



Bidding Expectations & Waiver Requests

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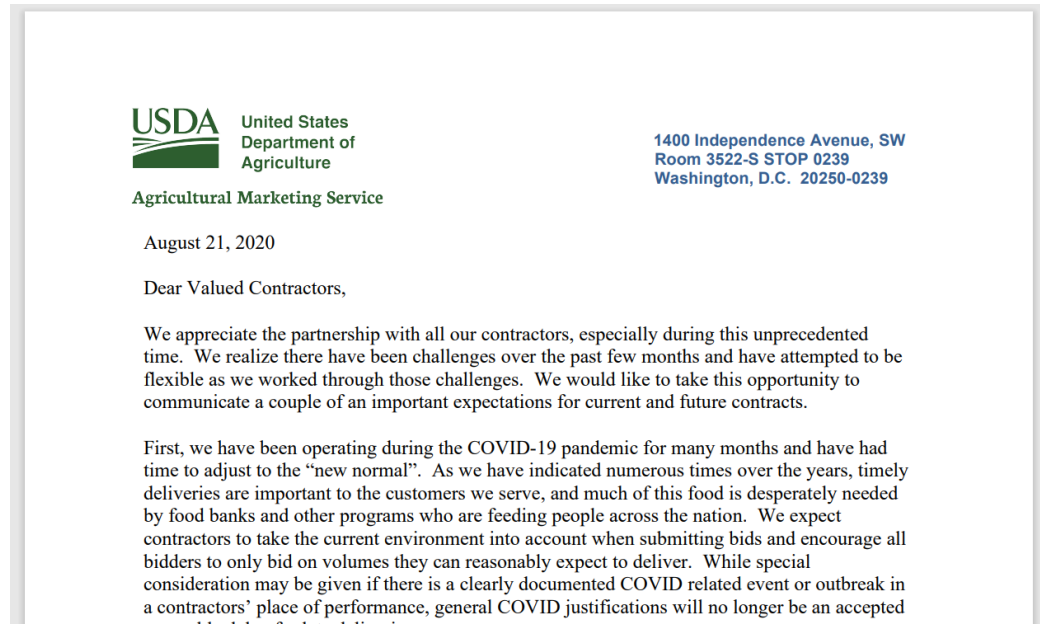




Notice to Contractors: Expectations for Current and Future Contracts

Deputy Administrator Dave Tuckwiler
August 21, 2020

- There have been ongoing COVID-19 pandemic challenges and we have attempted to be flexible
- Special consideration may be given if there is a **clearly documented** COVID related event or outbreak in a contractor's place of performance
- **"General"** COVID justifications will **no longer** be an accepted excusable delay for late deliveries.





Notice to Contractors: Expectations for Current and Future Contracts continued

- Schools “new normal” may increase requests for diversions to other warehouses
- Ensure delivery appointments are made **in advance** and any variances to contractual requirements are communicated to your Contract Specialist
- Advanced Shipment Notice (ASN) are **required** to be entered in WBSCM on or before the date of shipment

a contractors' place of performance, general COVID justifications will no longer be an accepted excusable delay for late deliveries.

Second, as you are aware, many schools will not be in session this upcoming semester. This may affect the ability for warehouses to take product and may increase requests for shipment delays or diversions to other warehouses. Please ensure delivery appointments are made in advance, and that any variances to the contractual requirements are communicated timely to your contract specialist or contracting officer.

Finally, we'd like to take the opportunity to remind you about the importance of entering an Advanced Shipment Notice (ASN). Contractors are required to enter an ASN in the Web-Based Supply Chain Management System on or before the date of shipment and encouraged to do so when a delivery appointment is scheduled. The ASN is an important tool for our customers, both as a notification of shipment as well as for inventory management purposes. We appreciate your attention to this.

Please reach out to your contract specialist or contracting officer if you have any questions about USDA's expectations.

Sincerely,

Dave Tuckwiller

Dave Tuckwiller
Deputy Administrator, Commodity Procurement Program





Bid *ONLY* on What You Expect to Deliver

We expect contractors to take the current environment into account when submitting bids and encourage all bidders to only bid on volumes they can reasonably expect to deliver.

- Why guesstimating can be problematic
- True Story Vendor Example
- How to properly forecast your offers
- Master Solicitation & Reminders





When to Request a Waiver

We know the unexpected happens thus there are a variety of reasons a vendor needs to request a waiver

- Excusable Delays
 - See AMS Master Solicitation (f) Excusable delays – 52.212-4 Addendum
 - <https://www.ams.usda.gov/sites/default/files/media/MSCP.pdf>
- 2020 COVID-19 Letter
 - https://content.govdelivery.com/attachments/USDAAMS/2020/08/21/file_attachments/1523698/Vendorletter8.21_508.pdf
- Waiver Requests & Templates
 - <https://www.ams.usda.gov/selling-food/wbscm>





Waiver Request Templates

Waiver templates are suggested samples when submitting a request. Vendors may copy or cut & paste the language and /or table into their own company letterhead.

