

2. Amendment/Modification No. A01	3. Effective Date 02/05/2021	4. Requisition/Purchase Reqn. No. N/A	5. Project No. (if applicable) N/A
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6. Issued By United States Department of Agriculture (USDA) Agricultural Marketing Service (AMS) Commodity Procurement Staff 1400 Independence Ave SW STOP 0239 Washington, D.C. 20250-0239	7. Administered By (If other than Item 6) See Block 6
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8. Name and Address of Contractor (No., Street, County, and Zip Code)	(X)	9A. Amendment of Solicitation No. 2000007465
	X	9B. Date (See Item 11) 02/02/2021
		10A. Modification of Contract/Order No.
		10B. Date (See Item 13)

Code	Facility Code
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**11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS**

The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers  is extended  is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:  
 (a) By completing items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. Accounting and Appropriation Data (if required)  
N/A

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACT/ORDERS.  
IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.**

(x)	A. This change order is issued pursuant to: (Specify authority) The changes set forth in item 14 are made in the Contract Order No. in item 10A.
	B. The above numbered Contract/Order is modified to reflect the administrative changes (such as changes in paying office, appropriation date, etc.) Set fourth item 14, pursuant to the authority of FAR 43.103 (b)
	C. This supplemental agreement is entered into pursuant to authority of:
	D. Other (Specify type of modification and authority)

**E. IMPORTANT:** Contractor  is not,  is required to sign this document and return 1 copies to the issuing office.

14. Description of Amendment/Modification (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this amendment is to make changes to the solicitation and provide the answers to questions received via email and during the pre-proposal conference. All are updated responses from that provided orally on the pre-proposal call. Clarifications in this amendment supersede previously provided information.

1) To clarify the commercial acceptability for Technical Information

Except as provided herein, all terms and conditions of the document referenced in item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. Name and Title of Signer (Type or Print)	16A. Name and title of Contracting Officer (Type or Print)		
	Hilary Cole Contracting Officer		
15B. Contractor/Offeror	15C. Date Signed	16B. United States of America	16C. Date Signed
_____ (Signature of person authorized to sign)		_____ (Signature of Contracting Officer)	

AMS is accepting commercial household size products the vendors commercial food safety protocols and standards, thus each vendor must present the protocols they plan to use. Those protocols will be examined as part of Proposal Part 1 - Technical Information.

2) The questions asked via email and during Preproposal Conference and AMS' answers to them are as follows:

a) Question: Will LS-603 apply to this solicitation?

Answer: Bison Supplement LS-603 dated June 2012 and Feb 2015 Amendment is not required for this Solicitation.

b) Question: What is the pack size and case size? The bid invitation states 40/1Lb, IDR states minimum of 1 lb. chub and not to 2 lb. chub and Exhibit 2 states 32 1.25 lb. chubs per 40 lb. case.

Answer: Per Exhibit 1: IDR the pack size can range between a minimum of 1 lb. chub/ brick, 1.25lb, 1.5lb, 1.75lb, 2lb. but not to exceed a 2 lb. chub/ brick. The solicitation lists a pre-existing bison material (110001 Bison Ground Lean 40/1lb) that can be updated to reflect the proper size based on the product description awarded. Exhibit #2 is an example of the format/ details we expect to see (number of chubs, the exact pounds per chub and pounds per case). Use page 3 of Exhibit #7 for additional examples. There is not a case weight requirement. However, we emphasize commercially acceptable and require all Truckloads equal 40,000 lbs. If the Contracting Officer has questions about submitted descriptions we will contact you directly prior to award.

c) Question: What happens if two bidders select to ship to San Francisco and nobody bids on Orlando? Does the loser bidder get the option to take the Orlando shipment?

Answer: If two vendors bid to San Francisco and no one bids to Orlando, there will be an awardee for San Francisco and no awardee for Orlando. The Orlando location then has the potential to be solicited at a later date. We encourage vendors to only submit offers to locations and delivery periods that they can successfully and timely deliver. The WBSCM Help Desk will show you how to enter prices and capacity constraints.

d) Question: Has an Amendment for the Solicitation been issued yet?

Answer: No Amendment has been issued. The Questions & Answers will be provided within Amendment 01. Expect the Amendment 01 to be posted to the AMS Commodity Procurement website.

e) Question: Can we use our own retail labels to label the product?

Answer: Yes, we allow retail labelling provided it meets all regulatory requirements. Contact Steve Whisenant of FSCSD ([Steve.Whisenant@usda.gov](mailto:Steve.Whisenant@usda.gov)) for further questions.

f) Question: 85% was the lean discussion leading up to this bid, curious why this changed. The IDR states, "Lean" is defined as an average fat content of less than 10 percent. Does this mean we can only have 90/10? Or can it be 85% lean?

