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: 12-3J14-17-S-0422
Bid invitation number: 2000004947
Purchasing Group: AMS-Livestock

SOLICITATION

Domestic Commodity Invitation

Bid invitation Overview

Bid Timezone: Central Time

Start Date: 08/18/2017 12:00:00 Offer Due Date : 08/30/2017 13:00:00

Opening date: 08/30/2017 13:00:00

Invitation Type: Definite Delivery

Additional requested information:

Tendering text - Header:

POLLOCK SOLICITATION NO: 2000004947

The U.S. Department of Agriculture (USDA) invites offers to sell pollock products 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, September 7, 2017. Deliveries are to be made between March 1, 2018 through August 31, 2018.

** NEW* ** NEW

Solicitation provisions and contract clauses contained in the Master Solicitation for Commodity Procurements (MSCP) dated April 2017, are incorporated by reference. The MSCP is available online at: https://www.ams.usda.gov/sites/default/files/media/MSCP.pdf.

In the event of a conflict between WBSCM and Federal Acquisition Regulation (FAR) terminology, FAR terminology shall take precedence. Definite orders known at this time are included in the "Bid Invitation Item Details" below. Additional truckload orders may be added to awardee(s) contracts at a later date. In the event multiple awards are made, fair opportunity will be given for awarding those additional delivery orders. Additional FAR and Agricultural Acquisition Regulation (AGAR) provisions and clauses for indefinite delivery contacts are included in the following paragraphs:

The FAR Provision 52.216-1, Type of Contract, in the MSCP is deleted and Replaced with the following: FAR Provision 52.216-1, Type of Contract (Apr 1984). The Government contemplates award of a fixed-price, indefinite delivery contract resulting from this solicitation. (End of provision.)

FAR Clause 52.216-18, Ordering (Oct 1995).

- (a) Any supplies and services to be furnished under this contract shall be ordered by issuance of delivery orders or task orders by the individuals or activities designated in the Schedule. Such orders may be issued anytime after contracts are awarded.
- (b) All delivery orders or task orders are subject to the terms and condition of this contract. In the event of conflict between a delivery order or task order and this contract, the contract shall control.
- (c) If mailed, a delivery order or task order is considered "issued" when the Government deposits the order in the mail. Orders may be issued orally, by facsimile, or by electronic commerce methods only if authorized in the Schedule. (End of clause.)

FAR Clause 52.216-19, Order Limitation (Oct 1995).

- (a) Minimum order. When the Government requires supplies or services covered by this contract in an amount of less than 38,000 pounds the Government is not obligated to purchase, nor is the Contractor obligated to furnish, those supplies or services under the contract.
- (b) Maximum order. The Contractor is not obligated to honor:

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(1) Any order for a single item of Pollock Sticks Breaded (110851) in excess of 38,000 pounds (equivalent to one truckload) and Pollock Blocks (110601) in excess of 39,600 pounds (equivalent to one truckload);

- (2) Any order for a combination of items in excess 1,157,600 pounds; or
- (3) A series of orders from the same ordering office within 60 days that together call for quantities exceeding the limitation in subparagraph (b)(1) or (2) of this section.
- (c) Notwithstanding paragraphs (b) of this section, the Contractor shall honor any Order exceeding the maximum order limitations in paragraph (b), unless that order (or orders)is returned to the ordering office within seven (7) days of with written notice stating the Contractor#s intent not to ship the item (or items) called for and the reasons. Upon receiving this notice, the Government may acquire the supplies or services from another source. (End of clause.)

FAR Clause 52.216-22, Indefinite Quantity (Oct 1995).

- (a) This is an indefinite-quantity contract for the supplies or services specified and effective for the period stated in the Schedule. The quantities of supplies and services specified in the Schedule are estimates only and are not purchased by this contract.
- (b) Delivery or performance shall be made only as authorized by orders issued in accordance with the Ordering Clause. The Contractor shall furnish to the Government when and if ordered, the supplies or services specified in the Schedule up to and including the quantity designed in the Schedule as the "maximum." The Government shall order at least the quantity of supplies or services designated in the Schedule as the "minimum."
- (c) Except for any limitations on quantities in the Order Limitations clause or in the Schedule, there is no limit on the number of orders that may be issued. The Government may issue orders requiring delivery to multiple destinations or performance at multiple locations.
- (d) Any order issued during the effective period of this contract and not completed within that period shall be completed by the Contractor within the time specified in the order. The contract shall govern the Contractor#s and Government#s rights and obligations with respect to that order to the same extent as if the order were completed during the contract#s effective period, provided, that the contractor shall not be required to make any deliveries under this contract after August 31, 2018.

