

**United States Department of Agriculture**  
**Farm Service Agency**  
Beacon Facility # Mailstop 8738  
P.O. Box 419205  
Kansas City, MO 64141-6205

## Information

Description: **AG-INAP-S-12-0004**  
Bid invitation number: **2000000604**  
Purchasing Group: **FSA-Intl Packaged**

## SOLICITATION

### International Commodity Invitation

#### Bid invitation Overview

Bid Timezone: Central Time  
Start Date: 10/20/2011 17:50:00  
Offer Due Date : 11/02/2011 09:00:00  
  
Opening date: 11/02/2011 09:00:00  
  
Invitation Type : Definite Delivery

#### Additional requested information:

#### Tendering text :

Also known as: Commodity Invitation 111

Award Notification Date: November 3, 2011, 12:00 p.m.  
Public Release of Award Date: November 3, 2011, 4:00 p.m.

#### 1. Solicitation Information Contact:

Name: Daniel Webber  
Telephone Number: 816-926-2847  
Email: dan.webber@kcc.usda.gov

#### 2. Internet Address:

<http://www.fsa.usda.gov/FSA/webapp?area=home&subject=coop&topic=pas>

#### 3. This Acquisition is:

/X/ Unrestricted  
/X/ Set Aside  
--- /X/ Small Business (See below)  
--- /X/ 8(a) (See below)  
--- // SDVO

#### RESTRICTED:

Procurement of all Corn-Soy Blend-Pkgd (CSB) quantities listed in the "Bid invitation Item details" section below is limited to current IDIQ contract holders for CSB. Section 4(a)(ii) of the Master Solicitation for Commodity Procurements, regarding evaluation of bids for lowest landed cost, applies to all items listed in the "Bid invitation Item details".

#### SMALL BUSINESS SET ASIDE:

Peas and Lentils - 8,880 MT  
Wheat Flour Bread Flour - 160 MT  
Dry Edible Beans - 150 MT  
Cornmeal - 610 MT

#### 8(a) RESERVE:

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Peas, Yellow Split - 630 MT

**NOTICE OF SMALL BUSINESS SET ASIDE:**

If specified in the solicitation, certain quantities are set aside exclusively for small business firms under the Small Business Act (15 U.S.C. 631, et seq.). Farmer-owned cooperatives, qualified as large under applicable SBA rules, are also eligible for award of set-aside quantities as provided in 7 U.S.C. 2209f.

If a large farmer-owned cooperative is awarded quantities under a small business set-aside, it shall perform the contract or cause the contract to be performed in accordance with the obligations of a business concern eligible for the small business set-aside.

Bids received for these set-aside quantities from firms who are not small business concerns will not be considered. In the event the Government is unsuccessful in contracting with an eligible small business concern(s) for the set-aside quantities, it may award the quantities to other than small business concerns.

Small businesses that wish to bid on both the set-aside and the non-set-aside quantities shall submit separate bids for each quantity using separate entity codes or shall limit their minimum quantity to the set-aside quantity. Failure to comply with this requirement may cause the entire bid to be considered non-responsive.

**NOTICE OF 8(a) ACQUISITION:**

If specified in the solicitation, the Government may reserve a portion of the requirements for 8(a) firms certified by the Small Business Administration in accordance with the Federal Acquisition Regulation (FAR), Part 19. Farmer-owned cooperatives are also eligible for award of set-aside quantities as provided in 7 U.S.C. 2209f. The Government may increase the reserve to adjust quantities to carlot increments in the event multiple awards to eligible 8(a) firms. The Government shall offer for award to each 8(a) firm the lesser of: 1) their quantity bid of each targeted commodity, or 2) their proportional share of each targeted commodity, if the total quantities bid by all eligible 8(a) firms exceeds the amount of each targeted commodity. In no event shall the Government offer for award an amount in excess of an eligible 8(a) firm's maximum quantity, if so established by the Government. If the 8(a) small business firm is a nonmanufacturer, it shall meet the definition and requirements outlined in FAR Part 19. In the event the Government is unsuccessful in contracting with an eligible 8(a) firm for the reserve quantity, it may award the quantities to other than 8(a) firms.

