

BLANKET PURCHASE ORDER

STATE OF MARYLAND

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

BPO NO: 001B0600042

PRINT DATE: 05/05/23

PAGE: 01

SHIP TO:

AS SPECIFIED ON INDIVIDUAL ORDERS

VENDOR ID:

GARBER ICE CREAM CO INC
360 FRONT ROYAL PIKE

WINCHESTER, VA 22602
(540)662-5422 EXT 11

REFER QUESTIONS TO:

KIMBERLY HACKETT
(410)767-0788
KIMBERLY.HACKETT@MARYLAND.GOV

ITB:

EXPR DATE: 07/31/23
POST DATE: 07/29/19

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.

STATEWIDE - REGIONAL CONTRACT FOR ICE CREAM
FOR
WESTERN MARYLAND REGION

THIS IS THE FINAL RENEWAL AGAINST CONTRACT 001B6400075.

CONTRACT TERM: BEGINNING AUGUST 1, 2019 THROUGH JULY 31, 2020,
WITH THE SAME TERMS, CONDITIONS AND PRICE.

OPTION YEAR 1: AUGUST 1, 2018 - JULY 31, 2019

OPTION YEAR 2: AUGUST 1, 2019 - JULY 31, 2020

TO FURNISH THE STATE OF MARYLAND AGENCIES WITH THEIR REQUIREMENTS FOR
ICE CREAM, SHERBET AND NOVELTIES FOR THE DURATION OF THE CONTRACT.

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

THIS CONTRACT IS A FIXED PRICE CONTRACT WITH ADJUSTMENT. PRICE
ADJUSTMENTS WILL BE ALLOWED PER THE TERMS BELOW UNDER "PRICE
ESCALATION/DE-ESCALATION."

SCOPE OF USERS:

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TERMS (cont'd):

WESTERN REGION - WESTERN, MARYLAND; (INCLUDING, BUT NOT LIMITED TO: WESTERN MARYLAND HOSPITAL CENTER; MARYLAND CORRECTIONAL INSTITUTE - HAGERSTOWN; WESTERN CORRECTIONAL INSTITUTE; MARYLAND SCHOOL FOR THE DEAF - FREDERICK; DEPARTMENT OF JUVENILE JUSTICE YOUTH CENTERS AT SAVAGE MOUNTAIN; BACKBONE MOUNTAIN, MEADOW MOUNTAIN, GREEN RIDGE YOUTH FACILITY; AND WESTERN MARYLAND CHILDREN'S CENTER.

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 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.

PRICES QUOTED MUST BE VALID FOR NINETY (90) CALENDAR DAYS AFTER BID OPENING UNLESS OTHERWISE PROVIDED IN THE STATE SOLICITATION DOCUMENTS.

PRICE ESCALATION/DE-ESCALATION: ALL PRICES QUOTED MUST REMAIN FIRM FOR A MINIMUM OF 180 CALENDAR DAYS FROM THE EFFECTIVE DATE OF THE CONTRACT. UPON WRITTEN REQUEST TO THE PROCUREMENT OFFICER, PRICE ESCALATIONS WILL BE CONSIDERED ONLY AT THE END OF THIS PERIOD AND ONLY WHERE VERIFIED TO THE SATISFACTION OF THE PROCUREMENT OFFICER.

THE REQUEST MUST BE RECEIVED AT LEAST FIFTEEN (15) CALENDAR DAYS PRIOR

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TERMS (cont'd):

TO THE PROPOSED EFFECTIVE DATE OF THE INCREASE. THE STATE RESERVES THE RIGHT TO ACCEPT OR REJECT SUCH INCREASE WITHIN FIFTEEN (15) CALENDAR DAYS. IF REJECTED, THE SUPPLIER MAY CANCEL WITHIN THIRTY (30) CALENDAR DAYS OF THE DATE OF SAID REJECTION WITH FIFTEEN (15) DECREASE IN PRICE, EITHER BY REASON OF MARKET CHANGE OR OTHER CONDITIONS, THE STATE OF MARYLAND SHALL BE NOTIFIED PROMPTLY AND RECEIVE SUCH DECREASE.

