

**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: **12-3J14-19-B-0558**  
Bid invitation number: **2000006332**  
Purchasing Group: **AMS-Fruit and Veg**

## SOLICITATION

### Domestic Commodity Invitation

#### Bid invitation Overview

Bid Timezone: Central Time  
Start Date: 07/25/2019 13:00:00  
Offer Due Date : 08/08/2019 13:00:00

Opening date: 08/08/2019 13:00:00

Invitation Type : Definite Delivery

#### Additional requested information:

#### Tendering text - Header :

Tree Nut, SOLICITATION NO: 2000006332

The U.S. Department of Agriculture (USDA) invites offers to sell Tree Nuts (HAZELNUTS) 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, Friday August 23, 2019. Deliveries are to be made between October 15, 2019 thru December 31, 2019.

This invitation for bids is part of the Food Purchase and Distribution Program under the authority of the Commodity Credit Corporation (CCC), with the purpose to assist farmers in response to trade damage from unjustified retaliation. Funding for this purchase is under Section 5 of the CCC Charter Act. Offerors who place a bid on this solicitation are agreeing to ALL terms and conditions outlined in the MSCP, specifications, and other attached documents. Late bids will NOT be accepted. Modifications of bids after bid opening date will NOT be accepted. Failure to adhere to contract terms and conditions may result in Termination for Default.

In accordance with Federal Acquisition Regulation (FAR) 52.203-2 Certificate of Independent Price Determination (Apr 1985) (as found in the System for Award Management ([www.SAM.gov](http://www.SAM.gov)) Representations and Certifications) offerors have certified that the prices in their offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other offeror or competitor.

In accordance with procedures outlined in FAR Subpart 3.3-Reports of Suspected Antitrust Violations, 3.301 General, 3.301, suspicion of collusive activities shall result in a rejection of the offeror(s) by the Contracting Officer. USDA/Agricultural Marketing Service (AMS) is required by 41 U.S.C. 3707: Antitrust Violations and 10 U.S.C. 2305(b)(9)-Contracts: planning, solicitation, evaluation and award procedures to report a bid or proposal evidences a violation of the antitrust laws, he shall refer the bid or proposal to the Attorney General for appropriate action.

The requirements for checkloading by USDA inspectors outlined in the attached Commodity Specifications are NOT applicable to contracts awarded under this solicitation. Note: Checkloading may still be performed by USDA Inspections Staff as outlined in the commodity specifications, at the expense of the contractor, however it is not required for contracts awarded under this solicitation.

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.

Pack Year - Product produced in 2018 and 2019 will be accepted.

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Per FDA regulations, the following minimum mandatory labeling requirements for all foods, whether sold or donated, must appear on the label: Name of the food, Manufacturer's name and location, Net weight of the product, Ingredients list, and Allergen declaration. These requirements are codified in 21 CFR 101.2, 101.3, 101.4 and 101.5. See the following link for a guidance manual:  
<http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/LabelingNutrition/ucm064894.htm>

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 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 March 2019; 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.

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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 any 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

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discrimination, write: USDA, Office of the Assistant Secretary for Civil Rights, Office of Adjudication, 1400 Independence Ave., SW, Washington, DC 20250-9410 or call (866) 632-9992 (Toll-free Customer Service), (800) 877-8339 (Local or Federal relay), (866) 377-8642 (Relay voice users).

**See attached documents:**

- 1 . AMS Master Solicitation March 2019
- 2 . Commodity Specification for Shelled Tree Nuts APRIL 2019

