

Attachment J.13

B.4 CERTIFICATE OF INDEPENDENT PRICE DETERMINATION

Cover Page:
Offerors shall complete, sign and submit this Attachment with their proposal.

B.4 CERTIFICATE OF INDEPENDENT PRICE DETERMINATION

- B.4.1 By submission of the offer, the offeror certifies and in the case of a joint offer, each party thereto certifies as to its own organizations, that in connection with this procurement:
 - B.4.1.1 The prices in this offer have been arrived at independently, without consultation, communication, or agreement, for restricting competition, as to any matter relating to such prices with any other offeror or with any competitor;
 - B.4.1.2 Unless otherwise required by law, the prices that have been quoted in this offer have not been knowingly disclosed by the offeror and will not knowingly be disclosed by the offeror prior to offer opening, directly or indirectly to any other offeror or to any competitor;
 - B.4.1.3 No attempt has been made or will be made by the offeror to induce any person or firm to submit or not to submit an offer for the purpose of restricting competition.
 - B.4.1.4 Each person signing this offer certifies that:
 - B.4.1.5 He is the person in the offeror's organization responsible within that organization for the decision as to the prices being offered herein and that he has not participated, will not participate, in any action contrary to (a) (1) through (a) (3) above; or
 - B.4.1.6 He is not the person in the offeror's organization responsible within that organization for the decision as to the prices being offered herein, but that he has been authorized, in writing, to act as agent for the persons responsible for such decision in certifying that such persons have not participated and will not participate, in any action contrary to (a) (1) through (a) (3) above, and as their agent does hereby so certify: and he has not participated, and will not participate, in any action contrary to (a) (1) through (a) (3) above.

Signature:

Grocery Distributing Company's Authorized Representative

Title [Click here to enter a date.](#)
Date

In accepting this offer, the institution certifies that the institution's officers, employees, or agents have not taken any action that may have jeopardized the independence of the offer referred to above.

Authorized Institution Representative

Commented [SJ(1)]: I assume B.4 and 5 are federal requirements. Do they need to be included in RFP or could they be attached to the RFP? I've never seen an offeror need to sign something inside of the RFP before. I'd recommend adding them as an attachment in J and noting here that Section J.xxx needs to be signed by an authorized representative and included with a proposal.

Commented [HZ(2R1)]: Will do.

Commented [JR(3R1)]: This verbiage and attestation is from OSSE as a boilerplate requirement to program. If we strike, are we jeopardizing our compliance with USDA?

Commented [HZ(4R1)]: I copied and created this document as Attachment J.13 which requires offerors to sign and submit with the proposal.

(Accepting an offer does not constitute acceptance of the contract.)

Note: Institution and Offeror shall execute this Certificate of Independent Price Determination