

**SOLICITATION
Domestic Commodity Invitation**

Information

Description: 12-3J14-19-B-0365

Bid invitation number: 2000006097

Tendering Text:

Acquisition Method: Sealed Bids (IFB)

Bid Opening Date: 5/14/2019 9:00 Central Time

Award Notification Date: 5/16/2019 17:00 Central Time

Public Release of Award Date: 5/17/2019 17:00 Central Time

1. Solicitation Information Contact:

Name: Cheryl Davis

Telephone Number: 816-926-3377

E-mail cheryla.davis@usda.gov

2. Internet Address: <http://www.ams.usda.gov/selling-food>

3. This Acquisition is:

/X/ Unrestricted

// Set-Aside for:

// Small Business Set-Aside in accordance with FAR 19.502-2. Any concern proposing to furnish a product that it did not itself manufacture must furnish the product it did not itself manufacture must furnish the product of a small business manufacturer (lbs).

// 8(a) Program (lbs) noncompetitive letter RFP only

// Service-Disabled Veteran-Owned Small Business SDVOSB (lbs) noncompetitive, letter RFP only

Offers will be evaluated in the following order of precedence: 1. Bids. 2. Proposals.

4. NAICS Codes/Size Standards: See Master Solicitation for Commodity

Procurements at: <https://www.ams.usda.gov/sites/default/files/media/MSCP.pdf>

5. Delivery Type: F.O.B. Destination

6. Submission of offers:

A. WBSCM Help Desk Information

To obtain assistance using WBSCM, please contact the WBSCM Level 1 Help desk at any of the following: -telephone: 877-WBSCM-4U or 877-927-2648-email: WBSCM.servicedesk@CACI.com

24/7 Self-Service support available via [WBSCM Service Desk Portal](#) or <https://cacifedramp.service-now.com/wbscm/>

You need to have the following information available when contacting the WBSCM Level 1 Help Desk:

-Company's Business Partner (BP) number: (if available)

-Company Name:

-Contact Name:

-Phone Number:

-E-mail Address:

-Identify that you are a Domestic Vendor

-Identify that you do business with FSA.

-Identify the deadline; date and time, for the Solicitation you need assistance with from the help desk.

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Level 1 Help desk hours are Monday through Friday from 7:00 a.m. to 5:00 p.m. central time.

The WBSCM system is off-line Sunday evenings from 4:00 PM to Midnight central time. Unplanned outages will be communicated through the WBSCM system.

B. WBSCM Offer Information

Only one bid price may be submitted for an item number.

C. The same price shall be entered for all items within the same product type. If all items for that product type are not entered when submitting the bids, then bids will be deemed non-responsive for that product type. Subject to Part 2, Section A.4, Evaluation of Bids, in the Master Solicitation for Commodity Procurements, the Government shall award contracts resulting from this solicitation to the responsive, Responsible bidder(s) whose bids will be most advantageous to the Government in terms of the lowest overall cost for a product type.

D. Plant Location Requirement:

Plant location and the Place of Performance in Federal Acquisition Regulations provisions **52.214-14 (Apr 1985)** and **52.215-6 (Oct 1997)** shall match. Representations and Certifications are available online at the System for Award Management at website www.SAM.gov.

7. Schedule of Supplies. The quantity awarded may be less than the quantity advertised due to program changes. Commodity requirements are available at:

<https://www.ams.usda.gov/sites/default/files/media/CRD%20Fortified%20R-T-E%20Cereal%20Products%20FC10%201-19-16.pdf>

8. Invoice:

The contractor shall use the Invoicing function in WBSCM. All Invoice documents shall reference the WBSCM Purchase Order (PO) Number and PO Item Number, the Sales Order (SO) Number and SO Item Number or Purchase Requisition Number (PR) and PR Item Number.

A separate invoice should be submitted for each item number.

The system for Award Management at the website www.SAM.gov is used for payment purposes. The contractor is responsible for controlling the accuracy of its business information.

9. Shipment/Delivery Schedule:

July 1 – September 30, 2019

See Schedule of Supplies for period of performance. A WBSCM Purchase Order will be available at least seven (7) calendar days prior to the first day of each period of performance scheduled in the contract. Contractor shall comply with the instructions in the WBSCM Purchase Order. If a WBSCM Purchase Order is available 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 WBSCM Purchase Order is available. 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:

A. Bidders shall meet the Qualification Requirements for Prospective Contractors Selling Commodities to USDA provision in the Master Solicitation for Commodity Procurements (MSCP).

<https://www.ams.usda.gov/sites/default/files/media/MSCP.pdf>

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B. Contractor Past Performance Evaluation applicable for contracts exceeding the simplified acquisition threshold of \$150,000.

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

In the event of a conflict between WBSCM and Federal Acquisition Regulation (FAR) terminology, FAR terminology shall take precedence.

A. This solicitation shall be subject to the terms and conditions of AMS Master Solicitation for Commodity Procurements (MSCP) in effect as of the date of this solicitation. See attached MSCP. The FAR and AGAR provisions and clauses applicable to this solicitation are contained in the MSCP.

B. 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.)

(F) AGAR 470.103 (c) Commingled Product

- (1) **Except as provided in paragraph (c)(2) of this section, a commingled product shall be considered to be a product of the United States if the offeror can establish that the offeror has in inventory at the time the contract for the commodity or product is awarded to the offeror, or obtains during the contract performance period specified in the solicitation, or a combination thereof, a sufficient quantity of the commodity or product that was produced in the United States to fulfill the contract being awarded, and all unfulfilled contracts that the offeror entered into to provide such commingled product to the United States.**

G / / Applicable if checked. FAR Clause 52.232-18, Availability of Funds (Apr 1984). Funds are not presently available for this contract. The Government 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.

/s/

Jeffrey F. Jackson
Contracting Officer
April 30, 2019