Answer: In Exhibit 1:IDR states, "Lean" is defined as an average fat content of less than 10 percent. Thus, ground bison is to be less than 10% fat and not to exceed 10%.

- g) Question: Exhibit 1 IDR, Paragraph B.3. provides that “Product must be delivered within 60 days of production date.” Does “production date” mean the day the product is ground and package into finished goods? If so, how old can the raw materials be that are ground into finished goods?

Answer: Exhibit 1 IDR pertains to the date of ground bison production. The finished product (ground bison) must be delivered within 60 days of the day it was ground and packaged. Since the request is for commercially acceptable product, there are no specific requirements addressing the age of the raw materials used to produce ground bison. Be advised, the product must have Best-if-used-by" Date at least 365 calendar days from the date of production.

- h) Exhibit 1 IDR, provides “Pack size minimum of 1 lb. chub/brick and not to exceed a 2 lb. chub/brick.” Item listings in the Bid Invitation reference “USDA Item Number 110001 Bison Ground Lean FRZ PKG -40/1 lb.” Does Exhibit 1 control regarding product specifications over the descriptions in the Bid Invitation?

Answer: See answer B.

- i) Question: Can frozen bison be offered or does it have to be a freshly frozen carcass?

Answer: There are no restrictions for bison to be frozen or fresh. However, due to shelf-life considerations for Food & Nutrition recipients the product must have been produced within 60 days of delivery.

- j) Question: Exhibit 5 – Past Performance Reference Information requires bidders to submit past performance references. Can references submitted last summer for the CPP be used for this solicitation?

Answer: Yes, Past Performance references previously submitted can be provided. References can also include contracts with the USDA.

- k) Question: Is there a format that you would like us to follow for the proposals?

Answer: The prices and capacity constraints shall be entered per the WBSCM Work Instruction entitled Create Domestic Bid Response and the Proposal Parts 1 - 4 shall be submitted via PDF format uploaded into WBSCM as attachments per the downloadable Exhibit options or may be drafted per the vendors own format, but all shall be uploaded as a PDF version.

- l) Question: The requirement for pack size minimum of 1 lb. chub/brick and not to exceed a 2 lb. chub/brick establishes the minimum and maximum weight limits for the individual chub/brick, which means any fixed standard net weight within that weight range is acceptable, such as 1.25 lb., 1.5 lb.?

Answer: See answer B.

- m) Question: We were under the impression that we could use 90-day old production not 60.

Answer: See answer G.

- n) Can we deliver to the locations anytime between March and June 2021 or are there specific dates for delivery?

Answer: Per Solicitation page 3, each location has a corresponding 15-day delivery window. (*Example: SAN FRANCISCO CA has a delivery window of 05/16/2021-05/31/2021*) Which means delivery prior to the date is acceptable but delivery after the date will incur late fees (liquidated damages...See MSCP-D).

o) Question: Are we required to have a food defense audit?

Answer: Yes, all vendors must have a Food Defense Audit and the audit must be approved by bid closing on February 16, 2021. USDA will not grant/accept any waiver requests for the food defense audits. Inquiries concerning audit requirements and scheduling should be forwarded to the email below for clarification.

Food Defense Verification Program Coordinator

[QAD.ProgramCoordinator@usda.gov](mailto:QAD.ProgramCoordinator@usda.gov)

p) Question: Who can perform Checkloading at the time of loading? USDA FSIS employee? USDA AMS grading service employee?

A USDA Grader shall be present at time of loading. The USDA Grader will bring their own stamp to the shipping location and will stamp each box and then write a "shipping certificate" that goes with the load.

q) Question: Exhibit 3 – Domestic Origin Certification. Bidders must certify 100% domestic origin. What does 100% domestic origin mean? Must the bison have been born, raised and processed in the US? Raised (how many days?) and processed in the US? Or merely processed in the US?

Answer: The products of agricultural commodities acquired under this contract must be a product of 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"), except as may otherwise be required by law, and shall be considered to be such a product if it is grown, processed, and otherwise prepared for sale or distribution exclusively in the United States except with respect to minor ingredients." The LP interpretation of the Domestic Origin requirement as been that an animal that is brought in from outside the US may be used in USDA contracts if there is a production step (placing on pasture for grazing, placement in a feedlot for finishing, etc.) between the import of the animal and harvest. Essentially, any animal may be used provided it does not go to harvest from being brought in from outside the US.

r) Question: When will I find out if we were awarded?

Answer: Per Solicitation page 1, acceptances will be announced no later than February 16, 2021.