

**STATEMENT OF WORK
COMMISSARY PRODUCTS
INVITATION TO QUALIFY (ITQ) CONTRACT**

OVERVIEW: The purpose of the Commissary Products ITQ is to qualify responsible and responsive Contractors to provide commissary products to Pennsylvania Department of Corrections (DOC), Bureau of Correctional Industries (CI) for resale to inmates within the state prison system. Products include, but are not limited to, food and beverages, medical products, personal hygiene products, miscellaneous products, apparel, footwear, and specific electronic items. CI operates three (3) commissary warehouse locations throughout Pennsylvania. All commissary products are delivered to these warehouses for inventory and order fulfillment. Correctional Industries maintains the inventory and sorts commissary orders received from institutions. Filled orders are delivered by Correctional Industries to the appropriate State Correctional Institution (SCI). The three (3) CI warehouse locations are:

SCI Albion
10745 Route 18
Albion, PA 16475-0001

SCI Houtzdale
209 Institution Drive
Houtzdale, PA 16698

SCI Mahanoy
301 Morea Road
Frackville, PA 1793

Only those Contractors that respond to this ITQ and meet the requirements can become a qualified Contractor and receive a Contract.

- A. **REPORTING:** The qualified Contractor shall provide monthly usage report to CI within 15 business days from the last day of each month for the prior month. Reports shall include: a history of all orders placed by the three (3) warehouses/distribution centers; purchase order number; manufacturers number; product name; quantity ordered; quantity shipped; shipping date; backorders (if applicable); fill rate; and sale price.
- B. **SECURITY AND PACKAGING:** All products must meet security requirements of the DOC. Before a product can be accepted into the institution the product must be reviewed by the Central Office Security Division and the DOC Commissary Committee in order for the product to be determined secure for institutional use.

Prior to purchase order (PO) issuance, the Contractor will have to provide a sample of each new product ordered (not previously approved) to the Central Office Security Division and DOC Commissary Committee for a security review. For security purposes, certain products call for unique packaging features that may not be consistent with how the product is made available commercially. The DOC reserves the right to allow companies to adapt their packaging to meet the DOC's security requirements before a PO is generated. Product approval may be made contingent upon packaging changes. If, after award of a PO, DOC determines that a product poses a security threat, DOC will either cancel the award of that product, upon written notification, to the Contractor detailing the nature of the security threat or allow the contractor to replace the product with a compliant product at the same price.

Listed below are general security requirements that must be adhered to for all products. This is not a complete list of requirements/restrictions and additional security requirements with regard to packaging or products may be added as deemed necessary by the Central Office Security Division and DOC Commissary Committee:

- a. Containers/bags are to be clear, resalable, and plastic when available. Glass will not be accepted;
- b. No foiled packaging, hard canisters or cans, no squirt-type bottles for liquid products, and no metal or glass containers will be permitted;

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- c. Apparel should be white unless specified - no mesh; and
- d. Footwear should be shankless and injected molded, when applicable.

- C. **ADDITIONS/DELETIONS OF PRODUCTS AND DISCONTINUED PRODUCTS:** The Contractor must notify the CI of any discontinued products and package size change for items on an existing Purchase Order. Any replacement products and package size changes must be authorized and approved by the DOC prior to execution of any changes. A justification letter from the manufacturer indicating the product change/discontinuance must be received by CI at a minimum of thirty (30) business days prior to the contractors' desired date of transition of the product. The new product shall be offered at the same or lower price as the discontinued product. DOC at its sole discretion shall determine the appropriateness of the product and its price.
- D. **NEW PRODUCT TRIAL PERIOD:** New product shall have a trial period, of no more than 45 days, in order to see if the item is selling and accepted by the inmate population. If the item is not selling or the inmates are unhappy with the product, DOC will have the option to return any product still in inventory and require the supplier to replace it with a comparable item at the same cost. If the Contractor cannot provide a replacement product at the same cost, then DOC reserves the right to cancel that specific product line item on the PO.
- E. **ROTATION OF PRODUCTS:** DOC reserves the right to request rotational product of a similar item at the same or lower price throughout the PO. Any rotational product(s) and package size change(s) must be authorized and approved by the DOC prior to execution of any change(s). In addition, any new rotational product(s) must meet the security and packaging requirements. DOC, at its sole discretion, shall determine the appropriateness of the product and its price.
- F. **SHELF LIFE:** All perishable products must have, at a minimum, a shelf-life of **21 days** upon delivery to the Warehouse Facility/Distribution Centers. Freshness date is to be legible on each individual unit, where applicable. Any products that fail to meet this requirement will be rejected by the Warehouse Facility/Distribution Centers at the contractor's expense. The contractor must replace all rejected products with products not conforming to the Shelf Life requirement within five (5) calendar days or the next delivery date not to exceed 15 calendar days upon notification of rejection as documented on the packing list/invoice.
- G. **JULIAN DATES:** Contractor shall maintain records of Julian Dates use by/sell by dates, and production dates for products when coded shelf life dates are used. This information shall be readily available and provided to the agency upon request.