- Not-Later-Than (NLT) Date Waiver Request
- Short Shipment Waiver Request
- Processing & Supplier Plant / Shipping Point Waiver Request
- Commodity Specification Requirement Waiver Request





Not-Later-Than (NLT) Date Waiver Request

Official Company Letterhead REQUIRED

[October 28, 2014]

[Contracting Officer Name, As Shown on the Purchase Order]
USDA AMS, Commodity Procurement
1400 Independence Avenue, S.W. Room 3522
Washington, DC 20250-0239

Not-Later-Than (NLT) Date Waiver Request

We are requesting an extension to deliver later than the contracted NLT date for the following reason(s):

Purchase Order #	Purchase Order Item #	Sales Order #	Sales Order Item #	Original NLT Date	New NLT Date
4100000XXX	7	5000XXXXXX	100	00/00/2014	00/00/2014
	8	5000XXXXXX	100	00/00/2014	00/00/2014
	9	5000XXXXXX	200	00/00/2014	00/00/2014

Sincerely,

Vendor Signature Required

Michael Rowe
Executive Director
John Doe Meats, Inc.





2-Day Requirement for NLT Extension Requests

- *First and foremost:* Tell us if a shipment will be late!
- Submit NLT date extension requests within **2 days** of missed delivery due (*only submit if circumstances are excusable delays*)
- If the new NLT delivery dates are unknown, still send the Specialist an **email** request with “TBD” listed as the delivery date
 - The TBD late notice will be shared with FNS until you provide submit a formal & complete extension request
- DO NOT invoice until the contract has been modified to reflect the new NLT date





Short Shipment Waiver Request

Official Company Letterhead REQUIRED

[October 28, 2014]

[Contracting Officer Name, As Shown on the Purchase Order]
USDA AMS, Commodity Procurement
1400 Independence Avenue, S.W. Room 3522
Washington, DC 20250-0239

Short Shipment Waiver Request

We are requesting a short shipment waiver for the product shown below for the following reason(s):

Material Description	Purchase Order #	Purchase Order Item #	Sales Order #	Sales Order Item #	Actual Pounds Contracted	Actual Pound Shipped
Pork Picnic	4100000XXX	2	5000XXXXXX	100	40,020 lbs.	38,000 lbs.

Sincerely,

Vendor Signature Required

Michael Rowe
Executive Director
John Doe Meats, Inc.





Processing & Supplier Plant / Shipping Point Waiver Request

Official Company Letterhead REQUIRED

[October 28, 2014]

[Contracting Officer Name, As Shown on the Purchase Order]

Commodity Procurement USDA
AMS Contracting Branch Room 3522
Washington, DC 20250-0239

Processing & Supplier Plant / Shipping Point Waiver Request

We are requesting a (processing plant / supplier plant/ shipping point change) for the following reason(s): _____

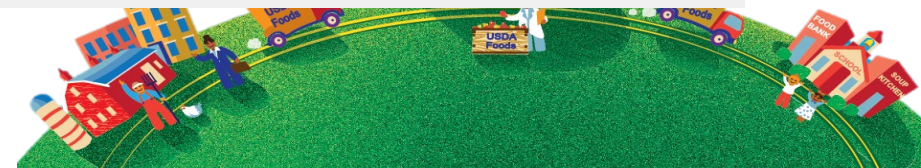
Purchase Order #	Purchase Order Item Number #	Revised Plant / Point
4100000XXX	1	John Doe Meats 787 Parks Road Brighton, NE 27779

Entire Purchase Order	Purchase Order #	Revised Plant / Point
	4100000XXX	John Doe Meats 787 Parks Road Brighton, NE 27779

Sincerely,

Vendor Signature Required

Michael Rowe





Commodity Specification Requirement Waiver Request

Official Company Letterhead REQUIRED

[October 28, 2014]

[Contracting Officer Name, As Shown on the Purchase Order]

Commodity Procurement USDA
AMS Contracting Branch Room 3522
Washington, DC 20250-0239

Waiver Request of Commodity Specification Requirement

We are requesting a waiver for the product listed below which does not meet the specification requirements of the contract for the following reason(s):

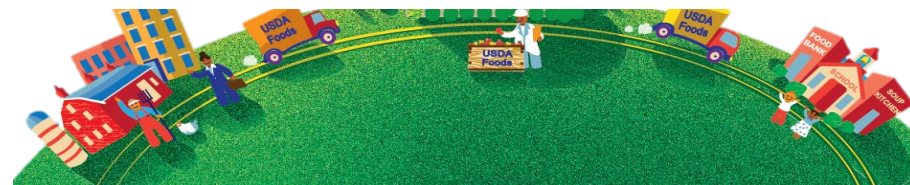
Material Description	Purchase Order #	Purchase Order Item #	Sales Order #	Sales Order Item #	Original Cases / Lbs.	Non-Compliant Cases/ Lbs.
Blueberries	4100000XX X	44	5000XXXX X	100	40,020 lbs.	38,000 lbs.

Entire Purchase Order	Purchase Order #
	4100000XXX

Sincerely,

Vendor Signature Required

Michael Rowe
Executive Director
John Doe Fruit, Inc.





Any Questions?

All questions about waivers, delays, templates, etc. shall be placed in the Chat Box and our team will respond accordingly during and/ or after the presentations. See links below to

- Waiver Requests
- <https://www.ams.usda.gov/sites/default/files/media/PostAward-WaiverRequest.pdf>
- Waiver WORD Templates are located within the “Post Award Process” section per link below
- <https://www.ams.usda.gov/selling-food/wbscm>