**HUBZONE PRICE EVALUATION PREFERENCE:**

The Government will award contracts to eligible HUBZone bidders as provided in Part 2, Section A.4(b) of the Master Solicitation for Commodity Procurements at:

[http://www.fsa.usda.gov/FSA/Internet/FSA\\_File/Master\\_Solicitation.pdf](http://www.fsa.usda.gov/FSA/Internet/FSA_File/Master_Solicitation.pdf)

**NOTICE OF SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS SET-ASIDE:**

If specified in the solicitation, the Government may reserve a portion of the requirements for Service-Disabled Veteran-Owned firms certified by the Small Business Administration in accordance with the Federal Acquisition

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Regulation (FAR), Part 19. Farmer-owned cooperatives are also eligible for award of set-aside quantities as provided in 7 U.S.C. 2209f. The Government shall offer for award to each Service-Disabled Veteran-Owned firm the lesser of: 1) their quantity bid of each targeted commodity, or 2) their proportional share of each targeted commodity, if the total quantities bid by all eligible Service-Disabled Veteran-Owned firms exceeds the amount of each targeted commodity. In no event shall the Government offer for award an amount in excess of an eligible Service-Disabled Veteran-Owned firm's maximum quantity, if so established by the Government. If the Service-Disabled Veteran-Owned small business firm is a nonmanufacturer, it shall meet the definition and requirements outlined in FAR Part 19. In the event the Government is unsuccessful in contracting with an eligible Service-Disabled Veteran-Owned firm for the set-aside quantity, it may award the quantities to other than Service-Disabled Veteran-Owned firms.

JAVITS, WAGNER, O'DAY ACT (JWOD)(41USC46-48C):

0 MT of vegetable oil quantity (20% of the quantity shown under the Schedule of Supplies) is reserved for mandatory procurement from the Government's approved JWOD participating nonprofit agency(ies) in accordance with the JWOD Act and FAR Subpart 8.7. In the event the Government does not award the full quantity under the JWOD Act, the Government may award the balance under full and open competition.

4. NAICS Codes/Size Standards:

See Master Solicitation for Commodity Procurements at:

[http://www.fsa.usda.gov/FSA/Internet/FSA\\_File/Master\\_Solicitation.pdf](http://www.fsa.usda.gov/FSA/Internet/FSA_File/Master_Solicitation.pdf)

5. Delivery Type:

- f.a.s. vessel
- Intermodal plant
- Intermodal bridge
- Intermodal bridge-port point for the Great Lakes

The Government shall consider bids for commodities delivered only to those potential delivery locations listed in the documents titled Approved Ports/Terminals and KC-362 Standard Abbreviations found at:

<http://www.fsa.usda.gov/FSA/webapp?area=home&subject=coop&topic=pas-ex-ap>

Note: For Food For Progress, McGovern-Dole Food For Education, and Section 416(b) procurements, "L" designation bid points shall not be considered.

6. Submission of Offers:

Bids, modifications, withdrawals of bids, and price adjustments shall be submitted using the Web Based Supply Chain Management (WBSCM) system. Submission of the above by any means other than WBSCM will be determined nonresponsive.

Bidders may submit bids for less than the quantities indicated. Bidders are encouraged to submit bids for as many

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shipping points as possible.

The WBSCM system can be accessed through the following website:

<http://www.fsa.usda.gov/FSA/webapp?area=home&subject=coop&topic=wbs>

**7. Programs:**

The commodities procured under this solicitation are for the following program(s):

/X/ P.L. 480 Title II (Procured by FSA on behalf of CCC)  
// P.L. 480 Title III (Procured by FSA on behalf of CCC)  
// Bill Emerson Humanitarian Trust (Procured by FSA on behalf of CCC)  
// McGovern-Dole Food For Education  
// Section 416(b) (Procured by FSA on behalf of CCC)

**8. Invoicing:**

For purchase orders (awards) issued through WBSCM, the contractor shall use the invoicing function in WBSCM.

**9. Shipment/Delivery Schedule:**

Shipping periods for all commodities, except PL6 and DEB6, are as follows:

Shipping periods for inland plants:

December 1 to December 15, 2011 and/or  
December 15 to December 31, 2011

Shipping periods for plants located at port:

December 15 to December 31, 2011 and/or  
January 1 to January 15, 2012

Shipping periods, for PL6 and DEB6 only, are as follows:

Shipping period for inland plants:

December 1 to December 22, 2011

Shipping period for plants located at the port:

December 23 to January 13, 2011

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For plants located as f.a.s. vessel delivery locations:

The shipping period(s) for plants located at port shall apply only to contracts that are processed and/or bagged within the same port to which delivery will be made. If the port has multiple berths and/or terminals, the vendor shall be liable for delivering the commodity to whichever berths and/or terminals have been designated by the steamship line within that port. If the commodity is processed and/or bagged at one port for delivery to a different port, the shipping period(s) for inland plants shall apply.