THE PRICE INCREASE WILL BE BASED ON THE U.S. DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS (BLS) PRODUCER PRICE INDEX (PPI) FOR ICE CREAM AND FROZEN DESSERTS, NUMBER WPU023402 NOT SEASONALLY ADJUSTED FOUND AT WWW.BLS.GOV/PPI/. THE INCREASE WILL BE BASED ON THE MOST RECENT SIX-MONTH STATISTICS AVAILABLE ON THE BLS WEBSITE AT THE TIME OF THE REQUEST.

DELIVERY: THE CONTRACTOR SHALL PROVIDE SUITABLE LOCKING FREEZER, AT NO ADDITIONAL COST, UPON REQUEST OF EACH USING AGENCY FOR THE DURATION OF THE CONTRACT.

AGENCIES WILL ESTABLISH DELIVERY SCHEDULES WITH THE CONTRACTOR.

AGENCIES WILL ENDEAVOR TO USE CONTRACTORS ESTABLISHED ROUTE DELIVERY SCHEDULES AS MUCH AS PRACTICAL.

AGENCIES SHALL PLACE ORDERS SO AS TO PERMIT VENDOR SUFFICIENT TIME TO PROCESS ORDER AND DELIVERIES WILL BE SCHEDULED ACORDING TO REGULAR DELIVERY DAYS FROM EACH LOCATION.

MINIMUM DELIVERY SCHEDULE: TWO (2) DAYS PER WEEK.

<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>		
0001	38045-100001	CS	23.0000		
CHIPWICH, COOKIE TYPE WAFER SANDWICH WITH CHOCOLATE CHIP COATED ICE CREAM. WESTERN MARYLAND REGION					
0002	38045-100005	CS	23.0000		
ICE CREAM SANDWICH, NEOPOLITAN ICECREAM, 24,5 OZ.					

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LINE #	STATE ITEM ID	U/M	UNIT COST	
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ICE CREAM SANDWICH, NEOPOLITAN ICE CREAM, 24/5 OUNCE
WESTERN MARYLAND REGION

0003	38045-100006	CS	12.8000	
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ICE CREAM ECLAIR, CHOCOLATE, 24/3OZ.

ICE CREAM ECLAIR, CHOCOLATE, 3 OUNCE MINIMUM
WESTERN MARYLAND REGION

0004	38045-180000	EA	24.9000	
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ICE CREAM: BULK, 2 1/2 OR 3 GAL.
ICE CREAM, BULK, 2 1/2 OR 3 GALLON
WESTERN MARYLAND REGION

0005	38045-180050	CS	7.2000	
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ICE CREAM: STYROFOAM CUPS, 4 FLUID OUNCES
ICE CREAM, STYROFOAM CUPS, 4 FLUID OUNCES
WESTERN MARYLAND REGION

0006	38045-182100	CS	12.6000	
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ICE CREAM CONES: FILLED WITH VANILLA ICE CREAM, CHOCOLATE COATED, WIT
NUTS.
ICE CREAM CONES, FILLED WITH VANILLA ICE CREAM, CHOCOLATE COATED,
WITH NUTS, NUTTY BUDDY OR APPROVED EQUAL.
WESTERN MARYLAND REGION

0007	38045-220110	DZ	19.0000	
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FRUIT BAR
FROZEN FRUIT JUICE BAR WITH STICK, 2 1/2 OUNCE, MINIMUM. NUTRITION
FACTS: SERVING SIZE 1 BAR, 113.4G, SERVING 1, CALORIES 80, FAT
CALORIES 0, TOTAL FAT 0G, TOTAL CRB. 21G, SAT. FAT 0G, DIETARY FIBER
0G, CHOLESTEROL 0MG, SUGARS 21G, SODIUM 0MG, PROTEIN 0G. QUIESCENTLY

