

**United States Department of Agriculture**  
**Agricultural Marketing Service**  
Commodity Procurement Staff  
1400 Independence Avenue, S.W.  
Room 3522-S, STOP 0239  
Washington, DC 20250-0239

## Information

Description: **AG-FFRT-S-16-0144**  
Bid invitation number: **2000004276**  
Purchasing Group: **AMS-Fruit and Veg**

## SOLICITATION

### Domestic Commodity Invitation

#### Bid invitation Overview

Bid Timezone: Central Time  
Start Date: 08/26/2016 13:00:00  
Offer Due Date : 09/07/2016 13:00:00  
  
Opening date: 09/07/2016 13:00:00  
  
Invitation Type : Definite Delivery

#### Additional requested information:

#### Tendering text - Header :

Fresh Fruit, SOLICITATION NO: 2000004276

The U.S. Department of Agriculture (USDA) invites offers to sell Fresh Fruit pursuant to the AMS Master Solicitation for use in the National School Lunch Program and other Federal Food and Nutrition Assistance Programs. Acceptances will be announced by midnight, September 19, 2016. Deliveries are to be made between November 1, 2016 and April 30, 2017.

#### A. Product Origin

Commodities delivered pursuant to awards under this Solicitation shall have originated from crops that have been 100 percent grown, processed, and packed in the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the Trust Territories of the Pacific Islands, (hereinafter referred to as the United States). See Section I.F. of the Master Solicitation.

If the contractor handles any commodity originating from sources other than the United States, the contractor must have a written plan to segregate the commodity. This segregation plan will include an identification and record system for all commodities to ensure they are completely segregated and cannot be used to fulfill purchase orders awarded by USDA. Such segregation plan must be made available, within 10 days of purchase order award, to representatives of the Agricultural Marketing Service (AMS). The contractor must maintain positive written documentation records evidencing 100 percent domestic origin to the grower level. Contractors must also ensure that the documentation provided by any subcontractors demonstrates the same level of traceability. The burden of proof of compliance is on the contractor. Documentation may include load or warehouse storage receipts for raw product (i.e., bin tags), product blend (formulation) records, product coding explanations, finished product warehousing records, shipping or payment records, or other documentation or evidence that clearly establishes the product's domestic origin. Contractors must provide the domestic origin certification and supporting documentation records to representatives of the AMS Fruit and Vegetable Programs, Specialty Crop Inspection Division (USDA Grader) when requesting inspection service. USDA graders will select and review at least one code for each purchase order to determine compliance with the Agency's domestic origin requirements. Such records must be available for review by the Government in accordance with FAR 52.214-26. In the event of an audit, AMS auditors will examine as many codes as is necessary to verify compliance. Self-certifications by contractors and subcontractors will not be accepted.

Failure to observe this requirement may lead to suspension or debarment, purchase order termination, and penalties at Title 18, Section 1001 of the U.S. Code concerning falsification of information.

#### B. Packing Season

All fresh fruit must be from the current packing season/crop year.

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**C. Audits**

Vendors or subcontractors who are supplying fresh fruit are required to undergo and pass the USDA AMS SCP Specialty Crop Inspection Division (SCID) Good Agricultural Practices (GAP) and Good Handling Practices (GHP) verification audits, and must score at least 80% on each of the following scopes for each product being offered:

GAP - Farm Review; Field Harvesting & Field Packing Activities  
 GHP - House Packing Facility; and Storage & Transportation

All these requirements shall be met PRIOR to the bid opening date.

Brokers are exempt from the GAP/GHP requirements themselves, however its suppliers/subcontractors performing under the contract shall have the applicable USDA GAP/GHP certification(s).

Verification audits shall be performed by the USDA, AMS, SCP-SCID representatives only.

In order to verify that the contractor and/or its subcontractors/suppliers are in compliance with GAP/GHP certification, offerors are required to submit GAP/GHP certificates for all scopes of the contract being performed and for all commodities being offered. Certificates must be uploaded in WBSCM as part of their bids. Bids received without copies of GAP/GHP certificates, or missing one of the scopes specified above for GAP/GHP will be deemed nonresponsive.

