

**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: **12-3J14-23-B-0001**  
Bid invitation number: **2000008826**  
Purchasing Group: **AMS-Fruit and Veg**

## SOLICITATION

### Domestic Commodity Invitation

#### Bid invitation Overview

Bid Timezone: Central Time  
Start Date: 10/05/2022 13:00:00  
Offer Due Date : 10/11/2022 13:00:00  
  
Opening date: 10/11/2022 13:00:00  
  
Invitation Type : Definite Delivery

#### Additional requested information:

#### Tendering text - Header :

Fresh Fruit, SOLICITATION NO: 2000008826

The U.S. Department of Agriculture (USDA) invites offers to sell fresh apples 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, October 17, 2022. Deliveries are to be made between October 24, 2022 and December 14, 2022.

The Contract Specialist handling this purchase will be Nick Wiber at [nick.wiber@usda.gov](mailto:nick.wiber@usda.gov). The Contact Officer handling this purchase will be Kyla Stoufer at [Kyla.Stoufer@usda.gov](mailto:Kyla.Stoufer@usda.gov). Please contact the specialist first.

Small Business Set Asides for NAICS code 311991 with a size standard of 500 employees or less are as follows:

100514- APPLES RED DELICIOUS FRESH CTN-40 LB- 100% Small Business Set Aside  
100521- APPLES GALA FRESH G CARTON-40 LB- 100% Small Business Set Aside  
100522- APPLES FUJI FRESH F CARTON-40 LB- 100% Small Business Set Aside  
110543- APPLES GRANNY SMITH FRESH CTN-40 LB- 100% Small Business Set Aside

This purchase must meet all relevant requirements such as packing, packaging, labeling, inspection and shipping temperatures of the Commodity Specification for Fresh Fruit July 2019.

Every bidder must include a letter of support with their bid from all current and approved supplier(s). The templates for the letter of support are attached to the solicitation with the required elements. Each letter of support is only good for one solicitation. A new letter of support will be required for every solicitation, from every supplier. The supplier must include the quantity in cases they are committing to the bidder. USDA will not award a quantity that exceeds the sum of all supplier's committed quantities to a particular bidder.

For a new-to-USDA contractor and existing contractors who are bidding on new products, a probationary period may be implemented in which awards are limited to 10 truckloads per product. Contractor must demonstrate successful delivery of at least five (5) truckloads of product in order to be removed from probationary status on future solicitations. For the purposes of this rule, successful delivery is defined as product delivered on-time and in acceptable condition according to the terms and conditions of the contract. Any delivery problems directly attributable to the Government will not be held against the contractor.

Vendors or subcontractors who are supplying fresh fruit crops to the United States Department of Agriculture (USDA) must ensure that each of their suppliers/subcontractors who grow, harvest, pack,

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hold, and handle product have approved and current food safety verification audits PRIOR to the bid opening date of this solicitation. Good Agricultural Practices (GAP) and Good Handling Practices (GHP) scopes which are necessary to meet the minimum requirement to be deemed responsive are as follows:

GAP - Farm Review AND 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 USDA GAP/GHP requirements themselves, HOWEVER 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 be found responsive the contractor and/or its subcontractors/suppliers must be in compliance with USDA GAP/GHP certification. Offerors must include in their bid the GAP and GHP Audit Verification attachment, which is found in the attachments section of this solicitation. Offerors who do not complete this form in its entirety, do not include the form as an attachment to their bid, or are missing the required USDA GAP/GHP scopes listed above shall be deemed nonresponsive.

All audits are valid for one year after the date the audit was conducted. More information on USDA GAP/GHP audits can be found here: <https://www.ams.usda.gov/services/auditing/gap-ghp> or by reaching out to [scaudits@usda.gov](mailto:scaudits@usda.gov).

Awardees may ship and supply from any location found here:  
<https://apps.ams.usda.gov/GAPGHP/reportG01.aspx>

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. A cure notice shall be issued informing the contractor of their failure to comply with the required elements of this solicitation. The USDA will then deduct a 50% discount from the invoice for all noncompliant deliveries shipped or invoiced prior to the date listed on the cure notice.
2. If the contractor ships noncompliant product after the date of the cure notice:
  - a. USDA/AMS will deduct a 50% discount from the invoice for all noncompliant deliveries;
  - b. The contract will be terminated for cause; and
  - c. The contractor will be suspended from participating in all future USDA/AMS fresh fruit and vegetable solicitations for a period of one year from the date of contract termination.

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.

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

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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 the Master Solicitation dated March 2022; The Commodity Specification for Fresh Fruit; 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), or (866) 377-8642 (Relay voice users).

**See attached documents:**

- 1 . CommoditySpecificationforFreshFruitJuly2019
- 2 . USDA GAP and GHP Audit Verification Document
- 3 . Templates for Supplier Agreement Letter
- 4 . Master Solicitation March 1, 2022

**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).

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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 represents that IAW FAR 52.204-25, it will not provide covered telecommunications equipment or services to the Government in the performance of any contract, subcontract or other contractual instrument resulting from this solicitation.

