

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

#### Information

Description: 12-1NMP-19-B-0005  
Bid invitation number: 2000005772  
Purchasing Group: FSA-Intl Packaged

## SOLICITATION

### International Commodity Invitation

#### Bid invitation Overview

Bid Timezone: Central Time  
Start Date: 11/14/2018 16:30:00  
Offer Due Date : 11/27/2018 09:00:00  
  
Opening date: 11/27/2018 09:00:00  
  
Invitation Type : Definite Delivery

#### Additional requested information:

#### Tendering text - Header :

Acquisition Method: Sealed Bids (IFB)

Reference Invitation: 2000005773

Also known as: Commodity Invitation 118A

Award Notification Date: November 28, 2018, 12:00 p.m.

Public Release of Award Date: November 28, 2018, 4:00 p.m.

#### 1. Solicitation Information Contact:

Name: Carol Clark  
Telephone Number: 816-823-4636  
Email: carol.a.clark@ams.usda.gov

#### 2. Internet Address:

<https://www.fsa.usda.gov/programs-and-services/commodity-operations/procurement-and-sales/index>

#### 3. This Acquisition is:

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

#### SMALL BUSINESS SET ASIDE:

Peas and Lentils - 510 MT  
Milled Rice - 1,210 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.

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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 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 of 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) smallbusiness firm is a nonmanufacturer, it shall meet the definition and requirements outlined in FAR Part 1. 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:

[https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdfiles/Comm-Operations/pdf/master\\_solicitation.pdf](https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdfiles/Comm-Operations/pdf/master_solicitation.pdf)

**NOTICE OF HUBZONE SET ASIDE:**

The Government shall set aside 10% of the quantity of vegetable oil exclusively for bidding by eligible HUBZone firms. In the event the Government is unsuccessful in contracting with an eligible HUBZone firm, it may award the quantities to other firms.

**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

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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 car lot increments in the event of multiple awards to eligible Service-Disabled veteran firms. 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.

4. NAICS Codes/Size Standards:

See Master Solicitation for Commodity Procurements at:

[https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdfiles/Comm-Operations/pdf/master\\_solicitation.pdf](https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdfiles/Comm-Operations/pdf/master_solicitation.pdf)

5. Delivery Type:

f.a.s. vessel  
 Intermodal plant\*  
 Intermodal bridge

\* Attention suppliers offering intermodal plant bids: The International Maritime Organization (IMO) has amended the International Convention for the Safety of Life at Sea (SOLAS) to require, as a condition for loading a packed container onto a ship for export, that the container has a verified weight (VGM # Verified Gross Mass). This requirement is global and will become legally effective on July 1, 2016. A detailed explanation can be found at the following site:

[http://www.worldshipping.org/industry-issues/safety/WSC\\_Summarizes\\_the\\_Basic\\_Elements\\_of\\_the\\_SOLAS\\_Container\\_Weight\\_Verification\\_Requirement\\_\\_\\_January\\_2015\\_-3-.pdf](http://www.worldshipping.org/industry-issues/safety/WSC_Summarizes_the_Basic_Elements_of_the_SOLAS_Container_Weight_Verification_Requirement___January_2015_-3-.pdf)

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:

<https://www.fsa.usda.gov/programs-and-services/commodity-operations/procurement-and-sales/export/port-terminal-information/index>

6. Submission of Offers:

Bids, modifications, withdrawals of bids, and price adjustments shall be submitted using the Web Based

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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 shipping points as possible.

The WBSCM system can be accessed through the following website:

<https://www.fsa.usda.gov/programs-and-services/commodity-operations/web-based-supply-chain-management/index>

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)
- // Food For Progress (Procured by FSA on behalf of CCC)
- /X/ 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 DEB7, or where otherwise specified under bid invitation item details, are as follows:

Shipping periods for inland plants:

December 16 to December 31, 2018 and/or  
 January 1 to January 15, 2019

Shipping periods for plants located at port:

January 1 to January 15, 2019 and/or  
 January 16 to January 31, 2019

Shipping periods, for PL6 and DEB7 only, are as follows:

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Shipping period for inland plants:

December 16, 2018 to January 6, 2019

Shipping period for plants located at the port:

January 7 to January 28, 2019

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. The 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:

When empty packaging is required:

The contractor shall ship the empty bags/boxes in the conveyance with the commodity. The contractor shall ensure that the empty bags/boxes are bundled securely and loaded into the conveyance so as to minimize damage and/or shortage to the packaging. There shall be no empty packaging shipped loosely on the floor of the conveyance. The contractor shall include the piece count of the empty bags/boxes on the bill of lading. The contractor shall include the piece count of the empty bags/boxes in the comments field when creating the Advance Shipment Notification (ASN) for the commodity within WBSCM.