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FROZEN FRUIT BAR INGREDIENTS PINEAPPLE OR ASSORTED FLAVORS, WATER, FRUCTROSE AND/OR SUGAR CITRIC ACID, NATURAL VEGETABLE STABLIZERS, GUAR GUM, ZANTHAN GUM AND CAROB BEAN GUM, NATURALLY COLORED WITH TUMERIC. NO ARTIFICIAL COLORS, FLAVORS OR PINEAPOLE, STRAWBERRY, CHERRY AND LIME.

WESTERN MARYLAND REGION

0008	38045-300050	DZ	8.0000
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DREAMSICLES: ORANGE OR CHERRY MINIMUM 2 1/2 OZ. SIZE
DREAMSICLES, ORANGE OR CHERRY, 2 1/2 OUNCE, MINIMUM
WESTERN MARYLAND REGION

0009	38045-510084	CS	9.2000
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ICE CREAM CUP, 4 OZ., STYROFOAM, FAT FREE, NO SUGAR ADDED

ICE CREAM CUP, SYTROFOAM, FAT FREE, NO SUGAR ADDED, 4 OUNCE
WESTERN MARYLAND REGION

0010	38045-621156	DZ	12.0000
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ICE CREAM SANDWICH: MIN. 2 1/2 FLUID OZ. OF ICE CREAM PLUS WAFERS
ICE CREAM SANDWICH, ICE CREAM PLUS WAFERS, 4 OUNCE, MINIMUM
WESTERN MARYLAND REGION

0011	38045-630044	CS	7.2000
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SHERBET: STYROFOAM CUPS, 4 FLUID OUNCES
SHERBET, STYROFOAM CUPS, 4 OUNCES
WESTERN MARYLAND REGION

0012	38045-860000	DZ	7.2000
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WATER ICE: STYROFOAM CUPS, 4 FLUID OUNCES
WATER ICE, STYROFOAM CUPS, ASSORTED FLAVORS, 4 OUNCES
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<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>	
0013	38045-FUDCLE	CS	8.0000	
ICE CREAM CUP, 4 OZ., STYROFOAM, FAT FREE, NO SUGAR ADDED				
ICE CREAM, FUDGE STICK, 24 PER BOX, RICH FUDGE FRENZY BAR				
WESTERN MARYLAND REGION				
0014	38045-POPCLE	DZ	9.8000	
ICE CREAM, TWIN ICE POP, 24 BOX				
FROZEN BAR CONFECTION, WATER ICE, WITH STICK, SINGLE OR TWIN, 3 OUNCE				
MINIMUM				
WESTERN MARYLAND REGION				
0015	38045-510005	DZ	14.0000	
ICE CREAM CUPS, 5 OZ.				
ICE CREAM CUPS, CHOCOLATE SUNDAE, 5 OZ.				
WESTERN MARYLAND REGION				
0016	38045-HOL054	CS	12.8000	
STRAWBERRY SHORTCAKE ICE CREAM BAR				
STRAWBERRY SHORTCAKE ICE CREAM BAR, 3 OZ. MINIMUM				
WESTERN MARYLAND REGION				
0017	38045-HOL064	CS	34.6000	
KLONDIKE KRUNCH ICE CREAM BAR				
KLONDIKE KRUNCH ICE CREAM BAR BRAND/CODE; BLUE BUNNY HEATH BAR				
CASE/PACK 24/CS				
WESTERN MARYLAND REGION				
0018	38045-860000	DZ	14.0000	
WATER ICE, STYROFOAM CUPS, ASSORTED FLAVORS, 4 OUNCES				

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<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>	
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BALTIMORE METRO REGION

_____ END OF ITEM LIST _____

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AUTHORIZED BY: _____ **DATE:** _____

BUYER AUTHORIZED DESIGNEE