



**REQUEST FOR PROPOSAL  
RFP 2009-018**

**ADDENDUM NO. 2**

To: Prospective Bidders

From: John N. Tortelli  
Cooperative Educational Services

Date: May 14, 2009

CES has received the following questions regarding RFP 2009-018 submitted either by mail, e-mail, or fax. Please accept the following as responses to the questions submitted.

**Submitted by:** Elizabeth G. Rodriguez  
Marketing/Purchasing & Sales Support  
Shamrock Foods

**Question 1:**

Will our Night Drop policy for all customers suffice as a recommended option for smaller schools?

**Response 1:**

Any delivery polices that deviate from the CES members' or participating entities' normal delivery times will need to be negotiated with the CES member or participating entity and the awarded bidder. The bidder will need to include any after hours delivery policy in their proposal for the evaluation committee to review.

**Question 2:**

Can an additional drop and/or delivery fee apply to out of the way locations?

**Response 2:**

This question has been addressed in Addendum 1, question 3, by providing the bidder/proposer the opportunity to offer different distribution fees by CES regions. The mandatory and revised Exhibit 4 Price Book to be submitted in Microsoft excel format has been changed and can be downloaded at

<http://www.nmedu.org/> or can be sent via email by making a request to [bids@nmedu.org](mailto:bids@nmedu.org) or phone at 505-344-5470 or fax at 505-344-9343.

**Question 3:**

Our normal delivery policy for all customers states that orders will not be delivered if under \$350 minimum per stop and \$350 minimum requires us to charge \$5 delivery fee. Any orders placed \$500 and above do not incur additional delivery charge. Can we apply our minimum delivery fee's \$350.00 minimum with a \$5.00 delivery stop charge per stop with no fee's applied to orders over \$500?

**Background:**

Section II: Categorical Terms and Conditions, C: Ordering and Billing: item 4, Page 46.

4. Vendors have the prerogative to refuse individual orders less than \$400; however, CES Members are not limited as to the number of orders they may place.

**Response 3:**

If a bidder/proposer is taking exception to this Categorical Term and Condition, the bidder/proposer will need to (using Form E-1) indentify the exception and explain why they are taking exception. The Evaluation Committee will review and make a recommendation to CES staff on how to proceed.

**Question 4:**

Clarify on Page 19 Christian Doctrine categories question.

**Background:**

**Christian Doctrine:** Any clause required by rule or regulation to be included in this contract will be read as if in this contract, whether or not physically included.

**Response 4:**

Is a “[A] mandatory contract clause that expresses a significant or deeply ingrained strand of public procurement policy is considered to be included in a contract by operation of law.” G.L. Christian & Assocs. v. United States, 106 Ct. Cl. 1 (1963). Examples can include but are not limited to changes in New Mexico State Statues, New Mexico Administrative Code, New Mexico Public Education Department ruled and regulations, New Mexico Department of Taxation Revenue rules and regulations, etc.

**Submitted by:** Will Jaramillo  
Regional VP Sale  
Zanios Foods

**Question 5:**

Can you provide a quantity for the items on Exhibit 4, Price Book?

**Response 5:**

CES in providing a Microsoft Excel spreadsheets for CES 2008-2009 food usage for top 182 items for the period of 7/1/2008 to 3/31/2009 and the Multi-State food usage for top 72 items. The excel spreadsheets can be downloaded at <http://www.nmedu.org/> or can be sent via email by making a request to [bids@nmedu.org](mailto:bids@nmedu.org) or phone at 505-344-5470 or fax at 505-344-9343.

**Submitted by:** Rita Davidson  
Bid Sales Coordinator  
Sysco New Mexico

**Question 6:**

Please provide dimensions/size required for item #13430, napkin dispenser.

**Response 6:**

To fit a napkin, 1 ply 11.5 inch x 12.75 inch.

If you have any questions regarding this Addendum, please contact my office at 505-344-5470.

By dating, signing, and returning this page, the Offeror acknowledges receipt of Addendum No.1  
**(Please place behind Tab 1 of your response).**

Date: \_\_\_\_\_ Company Name (Print): \_\_\_\_\_

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_