

**United States Department of Agriculture**  
**1400 Independence Avenue,**  
S.W. # Room 3522  
1400 Independence Avenue, S.W.  
Room 3522-S, STOP 0239  
Washington, DC 20036

## Information

Description: **12-3J14-19-B-0166**  
Bid invitation number: **2000005859**  
Purchasing Group: **AMS-Fruit and Veg**

## SOLICITATION

### Domestic Commodity Invitation

#### Bid invitation Overview

Bid Timezone: Central Time  
Start Date: 01/31/2019 07:00:00  
Offer Due Date : 02/14/2019 13:00:00  
  
Opening date: 02/14/2019 13:00:00  
  
Invitation Type : Definite Delivery

#### Additional requested information:

##### Tendering text - Header :

Bulk Apples For Further Processing, SOLICITATION NO: 2000005859

The U.S. Department of Agriculture (USDA) invites offers to sell (Insert Program) 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, Thursday, February 28 2019. Deliveries are to be made between April 1, 2019 and June 30, 2019.

(110149) APPLES FOR FURTHER PROCESSING # BULK is a 100% Total Small Business Set-Aside. NAICS Code 311991 with a size standard of 500 employees or less.

Due to the recent changes in SAM.gov policy regarding the appointment of an authorized Entity Administrator, USDA/AMS may allow bidders to be considered for award pending SAM.gov processing of the notarized letter. This exception is considered for new/expired SAM registrations impacted by notarized letter processing delays only. In order to be considered for an exception, the vendor must have submitted the required notarized letter to SAM.gov (per the directions provided in the link below) and must submit a copy of the notarized letter to the cognizant contracting officer.

[https://www.fsd.gov/fsd-gov/answer.dosysparm\\_kbid= d2e67885db0d5f00b3257d321f96194b&sysparm\\_search= kb0013183](https://www.fsd.gov/fsd-gov/answer.dosysparm_kbid= d2e67885db0d5f00b3257d321f96194b&sysparm_search= kb0013183)

Note that all other terms associated with requirements of Sam.gov registration, including those that impact payment, remain in full force and affect. (see MSCP dated April 2017, clause 52.212-1(k)) (k) System for Award Management. Unless exempted by an addendum to this solicitation, by submission of an offer, the offeror acknowledges the requirement that a prospective awardee shall be registered in the SAM database prior to award, during performance and through final payment of any contract resulting from this solicitation.#

#### 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.E. 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

**SOLICITATION**  
**Domestic Commodity Invitation**

**Information**

Description: **12-3J14-19-B-0166**  
 Bid invitation number: **200005859**

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, Fresh Products 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.

**C. Audits**

Vendors and /or suppliers providing fresh fruit shall participate in and pass an Agricultural Marketing Service, Good Agricultural Practices (GAP) and Good Handling Practices (GHP) Verification Audit. Verification Audits shall be performed by the United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS), Fruit and Vegetable Programs (FVP), Fresh Products Division (FPD). All scopes of the audit applicable to the operation must be completed. For instance, if a grower has a storage facility on their farm where apples are stored prior to sending them to the sliced apple vendor, then the appropriate section of the audit must be completed. A copy of the GAP& GHP Audit Verification checklist is available on the USDA website at [www.ams.usda.gov/gapghp](http://www.ams.usda.gov/gapghp), or from your local USDA or Federal-State inspection office.

**D. Inspection Requirements**

Inspection must be performed at destination by the USDA, AMS, Fruit and Vegetable Programs, Fresh Products 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: <http://eforms.ams.usda.gov/#CustomersFV>

**E. Specifications**

The attached commercial Specifications apply to all products supplied to the following destinations, as follows in Commodity Specification Bulk Products for Further Processing (August 2012 AMENDMENT NO. 4 ver. 3 dated June 6, 2018):

**SOLICITATION**  
**Domestic Commodity Invitation**

**Information**

Description: **12-3J14-19-B-0166**  
 Bid invitation number: **2000005859**

Destination- Dauberville, PA  
 Destination- Oxnard, CA  
 Destination- Shelby, MI  
 Destination- Richland Center, WI  
 Destination- Hartford, MI  
 Destination- Stockton, CA

**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.

This Solicitation may show multiple stops on some line items; however, the number of stops will be limited to a maximum of three. To determine the number of destinations review the "Tendering Text" for the lot, which will indicate the City and State for each stop. Bidders may submit different prices for each stop. However, a price is required on all line items within the lot.

