

BLANKET PURCHASE ORDER

STATE OF MARYLAND

***** STATE OF MARYLAND *****

BPO NO: 001B6400091

PRINT DATE: 10/31/15

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SHIP TO: AS SPECIFIED ON INDIVIDUAL ORDERS		
VENDOR ID: DAIRY MAID DAIRY LLC 259 E 7TH ST FREDERICK, MD 21701 (301)663-5114	REFER QUESTIONS TO: THEA CHIMENTO (410)767-6056 THEA.CHIMENTO1@MARYLAND.GOV	
ITB: 001IT819884	EXPR DATE: 08/31/17 POST DATE: 08/07/15	DISCOUNT TERMS: . NET 30 DAY CONTRACT AMOUNT: .00

TERMS:

ARTICLES HEREIN ARE EXEMPT FROM MARYLAND SALES AND USE TAXES BY EXEMPTION CERTIFICATE NUMBER 3000256-3 AND FROM FEDERAL EXCISE TAXES BY EXEMPTION NUMBER 52-73-0358K. IT IS THE VENDOR'S RESPONSIBILITY TO ADVISE COMMON CARRIERS THAT AGENCIES OF THE STATE OF MARYLAND ARE EXEMPT FROM TRANSPORTATION TAX.

MILK AND DARY PRODUCTS FOR
* CENTRAL MD (REGION C) *
* EASTERN SHORE (REGION D) *
* WESTERN MARYLAND (REGION A) *
* CENTRAL MD (REGION C) *

MODIFICATION ISSUED TO ALLOW PURCHASING OF 5LB SOUR CREAM CONTAINER FOR THE EASTERN SHORE REGION AT \$11.32 PER UNIT (SEPTEMBER 2015 PRICING). PLEASE REFER TO BPO LINE 0098.

GEOGRAPHICAL LOCATION:

CENTRAL MD (REGION C) - TO INCLUDE BALTIMORE CITY AND ANNE ARUNDEL; BALTIMORE; CARROLL; HARFORD; AND HOWARD COUNTIES (INCLUDING, BUT NOT LIMITED TO BALTIMORE PRE-RELEASE FOR WOMEN; BALTIMORE CITY JUVENILE JUSTICE CENTER; MARYLAND YOUTH RESIDENCE CENTER; SPRING GROVE HOSPITAL CENTER; CHARLES H. HICKEY SCHOOL; MARYLAND CORRECTIONAL INSTITUTE - JESSUP; MARYLAND HOUSE OF CORRECTIONS; MARYLAND CORRECTIONAL PRE-RELEASE; PATUXENT INSTITUTION; MARYLAND CORRECTIONAL INSTITUTE FOR WOMEN; BROCKBRIDGE CORRECTIONAL FACILITY; CLIFTON T. PERKINS HOSPITAL CENTER; HERMAN TOULSON CORRECTIONAL BOOT CAMP; MARYLAND SCHOOL FOR THE DEAF - COLUMBIA; MARYLAND CENTRAL LAUNDRY FACILITY; BALTIMORE PRE-RELEASE; MARYLAND RECEPTION AND DIAGNOSTIC CENTER; MARYLAND TRAINING COMMISSION; AND SPRINGFIELD HOSPITAL CENTER).

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TERMS (cont'd):

GEOGRAPHICAL LOCATION:

EASTERN SHORE MD (REGION D) - TO INCLUDE KENT; QUEEN ANNE'S; CAROLINE; TALBOT; CECIL; DORCHESTER; WICOMICO; SOMERSET AND WORCESTER COUNTIES (INCLUDING, BUT NOT LIMITED TO HOLLY CENTER; DEER'S HEAD HOSPITAL CENTER; LOWER EASTERN SHORE CHILDREN'S CENTER; EASTERN CORRECTIONAL INSTITUTION; EASTERN SHORE HOSPITAL CENTER; AND EASTERN PRE-RELEASE).

GEOGRAPHICAL LOCATION:

CHARLES; CALVERT; AND ST. MARY'S COUNTIES:
GREATER WASHINGTON (REGION B) AND SOUTHERN MD (REGION E) - TO INCLUDE FREDERICK; MONTGOMERY; PRINCE GEORGE'S; CHARLES; CALVERT; AND ST. MARY'S COUNTIES (INCLUDING, BUT NOT LIMITED TO REGIONAL INSTITUTE FOR CHILDREN & ADOLESCENTS (RICA) - ROCKVILLE; RICA - CHELTENHAM; CHELTENHAN YOUTH FACILITY; THOMAS J. S. WAXTER CHILDREN'S CENTER; VICTOR CULLEN ACADEMY; MD SCHOOL FOR THE DEAF - FREDERICK; SOUTHERN MD PRE-RELEASE UNIT; AND CHELTENHAM CORRECTIONAL).

CONTRACT PERIOD: AUGUST 7, 2015 THROUGH AUGUST 31, 2017 (2 YEARS)

THIS CONTRACT MAY BE UNILATERALLY EXTENDED TWO (2) TIMES FOR AN ADDITIONAL ONE (1) YEAR PERIOD PROVIDING THE TERMS AND CONDITIONS REMAIN THE SAME. THE PRICING IS BASED ON THE USDA FEDERAL MARKET ORDER FOR THE NORTHEAST MARKETING AREA.

PROCESSING FEE

1.

CONTRACTOR SHALL PAY A PROCESSING FEE TO THE STATE IN THE AMOUNT OF ONE PERCENT (1%) OF THE TOTAL CONTRACT SALES. THE PROCESSING FEE IS CALCULATED BASED ON ALL SALES TRANSACTED UNDER THE CONTRACT, MINUS, ANY RETURNS OR CREDITS. THE PROCESSING FEE SHALL NOT BE CHARGED DIRECTLY TO THE CUSTOMER, E.G., AS A SEPARATE LINE ITEM, FEE OR SURCHARGE, BUT SHALL BE INCLUDED IN THE CONTRACTS UNIT PRICES

2.

