



Attachment 1

Ice Cream RFP Vendor Response Form - 2024 Ice Cream RFP

Vendor Name: Hershey Creamery Company

Date: 4/22/24

1. Please describe the availability and cost of freezers for participating schools:

Freezers are available to use at no cost; please see attached for specifications.

2. What is your minimum delivery amount per location?

The minimum is 10 cases.

3. Please describe your online ordering system, if available:

There is no online ordering system at this time.

4. What are your credit terms?

Our credit terms are Net_30_Days (60 Days)

General RFP Form

The accompanying Forms & Documentation are hereby submitted as a RFP in response to the subject RFP. All information, statements and prices are true, accurate, and binding representations of the Bidder's intentions and commitments in responding to this RFP.

Hershey Creamery Co.
Company Name

Pamela Bradbury
Contact Person

80 Arlington St.
Street

603-882-5187
Phone

Nashua, NH 03060
City, State, Zip

N/A
Fax

bradbury@hersheyicecream.com
Email

Bidder acknowledges receipt of the invitation for RFPs and Addendum No(s) 9#B, dated 4/22/24, and submits the attached RFP for this invitation for RFPs to the New Hampshire Buying Group (NHBG), on the authority of the undersigned and as dated below who by signing confirms and pledges to abide by and be held to the requirements of this RFP and its resulting award.

Authorized Agent of the Bidder:

[Signature]
Signature

Hershey Creamery Company
Name (as used for tax filing)

Robert Campbell
Printed Name

23-0691620
SS# or Federal ID#

Controller
Title

4/16/24
Date

Statement of Competency

I hereby certify that the Bidder meets or exceeds the competency criteria set out in this RFP.

I further attest to the following assertions:

- The bidder has been in business for a minimum of 1 years.
- Provision of the items specified in this RFP is consistent with the bidder's normal lines of business.
- The bidder is incorporated, and if required licensed, to do business in New Hampshire.

Authorized Agent of the Bidder:

[Signature]
Signature

Hershey Creamery
Name (as used for tax filing)

Robert J. Capell
Printed Name

23-0691670
SS# or Federal ID#

Contractor
Title

4/16/24
Date

Certificate of Non-Collusion

"The undersigned certifies under penalties of perjury that this RFP has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word person shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity, or group of individuals."

Authorized Agent of the Bidder:


Signature

Hershey Creamery
Name (as used for tax filing)

Robert Campbell
Printed Name

23-0681670
SS# or Federal ID#


Controller
Title

4/16/24
Date

Certificate of Tax Compliance

"I certify under the penalties of perjury that to my best knowledge and belief the undersigned has complied with all laws of the State relating to taxes, reporting of employees and contractors, and withholding and remitting child support."

Authorized Agent of the Bidder:


Signature

Heeshey Creamy Company
Name (as used for tax filing)

Robert Campbell
Printed Name

23-de91670
SS# or Federal ID#

Controller
Title

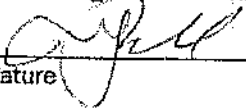
4/12/24
Date

Certification of Compliance for Federally Funded Procurement

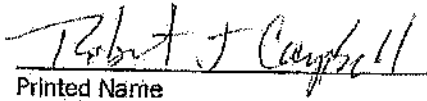
Certification of Compliance for Federally Funded Procurement

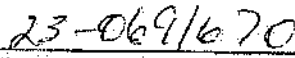
The Contractor, if paid from federal funding sources, certifies that it complies with: E.O. 11246, "Equal Employment Opportunity," as amended by E.O. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and as supplemented by regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 18 U.S.C. 874 and 40 U.S.C. 276c (Copeland "Anti-Kickback" Act); 40 U.S.C. 276a to a-7 (Davis-Bacon Act, as Amended); 40 U.S.C. 327-333 (Contract Work Hours and Safety Standards Act); 37 CFR part 401 (Rights to Inventions Made Under a Contract or Agreement); 42 U.S.C. 6201 (Energy Policy and Conservation Act); 42 U.S.C. 7401 et seq., as amended (Clean Air Act); 33 U.S.C. 1251 et seq., as amended (Federal Water Pollution Control Act); 31 U.S.C. 1352, as implemented 34 CFR Part 82 (Byrd Anti-Lobbying Amendment); E.O.s 12549 and 12689 (Debarment and Suspension); Section 106 of "TVPA" (Trafficking Victims Protection Act of 2000); American Recovery and Reinvestment Act of 2009; Pub. L. 111-5 ("ARRA"), Section 1605 of ARRA; and 2 CFR part 176.140 (Buy American.)

