



Kitchen and Serving Line Equipment, Smallwares, Parts, and Design and/or Installation.
Executive Summary

Lead Agency: Frederick County Public Schools

Solicitation: 23FS4

RFP Issued: May 17th, 2023

Pre-Proposal Date: June 1st, 2023 at 10:00am

Response Due Date: July 5th, 2023

Proposals Received: 6

Awarded to: National Restaurant Supply

Frederick County Public Schools Department of Procurement issued RFP# 23FS4 on May 17th, 2023, to establish a national cooperative contract for Kitchen and Serving Line Equipment, Smallwares, Parts, Design and/or Installation.

The solicitation included cooperative purchasing language in Sections 2, 3, 25, and Exhibit A, section 1.1:

Section 2:

OMNIA Partners – National Contract

Frederick County Public Schools, as the Principal Procurement Agency, defined in ATTACHMENT 1, has partnered with OMNIA Partners, Public Sector (“OMNIA Partners”) to make the resultant contract (also known as the “Master Agreement” in materials distributed by OMNIA Partners) from this solicitation available to other public agencies nationally, including state and local governmental entities, public and private primary, secondary and higher education entities, non-profit entities, and agencies for the public benefit (“Public Agencies”), through OMNIA Partners’ cooperative purchasing program. Frederick County Public Schools is acting as the contracting agency for any other Public Agency that elects to utilize the resulting Master Agreement. Use of the Master Agreement by

any Public Agency is preceded by their registration with OMNIA Partners (a “Participating Public Agency”) and by using the Master Agreement, any such Participating Public Agency agrees that it is registered with OMNIA Partners, whether pursuant to the terms of a Master Intergovernmental Cooperative Purchasing Agreement, a form of which is attached hereto on ATTACHMENT 1, or as otherwise agreed to. ATTACHMENT 1 contains additional information about OMNIA Partners and the cooperative purchasing program.

Section 3:

3. OBJECTIVES

a. Establish the Master Agreement as a Supplier’s primary offering to Participating Public Agencies;

Section 25:

MULTI-AGENCY PARTICIPATION

a. FCPS reserves the right to extend the terms and conditions of this solicitation to any and all other agencies within the state of Maryland, as well as, any other federal, state, municipal, county, or local

governmental agency under the jurisdiction of the United States and its territories. This is conditioned upon mutual agreement of all parties pursuant to special requirements, which may be appended thereto. The awarded supplier(s) agrees to notify the issuing body of those entities that wish to use any contract resulting from this bid and will also provide usage information, which may be requested.

- b. By agreeing to extend the contract to other agencies, the supplier(s) reaffirms and warrants his original commitment to FCPS so that afterwards all items and services shall continue to conform to the requirements and conditions of the original agreement for its duration. Agencies who utilize the contract agree to notify FCPS Purchasing Department of any significant experiences, problems or issues which may, or may have the potential to, affect our administration of this contract.
- c. FCPS assumes no obligation on behalf of any other agency and shall be held harmless if either party Section I – General Terms and Conditions Rev. 05.18.22 is damaged due to the agency or supplier’s failure to become informed of, or comply with, any provision or pricing under this agreement. All purchase orders and billing will be transacted between the supplier and the public agency.
- d. Each participating jurisdiction or agency shall enter into its own contract with the awarded supplier(s) and this contract shall be binding only upon the principals signing such an agreement. Invoices shall be submitted in duplicate “directly” to the ordering jurisdiction for each unit purchased. Disputes over the execution of any contract shall be the responsibility of the participating jurisdiction or agency that entered into that contract. Disputes must be resolved solely between the participating agency and the awarded supplier(s). The Lead Agency does not assume any responsibility other than to obtain pricing for the specifications provided

Exhibit A, section 1.1:

Frederick County Public Schools (hereinafter defined and referred to as “Principal Procurement Agency”), on behalf of itself and the National Intergovernmental Purchasing Alliance Company, a Delaware corporation d/b/a OMNIA Partners, Public Sector (“OMNIA Partners”), is requesting proposals for **Kitchen and Serving Line Equipment, Smallwares, Parts, Design and/or Installation**. The intent of this Request for Proposal is any contract between Principal Procurement Agency and Supplier resulting from this Request for Proposal (“Master Agreement”) be made available to other public agencies nationally, including state and local governmental entities, public and private primary, secondary and higher education entities, non-profit entities, and agencies for the public benefit (“Public Agencies”), through OMNIA Partners’ cooperative purchasing program. The Principal Procurement Agency has executed a Principal Procurement Agency Certificate with OMNIA Partners, an example of which is included as Exhibit D, and has agreed to pursue the Master Agreement. Use of the Master Agreement by any Public Agency is preceded by their registration with OMNIA Partners as a Participating Public Agency in OMNIA Partners’ cooperative purchasing program. Registration with OMNIA Partners as a Participating Public Agency is accomplished by Public Agencies entering into a Master Intergovernmental Cooperative Purchasing Agreement, an example of which is attached as Exhibit C, and by using the Master Agreement, any such Participating Public Agency agrees that it is registered with OMNIA Partners, whether pursuant to the terms of the Master Intergovernmental Purchasing Cooperative Agreement or as otherwise agreed to. The terms and pricing established in the resulting Master Agreement between the Supplier and the Principal Procurement Agency will be the same as that available to Participating Public Agencies through OMNIA Partners. All transactions, purchase orders, invoices, payments etc., will occur directly between the Supplier and each Participating Public Agency individually, and neither OMNIA Partners, any Principal Procurement Agency nor any Participating Public Agency, including their respective agents, directors, employees or representatives, shall be liable to Supplier for any acts, liabilities, damages, etc., incurred by any other Participating Public Agency. Supplier is responsible for knowing the tax laws in each state.

Notice of the solicitation was sent to potential offerors, as well as advertised in the following:

- Frederick County Public Schools website

- .O.M[NIA Partners website
- USA Today, nationwide
- Arizona Business Gazette, AZ
- San Bernardino County Sun, CA
- Honolulu Star-Advertiser, HI
- The Herald-News – Will County (IL)
- The Advocate – New Orleans, LA
- The New Jersey Herald, NJ
- Albany Times Union, NY
- Daily Journal of Commerce, OR
- The State, SC
- Deseret News, UT
- Richmond Times-Dispatch, VA
- Seattle Daily Journal of Commerce, WA
- Houston Community Newspapers, TX
- Helena Independent Record, MT
- Las Vegas Review-Journal and/or Las Vegas Sun
- Kennebec Journal/Morning Sentinel, ME

On July 5th, 2023 proposals were received from the following offerors:

- National Restaurant Supply
- CKEP USA
- Weiss Brothers/Envoy Solutions
- Johnson-Lancaster
- Douglass Equipment
- Ashland

The proposals were evaluated by an evaluation committee. Using the evaluation criteria established in the RFP, the committee elected to enter into negotiations with (SUPPLIER) and proceeding with contract award upon successful completion of negotiations.

Geographic Preferences: No geographic preferences were included in the evaluation of the responses.

Frederick County Public Schools, OMNIA Partners and National Restaurant Supply successfully negotiated a contract, and Frederick County Public Schools executed the agreement with a contract effective date of September 13th, 2023.

Diversity Certification:

Contract includes: Supplier provided federal funds certifications which are available on the OMNIA Partners website for review.

Term:

Initial three-year agreement from September 13th, 2023 through May 31st, 2026 with the option to renew for three (3) additional one-year periods through May 31st, 2029.

Pricing/Discount:

- Discount off Manufacturer