THE PROCESSING FEE SHALL BE SUBMITTED TO THE DEPARTMENT OF GENERAL SERVICES, FISCAL SERVICES DIVISION, 301 W. PRESTON STREET, ROOM 1309, BALTIMORE, MD., 21201, WITHIN TEN (10) CALENDAR DAYS FOLLOWING THE END OF EACH CALENDAR MONTH ALONG WITH A MONTHLY USAGE REPORT DOCUMENTING ALL CONTRACT SALES. AN EXCEL VERSION OF THE MONTHLY USAGE REPORT SHALL ALSO BE EMAILED TO THE PROCUREMENT OFFICER AND THE EMM ACCOUNTANT, AWAWU SALAKO, AT AWAWU.SALAKO@MARYLAND.GOV

3.

FAILURE TO REMIT PROCESSING FEES IN A TIMELY MANNER OR REMITTANCE

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TERMS (cont'd):

OF FEES INCONSISTENT WITH THE CONTRACT'S REQUIREMENT MAY RESULT IN THE STATE EXERCISING ALL RECOURSE AVAILABLE UNDER THE CONTRACT INCLUDING, BUT NOT LIMITED TO, A THIRD PARTY AUDIT OF ALL CONTRACT ACTIVITY. SHOULD AN AUDIT BE REQUIRED BY THE STATE, THE CONTRACTOR SHALL REIMBURSE THE STATE FOR ALL COSTS ASSOCIATED WITH THE AUDIT UP TO \$10,000.00 OR ONE (1%) PERCENT OF THE CONTRACT'S ESTIMATED ANNUAL VALUE, WHICH EVER IS HIGHER.

QUOTED PRICES ARE TO BE NET 30 DAYS F.O.B. TO ANY POINT WITHIN THE SPECIFIED REGION, AND INCLUDE FREIGHT/SHIPPING, HANDLING AND ADMINISTRATION CHARGES. ALL DISCOUNTS ARE TO BE DEDUCTED AND REFLECTED IN NET PRICES.

PRICE ESCALATION/DE-ESCALATION:

IF DURING THE CONTRACT PERIOD THE PRICE OF CLASS I BULK MILK (PER CWT AS DETERMINED UNDER USDA FEDERAL MARKET ORDER FOR THE NORTHEAST MARKETING AREA INCREASES OR DECREASES, THE CONTRACT PRICES MAY BE ADJUSTED IN DIRECT PROPORTION TO THE PRICE CHANGE REFLECTED IN THE CLASS I SKIM MILK AND CLASS I BUTTERFAT PRICE ADJUSTED BY LOCATION DIFFERENTIAL. PRICE ADJUSTMENT WILL BE CALCULATED ON THE BASIS OF 8. LBS PER GALLON, 11.6279 GALLONS PER CWT. PRICE ADJUSTMENT REQUEST IS REQUIRED AND MUST INCLUDE PRODUCT PREMIUM ASSESSMENT FEE FOR EACH MONTH OF SUBMISSION.

VENDOR IS TO EMAIL PRICE ADJUSTMENTS EACH MONTH TO THE PROCUREMENT OFFICER AT THEA.CHIMENTO@MARYLAND.GOV, AT LEAST ONE (1) WEEK PRIOR TO THE ADJUSTMENT.

PRODUCTS OTHER THAN THOSE LISTED UNDER CLASS I MILK ON THE USDA FEDERAL MARKET ORDER FOR THE NORTHEAST MARKETING AREA WILL REMAIN FIXED THROUGHOUT THE CONTRACT TERM AND SUBSEQUENT RENEWALS.

*** FIXED PRICES SHALL BE LISTED ON THE CONTRACT LINE ITEMS; PRICES FOR CLASS ONE MILK PRODUCTS WILL BE LEFT BLANK ON THE LINE ITEM. THE ADJUSTED PRICE WILL BE LISTED MONTHLY IN THE NOTEPAD OF THE CONTRACT IN THE STATE FINANCIAL MANAGEMENT INFORMATION SYSTEM (FMIS).

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0001	38075-710035	HP	
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MILK LACTAID 100% FAT FREE

HALF PINT CONTAINER, CENTRAL REGION, BRAND OFFERED DAIRY EASE

0002	38075-7203XX	HP	
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MILK, SKIM, HALF-PINT CONTAINER, PAPER.
HALF-PINT CONTAINER, CENTRAL REGION, DAIRY MAID

0003	38075-710010	EA	
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MILK, 1% BUTTERFAT, HOMOGENIZED, HALF PINT CONTAINER, PAPER
HALF-PINT CONTAINER, CENTRAL REGION, BRAND OFFERED DAIRY MAID 148
(PAPER) 151 (PLASTIC)

0004	38075-710011	GL	
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MILK, 1% BUTTERFAT, HOMOGENIZED, GALLON, CENTRAL REGIOON, BRAND
OFFERED DAIRY MAID 142 (PLASTIC)

0005	38075-7206XX	GL	
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MILK, HOMOGENIZED, HVD GALLON, CENTRAL REGION, BRAND OFFERED DAIRY
MAID '2

0006	38075-4042XX	HP	
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MILK, 2% BUTTERFAT, HOMOGENIZED, HALF-PINT CONTAINER, PAPER.
MILK, 2% HALF-PINT CONTAINER, CENTRAL REGION, BRAND OFFERED DAIRY
MAID 108 (PAPER)

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0007	38075-7200XX	GL	
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MILK, SKIM, GALLON CONTAINER, PAPER OR PLASTIC.
MILK, SKIM, GALLON CONTAINER, CENTRAL REGION, BRAND OFFERED DAIRY
MAID/ 202 (PLASTIC)

0008	38075-4104XX	HP	
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MILK, 3.25% MINIMUM BUTTERFAT, HOMOGENIZED, HALF-PINT CONTAINER, PAPER
MILK, 3.25% MINIMUM BUTTERFAT, HOMOGENIZED, HALF-PINT CONTAINER,
CENTRAL REGION, BRAND OFFERED DAIRY MAID '6