Repeated shipments of product with less than the maximum shelf life may result in a formal complaint (Contractor Responsibility) being filed and could be used as justification for cancellation of contract for poor performance. Any documentation on poor performance will be taken into consideration when conducting a performance review.

- H. **OUT-DATED INVENTORY:** The contractor will not quote out-dated or almost out-dated products on the RFQ submission. The DOC is to be protected from an award of a contractor's depleting inventory. The contractor must be able to produce long-term inventory of the current model. Product model

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changes are permissible; however, provision of long-term inventory upon the opening of the bid is expected.

- I. **OUT OF STOCK ITEMS:** If the contractor is out of stock on any product, the ordering location must be notified within 24 hours upon receipt and acknowledgement of an order. If the 24-hour period ends on a weekend or holiday, the contractor must notify the ordering location no later than 3:00 PM EST the next normal business day.
- J. **PRODUCT RECALL:** The contractor shall immediately (within 24 hours) notify Correctional Industries as well as the issuing officer by e-mail and via telephone indicating:
- a. The reason for the product recall;
 - b. Product lot number and/or model number; and
 - c. The interim action or antidote to be taken to remedy any emergency situation arising from product ingredients or malfunction.

The contractor shall make provisions to have all recalled product(s) (which will be contained, inventoried, etc. as applicable) removed consistent with the return procedures set forth in paragraph 12. The contractor must provide the appropriate product(s) by replacing/substitute the product stock with approved equivalent value product and/or crediting the account.

The contractor must include lot codes on all case lots and provide a list of those codes to the DOC. In the event of a recall, the DOC should be able to easily identify where the products are at the time of recall, i.e. within the production process, or in the inmate population. The contractor is responsible to pick-up all recalled products within 30 days.

- K. **RETURNS:** Any products delivered in poor condition, in excess of the amount ordered, not included in the purchase order or recalled may, at the discretion of the DOC ordering entity, be returned to the awarded contractor at the awarded contractor's expense within thirty (30) days. Credit for the returned goods shall be made immediately after the contractor receives the returned products.

There shall be no restocking fees assessed to the DOC or eligible contract users.

In the event that the DOC ordering entity orders the wrong product, the product will be returned to the awarded contractor at the expense of the ordering entity.

- L. **FILL RATE:** The contractor shall maintain at minimum 95% fill rate for all PO items.
- M. **DELIVERY:** The DOC requires that deliveries be made to each Distribution Center during normal working hours Monday thru Friday, 8:00 a.m. till 3:00 p.m. EST, excluding state holidays. Deliveries scheduled on state holidays are to be rescheduled with each Distribution Center. Initial delivery on a new Purchase Order shall be made within 30 days of order receipt date. Any deliveries thereafter for that same Purchase Order shall be made within five (5) business days of the replenishment order date unless otherwise specified on the PO.
- N. **WARRANTY:** Contractor shall be responsible for manufacturer warranty of products. Any warranty issues shall be addressed and resolved by the contractor.

