

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: 12-3J14-24-B-0228-0001
Bid invitation number: 2000009877
Purchasing Group: AMS-Fruit and Veg

SOLICITATION

Domestic Commodity Invitation

Bid invitation Overview

Bid Timezone: Central Time
Start Date: 02/06/2024 16:30:00
Offer Due Date : 02/20/2024 13:00:00

Opening date: 02/20/2024 13:00:00

Invitation Type : Definite Delivery

Additional requested information:

Tendering text - Header :

Fresh Fruit, SOLICITATION NO: 2000009877

The U.S. Department of Agriculture (USDA) invites offers to sell fresh apples and pears 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, March 6, 2023. Deliveries are to be made between April 1, 2024 and June 26, 2024.

The Contract Specialist handling this purchase will be Nick Wiber at nick.wiber@usda.gov. The Contact Officer handling this purchase will be Samantha Klagenberg, (Samantha.Klagenberg@usda.gov) Please contact the specialist first.

2023 and 2024 crop year only

Small Business Set Asides for NAICS code 311991 with a size standard of 500 employees or less are as follows:

100517,,APPLES EMPIRE FRESH CTN-40 LB- 100% Small Business Set Aside
110560,,PEARS FRESH PKG-12/3 LB- 100% Small Business Set Aside
110543,,APPLES GRANNY SMITH FRESH CTN-40 LB- 100% Small Business Set Aside
100522,,APPLES FUJI FRESH F CARTON-40 LB- 100% Small Business Set Aside
100521,,APPLES GALA FRESH G CARTON-40 LB- 10- 100% Small Business Set Aside
111422,,PEARS D#ANJOU FRESH CTN#40 LB- 100% Small Business Set Aside
111424,,PEARS BARTLETT FRESH CTN#40 LB- 100% Small Business Set Aside

This purchase must meet all relevant requirements such as packing, packaging, labeling, inspection and shipping temperatures of the Commodity Specification for Fresh Fruit July 2019.

(110561)- APPLES FRESH PKG-12/3 LB-

1. Grade - U.S. Fancy. (State grades will be acceptable provided the apples meet the requirements of the U.S. Fancy Grade).

2. Types of Pack and Size Requirement:

- a. Tray pack - minimum size 150; maximum size- 100
- b. Cell pack - minimum size 140; maximum size # 96
- c. Consumer units packed within master containers - minimum size 2 1/8 inches in diameter, maximum size 3 inches in diameter. Consumer units shall be 12/3-pound poly film bags.
- d. Apples, when Tray or Cell packed, in each offer unit ordered delivered by USDA shall contain product of not more than three (3) adjacent sizes nor be in more than three locations at the time of inspection. Each size shall be segregated in the shipment with a minimum of intermingling of the sizes. If shipment is by truck, the location and count of each size in the truck (front, center, and tail) shall

SOLICITATION
Domestic Commodity Invitation

Information

Description: **12-3J14-24-B-0228-0001**
 Bid invitation number: **2000009877**

be noted on the shipping manifest by the contractor.

3. Apples shall also meet the United States Condition Standards for Export.
4. Tenderness and Maturity # not more than an average of five percent in any lot and ten percent in individual containers may be further advanced in maturity than firm ripe.
5. Intermingling of the varieties in the truckload is permitted but not on the pallet.
6. Must be loaded into a refrigerated trailer capable of holding air temperature not to exceed 40° F.
7. Refrigerated shipment at 32° to 38° F air temperature.
8. Varieties: Empire, Fuji, Gala, Red Delicious, Honeycrisp and Granny Smith.

(110560)- PEARS FRESH PKG-12/3 LB-

1. Grade # U.S. No. 1. Provided that the pears do not contain more than five percent condition defects. State Grades will be acceptable provided that the pears meet the minimum requirements of the U.S. No. 1 Grade (i.e., Oregon/Washington Extra Fancy). Varieties: Anjou and Bartlett.
2. Tenderness and Maturity - not more than an average of 10 percent of the pears in any lot or more than 15 percent in any container, may be further advanced in stages of ripeness than firm.
3. Pack and Size Requirement:
 - a. Pack - Consumer units packed within master containers # 12/3 lb. poly film bags and master containers meeting the specification. Consumer units packed within master containers 12/3 lb. poly film bags (which may include gusseted bags) and master containers meeting the specification.
 - b. Size - Pears should be packed to a minimum size of 2 1/8 inches in diameter and a maximum size of 2 3/4 inches in diameter.
4. The grade, quality, condition, count, size pack, and the stage of firmness requirements referred to herein are defined in United States Standards for Grades of Summer and Fall Pears, and the United States Standards for Grades of Winter Pears.
5. Intermingling of the varieties in the truckload is permitted but not on the pallet or in the bag.
6. Must be loaded into a refrigerated trailer capable of holding air temperature not to exceed 40° F.
7. Refrigerated shipment at 34° to 40° F air temperature.

Every bidder must include a letter of support with their bid from all current and approved supplier(s). The templates for the letter of support are attached to the solicitation with the required elements. Each

SOLICITATION
Domestic Commodity Invitation

Information

Description: **12-3J14-24-B-0228-0001**
 Bid invitation number: **2000009877**

letter of support is only good for one solicitation. A new letter of support will be required for every solicitation, from every supplier. The supplier must include the quantity in cases they are committing to the bidder. USDA will not award a quantity that exceeds the sum of all supplier#s committed quantities to a particular bidder.