Offerors who do not intend to perform the contracts awarded under this solicitation must submit a list of their approved subcontractors/suppliers on separate sheet of paper to be uploaded into WBSCM with their GAP/GHP certificates, and to be submitted with their bids.

Offerors may contact USDA/AMS after contract award to submit a waiver request for additional suppliers to be added to the approved list on the contract and include copies of their GAP/GHP certificates to the waiver request.

The Fresh Produce Audit Verification Program can be accessed at the following website:  
<https://www.ams.usda.gov/gapghp.htm>

**D. Inspection Requirements**

Inspection must be performed at destination by the USDA, AMS, Fruit and Vegetable Programs, Specialty Crop Inspection Division (USDA Grader) (see Section X of the Master Solicitation). The fresh apples shall be inspected, certified, and count (number) of packages verified in accordance with the Agricultural Marketing Act of 1946. The acceptability of the quality and packaging of the product must be evidenced by certificates issued by the USDA Grader. Representative sample units will be graded according to the Regulations Governing Inspection and Certification of Fresh Fruit and Related Products (7 C.F.R. part 51), and United States Standards for Condition of Food Containers (7 C.F.R. part 42.140), effective on the date of the Solicitation/IFB.

The Contractor must give the USDA Inspector at least 72 hours advance notice when scheduling inspection service. Contractors are encouraged to submit requests for inspection in writing via form FV-237 (Record of Request for Inspection or Re-inspection of Food Products) with verifiable receipt notice, such as fax log, to alleviate possible miscommunication. Requests can also be made electronically using the following link:

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<http://eforms.ams.usda.gov/#CustomersFV>

**E. Specifications**

The attached commercial Specifications apply to all product supplied to the following destinations, as follows:

Specification A Dauberville, PA  
Specification B Oxnard, CA  
Specification C Shelby, MI  
Specification D Richland Center, WI  
Specification E Hartford, MI

**F. Failure to Meet Specifications**

Any lot which fails applicable specifications prescribed (See Item E) will be rejected as not acceptable for delivery. If any lot of fresh fruit fails to meet the product or packaging requirement, the Contractor may request in writing that USDA accept delivery of the lot. USDA may, at its option, accept delivery, provided that the purchase price is the purchase order price less a discount, to be determined by the Contracting Officer.

If USDA/AMS finds that suppliers used by the contractor are not in compliance with AMS GAP/GHP certification requirements after the product is delivered, the following courses of action will apply:

1. The first time noncompliance occurs AMS will deduct a 50% discount from the invoice for all noncompliant deliveries.
2. The second time noncompliance occurs:
  - a. USDA/AMS will deduct a 50% discount from the invoice for all noncompliant deliveries;
  - b. The contract will be terminated for default; and
  - c. The contractor will be suspended from participating in all future USDA/AMS fresh fruit and vegetable solicitations for a period of one (1) year from the date of contract termination.

For offshore destinations (Puerto Rico, Hawaii, etc.), offerors have the option to choose to enter their bids direct to the offshore destination or to the port.

Purchases will be made on an f.o.b. destination basis to cities on this Solicitation. Destination quantities listed are estimates and subject to adjustment based on offerings, changes in recipient needs, market conditions, and program operations.

All prime vendors are reminded that they are prohibited from subcontracting with companies or individuals that have been suspended or debarred.

Offers must be submitted electronically via the Web-Based Supply Chain Management System (WBSCM). Offers submitted by any means other than WBSCM will be deemed nonresponsive. Offerors must be active in WBSCM and have the required bidder roles in order to submit offers under this Solicitation. Once connected, follow the online procedures. A "HELP" button provides detailed instructions or call (202) 720-4517 for assistance.

Offerors are cautioned to bid only quantities they can reasonably expect to produce and deliver. Inquiries about

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the Master Solicitation dated April 2015, Amendment No. 1 to the Master Solicitation dated June 2015, Amendment No. 2 to the Master Solicitation dated May 2015; or this Solicitation should be directed to the Contracting Officer; USDA, AMS, Room 3522-South; 1400 Independence Avenue, S.W.; Washington, D.C. 20250-0239. Telephone: (202) 720-4517.FAX:(202) 720-2782.