0009	38075-4102XX	HG	
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MILK, 3.25% MINIMUM BUTTERFAT, HOMOGENIZED, HALF-GALLON CONTAINER, PAP
MILK, 3.25%, HALF-GALLON, CENTRAL REGION, BRAND OFFERED DAIRY
MAID '3 (PLASTIC)

0010	38075-4101XX	GL	
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MILK, 3.25% MINIMUM BUTTERFAT, HOMOGENIZED, GALLON CONTAINER, PAPER OR
PLASTIC.
MILK, 3.25%, GALLON, CENTRAL REGION, BRAND OFFERED DAIRY MAID '2
(PLASTIC)

0011	38075-2802XX	HP	
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MILK, CHOCOLATE, HALF PINT
MILK, CHOCOLATE, NONFAT, HALF PINT, CENTRAL REGION, BRAND OFFERED
DAIRY MAID/340 (PAPER) DAIRY MAID/345 (PLASTIC)

0012	38075-11RICA	HP	
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MILK, WHOLE, HVD, HALF PINT, CENTRAL REGION, BRAND OFFERED DAIRY
'6 (PLASTIC)

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0013	38075-7201XX	HG	
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MILK, SKIM, HALF-GALLON CONTAINER, PAPER.
MILK, SKIM, HALF GALLON CONTAINER CENTRAL REGION, BRAND OFFERED DAIRY
MAID/ 203

0014	38075-7205XX	HP	
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MILK, STRAWBERRY, HALF-PINT CONTAINER,
MILK, STRAWBERRY, FAT FREE, HALF PINT CONTAINER CENTRAL REGION, BRAND
BRAND OFFERED DAIRY MAID/341 (PAPER), DAIRY MAID/343 (PLASTIC)

0015	38075-001236	EA	
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MILK, HVD, WHOLE MILK, GRAB N GO, 14 OZ CONTAINER, CENTRAL REGION,
BRAND OFFERED DAIRY MAID '5

0016	38075-001234	EA	
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MILK, GRAB N GO, DOUBLE CHOCOLATE, 14 OZ CONTAINER,
CENTRAL REGION, BRAND OFFERED DAIRY MAID 325

0017	38075-3008XX	QT	
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HALF & HALF, QUART CONTAINERS, PAPER.
HALF & HALF, QUART CONTAINER, CENTRAL REGION, BRAND OFFERED DAIRY
MAID/ 504

0018	38075-3006XX	HP	
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HALF & HALF, MINIMUM 3/8 OZ., INDIVIDUALS, CENTRAL REGION, BRAND
STAR/ 709

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0019	38075-20HALF	EA	
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EGG NOG, LIQUID, HALF GALLON CONTAINER

EGG NOG, LIQUID, HALF GALLON CONTAINER, CENTRAL REGION, BRAND OFFERED
PREMIUM EGGNOG/523

0020	38075-9000XX	CO	
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YOGURT, LOW FAT, ASSORTED FLAVORS, 8 OZ. CONTAINERS
YOGURT, LOW FAT, 8 OZ CONTAINERS, CENTRAL REGION, BRAND OFFERED
UPSTATE/ 651 (BLUEBERRY), 655 (PEACH), 656 (CHERRY/VANILLA), 657
(STRAWBERRY/ BANANA), 659 (STRAWBERRY)

0021	38075-9003XX	CO	
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YOGURT, LOW FAT, ASSORTED FLAVORS, 5 LB CONTAINERS
YOGURT, LOW FAT, ASSORTED FLAVORS, 5LB CONTAINERS,
CENTRAL REGION, BRAND OFFERED UPSTATE/ 637 (PLAIN), 638 (VANILLA)

0022	38075-3000XX	QT	
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CREAM, HEAVY WHIPPING, QUART CONTAINERS, PAPER.
CREAM, HEAVY WHIPPING, QUART CONTAINER, CENTRAL REGION, BRAND OFFERED
DAIRY MAID/ 514

0024	38075-5020XX	LB	
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COTTAGE CHEESE, LOW FAT, 5 LB. CONTAINER
COTTAGE CHEESE, LOW FAT, 5LB CONTAINER, CENTRAL REGION, BRAND OFFERED
BISON/619

0025	38075-5021XX	LB	
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COTTAGE CHEESE, REGULAR, 5 LB CONTAINER

COTTAGE CHEESE, REGULAR, 5LB CONTAINER, CENTRAL REGION, BRAND OFFERED

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BISON/612

0026	38075-8001XX	EA	
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WHIPPED CREAM 14 OZ. CANS

CENTRAL REGION, BRAND OFFERED DAIRY STAR/911

0027	39360-590853	EA	
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ORANGE JUICE, 100% PURE, NO SUGAR OR PRESERVATIVES ADDED. 1/2 PINT
CONTAINER - 24 CTR/CARTON

CENTRAL REGION, BRAND OFFERED GROVE FRESH/578

0028	38554-000025	EA	
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ORANGE JUICE, 4 OZ. FRESH

CENTRAL REGION, BRAND OFFERED GROVE FRESH/ 579

0029	39360-04APPL	CS	
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APPLE JUICE, 4OZ CONTAINER

CENTRAL REGION, BRAND OFFERED GROVE FRESH/589

0030	38075-6007XX	GL	
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GRAPE DRINK, GALLON CONTAINER, CENTRAL REGION, BRAND OFFERED CRYSTAL
SPRINGS/842

0031	38075-6009XX	GL	
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ORANGE DRINK, GALLON CONTAINERS, PAPER.

ORANGE DRINK, GALLON CONTAINER, CENTRAL REGION, BRAND OFFERED CRYSTAL
SPRINGS/812

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0032	38075-6008XX	GL	
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LEMON DRINK, GALLON CONTAINERS, PAPER.

LEMON DRINK, GALLON CONTAINER, CENTRAL REGION, BRAND OFFERED CRYSTAL SPRINGS/822

0033	38075-6006XX	GL	
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FRUIT DRINK, GALLON CONTAINERS, PAPER.

