

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>			1. CONTRACT ID CODE	PAGE OF PAGES 1 4
2. AMENDMENT/MODIFICATION NUMBER A01	3. EFFECTIVE DATE 01/24/2019	4. REQUISITION/PURCHASE REQUISITION NUMBER N/A	5. PROJECT NUMBER (If applicable)	
6. ISSUED BY United States Department of Agriculture Agricultural Marketing Service, Commodity Procurement Staff 1400 Independence Ave SW Room 3522-S, STOP - 0239 Washington, DC 20250-0239	CODE	7. ADMINISTERED BY (If other than Item 6) CODE See block 6		
8. NAME AND ADDRESS OF CONTRACTOR (Number, street, county, State and ZIP Code)		(X)	9A. AMENDMENT OF SOLICITATION NUMBER 2000005850	
		(X)	9B. DATED (SEE ITEM 11) 01/17/2019	
			10A. MODIFICATION OF CONTRACT/ORDER NUMBER	
			10B. DATED (SEE ITEM 13)	
CODE	FACILITY CODE			

**11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS**

The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers  is extended.  is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:  
 (a) By completing items 8 and 15, and returning 0 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or electronic communication which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by letter or electronic communication, provided each letter or electronic communication makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS.  
IT MODIFIES THE CONTRACT/ORDER NUMBER AS DESCRIBED IN ITEM 14.**

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NUMBER IN ITEM 10A.
<input type="checkbox"/>	
<input type="checkbox"/>	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
<input type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
<input type="checkbox"/>	D. OTHER (Specify type of modification and authority)

**E. IMPORTANT:** Contractor  is not  is required to sign this document and return 0 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this amendment is to answer questions on the above referenced solicitation. Please see following pages for questions and answers.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Mr. Jeffrey Jackson Contracting Officer
15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign)	15C. DATE SIGNED
16B. UNITED STATES OF AMERICA  (Signature of Contracting Officer)	16C. DATE SIGNED

Previous edition unusable

For this solicitation the following requirement for walnuts has been **WAIVED**:

*“For loads shipping between April 1st through October 1st, the packaged walnuts must be loaded into a refrigerated trailer capable of holding air temperature not to exceed 40° F.”*

So, walnuts shipped between April 1<sup>st</sup> through October 1<sup>st</sup> do not need to be shipped and held in a refrigerated trailer.

All other terms and conditions remain unchanged including case markings that state:

“STORE UNDER REFRIGERATION 35 TO 40 DEGREES F.”

**Q1a.** Would you be able to provide me the spec for the shelled walnuts on this solicitation or lead me in the right direction on where to find it?

**A1a.** Links to the specification documents are listed in the Attachments section of the solicitation, and are also available at the Commodity Procurement Webpage under Selling Food to USDA:

- [Commodity Specifications for Shelled Nuts](#) (dated August 2014)
- [Amendment No. 1 to the Commodity Specification for Shelled Nuts](#) (dated October 2018)
- [Trade Mitigation Specification for In-Shell Pistachios and Shelled Pecans](#) (dated December 2018)

**Q1b.** Could “Small Pieces” be included in the specification size? Currently, Amendment No. 1 outlines “Size: Must be – Pieces, or Pieces and halves, or Halves”. This limits inclusion of smaller kernels which could be offered at a more economical price point.

**A1b.** In October of 2018 we amended the specification for shelled walnuts to remove “Small pieces”. This change was made under the recommendation of the California Walnut Board. The reason for this change was to help alleviate customer complaints we received due to quality issues in a previous purchase. So, small pieces will not be allowed.

**Q1c.** Could Pack Year be expanded or revised to that provided in Solicitation that we are currently delivering? “Product produced in 2017 and 2018 will be accepted.” This would align better to the crop year currently available.

**A1c.** The intention of this purchase is for Trade Mitigation, the pack year that will be accepted is 2018 and 2019 (which we recognize is not yet available).

**Q2.** Where should questions about the solicitation be directed?

**A2.** Questions should be emailed to DeVonne Collins ([DeVonne.Collins@ams.usda.gov](mailto:DeVonne.Collins@ams.usda.gov)) or Jeffrey F. Jackson ([JeffreyF.Jackson@AMS.usda.gov](mailto:JeffreyF.Jackson@AMS.usda.gov)).

**Q3.** Do I need to be signed up as a vendor with USDA to participate in the solicitation? If so, how do I get signed up?