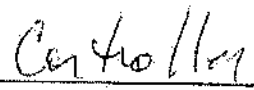
Authorized Agent of the Bidder:



Signature


Name (as used for tax filing)


Printed Name


SS# or Federal ID#


Title



Date

Conflict of Interest Certification

The bidder hereby certifies that:

1. The bidder has not given, offered, or agreed to give any gift, contribution, or offer of employment as an inducement for, or in connection with, the award of a Contract pursuant to this RFP.
2. No consultant to, or subcontractor for, the bidder has given, offered, or agreed to give any gift, contribution, or offer of employment to the bidder, or to any other person, corporation, or entity as an inducement for, or in connection with, the award to the consultant or subcontractor of a Contract by the bidder.
3. No person, corporation, or other entity, other than a bona fide full-time employee of the bidder has been retained or hired to solicit for or in any way assist the bidder in obtaining a Contract pursuant to this RFP upon an agreement or understanding that such person, corporation or entity be paid a fee or other compensation contingent upon the award of a Contract to the bidder.

Authorized Agent of the Bidder:


Signature

Healey Creamery Company
Name (as used for tax filing)

Robert J Campbell
Printed Name

23-0691670
SS# or Federal ID#

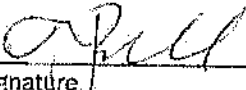
Controller
Title

4/12/24
Date

Certificate of Non-Debarment

The bidder hereby certifies that it is presently not debarred, suspended, or otherwise prohibited from practice by any federal, state, or local agency, and that, should any proceeding arise in which it is debarred, suspended, or otherwise prohibited from practice by any federal, state, or local agency, the bidder shall inform the NHBG and involved municipalities within one (1) business day of such debarment, suspension, or prohibition from practice.

Authorized Agent of the Bidder:


Signature

Hershey Creamery Company
Name (as used for tax filing)

Robert J. Campbell
Printed Name

23-0691670
SS# or Federal ID#

Controller
Title

4/12/24
Date

Lobbying Activities

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 any 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 cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

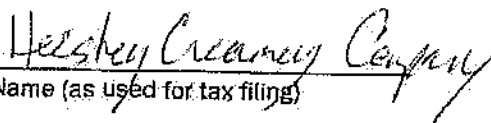
(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

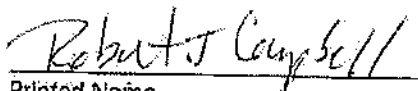
(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

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.

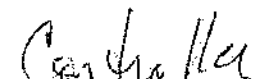
Authorized Agent of the Bidder:

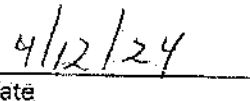

Signature


Name (as used for tax filing)


Printed Name


SS# or Federal ID#


Title

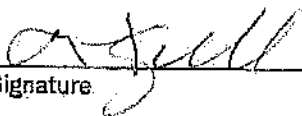

Date

Equal Opportunity Requirements

I certify that all information, statements, and pricing made in my RFP are true, accurate, and binding representations of the bidder's intentions and commitment in responding to this RFP. Any such representations that exceed the minimum requirements of the RFP constitute legal obligations on the part of the bidder to perform as stated and that failure to so perform may be used by NHBG as grounds to terminate the award.

I certify that pursuant to 28 CFR Part 42.204 (d) my employment practices comply with Equal Opportunity Requirements and comply with 28 CFR Part 42.202; that my organization complies with the Americans with Disabilities Act.