Offeror represents that IAW 52.204-25, it does not use covered telecommunications equipment or services, or use any equipment, system, or service that uses covered telecommunications equipment or services.

Offeror attached the required Supplier Agreement Letter for every supplier they intend to subcontract

**Bid invitation Item details**

Item	Material Description	Required by	ZipCode	Quantity
10	FRUIT, FRESH			
20	APPLES FUJI FRESH F CARTON-40 LB			

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Item	Material	Description	Required by	ZipCode	Quantity	
<b>30 NEWARK NJ</b>						
40	100522	APPLES FUJI FRESH F CARTON-40 LB	12/12/2022-12/14/2022	07114	1,848.000	CS
<b>50 VINELAND NJ</b>						
60	100522	APPLES FUJI FRESH F CARTON-40 LB	12/12/2022-12/14/2022	08360	924.000	CS
<b>Total Quantity for APPLES FUJI FRESH F CARTON-40 LB</b>					2,772.000	CS
<b>70 APPLES GALA FRESH G CARTON-40 LB</b>						
<b>80 NEWARK NJ</b>						
90	100521	APPLES GALA FRESH G CARTON-40 LB	11/21/2022-11/23/2022	07114	1,848.000	CS
<b>100 VINELAND NJ</b>						
110	100521	APPLES GALA FRESH G CARTON-40 LB	11/21/2022-11/23/2022	08360	924.000	CS
<b>120 HOUSTON TX</b>						
130	100521	APPLES GALA FRESH G CARTON-40 LB	10/24/2022-10/26/2022	77095	924.000	CS
<b>140 LOT: 2300000441 AUSTIN TX / DENTON TX...</b>						
Tendering text - Item : LOT: 2300000441 AUSTIN TX / DENTON TX / SAN ANTONIO TX /						
150	100521	APPLES GALA FRESH G CARTON-40 LB	10/31/2022-11/02/2022	78744	290.000	CS
160	100521	APPLES GALA FRESH G CARTON-40 LB	10/31/2022-11/02/2022	76207	371.000	CS
170	100521	APPLES GALA FRESH G CARTON-40 LB	10/31/2022-11/02/2022	78227	263.000	CS
<b>Total Quantity for APPLES GALA FRESH G CARTON-40 LB</b>					4,620.000	CS
<b>180 APPLES GRANNY SMITH FRESH CTN-40 LB</b>						
<b>190 NEWARK NJ</b>						
200	110543	APPLES GRANNY SMITH FRESH CTN-40 LB	10/24/2022-10/26/2022	07114	924.000	CS
<b>210 VINELAND NJ</b>						
220	110543	APPLES GRANNY SMITH FRESH CTN-40 LB	10/24/2022-10/26/2022	08360	924.000	CS
<b>230 LOT: 2300000527 AUSTIN TX / HOUSTON T...</b>						

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Item	Material	Description	Required by	ZipCode	Quantity	
<b>Tendering text - Item : LOT: 2300000527 AUSTIN TX / HOUSTON TX / SAN ANTONIO TX /</b>						
240	110543	APPLES GRANNY SMITH FRESH CTN-40 LB	10/31/2022-11/02/2022	78744	231.000	CS
250	110543	APPLES GRANNY SMITH FRESH CTN-40 LB	10/31/2022-11/02/2022	77095	462.000	CS
260	110543	APPLES GRANNY SMITH FRESH CTN-40 LB	10/31/2022-11/02/2022	78227	231.000	CS
<b>Total Quantity for APPLES GRANNY SMITH FRESH CTN-40 LB</b>					<b>2,772.000</b>	<b>CS</b>
<b>270 APPLES RED DELICIOUS FRESH CTN-40 LB</b>						
<b>280 NEWARK NJ</b>						
290	100514	APPLES RED DELICIOUS FRESH CTN-40 LB	10/24/2022-10/26/2022	07114	1,848.000	CS
<b>300 VINELAND NJ</b>						
310	100514	APPLES RED DELICIOUS FRESH CTN-40 LB	10/24/2022-10/26/2022	08360	924.000	CS
<b>320 LOT: 2300000433 AUSTIN TX / HOUSTON T...</b>						
<b>Tendering text - Item : LOT: 2300000433 AUSTIN TX / HOUSTON TX / SAN ANTONIO TX /</b>						
330	100514	APPLES RED DELICIOUS FRESH CTN-40 LB	10/31/2022-11/02/2022	78744	231.000	CS
340	100514	APPLES RED DELICIOUS FRESH CTN-40 LB	10/31/2022-11/02/2022	77095	462.000	CS
350	100514	APPLES RED DELICIOUS FRESH CTN-40 LB	10/31/2022-11/02/2022	78227	231.000	CS
<b>Total Quantity for APPLES RED DELICIOUS FRESH CTN-40 LB</b>					<b>3,696.000</b>	<b>CS</b>
<b>Total Quantity for Invitation</b>					<b>13,860.000</b>	<b>CS</b>



**Kyla Stoufer**  
 Contracting Officer  
 Commodity Procurement Division