



United States Department of Agriculture

Agricultural Marketing Service Commodity Procurement Program



Supply Chain Issues

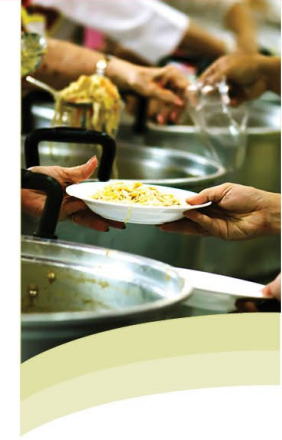
- Trucking
- Rail
- Packaging Materials
- Labor Shortages





Question:

Supply chain issues are causing late deliveries. What should I do?



Answer:

1. Review the Master Solicitation for Commodity Procurements – Domestic Programs (MSCP-D).
2. Have open communication with AMS.
3. Bid accordingly.

52.212-4 Contract Terms and Conditions— Commercial Items (Oct 2018)

- See *(f) Excusable Delays* definition.
- Excusable delays will be determined on a case-by-case basis

4A52.211-82 Compensation for Delays in Delivery (June 2021)

(a) If a Contractor determines that it will not be able to deliver the commodity by the Not-Later-Than (NLT) delivery date, the Contractor shall notify the Contracting Officer immediately. If the reason for not meeting the NLT delivery date is beyond the control or negligence of the Contractor, **the Contractor is required to submit a request for extension of the delivery date at least 3 working days before the scheduled NLT delivery date.** Failure to submit a request for extension within the time specified will result in liquidated damages being assessed. Requests submitted after the NLT delivery date will not be accepted. See clause 52.211-11, of the Master Solicitation. No extensions will be granted due to weekends or Federal holidays.

- **Important Notes**
- **Documentation of the excusable delay is required.**
- **Modifications as a result of current conditions do not set precedent for future modifications.**





- **Thinking Outside The Box**
- **Distribution Warehouses and audit requirements**
- **Please feel free to share other ideas with AMS**

- **Questions?**



- **Contact Info**

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