The Government shall issue shipping instructions (WBSCM "Purchase Orders") (PO) at least seven (7) calendar days prior to the first day of each period of performance scheduled in the contract. (See MSCP Part 3, Section A.8.) If shipping instructions are issued less than seven (7) calendar days prior to the first day of the contracted period of performance, the performance period shall be extended by the number of days the PO is issued late. Contractor shall not be entitled to any extension of the performance period unless it furnishes evidence satisfactory to the Government that it was prepared to perform during the contracted period of performance.

10. Other Requirements:

Commodity requirements are available at:

<http://www.fsa.usda.gov/FSA/webapp?area=home&subject=coop&topic=pas-ex-cr>.

For commodity requirement DEB6:

Please review Part 3, Section A, number 13, of the Master Solicitation, regarding the checkloading requirement.

For commodity requirement KCBG10:

The contractor shall arrange for each lot of grain covered by an official domestic weight and grade certificate to be identity preserved when placed f.a.s.

11. Contractor Past Performance:

The Government will prepare a past performance evaluation at the time the work under the contract is completed. Evaluation will rate performance areas such as, quality of product or service, cost control, timeliness of performance, business relations, and when applicable, performance against, and efforts to achieve the goals identified in the small business subcontracting plan. The evaluation will be entered into the Contractor Performance Assessment Reporting System (CPARS). Contractor will have an opportunity to comment on the Government's evaluation. Details on access and use of CPARS will be provided to the Contractor at a future date. The past performance evaluation may be used by the Government to support future award decisions.

12. FAR and Agriculture Acquisition Regulation (AGAR) Provisions and Clauses:

- A. This solicitation shall be subject to the terms and conditions of KCCO's Master Solicitation for Commodity Procurements (MSCP) in effect as of the date of this solicitation and can be found at:

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[http://www.fsa.usda.gov/FSA/Internet/FSA\\_File/Master\\_Solicitation.pdf](http://www.fsa.usda.gov/FSA/Internet/FSA_File/Master_Solicitation.pdf)

The FAR and AGAR provisions and clauses applicable to this solicitation are contained in the MSCP.

B. // Applicable if checked. FAR Clause 52.232-18, Availability of Funds (Apr 1984). Funds are not presently available for this contract. The Government's obligation under this contract is contingent upon the availability of appropriated funds from which payment for contract purposes can be made. No legal liability on the part of the Government for any payment may arise until funds are made available to the contracting officer for this contract and until the contractor receives notice of such availability, to be confirmed in writing by the contracting officer.

13. Unique Commodity Specifications Required for this Solicitation:

For Commodity Requirements Documents CM, CSB, CSM, SFCM, SFSG, WSB, and WSM using multiwall paper bags or high performance multiwall paper bags only--commodity contractors may either use preprinted bags or utilize an online ink-jet printer to print the contract number, manufacturer's lot code, month of manufacture (if required), and best-used-by date (if required). If ink-jet printing is used, the information shall be no smaller than one-half inch, printed near the top of either one or both sides of the bag, and shall not overlap any other bag markings. The ink-jet ink shall be Universe black (75) oblique.

For Commodity Requirements Documents VO14, CM4 and WFBF6, Part 1, Section 1.2, Quality Assurance, Subsection A, is deleted and replaced with:

Section 1.2 Quality Assurance

A. This contract provides for Government quality assurance at source. The Government shall sample, inspect, and test the product offered in performance of the contract.

1. Sampling and testing will be performed by a third party contractor (Intertek) hired by the Government to perform sampling and testing services. Certificates of Analysis shall be issued on the laboratory's letterhead showing results of all factors tested and notating in an obvious manner those factors that fail to meet contract requirements. A Certificate of Analysis from Intertek is required for invoice payment pursuant to the Invoicing Requirements clause of the contract.

2. Contractors shall provide advance notification to Intertek of the scheduled production for all lots provided under the contract. Intertek shall be notified at least seven workdays, inclusive, prior to the start of production.

3. Pursuant to contract clause 52.246-2, Inspection of Supplies Fixed Price, Subparagraph (e)(1), if the supplies are not ready for inspection at the time specified by the contractor, the contracting officer may charge the contractor the additional cost of inspection and/or test.