**A3.** Yes, your company needs to be signed up and approved with USDA before you are allowed to submit bids. Please contact Andrea Lang the New and Small Business Coordinator at [NewVendor@ams.usda.gov](mailto:NewVendor@ams.usda.gov)

**Q4.** Do prospective contractors have to bid on the full volume offered in the solicitation?

**A4.** No. You may bid on as much or as little of the total volume as you would like. We typically make multiple awards on our solicitations.

**Q5.** How big is a truckload on your solicitation?

**A5.** We solicit in full truckload quantities, meaning a full commercial truckload for each commodity. For example, it takes 1,640 cases of Pistachio Package-12/2lb to make a full truck. It takes 1,656 cases of Pecan Pieces Package-24/1lb to make a full truck. Last it takes 1,656 cases of Walnut English Pieces Carton-24/1lb to make a full truck. Some truckloads include what we call “split loads,” meaning it is a full commercial truckload that includes delivery to multiple stops. There are no more than 3 stops on a split load. The line items in the solicitation are grouped into full truckload quantities for each product.

**Q6.** I noticed on the solicitation that the pistachio quantities are listed as 1,640 cases per truck load. My facility usually ships 1,680 cases per truck load. May we use our existing quantities per pallet and truck load?

**A6.** The order quantities and delivery quantities must match. Vendors may use their preferred pallet configuration as long as the total delivered cases per destination match the order quantity.

**Q7.** The master solicitation talks about the need for metal truck seals. We have our own company seals that are plastic. Is it necessary to purchase metal seals to be used for these deliveries?

**A7.** Yes, they are required. In addition, if there are multiple drops, the truck must be sealed before arriving at each destination and the number on the seal must match the sequential seal numbers listed on the Bill of Lading/POD.

**Q8.** What are the food defense and plant survey requirements?

**A8.** Vendors supplying the finished product (i.e. tree nut products in household size bags for final distribution) are required to undergo an annual Plant Survey and Food Defense System Survey, or Plant Systems Audit (PSA). This audit will be performed by the USDA, AMS, SCP, SCI Division.

**The audit is required to be completed prior to submitting a bid.**

**Q9.** How do I meet the food defense and plant survey requirements?

**A9.** For scheduling a Plant Survey, Food Defense System Survey, or Plant Systems Audit (PSA) with the nearest SCI Division office or for information about audit or survey requirements, vendors should contact:

[SCIinspectionoperations@ams.usda.gov](mailto:SCIinspectionoperations@ams.usda.gov)

**Q10.** What are the product inspection requirements and where do they occur?

**A10.** Product inspection requirements are found in the Commodity Specification for Shelled Nuts and the amendments referenced in the solicitation. Inspection will occur at the final packaging point (facility). Supplier and/or roaster will obtain grading, certification, and laboratory services through the AMS Federal/State Inspection Service. If the tree nut supplier and/or roaster is not the same facility where the nuts are packaged into their final form (household size bags for final distribution), then the supplier/roaster will provide the final packaging point (facility) with U.S. Grading Certificate as well as a Certificate of Analysis (COA) showing the results for required analytical and microbiological testing. These results will be furnished to SCI Inspection staff upon request.

**Q11.** Is check-loading required?

**A11.** Check-loading by USDA inspectors is not required for contracts awarded under this solicitation. However, at their expense, vendors can request USDA Inspection staff to perform check-loading.

**Q12.** The solicitation lists 1,640 cases per truck, but my facility usually ships 1,680. Can we use our existing configuration per pallet/truckload?

**A12.** In order to process the vendors' invoice for payment, the order quantities and delivery quantities must match. Vendors may use their preferred pallet configuration as long as the total delivered cases per destination match the order quantity.

**Q13.** If we've gone through the process to become an approved vendor but haven't had an audit, what's the turnaround time? Is there a number to arrange an audit?

**A13.** We can generally do that within a week. You can call SCI at 1-800-560-7956 or email [SCIinspectionoperations@ams.usda.gov](mailto:SCIinspectionoperations@ams.usda.gov)

**Q14.** When are bids due?

**A14.** The bids due date is February 7, 2019 at 1:00PM CT.

**Q15.** Is it true that anything shipped after April 1, 2019 requires refrigeration?

**A15.** For this solicitation the existing requirement for walnuts has been **WAIVED**:

*"For loads shipping between April 1st through October 1st, the packaged walnuts must be loaded into a refrigerated trailer capable of holding air temperature not to exceed 40° F."*

So, walnuts shipped between April 1<sup>st</sup> through October 1<sup>st</sup> do not need to be shipped and held in a refrigerated trailer. All other terms and conditions remain unchanged including case markings that state: "STORE UNDER REFRIGERATION 35 TO 40 DEGREES F."