

SOLICITATION
Domestic Commodity Invitation

Information
Description: 12-3J14-18-S-0041
Bid invitation number: 2000005046

Tendering Text:

TORTILLAS, WHOLE WHEAT, FROZEN

Acquisition Method: Sealed Bids (IFB)

Issued Date: October 26, 2017, 13:00 Central Time

Offer Due Date: November 7, 2017, 9:00 Central Time

Award Notification Date: November 9, 2017, 1300 Central Time

Public Release of Award Date: November 10, 2017

1. Solicitation Information Contact:

Name: Jeffrey F. Jackson

Telephone Number: 816-926-2530

E-mail: jeffrey.jackson@ams.usda.gov

2. Internet Address: <http://www.ams.usda.gov/selling-food>

3. This Acquisition is:

/x/ Unrestricted

/X/ Set-Aside for:

// Small Business Set-Aside in accordance with FAR 19.502-2. Any concern proposing to furnish a product that it did not itself manufacture must furnish the product of a small manufacture.

// 8(a) Program (lb.)

/X / Service-Disabled Veteran-Owned Small Business SDVOSB (40,500 lbs. of Tortillas, Whole Wheat Frozen, 12/24, material code 110394, and 36,000 lbs. of Tortillas, Whole Wheat Frozen, 24/1, material code 110741).

4. NAICS Codes/Size Standards: See the attached MSCP

5. Delivery Type: F.O.B. Destination

6. Electronic Submission of offers:

- A. Offers, modifications, and withdrawals shall be submitted electronically via the Web Based Supply Chain Management Computer System (WBSCM). Submission of the aforementioned by any means other than WBSCM will be deemed nonresponsive. WBSCM is available online at: <https://portal.wbscm.usda.gov/>.

7. Supplier Agreement Requirement.

If the offer is for product the offeror will not itself manufacture, offeror shall, by the offer due date/local time, submit the corresponding supplier agreement to, Attention: Contracting Officer at the solicitation

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information contact address shown in this solicitation. The supplier agreement shall: be in effect between the offeror and the product manufacturer for the period of contract performance, certify compliance with the applicable solicitation requirements, contain the DUNS number for the product manufacturer be on the product manufacturer's company letterhead, and be signed by both parties.

A prospective contractor may be required to provide written evidence of a proposed responsibility of the subcontractor. The Contracting Officer may directly determine a prospective responsibility of the subcontractor.

8. Shipment/Delivery Schedule:

October 1, 2017 thru December 31, 2017

See Schedule of Supplies for period of performance. A WBSCM Purchase Order will be available at least seven calendar days prior to the first day of each period of performance scheduled in the contract. Contractor shall comply with the instructions in the WBSCM Purchase Order. If a WBSCM Purchase Order is available less than seven calendar days prior to the first day of the contracted period of performance, the performance period shall be extended by the number of days the WBSCM Purchase Order is available. Contractor shall not be entitled to any extension of the performance period unless it furnishes evidence satisfactory to the Government that it was prepared to perform during the contracted period of performance.

9. Other Requirements:

A. Seals on Transportation Conveyances

Suppliers of commodities, products and/or services shall be responsible for placing a seal(s) on all cargo doors of each transportation conveyance upon completion of loading, partial unloading, inspection, or servicing.

Seals must meet the American Society for Testing and Materials (ASTM) Standards. ASTM Standards may be found at <http://www.astm.org>. Seals shall be 1/8-inch diameter cable, high security bolt, barrier-type, or equivalent device which can only be removed by bolt cutter type tools. Seals shall be sequentially numbered. The contractor or its agent shall provide a sufficient number of barrier-type seals to ensure security of the load while in route through final destination. The seal numbers shall be documented on the Bill of Lading, which must be signed or acknowledged by the carrier or its agent.

Deliveries will be rejected, in which seals have not been used to secure all cargo doors, if:

- the seal listed on the Bill of Lading does not match the seal number recorded on the Bill of Lading;
- the seal is broken; the seal is missing, or the seal has been removed prior to the transportation conveyance reaching its unloading point.
- the seal is missing, or the seal has been removed prior to the transportation conveyance reaching its unloading point.