Commodity requirements are available at:

<https://www.fsa.usda.gov/programs-and-services/commodity-operations/procurement-and-sales/export/commodity-requirements/index>

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.

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11. Contract Closeout and Contractor Past Performance Evaluation:

Closeout Reporting.

Contractors shall fully complete and return all documents relating to contract completion and contract closeout. Completion and return of the aforementioned documents may be reported as part of vendor past performance evaluation.

Past Performance Evaluation.

The Government will prepare a past performance evaluation at the time the work under this 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. Contractors will have an opportunity to comment on the Government evaluation. The past performance evaluation may be used by the Government to support a future award decision. Details on access and the use of contractor performance assessment reporting system will be provided at a future date.

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:

[https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdfiles/Comm-Operations/pdf/master\\_solicitation.pdf](https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdfiles/Comm-Operations/pdf/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 Document CM6, CSB13, CSBP2, ICSB1, and SFCM4 the following is applicable:

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In addition to any maximum contaminant requirement established in the commodity specification, the Government is requiring compliance for maximum Deoxynivalenol ( DON) levels of 1 mg/kg (on a dry matter basis) using a validated HPLC analytical method for mycotoxin such as AOAC 986.17 or EN 15891:2010; or any other equivalent validated effective method.

For Commodity Requirements Documents SCP the following is applicable:

In addition to any maximum contaminant requirement established in the commodity specification, the Government is requiring compliance for maximum Deoxynivalenol ( DON) levels of 0.2 mg/kg (on a dry matter basis) using a validated HPLC analytical method for mycotoxin such as AOAC 986.17 or EN 15891:2010; or any other equivalent validated effective method.

For Commodity Requirements Documents CM, CSB, CSBP, 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 Document SFCM4, Part 1, Section 1.1B, Vitamin A requirements in the finished product (i.e. including intrinsic and premix conditions) are deleted and replaced with:

Vitamin A - Minimum: 1662 IU/lb - Maximum: No max.

For Commodity Requirements Document WSB15, Part 1, Section 1.2, Ingredient Specifications G(2) table requirements are deleted and replaced with:

Iron Minimum: 14.7 mg/100g Iron Maximum: 30.0 mg/100g  
 Excess Iron of 30.1 to 31.5 mg/100g \_\_\_\_\_ \$0.10 per cwt discount  
 Excess Iron of 31.6 to 33.1 mg/100g \_\_\_\_\_ \$0.20 per cwt discount  
 Excess Iron of 33.2 to 35.0 mg/100g \_\_\_\_\_ \$0.30 per cwt discount

The following sections of the specified Commodity Requirements Documents are deleted: CSB13, Part 1, Section 1.2, Quality Assurance, Subsections A and C, Section 1.3 and 1.4: CSBP2, Part 1, Section 1.2, Quality Assurance, Subsections A and C:

The deleted sections are replaced with the following language:

Section 1.2 Quality Assurance -

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

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1. Sampling and testing will be performed by employees of the Department of Agriculture or contracted personnel under the direction or supervision of Government personnel. The results of Government testing shall be issued on an official Federal Grain Inspection Service (FGIS) Commodity Inspection Certificate. A FGIS Commodity Inspection Certificate is required for invoice payment pursuant to the Invoicing Requirements clause of the contract.
  2. Contractors shall provide advance notification to the appropriate FGIS field office of the scheduled production for all lots provided under the contract. The advance notification shall be sent between two and seven workdays, inclusive, prior to the start of production.
  3. The Government will determine the average net weight of the filled containers in each production lot and the net weight of the total lot in accordance with established FGIS procedures for packaged commodities.
  4. The Government will verify that the packaged commodity meets the U.S. Standards for the Condition of Food Containers.
  5. Any re-test or appeal requested by a contractor shall be at the contractor's expense. The Contractor shall submit requests for re-test or appeal 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.
  6. The Contractor shall provide the results of any re-test or appeal to the Contracting Officer.
  7. All test results outside of the specification ranges or will constitute non-conforming product.
- B. The USDA sampling and testing quality assurance program is based on a lot size of two railcars (approximately 140 MT); to the maximum extent possible. Suppliers shall plan continuous production runs in two railcar increments to avoid additional sampling and testing expenses to the Government.