The USDA prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) To file a complaint of discrimination, write: USDA, Office of the Assistant Secretary for Civil Rights, Office of Adjudication, 1400 Independence Ave., SW, Washington, DC 20250-9410 or call (866) 632-9992 (Toll-free Customer Service), (800) 877-8339 (Local or Federal relay), (866) 377-8642 (Relay voice users).

**See attached documents:**

- 1 . AMS Master Solicitation April 2015
- 2 . AMS MASTER SOLICITATION AMENDMENT 1
- 3 . Specification A Dauberville, PA
- 4 . Specification B Oxnard CA Fresh Innovations
- 5 . Specification C Shelby MI Peterson Farms
- 6 . Specification D Harford MI National Food Group
- 7 . Specification E Richland Center WI Sunset Orchards
- 8 . Amendment No 2 AMS Master Solicitation-April 2015

**Attributes :**

OFFEROR CERTIFIES THAT THE OFFER IS MADE SUBJECT TO THE MASTER SOLICITATION; COMMODITY SUPPLEMENT AND/OR SPECIFICATION(S); THIS SOLICITATION; THE AGRICULTURE ACQUISITION REGULATIONS (AGAR) AND THE FEDERAL ACQUISITION REGULATIONS (FAR).

Timely performance: Offeror and any subcontractor have completed required performance of any USDA contract prior to this bid opening.

- Permitted values:
- Have been delivered
  - Have not been delivered

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- Have not been delivered, but the Offeror has notified the Contracting Officer
- There are no existing contracts/purchase orders

OFFEROR REQUESTS HUBZONE SMALL BUSINESS PRICE EVALUATION PREFERENCE. APPLIES ONLY TO FIRMS CERTIFIED IN THE SMALL BUSINESS ADMINISTRATION'S HUBZONE PROGRAM (FAR SUBPART 19.13). MUST BE THE MANUFACTURER/PRODUCER OF THE PRODUCT TO RECEIVE A PRICE PREFERENCE

Furnish name, title, phone number, fax number, and e-mail address of person submitting this bid (must be an officer of the company or a person authorized to execute contracts/purchase orders on behalf of the bidder).

IS THE OFFEROR AN ENTITY THAT HAS FILED ARTICLES OF INCORPORATION IN ONE OF THE FIFTY STATES, THE DISTRICT OF COLUMBIA, OR THE VARIOUS TERRITORIES OF THE UNITED STATES? YOU MUST ANSWER THE NEXT 3 QUESTIONS IF THE ANSWER FOR THIS QUESTION IS YES.

HAS THE OFFEROR BEEN CONVICTED OF A FELONY CRIMINAL VIOLATION UNDER FEDERAL OR STATE LAW IN THE 24 MONTHS PRECEDING THE DATE OF OFFER?

HAS THE OFFEROR HAD ANY OFFICER OR AGENT OF OFFEROR CONVICTED OF A FELONY CRIMINAL VIOLATION FOR ACTIONS TAKEN ON BEHALF OF OFFEROR UNDER FEDERAL OR STATE LAW IN THE 24 MONTHS PRECEDING THE DATE OF OFFER?

DOES THE OFFEROR HAVE ANY UNPAID FEDERAL TAX LIABILITY ASSESSED, WHICH ALL JUDICIAL AND ADMINISTRATIVE REMEDIES HAVE BEEN EXHAUSTED/LAPSED, THAT IS NOT BEING PAID IN A TIMELY MANNER PURSUANT TO AGREEMENT WITH THE AUTHORITY RESPONSIBLE FOR COLLECTING IT?

Offeror acknowledges receipt of the amendment(s) to the solicitation. Select N/A if no amendment was issued to the solicitation.