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A rejected conveyance will only be accepted after a Condition of Container Inspection has been performed by Agricultural Marketing Services (AMS) or Federal Grain Inspection Service (FGIS). AMS or FGIS must subsequently issue a Certificate of Quality and Condition that documents that the Condition of Container meets the applicable U.S. Standards for Condition of Food Containers. If this inspection is performed at a location other than the contracted delivery point all cargo doors must be sealed and the seal numbers documented by the Federal Inspection Agency on the Certificate.

Conditions of Container Inspections arrangements are available by accessing the AMS website at <http://www.ams.usda.gov/services/sci-contacts>

The Contractor is responsible for payment of all fees incurred as a result of a Condition of Container Inspection.

B. Contractor Past Performance Evaluation applicable for contracts exceeding the simplified acquisition threshold of \$150,000.

The Government will prepare a past performance evaluation at the time the work under the contract or delivery order is completed. Evaluation will rate performance areas such as, quality of product or service, cost control, timeliness of performance, business relations, and when applicable, performance against, and efforts to achieve the goals identified in the small business subcontracting plan. The evaluation will be entered into the Contractor Performance Assessment Reporting System (CPARS). Contractor will have an opportunity to comment on the Government evaluation. Details on access and use of CPARS will be provided to the Contractor at a future date. The past performance evaluation may be used by the Government to support future award decisions.

C. Advance Shipping Notice, ASN: The Contractor shall provide an ASN to the Goods Recipient identified on the WBSCM Purchase Order Item on the day of shipment for each conveyance. Contractors may upload multiple ASNs to the WBSCM system using an Excel template in a comma separated CSV format. Contractor must submit one invoice for each ASN. Each ASN must have a unique Bill of Lading number.

D. Required Information for Bill of Lading,

1. Shipper Name, and Shipment Origin Address
2. USDA Contractor Name, if different than shipper
3. WBSCM Purchase Order Number and Item Number (formerly Contract Number, N/D Number)
4. When provided, Sales Order Number and Item Number (formerly Disposition Number)
5. Consignee: WBSCM Purchase Order Item's Goods Recipient Name
c/o WBSCM Purchase Order Item's Ship-to Name and Address
6. Number and Type of Units, Net Weight, and Material Description
7. Statement: "For USDA FOOD DISTRIBUTION PROGRAMS"
8. Manufacturer's Lot Code/Lot Identification Number
9. Serial Number of Barrier-Type Seals Applied
10. Carrier's Signature and Date

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11. Recipient Signature and Date
12. Date of Shipment

Note: When multiple WBSCM Purchase Order Items are shipped in one conveyance, show the applicable information for each WBSCM Purchase Order Item. Also, load and brace the conveyance for accurate and economical unloading, e.g. load and brace truck trailers in reverse order of delivery.

TRUCK UNLOAD APPOINTMENT – ***At least 72 hours in advance of delivery***, contact a responsible representative at the applicable WBSCM Purchase Order Item's Ship-to-Address for an unload appointment. Reference the WBSCM Purchase Order Number (PO) Number, PO Item Number, and when provided, the Sales Order (SO) Number and SO Item Number for which the appointment is being scheduled.

E. All deliveries to Puerto Rico must cite on the Bill of Lading and Ocean Transportation manifest the applicable Recipient Agency Tax Identification Number (TIN) and Merchant Registration Number. Successful awardee will be responsible for contacting the contracting officer's representative to obtain the appropriate tax identification number.

10. FAR and Agriculture Acquisition Regulation (AGAR) Provisions and Clauses:

In the event of a conflict between WBSCM and Federal Acquisition Regulation (FAR) terminology, FAR terminology shall take precedence.

A. This solicitation shall be subject to the terms and conditions of Master Solicitation for Commodity Procurements (MSCP) in effect as of the date of this solicitation. See attached MSCP. The FAR and AGAR provisions and clauses applicable to this solicitation are contained in the MSCP.

B. // Applicable if checked. FAR Clause 52.232-18, Availability of Funds (Apr 1984). Funds are not presently available for this contract. The Government obligation under this contract is contingent upon the availability of appropriated funds from which payment for contract purposes can be made. No legal liability on the part of the Government for any payment may arise until funds are made available to the contracting officer for this contract and until the contractor receives notice of such availability, to be confirmed in writing by the contracting officer.

David C. Jackson

David C. Jackson
Contracting Officer
January 19, 2017