no Conflicts of Interest. I further certify that all procurement transactions were conducted in a manner providing full and open competition consistent with the standards of 2 CFR 200.319. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that were involved in prior studies, developed or drafted specifications requirements, statements of work, or invitations for bids or requests for proposals were excluded from competing for this procurement.



Authorized Representative Signature

Superintendent

Title

June 20, 2018

Date

Public Act 095-0241—Third Party Contracting Certification Statement (if applicable)

I hereby certify that _____ school board complied with all requirements regarding third party contracting as outlined in Public Act 095-0241 as applicable.

School Food Authority

Authorized Representative Signature

Title

Date

Invitation for Bid and Contract
Nonprofit School Food Service

BID SUMMARY

This document contains a bid solicitation and Contract for the furnishing of management services for the operation of the nonprofit food service program(s) for the period beginning July 1, 2018, and ending June 30, 2019, and sets forth the terms and conditions applicable to the procurement. Upon acceptance, this document shall constitute the Contract between the bidder and the school food authority. The bidder shall not plead misunderstanding or deception because of such estimate of quantities, or of the character, location, or other conditions pertaining to the bid solicitation/Contract.

PER MEAL RATES AND FEES MUST BE QUOTED AS IF
NO USDA FOODS WILL BE RECEIVED

	Projected Annual Units	Rate Per Unit	Estimated Total**
1. Reimbursable Breakfasts	1. <u>43,263</u>	1. <u>\$0.995</u>	1. <u>\$43,046.68</u>
2. Reimbursable Lunches*	2. <u>116,322</u>	2. <u>\$1.990</u>	2. <u>\$231,480.78</u>
3. Management Fee Per School Meal (breakfasts and lunches)	3. <u>NA</u>	3. _____	3. _____
4. A la Carte Equivalents Fee*	4. <u>3,811</u>	4. <u>\$1.990</u>	4. <u>\$7,583.89</u>
5. A la Carte Management Fee	5. <u>XXXXXXXX</u>	5. _____	5. _____
6. Reimbursable After-School Snacks	6. <u>7,813</u>	6. <u>\$0.940</u>	6. <u>\$7,344.22</u>
7. Special Milk	7. _____	7. _____	7. _____
8. Summer Breakfast	8. _____	8. _____	8. _____
9. Summer Lunch	9. _____	9. _____	9. _____

(Estimated Net Lunch Rate After Commodity Credit: \$1.655)

Total Estimated Amount of Bid** \$ 289,455.57

*Bid rates must be the same.

(Estimated Net Bid After Commodity Credit: \$250,487.70)

**All totals must be carried out to the second decimal place and must not be rounded.

Opaa! Food Management of Illinois, LLC

Name of Bidder

100 Chesterfield Business Parkway, Suite 310

Street Address

Chesterfield

MO

63005

City

State

Zip Code

By submission of this bid, the bidder certifies that, in the event the bidder receives an award under this solicitation, the bidder shall operate in accordance with all applicable current program regulations. This agreement shall be in effect for the period specified, not to exceed one year, and may be renewed by mutual agreement for four additional one-year Contract Terms.

6/13/2018

Craig N. Cohen

Craig N. Cohen, Executive Vice President

Date

Signature of Bidder

Title

ACCEPTANCE OF CONTRACT

Agreement Number

School Food Authority (SFA)

Date

Signature of Authorized SFA Representative

Title

Bid-Rigging Certification

Craig N. Cohen _____, a duly
(Agent)

authorized agent of Opaa! Food Management of Illinois, LLC,
(Contractor)

do hereby certify that neither Opaa! Food Management of Illinois, LLC,
(Contractor)

nor any individual presently affiliated with Opaa! Food Management of Illinois, LLC
(Contractor)

_____, has been barred from bidding on a public contract as a
result of a violation of either Section 33E-3 (bid-rigging) or Section 33E-4 (bid rotating)
of the Illinois Criminal Code, contained in Chapter 38 of the Illinois Revised Statutes.



Authorized Agent

Opaa! Food Management of Illinois, LLC
Contractor

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid, do hereby make the following statements that I certify on behalf of the bidder to be true and complete in every respect:

- 1) I have read and I understand the contents of this Certificate;
- 2) I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
- 3) Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
- 4) For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who;
 - has been requested to submit a bid in response to this invitation for bids;
 - could potentially submit a bid in response to this invitation for bids, based on their qualifications, abilities or experience;
- 5) The bidder discloses that [check one of the following, as applicable]:
 - ___(a) the bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with, any competitor;
 - ___(b) the bidder has entered into consultations, communications, agreements or arrangements with one or more competitors regarding this invitation for bids, and the supplier/bidder discloses, in the attached document(s), complete details thereof, including the names of the competitors and the nature of, and reasons for, such consultations, communications, agreements or arrangements;
- 6) Without limiting the generality of paragraphs (5)(a) or (5)(b) above, there has been no consultation, communication, agreement or arrangement by or on behalf of the bidder with any competitor regarding:
 - prices;
 - methods, factors or formulas used to calculate prices;
 - the intention or decision to submit, or not to submit, a bid; or
 - the submission of a bid which does not meet the specifications of the invitation for bids; except as specifically disclosed pursuant to paragraph (5)(b) above;
- 7) In addition, there has been no consultation, communication, agreement or arrangement with any competitor by or on behalf of the bidder regarding the quality, quantity, specifications or delivery particulars of the products or services to which this invitation for bids relates, except as specifically authorized by the procuring authority or as specifically disclosed pursuant to paragraph (5)(b) above;
- 8) The terms of the accompanying bid have not been, and will not be, knowingly disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening, or of the awarding of the contract, whichever comes first, unless otherwise required by law or as specifically disclosed pursuant to paragraph (5)(b) above; and,
- 9) I understand that the accompanying bid will be disqualified if this certification is found not to be true and complete in every respect.