CENTRAL REGION, BRAND OFFERED CRYSTAL SPRINGS/848

0034	38075-6005XX	HP	
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GRAPE DRINK, HALF PINT CONTAINER, CENTRAL REGION, BRAND OFFERED CRYSTAL SPRINGS/848

0035	38075-6000XX	HP	
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ORANGE DRINK, HALF-PINT CONTAINERS, PAPER
ORANGE DRINK, HALF PINT CONTAINER, CENTRAL REGION, BRAND OFFERED CRYSTAL SPRINGS/818

0036	38075-6002XX	HP	
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LEMONADE DRINK, HALF-PINT CONTAINERS, PAPER
CENTRAL REGION, BRAND OFFERED CRYSTAL SPRINGS/828

0037	38075-6003XX	HP	
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FRUIT PUNCH DRINK, HALF-PINT CONTAINERS, PAPER.
CENTRAL REGION, BRAND OFFERED CRYSTAL SPRINGS/838

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0038	39385-0000XX	EA	
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ICED TEA W/LEMON, HP

CENTRAL REGION, BRAND OFFERED DAIRY MAID DAIRY/858

0039	24550	EA	
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MILK CRATES DEPOSIT
TO BE CREDITED UPON RETURN OF MILK CRATE (RETURNED)

0040	24550	EA	
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MILK CRATES
MILK CRATES, DEPOSIT. TO BE CREDITED UPON RETURN OF MILK CRATE
(RETURNED)

0041	38075-710035	HP	
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MILK LACTAID 100% FAT FREE

HALF PINT CONTAINER, EASTERN REGION, BRAND OFFERED DAIRY STAR/958

0042	38075-7203XX	HP	
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MILK, SKIM, HALF-PINT CONTAINER, PAPER.
EASTERN REGION, BRAND OFFERED DAIRY MAID/207 (PAPER), DAIRY MAID/208
(PLASTIC)

0043	38075-710010	EA	
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MILK, 1% BUTTERFAT, HOMOGENIZED, HALF PINT CONTAINER, PAPER
HOMOGENIZED, EASTERN REGION, BRAND OFFERED DAIRY
MAID/142

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0044	38075-710011	GL	
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MILK, 1% BUTTERFAT, HOMOGENIZED, GALLON, EASTERN REGION, BRAND OFFERED DAIRY MAID/142

0045	38075-4042XX	HP	
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MILK, 2% BUTTERFAT, HOMOGENIZED, HALF-PINT CONTAINER, PAPER.
MILK, 2%, HALF-PINT, EASTERN REGION, BRAND OFFERED DAIRY MAID/108

0046	38075-7200XX	GL	
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MILK, SKIM, GALLON CONTAINER, PAPER OR PLASTIC.
EASTERN REGION, BRAND OFFERED DAIRY MAID/202

0047	38075-4104XX	HP	
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MILK, 3.25% MINIMUM BUTTERFAT, HOMOGENIZED, HALF-PINT CONTAINER, PAPER
EASTERN REGION, BRAND OFFERED DAIRY MAID/'6

0049	38075-2802XX	HP	
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MILK, CHOCOLATE, HALF PINT
EASTERN REGION, BRAND OFFERED DAIRY MAID/340 (PAPER), DAIRY MAID/345
(PLASTIC)

0050	38075-7205XX	HP	
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MILK, STRAWBERRY, HALF-PINT CONTAINER,
EASTERN REGION, BRAND OFFERED DAIRY MAID/341 (PAPER), DAIRY MAID/343
(PLASTIC)

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0051	38075-3007XX	BX	
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CREAMERS, NON-DAIRY, MINIMUM 3/8 OZ., INDIVIDUALS, 348/BX.
EASTERN REGION, BRAND OFFERED DAIRY STAR/709

0052	38075-3006XX	HP	
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HALF & HALF, MINIMUM 3/8 OZ., INDIVIDUALS, EASTERN REGION, BRAND
OFFERED DAIRY STAR/709

0053	38075-20HALF	EA	
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EGG NOG, LIQUID, HALF GALLON CONTAINER

EGGNOGG, LIQUID, HALF-GALLON CONTAINER, EASTERN REGION, BRAND OFFERED
PREMIUM EGGNOG/523

0054	38075-9000XX	CO	
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YOGURT, LOW FAT, ASSORTED FLAVORS, 8 OZ. CONTAINERS
YOGURT, LOW FAT, ASSORTED FLAVORS, 8 OZ CONTAINERS, EASTERN REGION,
BRAND OFFERED UPSTATE/651 (BLUEBERRY), 655 (PEACH), 656
(CHERRY/VANILLA), 657 (STRAWBERRY/BANANA), 659 (STRAWBERRY)

0055	38075-710004	CS	
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YOGURT, FAT FREE, ASSORTED FLAVORS, 48/4 OZ. PER CASE.
EASTERN REGION, BRAND OFFERED TRIX/662 (STRAWBERRY/BANANA), 660
(TRIPLE CHERRY)

0056	38075-3000XX	QT	
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CREAM, HEAVY WHIPPING, QUART CONTAINERS, PAPER.
CREAM, HEAVY WHIPPING, QUART CONTAINER, EASTERN REGION, BRAND OFFERED
DAIRY MAID/514

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0057	38075-3004XX	QT	
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CREAM, SOUR, PINT CONTAINERS, PAPER.
SOUR CREAM, PINT CONTAINER, EASTERN REGION, BRAND OFFERED BISON/605

0058	38075-5020XX	LB	
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COTTAGE CHEESE, LOW FAT, 5 LB. CONTAINER

0059	38075-5021XX	LB	
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COTTAGE CHEESE, REGULAR, 5 LB CONTAINER

COTTAGE CHEESE, REGULAR, 5LB CONTAINER, EASTERN REGION, BRAND OFFERED
BISON/612

0060	38075-8001XX	EA	
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WHIPPED CREAM 14 OZ. CANS

WHIPPED CREAM, 14 OZ CAN, EASTERN REGION, BRAND OFFERED DAIRY
STAR/911

0061	39360-590851	EA	
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JUICE ORANGE 6 OZ CONTAINER

