

**STATEMENT OF WORK  
CATERING SERVICES  
INVITATION TO QUALIFY (ITQ) CONTRACT**

**OVERVIEW:** The purpose of the Catering Services ITQ is to qualify responsible and responsive Contractors to provide catering services to Commonwealth of Pennsylvania's executive agencies. These services will be available to using agencies located within a 20-mile radius of the Main Capitol Complex. Catering services outside of the 20-mile radius of the Capitol Complex are optional for the ITQ Contractors and using agencies through this Contract. All services will be provided on an as needed basis. The ITQ Contractor shall not charge any additional mileage for an event within a 20-mile radius of the Capital Complex. **Only Certified Small Businesses are eligible for award. See additional language regarding eligibility requirements contained within this document.**

**ISSUING OFFICE:** This ITQ is managed and administered by the Commonwealth of Pennsylvania, Department of General Services (DGS), Bureau of Procurement. All inquiries should be referred to:

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**QUALIFICATIONS:** Contractors interested in becoming an ITQ Contractor must meet the following requirements. Failure to meet the below requirements will result in the application being rejected. Each Contractor that meets the minimum qualifications will be awarded a contract. Award of a contract to a Contractor is not a guarantee of business.

- A. Contractors must provide documentation showing two (2) years of experience in the appropriate commodity code selected under Service Categories. This experience should include catering events for more than 30 people.
- B. The Department of General Services (DGS) has designated this ITQ contract as a Small Business Reserve (SBR) to provide DGS-certified small businesses with opportunities to compete against other DGS-certified small businesses for Commonwealth contracts. Only certificated small businesses are eligible to qualify and receive an award. The small business requirements and certification process can be found on the following site: [smallbusiness.pa.gov](http://smallbusiness.pa.gov).

The Small Business Certification will be provided after the self-certification process on the SBR site: [smallbusiness.pa.gov](http://smallbusiness.pa.gov). A valid Department of General Services (DGS) Small Business Reserve (SBR) certificate must be submitted in order to be deemed a responsive bidder. Any submittal without a valid certificate will be rejected as non-responsive.

**SERVICE CATEGORIES:** Contractors will need to choose the appropriate commodity code(s) to qualify for this ITQ contract. Contractors will select the appropriate code(s) under the Business Details section of the qualification process. The Commonwealth may add additional commodity codes as the need arises. The table below lists the appropriate commodity code and description of each category.

COMMODITY CODE	DESCRIPTION OF CATEGORY
90100000-ITQ-286 Catering Services	General catering services for commonwealth functions, such as small and large meetings, work group sessions, etc. The service will be used on an as needed basis. Weekday and evening catering services are included, but weekend catering services are not available.
90100000-ITQ-287 Event Planning and Custom Menu	Specified catering services on a job-by-job basis normally reserved for special events, formal affairs, etc. Weekend and evening catering services are included in this category. Pre-established menus and pricing are not required for this category.

**REQUIREMENTS:**

**A. PROVISION FOR DONATION OF EXCESS PREPARED FOOD:** As a further condition for receiving Purchase Orders, Contractors must agree to make a good faith effort to donate to a nonprofit organization for ultimate free distribution to needy individuals any apparently wholesome food or grocery products apparently fit for human consumption which are not consumed at the Commonwealth function. A good faith effort includes, but is not limited to, contacting one or more of the entities appearing on the referral listing maintained by the Department of Agriculture. Contractor is hereby put on notice that liability will not attach if the Contractor complies with 42 PA. C.S. 8338. Agencies are to include this provision (which is required by Management Directive No. 215.13) on all Purchase Orders issued under this Contract.

**B. SUPPLIES MANUFACTURED BY OR SERVICES PERFORMED BY PERSONS WITH DISABILITIES:** UniqueSource Products & Services (UniqueSource) is the Pennsylvania marketing organization for agencies employing persons with disabilities that utilize persons with disabilities in 75% of the direct labor of manufacturing supplies or performing services. The Commonwealth is required by law to support this program through its contracting divisions. Therefore, when UniqueSource offers a comparable supply or service on their statewide requirements contract, the Commonwealth using agency must purchase the comparable supply or service from UniqueSource at a fair market price established by the Department of General Services.