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**Certification Questions :**

Annual Representations and Certifications FAR 52.204-8 (d): The offeror has completed the annual representations and certifications electronically via the SAM Web site accessed through <http://www.acquisition.gov>. After reviewing the SAM 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, 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 on SAM. [Offeror to insert changes, identifying change by clause number, title, date in the AMENDMENT\_TO\_REPS\_&\_CERTS\_DATA Attribute located under the Attribute tab. Enter N/A if there are no changes.]

**Bid invitation Item details**

Item Material	Description	Quantity
<b>10</b>	<b>GRAIN PRODUCTS-PKGD</b>	
20	100583 WHEAT, SOFT WHITE BAG-50 KG	MT 2,450.000
<p><b>Tendering text - Item :</b> USDA cannot provide official certification to attest the year of planting, farming or harvesting of grains, oilseeds or pulses procured. At the request of PVO/NGO#s representative, contracted suppliers must provide documentation, based on company records, to meet importing country requirements on their company letterhead and be responsible for such documentation and content to include the crop/harvest year from which the commodities to be provided will come</p>		
<b>Total Quantity for GRAIN PRODUCTS-PKGD</b>		<b>MT</b> <b>2,450.000</b>
<b>30</b>	<b>OIL PRODUCTS-PKGD</b>	
40	100566 OIL, VEGETABLE CAN-6/4 L	MT 70.000
<p><b>Tendering text - Item :</b> Best Used By Dates required on primary containers and corrugated boxes</p>		
<b>Total Quantity for OIL PRODUCTS-PKGD</b>		<b>MT</b> <b>70.000</b>
<b>100</b>	<b>PEAS/LENTILS-PKGD</b>	

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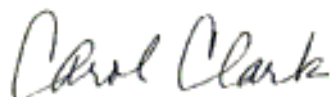
<b>Item</b>	<b>Material</b>	<b>Description</b>	<b>Quantity</b>	
110	100560	LENTILS BAG-50 KG	660.000	MT
<p><b>Tendering text - Item</b> : USDA cannot provide official certification to attest the year of planting, farming or harvesting of grains, oilseeds or pulses procured. At the request of PVO/NGO#s representative, contracted suppliers must provide documentation, based on company records, to meet importing country requirements on their company letterhead and be responsible for such documentation and content to include the crop/harvest year from which the commodities to be provided will come</p>				
150	100560	LENTILS BAG-50 KG	140.000	MT
<p><b>Tendering text - Item</b> : Best Used By Dates required on primary containers and corrugated boxes. Contractor shall provide an additional 6.0 percent empty bags without Best Used By Dates and without contract numbers</p>				
<b>Total Quantity for PEAS/LENTILS-PKGD</b>			800.000	MT
<b>120</b>	<b>RICE, MILLED-PKGD</b>			
130	100977	RICE, 5/20 MG, W-MLD BAG-50 KG	1,350.000	MT
<p><b>Tendering text - Item</b> : USDA cannot provide official certification to attest the year of planting, farming or harvesting of grains, oilseeds or pulses procured. At the request of PVO/NGO#s representative, contracted suppliers must provide documentation, based on company records, to meet importing country requirements on their company letterhead and be responsible for such documentation and content to include the crop/harvest year from which the commodities to be provided will come</p>				
140	100967	RICE, 2/7 LG, W-MLD BAG-50 KG	2,200.000	MT
<p><b>Tendering text - Item</b> : USDA cannot provide official certification to attest the year of planting, farming or harvesting of grains, oilseeds or pulses procured. At the request of PVO/NGO#s representative, contracted suppliers must provide documentation, based on company records, to meet importing country requirements on their company letterhead and be responsible for such documentation and content to include the crop/harvest year from which the commodities to be provided will come</p>				
160	100967	RICE, 2/7 LG, W-MLD BAG-50 KG	480.000	MT
<p><b>Tendering text - Item</b> : Best Used By Dates required. Contractor shall provide an additional 6.0 percent empty bags without Best Used By Dates and without</p>				

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<b>Item Material Description</b>	<b>Quantity</b>	
contract numbers		
<b>Total Quantity for RICE, MILLED-PKGD</b>	<b>4,030.000</b>	<b>MT</b>
<b>Total Quantity for Invitation</b>	<b>7,350.000</b>	<b>MT</b>



Carol Clark  
Contracting Officer  
United States Department of Agriculture