4. Intertek will test the finished product for all requirements as specified in Solicitation AG-INTS-S-11-9980 for the aseptic sampling and laboratory testing services for food aid products procured for Government programs. Testing

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methodologies will be those described in the solicitation.

5. Quality discounts as provided in Subsection 1.3 shall be applicable and assessed based on the results of Intertek's testing.
6. In the event that initial test results indicate that the product fails to meet the commodity contract specifications, commodity contractors may, at their expense, request up to two (2) re-tests to be conducted by Intertek. The contractor shall submit requests for re-tests in writing to both the Contracting Officer's Technical Representative and the Contracting Officer listed on the contract award notification by e-mail or otherwise in writing. The results of Intertek's test or re-test results, if applicable, shall be final.
7. Contractor shall provide the results of any re-test to the Contracting Officer.
8. All test results outside of the specification ranges or discount ranges will constitute non-conforming product.
9. The commodity contractor shall determine the average net weight of the filled containers in each lot and submit those results on a separate weight certificate with the invoice package.

Potential offerors are advised that effective for all PO's awarded on or after October 17, 2011, the Government shall conduct sampling and testing by use of a third-party contractor (Intertek) for any of the following blended/fortified commodities: All Purpose Wheat Flour/Bread Flour (WFBF6), Bulgur / Soy-Fortified Bulgur (BWSF13), Cornmeal (CM4), Soy-Fortified Cornmeal (SFCM3), Corn Soy Milk (CSM3), Vegetable Oil Products (VO14), Corn Oil (CO6), Refined Sunflower Seed Oil (SFSO6), Soy-Fortified Sorghum Grits (SFSG13), and Wheat Soy Milk (WSM10). This will be in addition to any other quality assurance requirement provided in the pertinent Commodity Requirements Document, such as Certificates of Analysis. Offerors should take into consideration when preparing their offers the potential impact sampling and testing may have on their production schedules. The Government will provide the test results to the contractors as soon as possible after sampling and the contractors shall submit the Government's test results certification as part of the required documentation with its invoice. Contractors may ship product prior to receipt of test results; however, you are cautioned that any costs resulting from the shipment of nonconforming product shall be the responsibility of the contractor. Intertek must receive advance notification seven work days, inclusive, prior to the start of production. Contact information for Intertek is as follows:

Niki Hebert  
Operations Manager  
160 James Drive East, Suite 200  
ST. Rose, LA 70087  
Tel 504-602-2148  
Mobile 504-329-3893  
Fax 504-467-2195  
Niki.hebert@intertek.com

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**Certification Questions :**

Annual Representations and Certifications (FAR 52.204-8(b): The offeror has completed the annual representations and certifications electronically via the Online Representations and Certifications (ORCA) website at <http://orca.bpn.gov>. After reviewing the ORCA database information, the offeror verifies by submission of the offer that the representations and certifications currently posted electronically have been entered or updated within 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), as of the date of this offer and are incorporated in this offer by reference (see FAR 4.1201); except for the changes identified under Attributes. These amended representation(s) and/or certification(s) are also incorporated in this offer and are current, accurate, 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 on ORCA. (OFFEROR TO INSERT CHANGES, IDENTIFYING CHANGE BY CLAUSE NUMBER, TITLE, AND DATE IN THE ORCA\_AMENDMENT\_TO\_DATE ATTRIBUTE LOCATED UNDER THE ATTRIBUTE TAB. ENTER N/A IF THERE ARE NO CHANGES.)

**Bid invitation Item details**

Item	Material	Description	Quantity	
<b>10 BEANS, DRY-PKGD</b>				
20	100550	BEANS, GREAT NORTHERN BAG-50 KG	220	MT
		<b>Total Quantity for BEANS, DRY-PKGD</b>	220	MT
<b>30 CORN-SOY BLEND-PKGD</b>				
40	100538	CORN-SOY BLEND BAG-HP-25 KG	8,010	MT
		<b>Tendering text : Best Used By Dates required</b>		
		<b>Total Quantity for CORN-SOY BLEND-PKGD</b>	8,010	MT
<b>50 CORNMEAL-PKGD</b>				
60	100609	CORNMEAL BAG-HP-25 KG	2,440	MT
		<b>Total Quantity for CORNMEAL-PKGD</b>	2,440	MT
<b>70 FLOUR, WHEAT-PKGD</b>				
80	100562	FLOUR, ALL PURPOSE BAG-50 KG	2,390	MT
		<b>Tendering text : Best Used By Dates required</b>		
90	100562	FLOUR, ALL PURPOSE BAG-50 KG	720	MT
		<b>Tendering text : Fit for human consumption certificate required</b>		
		<b>Total Quantity for FLOUR, WHEAT-PKGD</b>	3,110	MT
<b>100 GRAIN PRODUCTS-PKGD</b>				
110	100586	SORGHUM BAG-50 KG	1,510	MT