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- O. **ANTI-SWEATSHOP CERTIFICATION AND COMPLIANCE:** All apparel and footwear procured under this ITQ is subject Executive Order 2004-4 *AntiSweatshop Procurement Policy (3/18/2004)* and the provisions set forth below. The required certification must be submitted in response to any RFQ for apparel or footwear before any PO can be issued.
- P. **DOC PERSONNEL SECURITY REQUIREMENTS:** All employees of the Contractor are subject to complete background investigations at the discretion of the Commonwealth, upon award of contract. Delivery drivers and any employee accompanying a delivery must complete the security clearance application process and all required training. Since individual security clearances are valid for a maximum of one (1) year, it is the responsibility of the contractor/employee to renew their request for another one (1) year clearance. The DOC reserves the right to deny any employee of the contractor access to its Institutions, information or to their clients as a result of confidential information obtained during the course of the security clearance process or for violation of DOC policy.
- a. The contractor will be responsible for ensuring that all personnel, equipment, tools, keys and supplies/materials comply with any and all rules, regulations and procedures of the DOC and the individual Institutions. Questions should be addressed to the Security Office at each Institution. The individual Institution's rules, regulations and procedures governing the entry and conduct of staff working inside the Institution will be made available and explained at the point of entry.
 - b. All personnel entering a Correctional Institution will be subject to a search of their person and personal items. Such searches may be frisk searches, searches by metal detectors or searches by narcotics detection canines.
 - c. All equipment, tools, supplies and materials will be subject to search or inventory at any time. Tools and materials must be carefully controlled at all times and locked when not in use.
 - d. The cab and trailer of a contractor's/employee's delivery truck must be locked when not in use.
 - e. Any attempts to introduce contraband, to assist in escape, or to have unauthorized contact with inmates of an Institution are prohibited and will be prosecuted under Pennsylvania law. The contractor's personnel are prohibited from bringing into or taking out of the Institution any items unless specifically approved. Any interaction between the contractor's employee and an inmate, which would assist the inmate to escape is a felony and will be prosecuted.
 - f. Any employee may not deliver, receive or otherwise transfer any item (no matter how innocuous) to or from an inmate without express permission of the Superintendent or designee.
 - g. The contractor's personnel or representatives are limited to movement to, from and within their assigned work area. No contact is allowed with inmates unless expressly approved.
 - h. No person who appears to be under the influence of drugs or alcohol or who is otherwise impaired will be allowed entry into a Correctional Institution.
 - i. The driver is required to obtain proof of delivery signed by an authorized employee when delivery is completed.
 - j. The DOC reserves the right to deny entry to anyone who is suspected of a breach of security or for failure to follow published rules, regulations or procedures.

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ISSUING OFFICE: This ITQ is managed and administered by the DOC, Bureau of Correctional Industries. All inquiries should be referred to:

Tracey Meyers, Contracting Officer
Department of Corrections, Bureau of Correctional Industries
2520 Lisburn Road
Camp Hill, PA 17011
Telephone: 717-221-6961 Facsimile: 717-425-7291
E-mail: tmeyers@pa.gov

TERM OF CONTRACT: Any contract issued to qualified Contractors, as a result of this ITQ, shall commence on the Contract Effective Date and shall end on June 30, 2022. There are no renewals available.

QUALIFICATIONS: Contractors interested in becoming an ITQ Contractor must meet all of the following requirements. Failure to meet any of the below requirements will result in the registration being rejected.

- A. Contractor must have two (2) years of experience with selling food purchases.

SERVICE CATEGORIES: Contractors will be responsible for choosing the appropriate commodity code(s) to qualify for this contract. Contractors will select the appropriate code(s) under the Business Details section of the qualification process. The Commonwealth has attempted to list specific services under each description. Any services that are not listed, but would fall within the normal services of the commodity code can be provided under the contract. The Commonwealth may add additional commodity codes as the need arises. The table below lists the appropriate commodity code and description of each service category.