**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).  
 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

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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	
<b>10</b>		<b>NUTS</b>				
<b>20</b>		<b>HAZELNUTS PKG-24/1 LB</b>				
<b>30</b>		<b>SACRAMENTO CA</b>				
40	111172	HAZELNUTS PKG-24/1 LB	10/16/2019-10/31/2019	95828		CS
					1,540.000	
<b>50</b>		<b>PEMBROKE PARK FL</b>				
60	111172	HAZELNUTS PKG-24/1 LB	12/01/2019-12/15/2019	33023		CS
					1,540.000	
<b>70</b>		<b>CHICAGO IL</b>				
80	111172	HAZELNUTS PKG-24/1 LB	10/16/2019-10/31/2019	60632		CS
					1,540.000	
<b>90</b>		<b>VINELAND NJ</b>				
100	111172	HAZELNUTS PKG-24/1 LB	11/01/2019-11/15/2019	08360		CS
					1,540.000	
<b>110</b>		<b>HOUSTON TX</b>				
120	111172	HAZELNUTS PKG-24/1 LB	10/16/2019-10/31/2019	77029		CS
					1,540.000	
<b>130</b>		<b>LOT: 47516142 BETHEL HEIGHTS AR / LIT...</b>				
		<b>Tendering text - Item : LOT: 47516142 BETHEL HEIGHTS AR / LITTLE ROCK AR / VAN BUREN AR /</b>				
140	111172	HAZELNUTS PKG-24/1 LB	10/01/2019-10/15/2019	72764		CS
					400.000	
150	111172	HAZELNUTS PKG-24/1 LB	10/01/2019-10/15/2019	72209		CS
					800.000	
160	111172	HAZELNUTS PKG-24/1 LB	10/01/2019-10/15/2019	72956		CS
					340.000	
<b>170</b>		<b>LOT: 119993650 CLEVELAND OH / GROVE C...</b>				
		<b>Tendering text - Item : LOT: 119993650 CLEVELAND OH / GROVE CITY OH / LIMA OH /</b>				

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Item	Material	Description	Required by	ZipCode	Quantity	
180	111172	HAZELNUTS PKG-24/1 LB	10/16/2019-10/31/2019	44110	508.000	CS
190	111172	HAZELNUTS PKG-24/1 LB	10/16/2019-10/31/2019	43123	508.000	CS
200	111172	HAZELNUTS PKG-24/1 LB	10/16/2019-10/31/2019	45804	524.000	CS
<b>210 LOT: 132613726 BRIDGETON MO / KANSAS ...</b>						
Tendering text - Item : LOT: 132613726 BRIDGETON MO / KANSAS CITY MO / SPRINGFIELD MO /						
220	111172	HAZELNUTS PKG-24/1 LB	11/16/2019-11/30/2019	63044	640.000	CS
230	111172	HAZELNUTS PKG-24/1 LB	11/16/2019-11/30/2019	64129	455.000	CS
240	111172	HAZELNUTS PKG-24/1 LB	11/16/2019-11/30/2019	65803	445.000	CS
<b>250 LOT: 149416959 BRONX NY / LATHAM NY /</b>						
260	111172	HAZELNUTS PKG-24/1 LB	11/16/2019-11/30/2019	10474	1,155.000	CS
270	111172	HAZELNUTS PKG-24/1 LB	11/16/2019-11/30/2019	12110	385.000	CS
<b>280 LOT: 177321429 BROWNSVILLE PA / HARRI...</b>						
Tendering text - Item : LOT: 177321429 BROWNSVILLE PA / HARRISBURG PA / YORK PA /						
290	111172	HAZELNUTS PKG-24/1 LB	10/01/2019-10/15/2019	15417	385.000	CS
300	111172	HAZELNUTS PKG-24/1 LB	10/01/2019-10/15/2019	17109	770.000	CS
310	111172	HAZELNUTS PKG-24/1 LB	10/01/2019-10/15/2019	17401	385.000	CS
<b>320 LOT: 122334567 CREEDMOOR NC / SALISBU...</b>						
Tendering text - Item : LOT: 122334567 CREEDMOOR NC / SALISBURY NC /						
330	111172	HAZELNUTS PKG-24/1 LB	10/16/2019-10/31/2019	27522	770.000	CS
340	111172	HAZELNUTS PKG-24/1 LB	10/16/2019-10/31/2019	28147	770.000	CS
<b>350 LOT: 2759199239 SEATTLE WA / SPOKANE ...</b>						
Tendering text - Item : LOT: 2759199239 SEATTLE WA / SPOKANE WA /						
360	111172	HAZELNUTS PKG-24/1 LB	10/16/2019-10/31/2019	98108		CS

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Item	Material	Description	Required by	ZipCode	Quantity	
					1,078.000	
370	111172	HAZELNUTS PKG-24/1 LB	10/16/2019-10/31/2019	99202		CS
					462.000	
		<b>Total Quantity for HAZELNUTS PKG-24/1 LB</b>				<b>CS</b>
					18,480.000	
		<b>Total Quantity for Invitation</b>				<b>CS</b>
					18,480.000	



**Kyla Stoufer**  
 Contracting Officer  
 Commodity Procurement Division