Authorized Agent of the Bidder:


Signature

Heeshey Cleanway Corp
Name (as used for tax filing)

Robert J Campbell
Printed Name

23-0691670
SS# or Federal ID#

Controller
Title

4/12/24
Date

HUB Certification

Vendors submitting RFPs that have been certified as Historically Underutilized Business (HUB) entities (Minority, Small Business, Woman Owned), are asked to indicate their HUB status when responding to this Invitation for RFP. I certify that my company has been certified as a Historically Underutilized Business (HUB). (Attach a copy of the HUB Certification to this form.)

Authorized Agent of the Bidder:

[Signature]
Signature

R J Campbell / Hershey Creamery Co.
Name (as used for tax filing)

Robert Campbell
Printed Name

23-0691670
SS# or Federal ID#

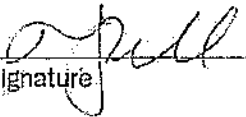
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Title

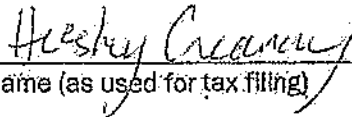
4/12/24
Date

Acknowledgement of Specifications

The undersigned certifies that they have read the RFP Specifications and agree to abide by these specifications should they be the successful vendor.

Authorized Agent of the Bidder:


Signature


Name (as used for tax filing)

Robert Campbell
Printed Name

23-0691670
SS# or Federal ID#

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Title

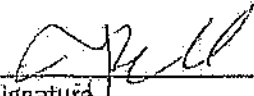
4/16/24
Date

Buy American Attestation

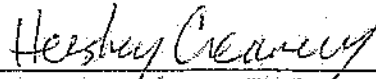
Section 104(d) of the William F. Goodling Child Nutrition Reauthorization Act of 1998 (Public Law 105-336) added a provision, Section 12(n) to the NSLA (42 USC 1760(n)), requiring school food authorities (SFAs) to purchase, to the maximum extent practicable, domestic commodity or product. Section 12(n) of the NSLA defines "domestic commodity or product" as an agricultural commodity that is produced in the United States and a food product that is processed in the United States using substantial agricultural commodities that are produced in the United States. "Substantial" means that over 51 percent of the final processed product consists of agricultural commodities that were grown domestically. Products from Guam, American Samoa, Virgin Islands, Puerto Rico, and the Northern Mariana Islands are allowed under this provision as territories of the United States. The Buy American provision (7 CFR Part 210.21(d)) is one of the procurement standards SFAs must comply with when purchasing commercial food products served in the school meals programs.

I hereby certify that each item included in this submission meets the criteria for a domestic commodity or product as defined above. Documentation for specific items shall be provided upon request of the group.

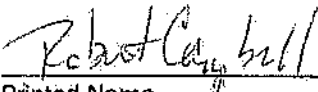
Authorized Agent of the Bidder:




Signature



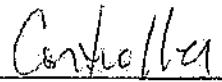
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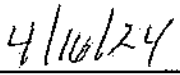
Printed Name



SS# or Federal ID#



Title



Date



Real Ingredients. Real Ice Cream.
Real Smiles.

Buy American Statement

January 25, 2024

To Whom It May Concern,

All Hershey Ice Cream products are proudly manufactured in the United States of America. We certify that the Agricultural commodities are substantially sourced from the United States. We are in compliance with the requirements set forth in the Buy American Provision in 7 CFR 210.21.

Please feel free to reach out for additional information should you require it.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. Ryan, III".

Thomas J. Ryan, III
Hershey Creamery Company
Vice President of Purchasing
301 S. Cameron St.
Harrisburg, PA 17101

301 S. CAMERON STREET • HARRISBURG, PA • 17105-1821
PHONE: 717-238 8134 • FAX: 717-233-7195

PRODUCT OF HERSHEY CREAMERY CO. - NOT AFFILIATED WITH HERSHEY'S CHOCOLATE