COMMODITY CODE	DESCRIPTION OF MATERIAL CATEGORY
53100000-ITQ-1 Apparel	Including but not limited to: thermal pants, thermal shirts, rain poncho, tube socks, crew socks, ankle socks, women’s briefs, sports bras, athletic supporter, boxer shorts, men’s briefs, men’s t-shirt, men’s athletic shirt
52160000-ITQ-2 Electronics	Including but not limited to: extension cord (6’), Y-88 adapter, universal clear adaptor, 12” headphone ext cable with mini plug and jack, 6’ AC cord white bulk 2 prong, 5 outlet surge protector 2 feet, digital flat antenna/UHF, folding head phone with volume control, replacement pads for headphones, adaptor 1/8” stereo to mono, clear ear buds, batteries, am/fm radio, am/fm radio and cassette player, 6” table fan, remote control
50000000-ITQ-3 Food	Including but not limited to: 1. Ramen Noodles – Variety of flavors 2. Drinks - Instant coffee, tea bags, green tea, hot chocolate, lemonade, sugar free peach tea, orange drink, sports drinks, breakfast drink, fruit punch 3. Condiments - Non-dairy creamer, sugar, artificial sweetener, honey, jelly, ketchup, mustard, mayonnaise, bar-b-q sauce, onion dip 4. Candy - Chocolate bars, hard candy, taffy, fire balls, lifesavers, sugar free hard candy, mints, licorice 5. Breakfast foods - Granola bars, cereal bars, toaster pastries, instant oatmeal, cereal, instant breakfast drink, bagel

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	<p>6. Snack foods - Cashews, mixed nuts, peanuts, peanut butter, assorted cheeses, pickles, crackers, assortment of chips and salty snacks, pretzels, health mix, trail mix, pudding, cheesy refried beans</p> <p>7. Bakery - Cheese Danish, donut stick, honey bun, cinnamon roll, swiss roll, donuts, cupcakes, fig bars, various flavors of cookies, sugar free strawberry wafers</p> <p>8. Meat - Hot chili with beans, chili with beans, bacon, chicken breast, bbq beef, tuna, fish steaks, mackerel, tilapia, pepperoni, kippered beef steak, beef summer sausage, beef sticks</p> <p>9. Rice - Spicy cheese rice, instant rice, instant brown rice</p>
53110000-ITQ-4 Footwear (Men and Women)	Including but not limited to: boots (shankless), shoes and sneakers (white only), shower shoes
53130000-ITQ-5 Hygiene	Including but not limited to: assorted deodorants, assorted shampoos, assorted conditioners, shower cap, panty liners, tampons, sanitary napkins, miconazole cream, assorted soaps, tooth paste, denture cleaning tablets, mouthwash no alcohol, toothbrush, beaching cream, assorted lotions, bath and shower talc, foot powder, petroleum jelly, cocoa butter, sunscreen, shaving cream, disposable razors, tortoise color side cream, brush 7", pony tail holders, rollers, barrettes, emery boards, eye shadow, eye pencil, assorted lipsticks, mascara, assorted hair brushes, hair pic, pomade, hair gel, hair moisturizers, nail clipper
42000000-ITQ-6 Medical	Including but not limited to: multi vitamins, acne cream, ibuprofen 200mg, non-aspirin x-strength, allergy relief, calcium antacid, liquid antacid, lactase enzyme caplets, acid reducer, cough drops, lip balm, cough syrup no alcohol, medicated chest rub, hydrocortisone cream, antibiotic cream, laxative, hemorrhoid ointment, medicated skin cream
50000000-ITQ-7 Miscellaneous	Including but not limited to: assorted yarn colors, safety cut scissors, crochet hooks, plastic spoons, cereal bowl, coffee mug, laundry detergent, hanky, watch, watch band, watch batteries, various cards, laundry bag, chess game, checkers game, ping pong balls, playing cards, eyeglass sport cord, sunglasses, shoe polish, shoe laces, shoe insert, mirror (acrylic), id holder, mouth guard no strap, air freshener, sewing kit without scissors, rag rug, light bulb, book light, book light replacement bulb, wash tub, lock, washcloth, towel, wrist band, head band, gloves

QUOTES FOR SERVICES: The CI will issue RFQs for all commissary items. The RFQ will be sent to all qualified Contractors in that product category. Pricing on the RFQ shall be submitted at the lowest unit of measure. All pricing submitted in response to an RFQ shall be FOB destination and all-inclusive of product cost and shipping. DOC reserves the right to request nationally recognized products.

CI shall issue a PO to the qualified Contractor with the lowest pricing (either by line item, by predetermined lot or for the entire list of requested products by Contractor) for the requested products. PO pricing shall be firm for the life of the PO.