ORANGE JUICE, FRESH, EASTERN REGION, BRAND OFFERED GROVE FRESH/578

0062	38554-000025	EA	
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ORANGE JUICE, 4 OZ. FRESH

ORANGE JUICE, FRESH, 4 OZ CONTAINER, EASTERN REGION, BRAND OFFERED
GROVE FRESH/579

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0063	39360-04APPL	CS	
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APPLE JUICE, 4OZ CONTAINER

APPLE JUICE, 4 OZ CONTAINER, EASTERN REGION, BRAND OFFERED GROVE FRESH/589

0064	38075-6000XX	HP	
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ORANGE DRINK, HALF-PINT CONTAINERS, PAPER
ORANGE DRINK, HALF-PINT CONTAINER, EASTERN REGION, BRAND OFFERED CRYSTAL SPRINGS/818

0065	38075-6002XX	HP	
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LEMONADE DRINK, HALF-PINT CONTAINERS, PAPER
LEMONADE DRINK, HALF-PINT CONTAINER, EASTERN REGION, BRAND OFFERED CRYSTAL SPRINGS 828

0066	38075-6003XX	HP	
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FRUIT PUNCH DRINK, HALF-PINT CONTAINERS, PAPER.
FRUIT PUNCH DRINK, HALF PINT CONTAINER, EASTERN REGION, BRAND OFFERED CRYSTAL SPRINGS/838

0067	39385-0000XX	EA	
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ICED TEA W/LEMON, HP

ICED TEA WITH LEMON, HALF-PINT CONTAINER, EASTERN REGION, BRAND CRYSTAL SPRINGS/858

0068	24550	EA	
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MILK CRATES DEPOSIT
TO BE CREDITED UPON RETURN OF MILK CRATE (DELIVERED)

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0069	24550	EA	
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MILK CRATES
MILK CRATES, DEPOSIT. TO BE CREDITED UPON RETURN OF MILK CRATE
(RETURNED)

0070	38075-710035	HP	
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MILK LACTAID 100% FAT FREE
HALF PINT CONTAINER, SOUTHERN REGION, BRAND OFFERED DAIRY STAR/958

0071	38075-7203XX	HP	
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MILK, SKIM, HALF-PINT CONTAINER, PAPER.
MILK, SKIM, HALF-PINT CONTAINER, SOUTHERN REGION, BRAND OFFERED DAIRY
MAID/207 (PAPER), DAIRY MAID/208 (PLASTIC)

0072	38075-710010	EA	
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MILK, 1% BUTTERFAT, HOMOGENIZED, HALF PINT CONTAINER, PAPER
MILK, 1% BUTTERFAT, HALF-PINT CONTAINER, SOUTHERN REGION, BRAND
OFFERED DAIRY MAID/148 (PAPER), DAIRY MAID/151 (PLASTIC)

0073	38075-710011	GL	
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MILK, ONE PERCENT, BUTTERFAT, HOMOGENIZED GALLON.
MILK, 1% BUTTERFAT, HOMOGENIZED, GALLON CONTAINER, SOUTHERN REGION,
BRAND OFFERED DAIRY MAID/142

0074	38075-2802XX	HP	
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MILK, CHOCOLATE, HALF PINT
MILK, CHOCOLATE, HALF-PINT, NON-FAT, SOUTHERN REGION, BRAND OFFERED
DAIRY MAID/340 (PAPER), DAIRY MAID/345 (PLASTIC)

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0075	38075-7205XX	HP	
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MILK, STRAWBERRY, HALF-PINT CONTAINER,

MILK, STRAWBERRY, HALF-PINT CONTAINER, SOUTHERN REGION, BRAND OFFERED
DAIRY MAID/341 (PAPER), DAIRY MAID/343 (PLASTIC)

0076	38075-1800XX	QT	
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BUTTERMILK, QUART CONTAINER, PAPER.

BUTTERMILK, QT CONTAINER, SOUTHERN REGION, BRAND OFFERED DAIRY
MAID/234

0077	38075-3008XX	QT	
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HALF & HALF, QUART CONTAINERS, PAPER.

SOUTHERN REGION, BRAND OFFERED DAIRY MAID/514

0078	38075-20HALF	EA	
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EGG NOG, LIQUID, HALF GALLON CONTAINER

SOUTHERN REGION, BRAND OFFERED PREMIUM EGGNOG/523

0079	38075-9000XX	CO	
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YOGURT, LOW FAT, ASSORTED FLAVORS, 8 OZ. CONTAINERS

YOGURT, ASSORTED FLAVORS, SOUTHERN REGION, BRAND OFFERED UPSTATE/651
(BLUEBERRY), 655 (PEACH), 656 (CHERRY VANILLA), 657
(STRAWBERRY/BANANA), 659 (STRAWBERRY)

0080	38075-9003XX	CO	
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YOGURT, LOW FAT, ASSORTED FLAVORS, 5 LB CONTAINERS

SOUTHERN REGION, BRAND OFFERED UPSTATE/637 (PLAIN), 638 (VANILLA)

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0081	38075-3000XX	QT	
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CREAM, HEAVY WHIPPING, QUART CONTAINERS, PAPER.
SOUTHERN REGION, BRAND OFFERED DAIRY MAID/514

0082	38075-3004AX	EA	
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SOUR CREAM, 5 LB. CONTAINER,
SOUTHERN REGION, BRAND OFFERED BISON/602

0083	38075-5020XX	LB	
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COTTAGE CHEESE, LOW FAT, 5 LB. CONTAINER
SOUTHERN REGION, BRAND OFFERED BISON/619

0084	39360-590853	EA	
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ORANGE JUICE, 100% PURE, NO SUGAR OR PRESERVATIVES ADDED. 1/2 PINT
CONTAINER - 24 CTR/CARTON
SOUTHERN REGION, BRAND OFFERED GROVE FRESH/578

0085	38554-000025	EA	
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ORANGE JUICE, 4 OZ. FRESH
SOUTHERN REGION, BRAND OFFERED GROVE FRESH/579