At this time, UniqueSource provides boxed lunches and cold buffet lunches, which includes wraps, sandwiches, vegetable trays, salads, etc. These items are available on the statewide requirements Contract #4400004695. If UniqueSource is unable to provide the catering services for a specific event, the Commonwealth using agency may then contact the awarded suppliers on the Catering Service Contract. It shall be the Commonwealth using agencies' responsibility to ensure they do not purchase any items from the Catering Service Contract when there is a comparable item available from UniqueSource.

**C. EXCLUSIONS:** The following do not apply to this Contract. No waiver is required.

1. Any planned/scheduled meetings that run past the anticipated end time and require meeting planners to provide food for meeting participants. The agency should use their Commonwealth Procurement Card and procure the necessary food items.
2. Any unplanned meetings which require participants to stay past a meal period and the meeting holder must provide food for the meeting participants. The agency should use their Commonwealth Procurement Card and procure the necessary food items.
3. Any Commonwealth Agency that is holding a meeting/conference in a facility where catering services will be included and only the facility can cater the event.
4. Any Commonwealth Agency that has a scheduled catering event at the PA Farm Show Complex. Agencies must use the contracted resource for the Farm Show Complex, if one is provided by the Department of Agriculture.

**D. POST AWARD ADMINISTRATION:** The Contractors' performance shall be monitored and evaluated in accordance with the requirements outlined in the Contract and the agencies' requests for quotes. At a minimum, the Contractors' performance shall be evaluated on an annual basis. Contractors may be required to attend Contract performance review meetings. These meetings will be for the purpose of providing Contractor performance reviews, discussion of issues either party may have concerning the Contract or to evaluate the overall progress of the Contract. The meetings will be held quarterly, semi-annually or annually at the discretion of the Department of General Services, or upon special request of the using agency.

**GENERAL INFORMATION:**

**A. Type of Contract.** Upon determination that the Contractor meets the ITQ requirements, the Commonwealth will issue a contract to the Contractor. Upon receipt of a Purchase Order (PO) issued under this Contract, the Contractor agrees to furnish the requested services to the Commonwealth agency issuing the PO.

**B. Order of Precedence.** If any conflicts or discrepancies should arise in the terms and conditions of this Contract, or the interpretation thereof, the order of precedence shall be:

- i. This Contract;
- ii. The data resident on the [ITQ website](#) and incorporated herein by reference at the date of execution of the Contract or issuance of an RFQ off of this Contract, whichever is later, including but not limited to the promises and certifications the Contractor made in qualifying for the Contract;

If any conflicts or discrepancies should arise in the interpretation of a PO, the order of precedence shall be:

- i. The consulting service category definitions, descriptions, qualification requirements, and contract terms and conditions set forth in the RFQ;
- ii. This Contract;
- iii. The PO and any attachment thereto, including: (1) the Contractor's Proposal, as accepted by the Commonwealth; (2) the RFQ.

**C. Bid Protest Procedure (April 2016)** The Bid Protest Procedure is available for viewing on the DGS website. [Click here](#)

**D. TIE BIDS/QUOTES.** All tie bids/quotes will be broken by the Issuing Office.

**E. PROMPT PAYMENT DISCOUNTS.** Prompt payment discounts will not be considered in making an award. If prompt payment discounts are offered by any Contractor, however, the Issuing Office will take advantage of such offer.

**REQUEST FOR QUOTES (RFQ) PROCEDURES:** Commonwealth agencies will issue an RFQ to qualified Contractors, through the Commonwealth's Custom Portal, powered by the JAGGAER system. Contractors will respond to the RFQ in the system. The requesting agencies may require the qualified Contractors to furnish, upon request, additional documentation in the RFQ. The qualified Contractors selected for the RFQ process will receive a Purchase Order (PO) and will supply the service to meet the specific requirements as indicated in the RFQ.

Agencies will make a best value selection based upon the criteria set forth in the RFQ. Best Value refers to the process of selecting the quote which provides the greatest value to the agency based on evaluating and comparing all pertinent criteria, including cost, so that the Contractor whose overall proposal best suits the agency's needs is selected for each individual project.