** NEW* ** NEW

Offerors who intend to use more than one processing plant and shipping point for contracts awarded under this solicitation, other than the processing plant and shipping point entered in their bids, may submit a list of their approved processing plants and shipping points on a separate sheet of paper to be uploaded in WBSCM, and to be submitted with their bids.

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 basis to cities on this Solicitation. Destination quantities listed

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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 April 2017; the Supplement 509 dated May 2017; 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 many 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 Avenue, S.W., Washington, D.C.20250-9410, or call (866) 632-9992 (Toll-free Customer Service), (800) 877-8339 (Local or Federal relay), (866) 677-8642 (Relay voice users).

See attached documents:

- 1. AMS Master Solicitation April 2017
- 2 . Supplement 509 Alaska Pollock Products May 2017

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 acknowledges receipt of the amendment(s) to the solicitation. Select N/A if no amendment was issued to the solicitation.

Permitted values: - Yes

- No

- N/A

Bid invitation Item details											
Item Material Description			Required by	ZipCode	Quantity	_					
10 FISH, F	ROZEN										
20 FISH AK PLCK FRZ BULK CTN-49.5 LB											
30 NEWPORT NEWS VA											
40	110601	FISH AK PLCK FRZ BULK CTN-49.5 LB	05/16/2018-05/31/2018	23603	39,600	LB					
		Total Quantity for FISH AK PLCK FR	Z BULK CTN-49.5 LB		39,600	LB					

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Iten	n Material	Description	Required by	ZipCode	Quantity							
50 FISH	50 FISH AK POLLOCK STICKS BRD FRZ CTN-40 LB											
60 CORINTH MS												
70	110851	FISH AK POLLOCK STICKS BRD FRZ CTN-40 LB	03/01/2018-03/15/2018	38835	38,000	LB						
80 JACKSON MS												
90	110851	FISH AK POLLOCK STICKS BRD FRZ CTN-40 LB	03/01/2018-03/15/2018	39209	152,000	LB						
100 LC												
110	110851	FISH AK POLLOCK STICKS BRD FRZ CTN-40 LB	03/01/2018-03/15/2018	38835	20,000	LB						
120	110851	FISH AK POLLOCK STICKS BRD FRZ CTN-40 LB	03/01/2018-03/15/2018	39209	18,000	LB						
130 LOT: 36049483 CLEVELAND OH / DAYTON OH /												
140	110851	FISH AK POLLOCK STICKS BRD FRZ CTN-40 LB	03/01/2018-03/15/2018	44135	18,800	LB						
150	110851	FISH AK POLLOCK STICKS BRD FRZ CTN-40 LB	03/01/2018-03/15/2018	45402	9,600	LB						
160	110851	FISH AK POLLOCK STICKS BRD FRZ CTN-40 LB	03/01/2018-03/15/2018	45402	9,600	LB						
170 LOT: 101285283 CLEVELAND OH / DAYTON												
	Tendering text - Item: LOT: 101285283 CLEVELAND OH / DAYTON OH /											
180	110851	FISH AK POLLOCK STICKS BRD FRZ CTN-40 LB	06/16/2018-06/30/2018	44135	18,800	LB						
190	110851	FISH AK POLLOCK STICKS BRD FRZ CTN-40 LB	06/16/2018-06/30/2018	45402	9,600	LB						
200	110851	FISH AK POLLOCK STICKS BRD FRZ CTN-40 LB	06/16/2018-06/30/2018	45402	9,600	LB						
210 LC	OT: 53838	85400 DES MOINES IA / WATERL										
		Tendering text - Item: LOT: 5383854	100 DES MOINES IA / W	'ATERLOC	IA /							
220	110851	FISH AK POLLOCK STICKS BRD FRZ CTN-40 LB	03/01/2018-03/15/2018	50316	19,000	LB						
230	110851	FISH AK POLLOCK STICKS BRD FRZ CTN-40 LB	03/01/2018-03/15/2018	50703	19,000	LB						
	Total Quantity for FISH AK POLLOCK STICKS BRD FRZ CTN-40 LB			40 LB	342,000	LB						
		Total Quantity for Invitation			381,600	LB						

Contracting Officer

Commodity Procurement Division United States Department of Agriculture