0086	39360-04APPL	CS	
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APPLE JUICE, 4OZ CONTAINER
SOUTHERN REGION, BRAND OFFERED GROVE FRESH/589

0087	38075-6005XX	HP	
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GRAPE DRINK, HALF PINT CONTAINER, SOUTHERN REGION, BRAND OFFERED
CRYSTAL SPRINGS/848

0088	38075-6000XX	HP	
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ORANGE DRINK, HALF-PINT CONTAINERS, PAPER
SOUTHERN REGION, BRAND OFFERED CRYSTAL SPRINGS/818

0089	38075-6002XX	HP	
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LEMONADE DRINK, HALF-PINT CONTAINERS, PAPER
SOUTHERN REGION, BRAND OFFERED CRYSTAL SPRINGS/828

0090	38075-6003XX	HP	
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FRUIT PUNCH DRINK, HALF-PINT CONTAINERS, PAPER.
SOUTHERN REGION, BRAND OFFERED CRYSTAL SPRINGS/832

0091	39385-0000XX	EA	
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ICED TEA W/LEMON, HP

ICE TEA WITH LEMON, HALF-PINT CONTAINER, SOUTHERN REGION, BRAND
CRYSTAL SPRINGS/858

0092	24550	EA	
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MILK CRATES DEPOSIT
TO BE CREDITED UPON RETURN OF MILK CRATE (DELIVERED)

0093	24550	EA	
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MILK CRATES
MILK CRATES, DEPOSIT. TO BE CREDITED UPON RETURN OF MILK CRATE
(RETURNED)

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0094	38075-3004XX	QT	
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CREAM, SOUR, PINT CONTAINERS, PAPER.
SOUR CREAM, 5 LB CONTAINER FOR CENTRAL REGION (REGION C)

0095	38075-4041XX	GL	
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MILK, 2% BUTTERFAT, HOMOGENIZED, GALLON CONTAINER, PAPER OR PLASTIC.
MILK, 2% BUTTERFAT FOR EASTERN SHORE REGION (REGION D)

0096	38075-4101XX	GL	
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MILK, 3.25% MINIMUM BUTTERFAT, HOMOGENIZED, GALLON CONTAINER, PAPER OR PLASTIC.
MILK, 3.25% BUTTERFAT, HOMOGENIZED, GALLON CONTAINER, FOR EASTERN SHORE REGION (REGION D)

0097	38075-9000XX	CO	
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YOGURT, LOW FAT, ASSORTED FLAVORS, 8 OZ. CONTAINERS
COMMODITY: 38075-71008 (YOGURT, FAT FREE, LOW SUGAR, ASSORTED FLAVORS, 48/4 OZ PER CASE) VENDOR OFFERING TRIX 662 STRAWBERRY, 660 BANANA, 660 TRIPLE CHERRY

COMMODITY OFFERED FOR EASTERN REGION (REGION D)

0098	38075-3004AX	EA	
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SOUR CREAM, 5 LB. CONTAINER,

SOUR CREAM, 5LB CONTAINER, EASTERN SHORE REGION, BRAND OFFERED BISON/602

END OF ITEM LIST

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TERMS (cont'd):

DELIVERY:

AGENCIES USING THIS CONTRACT SHALL MAKE EVERY EFFORT TO UTILIZE VENDOR'S STANDARD DELIVERY SCHEDULES.

DELIVERY FREQUENCY WILL BE MAXIMUM FIVE (5) DAYS PER WEEK. MOST UNITS WILL REQUIRE LESS FREQUENT SCHEDULES. SOME AGENCIES REQUIRE INSIDE DELIVERY IN LIEU OF LOADING DOCK. UNLESS OTHERWISE INSTRUCTED BY THE USING AGENCIES, DELIVERIES ARE TO BE MADE IN COMPLIANCE WITH DELIVERY SCHEDULES AS INDICATED ON INQUIRY. DELIVERIES TO COVER SUNDAYS AND LEGAL HOLIDAYS WILL BE MADE ON THE PRECEDING DAY.

DELIVERY SCHEDULES, HOURS OF THE DAY, POINTS AT WHICH DELIVERIES WILL BE MADE AND ANY OTHER DELIVERY REQUIREMENTS SHALL BE ESTABLISHED BY THE RESPECTIVE AGENCIES AFTER AWARD AND PROVIDED TO THE CONTRACTOR IN WRITING.

NO DELIVERIES ARE TO BE MADE PRIOR TO 6:30 A.M. OR TO AN UNATTENDED AREA. DELIVERIES MADE TO AN UNATTENDED AREA WILL BE REJECTED. STATE EMPLOYEE MUST SIGN FOR EACH DELIVERY AFTER VERIFYING COUNT. INVOICES SUBMITTED FOR PAYMENT MUST BE ACCOMPANIED BY A SIGNED DELIVERY RECEIPT.

PURVEYOR IS GIVEN THE OPTION OF CHARGING THE INSTITUTION A DEPOSIT ON MILK CASES DELIVERED AND CREDIT FOR THOSE RETURNED. THIS TRANSACTION MUST BE HANDLED IN AN ORDERLY MANNER. EACH DELIVERY RECEIPT TO SHOW NUMBER OF CASES DELIVERED AND THE NUMBER OF CASES RETURNED. INSTITUTION PERSONNEL TO SIGN FOR THE NUMBER OF CASES. ON THE MONTHLY STATEMENT FOR MILK, SHOW AS A SEPARATE ITEM A CHARGE FOR CASES THAT HAVE NOT BEEN RETURNED; THIS CHARGE SHALL BE YOUR ACTUAL COST FOR THE CASES.

SECURE FACILITIES:

SECURITY CONCERNS VARY STATEWIDE, BUT ARE ESPECIALLY IMPORTANT AT CORRECTIONAL FACILITIES AND CERTAIN OTHER FACILITIES. CONTRACTOR'S AND SUBCONTRACTORS' EMPLOYEES SHALL COMPLY WITH THE SECURITY REQUIREMENTS AT EACH FACILITY. AUTHORIZED USERS ARE RESPONSIBLE FOR ALERTING CONTRACTOR TO THESE REQUIREMENTS BEFORE OR WHILE PLACING THEIR FIRST ORDER.