Signature of Authorized Agent

6/13/2018

Date

Craig N. Cohen

Printed Name

Executive Vice President

Title

ILLINOIS STATE BOARD OF EDUCATION
100 North First Street
Springfield, IL 62777-0001

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

This certification is required by the regulations implementing Executive Orders 12549 and 12689, Debarment and Suspension, 2 CFR part 3485, including Subpart C Responsibilities of Participants Regarding Transactions (also see federal guidance at 2 CFR part 180). Copies of the regulations may be obtained by contacting the Illinois State Board of Education.

BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS BELOW.

CERTIFICATION

The prospective lower tier participant certifies, by submission of this Certification, that:

- (1) Neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency;
- (2) It will provide immediate written notice to whom this Certification is submitted if at any time the prospective lower tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances;
- (3) It shall not knowingly enter any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated;
- (4) It will include the clause titled *Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transactions*, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions;
- (5) The certifications herein are a material representation of fact upon which reliance was placed when this transaction was entered into; and
- (6) 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 Certification.

Opaa! Food Management of Illinois, LLC

Organization Name

PR/Award Number or Project Name

Craig N. Cohen

Name of Authorized Representative

Executive Vice President

Title


Original Signature of Authorized Representative

6/13/2018

Date

Instructions for Certification

1. By signing and submitting this Certification, the prospective lower tier participant is providing the certifications set out herein.
2. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue all available remedies, including suspension and/or debarment.
3. Except for transactions authorized under paragraph 3 above, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue all available remedies, including suspension and/or debarment.
4. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *proposal*, and *voluntarily excluded*, as used herein, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549 and Executive Order 12689. You may contact the person to which this Certification is submitted for assistance in obtaining a copy of those regulations.
5. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the "GSA Government-Wide System for Award Management Exclusions" (SAM Exclusions) at <http://www.sam.gov>.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required herein. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

ILLINOIS STATE BOARD OF EDUCATION
100 North First Street
Springfield, IL 62777-0001

CERTIFICATE REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, 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 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 ISBE 85-37, "Disclosure of Lobbying Activities," 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 Section 1352, Title 31, U.S. Code. 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.

Opaa! Food Management of Illinois, LLC

Organization Name

PR/Award Number or Project Name

Craig N. Cohen

Name of Authorized Representative

Executive Vice President

Title



Original Signature of Authorized Representative

6/13/2018

Date

ILLINOIS STATE BOARD OF EDUCATION
 100 North First Street
 Springfield, IL 62777-0001

DISCLOSURE OF LOBBYING ACTIVITIES

Directions: Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352. (See reverse for public burden disclosure.)

1. TYPE OF FEDERAL ACTION

- a. Contract b. Grant c. Cooperative agreement d. Loan e. Loan guarantee f. Loan insurance

2. STATUS OF FEDERAL ACTION

- a. Bid/offer/application b. Initial award c. Post-award

3. REPORT TYPE

- a. Initial filing b. Material change For material change only: _____ Year _____ Quarter _____ Date of last report

4. NAME AND ADDRESS OF REPORTING ENTITY

- Prime Subawardee, Tier _____, if known _____ Congressional District, if known

5. IF REPORTING ENTITY IN NO. 4 IS SUBAWARDEE, ENTER NAME AND ADDRESS OF PRIME

_____ Congressional District, if known

6. FEDERAL DEPARTMENT/AGENCY

7. FEDERAL PROGRAM NAME/DESCRIPTION

_____ CFDA Number, if applicable

8. FEDERAL ACTION NUMBER, if known

9. AWARD AMOUNT, if known

\$ _____

10a. NAME AND ADDRESS OF LOBBYING ENTITY
(If individual, last name, first name, MI)

b. INDIVIDUALS PERFORMING SERVICES
(Including address if different from No. 10a) (last name, first name, MI)

(Attach Continuation Sheet(s) ISBE 85-37A, if necessary)

11. AMOUNT OF PAYMENT (check all that apply)

- \$ _____ Actual Planned

12. FORM OF PAYMENT (check all that apply)

- a. Cash b. In-kind; specify: nature _____ value _____

13. TYPE OF PAYMENT (check all that apply)

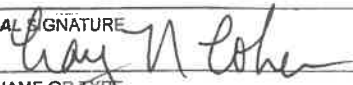
- a. Retainer b. One-time fee c. Commission
 d. Contingent fee e. Deferred f. Other, specify _____

14. Brief description of services performed or to be performed and date(s) of service, including officer(s), employee(s), or member(s) contacted, for payment indicated in item 11.

15. YES NO CONTINUATION SHEET(S), ISBE 85-37A ATTACHED

16. Information requested through this form is authorized by title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

ORIGINAL SIGNATURE



PRINT NAME OR TYPE

Craig N. Cohen

TITLE
Executive Vice President

TELEPHONE NUMBER
636-812-0777

DATE
6/13/2018

Maintain a copy of this form for your records.

Mail original signed and dated form along with copies of all required documentation to:

**Nutrition and Wellness Programs
Illinois State Board of Education
100 North First Street W270
Springfield,**

IL

62777-0001