

SOLICITATION PROVISIONS

1) FAR 52.212-1, Instructions to Offerors – Commercial Items (October 2018) (The portion below is included in addition to the reference clause)

The offeror shall submit proposals in four parts: Part 1 - Technical Information, Part 2 - Management and Workforce Practices and Policies, Part 3 – Past Performance, and Part 4 – Product Description. The format for each proposal part is described below. Offerors shall submit all four parts to be eligible for award. Each part should be separate and complete within itself.

Note: Parts 1, 2, 3, and 4, must be submitted via WBSCM either as an attachment or as part of the WBSCM offer form.

Proposal Part 1: - Technical Information

The offeror shall list all the processing plants and shipping points that it intends to use and upload them in a PDF formatted document or an excel spreadsheet, as an attachment in WBSCM. If the offeror does not submit any additional plants, all products ordered must come from the compliant plant(s) or shipping point(s) identified by the offeror in their WBSCM offer. Prior to bid opening offerors may add additional compliant plants and shipping points.

Commercial food safety protocols and standards are acceptable by the USDA. Offerors should describe these protocols and standards in their technical proposal, including whether they have FSIS fee-for-service inspector in place.

Facilities used in fulfilling USDA contracts must be operating under the provisions of the Voluntary Exotic Animal Inspection Program of the FSIS contained in Title 9 C.F.R. Part 352 Subpart A. The product must be produced in accordance with Food Safety and Inspection Service (FSIS) regulations and this Item Description and Requirements (IDR).

Technical compliance will be determined by AMS through verification that: 1) the offeror has complied with the qualification requirements (See Exhibit 6 – Vendor Qualification Requirements); 2) the contractor has completed all WBSCM (Web Based Supply Chain Management) requirements and is a current user of WBSCM (inquiries concerning WBSCM access can be addressed by sending an email to wbscmamshelpdesk@ams.usda.gov); and 3) at least one processing plant and shipping point to be used are in compliance with the terms of this solicitation/ contract and all other USDA requirements prior to proposal due date.

Proposal Part 2 – Management and Workforce Practices and Policies

Offerors should describe management strategies and control procedures to be used in achieving performance under the contract, such as the management of any subcontractors, strategies to manage risk, and management support and participation in implementation of procedures; specific technical skills to be employed on a full-time, part-time, interim, or temporary basis; plans for initial and on-going training of contractor and subcontractor personnel to ensure tendering of supplies that meet contract requirements; plans for on-going coordination of security clearances, whenever applicable; and the efficacy of policies and procedures in place for the recruitment, development, and retention of a safe, qualified, and diverse workforce.

Proposal Part 3 – Past Performance

Each offeror should provide three (3) written past performance references for similar contract/orders completed within the past 3 years (or contracts/orders which are currently being

completed) using the attached **EXHIBIT 5 – PAST PERFORMANCE REFERENCE INFORMATION** form.

Proposal Part 4 – Product Description

Offerors shall propose product information as specified in Section B.1 using Exhibit 2.

QUESTIONS regarding this Solicitation are due on or before 01:00 pm Central Time, on Wednesday, February 3, 2021 via email, to Chyra Lewis, Chyra.Lewis@usda.gov with “Questions concerning Solicitation 2000007564 lean frozen ground bison” in the subject line. AMS will accept and make every attempt to answer questions that are submitted after this date and prior to the due date of the solicitation. However, AMS cannot guarantee that we will be able to answer untimely questions. Answers to questions will be issued in writing via an amendment to the solicitation.

OFFER DUE DATE: PROPOSALS are due no later than 01:00 pm Central Time, Tuesday, February 9, 2021.

Pre-proposal Conference: Conference call-in at 1:00pm Central Time, Wednesday, February 3, 2021.

SUBMISSION OF OFFERS:

A Proposal Submission Checklist has been included on page 4 of this document to assist Offerors in ensuring all submission requirements are met.

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Offers will submit the following by the Offer Due Date and Time:

- A complete and signed copy of Form SF1449 (See Section A) uploaded in portable document file format (PDF) in WBSCM;
- Acknowledgement of all amendments issued as specified in Block 11 of the amendment form (SF-30), uploaded in PDF format into WBSCM;
- Proposal Part 1 – Technical Information, uploaded in PDF format into WBSCM;
- Proposal Part 2 – Management and Workforce Practices and Policies, uploaded in PDF format into WBSCM;
- Proposal Part 3 – Past Performance Information, uploaded in PDF format into WBSCM;
- Proposal Part 4, Product Description uploaded in PDF format into WBSCM.

Contract Award

Award(s) documents will be available on the Vendors Supplier Self-Service Page in WBSCM by the date specified in the Solicitation. A notice of award will be issued in the form of a Product Commodity Award (PCA) Report or other public notice. After award information is posted, inquiries may be made to the Contracting Officer.

Award(s), as specified above, will result in a binding contract without further action by either party. Information on awards is also available electronically through the commodity procurement website at <http://www.ams.usda.gov> under the “Commodity Purchasing” link after award and the PCA report posted on the WBSCM Public Procurement Page.

2) FAR 52.212-2, Evaluation – Commercial Items (OCT 2014):

- (a) The Government will award a contract resulting from this solicitation to the responsible offerors whose offer conforming to the solicitation will be most advantageous to the Government, price and other factors considered. The following factors shall be used to evaluate offers:

Proposal Part 1: Technical Information

Technical Acceptability will be determined by AMS through verification that: 1) the offeror as the contractor has completed all WBSCM (Web Based Supply Chain Management) requirements 2) is a current user of WBSCM (inquiries concerning WBSCM access can be addressed by sending an email to wbscmamshelpdesk@ams.usda.gov), and 3) at least one processing plant and shipping point to be used are in compliance with the terms of this solicitation/ contract and all other USDA requirements prior to proposal due date.