CONTRACTORS ARE AWARE THAT COMMON SECURITY RESTRICTIONS INCLUDE:

IDENTIFICATION - ALL OF CONTRACTOR'S AND SUBCONTRACTORS' EMPLOYEES, WHILE WORKING ON STATE PROPERTY, SHALL CARRY OR DISPLAY ACCEPTABLE IDENTIFICATION. REQUIREMENTS VARY BY AUTHORIZED USER. FOR INSTANCE, SOME FACILITIES REQUIRE A VISIBLE PHOTO-ID BADGE, WHILE OTHERS MAY REQUIRE A VALID DRIVER'S LICENSE INSTEAD.

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TERMS (cont'd):

VEHICLE SECURITY - IN MANY LOCATIONS, DRIVERS SHALL TURN OFF VEHICLE MOTORS AND LOCK CAB DOORS WHENEVER THEIR TRUCK IS UNATTENDED.

PATIENT/INMATE CONTACT - DELIVERY PERSONNEL SHOULD MINIMIZE INTERACTION WITH INMATES OR PATIENTS, AND SHALL REPORT ANY VERBAL CONTACT TO THE AUTHORIZED USER BEFORE LEAVING THE SITE.

DRIVERS WHO ENTER HIGH SECURITY FACILITIES SHALL HAVE PRIOR APPROVAL TO ENTER FROM SECURITY STAFF, GENERALLY INVOLVING A BACKGROUND CHECK TO ENSURE THAT THEY ARE NOT CONVICTED FELONS. AT SOME FACILITIES, TRUCKS SHALL BE SEARCHED PRIOR TO ENTRY AND EXIT, CAUSING UP TO 30 MINUTES DELAY EACH WAY.

AT CORRECTIONAL FACILITIES AND YOUTH CENTERS, DRIVERS CAN NOT HAVE ANY WEAPONS (INCLUDING JACK KNIVES OR BOX CUTTERS), CELL PHONES, PAGERS, DRUGS, TOBACCO PRODUCTS OR ANY ITEM DEEMED TO BE POTENTIAL CONTRABAND. CORRECTIONAL OFFICERS CAN HOLD THESE ITEMS FOR DRIVERS AT THE DELIVERY SALLY-PORT AND RETURN THEM AS THE DRIVER EXITS THE GROUNDS. ANY ILLEGAL ITEMS SHALL NOT BE RETURNED.

ADDITIONAL TERMS & CONDITIONS:

IT IS UNDERSTOOD AND AGREED THAT ANY OR ALL PASTEURIZED MILK AND MILK PRODUCTS FURNISHED UNDER THIS CONTRACT SHALL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE MARYLAND MILK LAW, TITLE 21, SUBTITLE 04 OF THE MARYLAND HEALTH CODE.

ALL PRODUCTS FURNISHED UNDER THIS CONTRACT MUST BE PROCESSED IN A PLANT HOLDING A VALID MILK PROCESSORS PERMIT ISSUED BY THE STATE OF MARYLAND.

THE FOLLOWING LISTED PRODUCTS SHALL MEAN:

1. SKIM MILK SHALL CONTAIN LESS THAN 0.5 PERCENT BUTTERFAT;
2. COTTAGE CHEESE SHALL CONTAIN A MINIMUM OF 4 PERCENT BUTTERFAT;
3. LOW-FAT COTTAGE CHEESE SHALL CONTAIN 0.5-2% BUTTERFAT; AND
4. DRY CURD COTTAGE CHEESE SHALL CONTAIN LESS THAN 0.5 PERCENT BUTTERFAT.

DATED PRODUCTS SHALL HAVE 72 HOURS FROM DATE OF DELIVERY BEFORE PRODUCTS BECOME OUT-DATED.

LIQUID PRODUCTS SHALL BE FURNISHED IN TYPE OF CONTAINER AS SPECIFIED HEREIN.

THIS IS AN INDEFINITE DELIVERY CONTRACT TO FURNISH STATE OF MARYLAND AGENCIES WITH THEIR REQUIREMENTS FOR THE SPECIFIED PRODUCTS FOR THE

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TERMS (cont'd):

DURATION OF THE CONTRACT PERIOD.

QUANTITIES SHOWN ARE FOR A ONE (1) YEAR PERIOD AND ARE APPROXIMATE. THEY ARE NOT TO BE CONSTRUED AS MINIMUM OR MAXIMUM. THIS CONTRACT DOES NOT OBLIGATE THE STATE TO PURCHASE ANY MINIMUM QUANTITY OR DOLLAR VALUE DURING THE CONTRACT PERIOD.

THE CONTRACTOR WILL BE ENTITLED TO NO CHANGE IN CONTRACT PRICE IF QUANTITIES ORDERED OR DELIVERED ARE MORE OR LESS THAN THE QUANTITIES ESTIMATED IN THIS SOLICITATION. THE CONTRACTOR WILL BE PAID FOR ALL ITEMS AND QUANTITIES ORDERED OR DELIVERED UNDER THE CONTRACT AT THE PRICE BID, REGARDLESS OF ITEMS OR QUANTITIES PREVIOUSLY ORDERED OR DELIVERED.

ITEMS MAY BE ADDED OR DELETED FROM THIS CONTRACT AS REQUIRED.

SUBSTITUTION MAY NOT BE MADE WITHOUT PRIOR CONSENT OF THE ORDERING AGENCY.

VENDOR MUST INCLUDE THE 9-DIGIT ZIP CODE OF COMPANY ADDRESS ON ALL INVOICES. FAILURE TO DO SO MAY RESULT IN DELAY OF PAYMENT.

ALL PRODUCTS USED IN PACKING TO CUSHION AND PROTECT DURING THE SHIPMENT OF COMMODITIES ARE TO BE MADE OF RECYCLED, RECYCLABLE, AND/OR BIODEGRADABLE MATERIALS.