In order to verify that the contractor is in compliance with GAP/GHP certification, contractors shall meet the following requirements:

1) Contractors are required to:

a. Submit a list of all certified GAP/GHP suppliers to be used in the performance of the contract with their bid. This list must be uploaded with their bids in WBSCM.

b. 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 non compliance occurs AMS will deduct a 50% discount from

1. The first time non compliance occurs AMS will deduct a 50% discount from the invoice for all noncompliant deliveries.

2. The second time non compliance 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.

**SOLICITATION**  
**Domestic Commodity Invitation**

**Information**

Description: **12-3J14-19-B-0166**  
 Bid invitation number: **2000005859**

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 the Master Solicitation dated April 2017; 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.

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 The U.S. Department of Agriculture (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 w ill apply to all programs and/or employment activities.)

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 of Solicitation April 2017
- 2 . Bulk Products for Further Processing-Apples 2012
- 3 . Bulk Products Amendment 2
- 4 . Bulk Products Amendment 4 (ver.3) Apples

**SOLICITATION**  
**Domestic Commodity Invitation**

**Information**

Description: **12-3J14-19-B-0166**  
 Bid invitation number: **2000005859**

**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
  - 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
10	FRUIT, FRESH			

**SOLICITATION**  
**Domestic Commodity Invitation**

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Description: 12-3J14-19-B-0166  
 Bid invitation number: 2000005859

Item	Material	Description	Required by	ZipCode	Quantity
<b>20 APPLES FOR FURTHER PROCESSING # BULK</b>					
<b>30 OXNARD CA</b>					
40	110149	APPLES FOR FURTHER PROCESSING # BULK	04/01/2019-04/15/2019	93030	LB 259,969.000
50	110149	APPLES FOR FURTHER PROCESSING # BULK	04/16/2019-04/30/2019	93030	LB 277,200.000
60	110149	APPLES FOR FURTHER PROCESSING # BULK	05/01/2019-05/15/2019	93030	LB 198,000.000
<b>70 STOCKTON CA</b>					
80	110149	APPLES FOR FURTHER PROCESSING # BULK	04/01/2019-04/15/2019	95215	LB 79,200.000
<b>90 HARTFORD MI</b>					
100	110149	APPLES FOR FURTHER PROCESSING # BULK	04/01/2019-04/15/2019	49057	LB 1,930,274.00 0
110	110149	APPLES FOR FURTHER PROCESSING # BULK	04/16/2019-04/30/2019	49057	LB 831,600.000
120	110149	APPLES FOR FURTHER PROCESSING # BULK	05/01/2019-05/15/2019	49057	LB 673,200.000
130	110149	APPLES FOR FURTHER PROCESSING # BULK	05/16/2019-05/31/2019	49057	LB 277,200.000
140	110149	APPLES FOR FURTHER PROCESSING # BULK	06/01/2019-06/15/2019	49057	LB 435,600.000
150	110149	APPLES FOR FURTHER PROCESSING # BULK	06/16/2019-06/30/2019	49057	LB 158,400.000
<b>160 SHELBY MI</b>					
170	110149	APPLES FOR FURTHER PROCESSING # BULK	04/01/2019-04/15/2019	49455	LB 1,376,988.00 0
180	110149	APPLES FOR FURTHER PROCESSING # BULK	04/16/2019-04/30/2019	49455	LB 1,346,400.00 0
190	110149	APPLES FOR FURTHER PROCESSING # BULK	05/01/2019-05/15/2019	49455	LB 792,000.000
200	110149	APPLES FOR FURTHER PROCESSING # BULK	05/16/2019-05/31/2019	49455	LB 198,000.000
210	110149	APPLES FOR FURTHER PROCESSING # BULK	06/01/2019-06/15/2019	49455	LB 435,600.000

**SOLICITATION**  
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 Bid invitation number: **2000005859**

Item	Material	Description	Required by	ZipCode	Quantity
220	110149	APPLES FOR FURTHER PROCESSING # BULK	06/16/2019-06/30/2019	49455	237,600.000 LB
<b>230 DAUBERVILLE PA</b>					
240	110149	APPLES FOR FURTHER PROCESSING # BULK	04/01/2019-04/15/2019	19533	396,000.000 LB
250	110149	APPLES FOR FURTHER PROCESSING # BULK	04/16/2019-04/30/2019	19533	39,600.000 LB
<b>260 RICHLAND CENTER WI</b>					
270	110149	APPLES FOR FURTHER PROCESSING # BULK	04/01/2019-04/15/2019	53581	39,600.000 LB
Total Quantity for APPLES FOR FURTHER PROCESSING # BULK					9,982,431.000 LB
					0
Total Quantity for Invitation					9,982,431.000 LB
					0



David C. Jackson  
 Commodity Procurement Staff  
 Contracting Officer  
 United States Department of Agriculture