Proposal Part 2: Management Workforce Practices and Policies

Management Workforce Practices and Policies Approach – Offeror’s ability to develop and maintain a safe, effective, and diverse workforce, including recruitment, retention and development of such a workforce recruitment.

Proposal Part 3: Past Performance

Under the Past Performance factor, the Performance Risk Assessment represents the evaluation of an offeror's present and past work record to assess the Government's confidence in the offeror's probability of successfully performing as proposed. In evaluating past performance, information in the offeror’s proposal, information from customers provided as references (references will be contacted to discuss offeror’s performance), Governmental records, and information available through other sources may be considered. The Government will evaluate the offeror's demonstrated record of contract compliance in supplying products and services that meet user's needs.

Factor 1: Quality of Product

Factor 2: Timeliness of Performance

Factor 3: Business Relations/Problem Resolution

Proposal Part 4: Product Description

Offerors must provide the unit size and case weight of their proposed product using Exhibit 2. (For example, 32 1.25-lb chubs per 40-lb case or 40 1 lb. chubs per 40-lb case).

The evaluation factors are listed in descending order of importance as follows:

- 1) Technical Information
- 2) Past Performance
- 3) Management Workforce Practices and Policies

4) Product Description

(b) *Options*. The Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that an offer is unacceptable if the option prices are significantly unbalanced. Evaluation of options shall not obligate the Government to exercise the option(s).

(c) A written notice of award or acceptance of an offer mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer, shall result in a binding contract without further action by either party. Before the offer's specified expiration time, the Government may accept an offer (or part of an offer), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award.

Basis for Award: The Government may make award without discussions; therefore, the offeror's initial offer should contain their best pricing. Award will be based on best value using the trade-off process considering the evaluation factors listed above. Best value may be determined using tradeoffs among the evaluation factors, so the award may be made to other than the lowest-priced or highest technically rated proposal. Please note that all offers which fail to furnish required proposal information or reject the terms and conditions of the solicitation may be excluded from consideration for award.

Adjectival Ratings

The following adjectival ratings will be used to evaluate the offeror's Technical Compliance.

TECHNICAL	
Acceptable	The offeror has 1) complied with all the qualification requirements, 2) the contractor has completed all WBSCM (Web Based Supply Chain Management) requirements and is a current user of WBSCM and 3) the contractor has an approved plant/shipping point.
Not Acceptable	The offeror has not complied with all the qualification requirements, and/or the contractor has not completed all WBSCM (Web Based Supply Chain Management) requirements nor is a current user of WBSCM.

The following adjectival ratings will be used to evaluate the offeror's Management and Workforce Practices and Policies.

MANAGEMENT AND WORKFORCE PRACTICES AND POLICIES EVALUATION RATINGS		
Factor 1	Acceptable	The offeror's management approach addressed the details listed.
	Not Acceptable	The offeror's management approach did not address the details listed.

The following adjectival ratings will be used to evaluate the offerors Past Performance

PERFORMANCE RISK (FOR PAST PERFORMANCE EVALUATION FACTOR)	
Low Risk	Little doubt exists that the offeror will successfully perform the required effort based on the offeror's past performance record.
Moderate Risk	Some doubt exists that the offeror can successfully perform the required effort based on the offeror's past performance record.
High Risk	Significant doubt exists that the offeror will successfully perform the required effort based on the offeror's past performance record.
Unknown Risk	Offeror is without a record of relevant past performance or past performance information is not available. The rating shall be characterized as neutral.

3) 52.215-6 Place of Performance (OCT 1997)

- (a) The offeror or respondent, in the performance of any contract resulting from this solicitation, does not intend to use one or more plants or facilities located at a different address from the address of the offeror or respondent as indicated in this proposal.
- (b) If offeror or respondent intends to use one or more plants or facilities located at a different address from the address indicated in this proposal, the offeror shall list all the processing plants and shipping points (Street Address, City, State, County, ZIP code) and name and address of Owner and Operator of the Plant or Facility if other than the Offeror or Respondent. The processing plants and shipping points to be used shall be in compliance with the food defense audit required under Section D1. – Food Defense Requirements (See Exhibit 6 – Vendor Qualification Requirements).

4) FAR 52.212-3, Offeror Representations and Certifications – Commercial (Oct 2018):

An offeror shall complete the following paragraphs of this provision if the Offeror has completed the annual representations and certificates electronically in the System for Award Management (SAM) accessed through <http://www.sam.gov> . If an offeror has not completed the annual representations and certifications electronically, the Offeror shall complete only paragraphs (c) through (u) of this provision.

(1) *Annual Representations and Certifications.* Any changes provided by the offeror in paragraph (b)(2) of this provision do not automatically change the representations and certifications in SAM.

(2) The offeror has completed the annual representations and certifications electronically in SAM accessed through <http://www.sam.gov> After reviewing the SAM information, the Offeror verifies by submission of this offer that the representation and certifications currently posted electronically at FAR 52.212-3, Offeror Representations and Certifications—Commercial Items, have been entered or updated in the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the NAICS code referenced for this solicitation), at the time this offer

is submitted and are incorporated in this offer by reference (see FAR 4.1201), except for paragraphs _____. *[Offeror to identify the applicable paragraphs at (c) through (o) of this provision that the offeror has completed for the purposes of this solicitation only, if any. These amended representation(s) and/or certification(s) are also incorporated in this offer and are current, accurate, and complete as of the date of this offer. Any changes provided by the offeror are applicable to this solicitation only, and do not result in an update to the representations and certifications posted electronically on SAM.]*

(End of provision)