CORPORATE "P" PURCHASING CARDS WILL BE USED FOR PAYMENT FOR ALL INDIVIDUAL AGENCY CONTRACT PURCHASES OF \$5,000 OR LESS.

A REPORT MUST BE FURNISHED BY THE SUCCESSFUL VENDOR EVERY MONTH DETAILING THE PURCHASE OF ALL ITEMS ON THE CONTRACT. THE REPORT SHALL BE SUBMITTED ELECTRONICALLY IN EXCEL FORMAT. AS A MINIMUM, THE REPORT SHALL REFLECT THE CONTRACT NUMBER, CONTRACT ITEM NUMBER AND DESCRIPTION, THE DOLLAR VOLUME PURCHASED OF EACH ITEM, AGENCY IDENTIFICATION, AND THE CONTRACT TOTAL. THE REPORT MUST BE FILED WITHIN TEN (10) DAYS AFTER THE END OF EACH REPORTING PERIOD. ANY EXCEPTION TO THIS MANDATORY REQUIREMENT MAY RESULT IN CANCELLATION OF THE AWARD. FAILURE TO PROVIDE THE REPORT WITH THE MINIMUM REQUIRED INFORMATION MAY ALSO NEGATE ANY CONTRACT EXTENSION CLAUSES. REPORT SHALL BE EMAILED TO THE FOLLOWING ADDRESS:

THEA.CHIMENTO@MARYLAND.GOV

DURATION: CONTRACTS SHALL REMAIN IN EFFECT FOR THE TIME PERIOD AND QUANTITY SPECIFIED UNLESS THE CONTRACT IS TERMINATED BY THE STATE. THE STATE MAY TERMINATE ANY CONTRACT WITHOUT SHOWING CAUSE UPON THIRTY

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TERMS (cont'd):

(30) DAYS WRITTEN NOTICE TO THE CONTRACTOR.

IN THE EVENT IT BECOMES NECESSARY TO TERMINATE THE CONTRACT FOR UNSATISFACTORY PERFORMANCE, THE REMAINING PORTION OF THE CONTRACT WILL BE AWARDED TO THE NEXT LOWEST BIDDER ON RECORD IF THIS ARRANGEMENT PROVES TO BE MUTUALLY AGREEABLE.

THE DEPARTMENT OF GENERAL SERVICES' "TERMS AND CONDITIONS FOR COMMODITY CONTRACTS OVER \$25,000" AND THE TERMS AND SPECIFICATIONS OF THE IFB (001IT819884/MDDGS31019769) ARE INCORPORATED HEREIN BY REFERENCE.

PURSUANT TO ARTICLE 41, SECTION 18-201 OF THE ANNOTATED CODE OF MARYLAND, EXCEPT AS PROVIDED IN (B) THE FOLLOWING ENTITIES MAY PURCHASE MATERIALS, SUPPLIES, AND EQUIPMENT UNDER THIS CONTRACT:

- (1) A COUNTY OR BALTIMORE CITY;
- (2) A MUNICIPAL CORPORATION;
- (3) A GOVERNMENTAL AGENCY IN THE STATE;
- (4) A PUBLIC OR QUASI-PUBLIC AGENCY THAT:
 - (I) RECEIVES STATE MONEY; AND
 - (II) IS EXEMPT FROM TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE:
- (5) A PRIVATE ELEMENTARY OR SECONDARY SCHOOL THAT:
 - (I) EITHER HAS BEEN ISSUED A CERTIFICATE OR APPROVAL FROM THE STATE BOARD OF EDUCATION OR IS ACCREDITED BY THE ASSOCIATION OF INDEPENDENT SCHOOLS; AND
 - (II) IS EXEMPT FROM TAXATION UNDER SECTION 501 (C)(3) OF THE INTERNAL REVENUE CODE:
OR
- (6) A NONPUBLIC INSTITUTION OF HIGHER EDUCATION UNDER SECTION 17-106 OF THE EDUCATION AFTICLE.

A PRIVATE ELEMENTARY OR SECONDARY SCHOOL OR A NONPUBLIC INSTITUTION OF HIGHER EDUCATION MAY NOT PURCHASE RELIGIOUS MATERIALS UNDER THIS CONTRACT

THE RIGHT TO PURCHASE UNDER THIS SECTION SHALL BE IN ADDITION TO, BUT NOT IN SUBSSITUTION FOR, THE APPLICABLE PURCHASING POWER GRANTED TO ANY OF THE LISTED ENTITIES PURSUANT TO ANY STATUTORY OR CHARTER PROVISION.

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TERMS (cont'd):

ALL PURCHASES UNDER THIS CONTRACT BY ANY SUCH ENTITY WHICH IS NOT A UNIT OR AGENCY OF THE STATE OF MARYLAND FOR WHICH THE STATE OF MARYLAND MAY BE HELD LIABLE IN CONTRACT (1) SHALL NOT CONSTITUTE A PURCHASE OR CONTRACT BETWEEN THE CONTRACTOR AND THAT ENTITY ONLY, (2) SHALL NOT CONSTITUTE A PURCHASE OR CONTRACT OF THE STATE OF MARYLAND, (3) SHALL NOT BE BINDING OR ENFORCEABLE AGAINST THE STATE OF MARYLAND OR ANY OF ITS UNITS OR AGENCIES, AND (4) MAY BE SUBJECT TO OTHER TERMS AND CONDITIONS AGREED TO BY THE CONTRACTOR, AND THE PURCHASER. CONTRACTOR BEARS THE RISK OF DETERMINING WHETHER OR NOT ANY ENTITY FROM WHICH THE CONTRACTOR RECEIVES AN ORDER UNDER THE CONTRACT IS A UNIT OR AGENCY OF THE STATE OF MARYLAND SUCH THAT THE CONTRACT MAY BE ENFORCED AGAINST THE STATE OF MARYLAND.

***** LAST PAGE *****

AUTHORIZED BY: _____ **DATE:** _____
BUYER AUTHORIZED DESIGNEE