- Permitted values:
- Yes
  - No
  - N/A

**Bid invitation Item details**

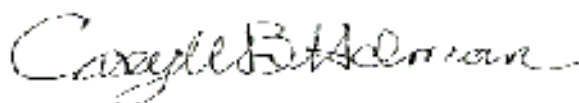
	Item Material	Description	Required by	ZipCode	Quantity	
<b>10</b>		<b>FRUIT, FRESH</b>				
<b>20</b>		<b>APPLES FOR FURTHER PROCESSING # BULK</b>				
<b>30</b>		<b>OXNARD CA</b>				
40	110149	APPLES FOR FURTHER PROCESSING # BULK	11/01/2016-11/15/2016	93030	435,600	LB
50	110149	APPLES FOR FURTHER PROCESSING # BULK	11/16/2016-11/30/2016	93030	751,600	LB
60	110149	APPLES FOR FURTHER PROCESSING # BULK	12/01/2016-12/15/2016	93030	158,400	LB
70	110149	APPLES FOR FURTHER PROCESSING # BULK	01/01/2017-01/15/2017	93030	158,400	LB
80	110149	APPLES FOR FURTHER PROCESSING # BULK	01/16/2017-01/31/2017	93030	158,400	LB
90	110149	APPLES FOR FURTHER PROCESSING # BULK	02/01/2017-02/15/2017	93030	79,200	LB
100	110149	APPLES FOR FURTHER PROCESSING # BULK	02/16/2017-02/28/2017	93030	79,200	LB

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Item	Material	Description	Required by	ZipCode	Quantity	
110	110149	APPLES FOR FURTHER PROCESSING # BULK	03/01/2017-03/15/2017	93030	79,200	LB
120	110149	APPLES FOR FURTHER PROCESSING # BULK	03/16/2017-03/31/2017	93030	158,400	LB
130	110149	APPLES FOR FURTHER PROCESSING # BULK	04/01/2017-04/15/2017	93030	79,200	LB
140	110149	APPLES FOR FURTHER PROCESSING # BULK	04/16/2017-04/30/2017	93030	79,200	LB
<b>150 HARTFORD MI</b>						
160	110149	APPLES FOR FURTHER PROCESSING # BULK	11/01/2016-11/15/2016	49057	951,326	LB
170	110149	APPLES FOR FURTHER PROCESSING # BULK	11/16/2016-11/30/2016	49057	672,274	LB
180	110149	APPLES FOR FURTHER PROCESSING # BULK	12/01/2016-12/15/2016	49057	831,600	LB
<b>190 SHELBY MI</b>						
200	110149	APPLES FOR FURTHER PROCESSING # BULK	11/01/2016-11/15/2016	49455	24,657	LB
210	110149	APPLES FOR FURTHER PROCESSING # BULK	11/16/2016-11/30/2016	49455	39,578	LB
<b>220 DAUBERVILLE PA</b>						
230	110149	APPLES FOR FURTHER PROCESSING # BULK	11/01/2016-11/15/2016	19533	39,600	LB
240	110149	APPLES FOR FURTHER PROCESSING # BULK	11/16/2016-11/30/2016	19533	79,200	LB
250	110149	APPLES FOR FURTHER PROCESSING # BULK	03/01/2017-03/15/2017	19533	39,600	LB
260	110149	APPLES FOR FURTHER PROCESSING # BULK	03/16/2017-03/31/2017	19533	39,600	LB
<b>270 RICHLAND CENTER WI</b>						
280	110149	APPLES FOR FURTHER PROCESSING # BULK	11/01/2016-11/15/2016	53581	39,600	LB
290	110149	APPLES FOR FURTHER PROCESSING # BULK	11/16/2016-11/30/2016	53581	39,600	LB
300	110149	APPLES FOR FURTHER PROCESSING # BULK	01/01/2017-01/15/2017	53581	39,600	LB
<b>Total Quantity for APPLES FOR FURTHER PROCESSING # BULK</b>					<b>5,053,035</b>	<b>LB</b>
<b>Total Quantity for Invitation</b>					<b>5,053,035</b>	<b>LB</b>



Contracting Officer  
 Commodity Procurement Division  
 United States Department of Agriculture