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Item	Material	Description	Quantity	
		<b>Tendering text</b> : Fit for human consumption certificate required		
120	100586	SORGHUM BAG-50 KG	2,260	MT
		<b>Tendering text</b> : 13.5% moisture maximum. Fit for human consumption certificate required		
		<b>Total Quantity for GRAIN PRODUCTS-PKGD</b>	3,770	MT
<b>130 OIL PRODUCTS-PKGD</b>				
140	100566	OIL, VEGETABLE CAN-6/4 L	3,740	MT
		<b>Tendering text</b> : Best Used By Dates required on primary containers and corrugated boxes. Fit for human consumption certificate required		
150	100566	OIL, VEGETABLE CAN-6/4 L	5,670	MT
		<b>Tendering text</b> : Best Used By Dates required on primary containers and corrugated boxes. Contractor shall provide an additional 2% (5,145) empty cardboard boxes		
160	100566	OIL, VEGETABLE CAN-6/4 L	320	MT
		<b>Tendering text</b> : Best Used By Dates required on primary containers and corrugated boxes. 100% Soybean oil required		
170	100566	OIL, VEGETABLE CAN-6/4 L	390	MT
		<b>Tendering text</b> : Best Used By Dates required on primary containers and corrugated boxes		
		<b>Total Quantity for OIL PRODUCTS-PKGD</b>	10,120	MT
<b>180 PEAS/LENTILS-PKGD</b>				
190	100555	PEAS, YELLOW, SPLIT BAG-50 KG	1,500	MT
		<b>Tendering text</b> : 13.5% moisture maximum. Crop year certificate required. Contractor shall provide an additional 1% (300) empty bags without contract numbers		
200	100555	PEAS, YELLOW, SPLIT BAG-50 KG	2,080	MT
		<b>Tendering text</b> : Contractor shall provide an additional 1% (416) empty bags without contract numbers		
210	100560	LENTILS BAG-50 KG	2,070	MT
		<b>Tendering text</b> : Contractor shall provide an additional 2% (828) empty bags without contract numbers		
220	100558	PEAS, YELLOW, WHOLE BAG-50 KG	1,500	MT
		<b>Tendering text</b> : 13.5% moisture maximum. Contractor shall provide an additional 1% (300) empty bags without contract numbers.		
230	100560	LENTILS BAG-50 KG	720	MT
		<b>Tendering text</b> : Crop year certificate required		
240	100555	PEAS, YELLOW, SPLIT BAG-50 KG	490	MT
		<b>Tendering text</b> : 13.5% moisture maximum. Contractor shall provide an additional 1% (98) empty bags without contract numbers		
250	100555	PEAS, YELLOW, SPLIT BAG-50 KG	910	MT
260	100560	LENTILS BAG-50 KG	1,080	MT

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<b>Item</b>	<b>Material</b>	<b>Description</b>	<b>Quantity</b>	
270	100556	PEAS, GREEN, SPLIT BAG-50 KG Tendering text : Crop year certificate required	1,400	MT
280	100558	PEAS, YELLOW, WHOLE BAG-50 KG Tendering text : Crop year certificate required	940	MT
<b>Total Quantity for PEAS/LENTILS-PKGD</b>			<b>12,690</b>	<b>MT</b>
<b>290 WHEAT-SOY BLEND-PKGD</b>				
300	100540	WHEAT-SOY BLEND BAG-HP-25 KG Tendering text : Best Used By Dates required. Fit for human consumption certificate required	170	MT
<b>Total Quantity for WHEAT-SOY BLEND-PKGD</b>			<b>170</b>	<b>MT</b>
<b>Total Quantity for Invitation</b>			<b>40,530</b>	<b>MT</b>



Daniel Webber  
 Contracting Officer  
 United States Department of Agriculture