For a new-to-USDA contractor and existing contractors who are bidding on new products, a probationary period may be implemented in which awards are limited to 10 truckloads per product. Contractor must demonstrate successful delivery of at least five (5) truckloads of product in order to be removed from probationary status on future solicitations. For the purposes of this rule, successful delivery is defined as product delivered on-time and in acceptable condition according to the terms and conditions of the contract. Any delivery problems directly attributable to the Government will not be held against the contractor.

Vendors or subcontractors who are supplying fresh fruit crops to the United States Department of Agriculture (USDA) must ensure that each of their suppliers/subcontractors who grow, harvest, pack, hold, and handle product have approved and current food safety verification audits PRIOR to the bid opening date of this solicitation. Good Agricultural Practices (GAP) and Good Handling Practices (GHP) scopes which are necessary to meet the minimum requirement to be deemed responsive are as follows:

GAP - Farm Review AND Field Harvesting & Field Packing Activities
 GHP - House Packing Facility AND Storage & Transportation

All these requirements shall be met PRIOR to the bid opening date.

Brokers are exempt from the USDA GAP/GHP requirements themselves, HOWEVER suppliers/subcontractors performing under the contract shall have the applicable USDA GAP/GHP certification(s).

Verification audits shall be performed by the USDA, AMS, SCP-SCID representatives only. In order to be found responsive the contractor and/or its subcontractors/suppliers must be in compliance with USDA GAP/GHP certification. Offerors must include in their bid the GAP and GHP Audit Verification attachment, which is found in the attachments section of this solicitation. Offerors who do not complete this form in its entirety, do not include the form as an attachment to their bid, or are missing the required USDA GAP/GHP scopes listed above shall be deemed nonresponsive.

All audits are valid for one year after the date the audit was conducted. More information on USDA GAP/GHP audits can be found here: <https://www.ams.usda.gov/services/auditing/gap-ghp> or by reaching out to scaudits@usda.gov.

Awardees may ship and supply from any location found here:
<https://apps.ams.usda.gov/GAPGHP/reportG01.aspx>

If USDA/AMS finds that suppliers used by the contractor are not in compliance with AMS GAP/GHP certification requirements after the product is delivered, the following courses of action will apply:

1. A cure notice shall be issued informing the contractor of their failure to comply with the required

SOLICITATION
Domestic Commodity Invitation

Information

Description: **12-3J14-24-B-0228-0001**
 Bid invitation number: **2000009877**

elements of this solicitation. The USDA will then deduct a 50% discount from the invoice for all noncompliant deliveries shipped or invoiced prior to the date listed on the cure notice.

2. If the contractor ships noncompliant product after the date of the cure notice:
- a. USDA/AMS will deduct a 50% discount from the invoice for all noncompliant deliveries;
 - b. The contract will be terminated for cause; and
 - c. The contractor will be suspended from participating in all future USDA/AMS fresh fruit and vegetable solicitations for a period of one year from the date of contract termination.

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 November 7 2023; The Commodity Specification for Fresh Fruit; 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 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 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), or (866) 377-8642 (Relay voice users).

SOLICITATION
Domestic Commodity Invitation

Information

Description: **12-3J14-24-B-0228-0001**
 Bid invitation number: **2000009877**

See attached documents:

- 1 . CommoditySpecificationforFreshFruitJuly2019
- 2 . USDA GAP and GHP Audit Verification Document
- 3 . Templates for Supplier Agreement Letter
- 4 . Master Solicitation November 7, 2023

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 BEING PAID IN A TIMELY MANNER PURSUANT TO AGREEMENT WITH THE AUTHORITY

SOLICITATION
Domestic Commodity Invitation

Information

Description: **12-3J14-24-B-0228-0001**
 Bid invitation number: **2000009877**

RESPONSIBLE FOR COLLECTING IT?

Offeror attached the required Supplier Agreement Letter for every supplier they intend to subcontract

Bid invitation Item details

Item	Material	Description	Required by	ZipCode	Quantity	
10		FRUIT, FRESH				
20		APPLES EMPIRE FRESH CTN-40 LB				
30		IMPERIAL CA				
40	100517	APPLES EMPIRE FRESH CTN-40 LB	06/03/2024-06/05/2024	92251		CS
					924.000	
		Total Quantity for APPLES EMPIRE FRESH CTN-40 LB				CS
					924.000	
50		APPLES FUJI FRESH F CARTON-40 LB				
60		EAST POINT GA				
70	100522	APPLES FUJI FRESH F CARTON-40 LB	05/13/2024-05/15/2024	30344		CS
					924.000	
80		LAS VEGAS NV				
90	100522	APPLES FUJI FRESH F CARTON-40 LB	06/03/2024-06/05/2024	89030		CS
					924.000	
		Total Quantity for APPLES FUJI FRESH F CARTON-40 LB				CS
					1,848.000	
100		APPLES GALA FRESH G CARTON-40 LB				
110		EAST POINT GA				
120	100521	APPLES GALA FRESH G CARTON-40 LB	06/24/2024-06/26/2024	30344		CS
					924.000	
		Total Quantity for APPLES GALA FRESH G CARTON-40 LB				CS
					924.000	
130		APPLES GRANNY SMITH FRESH CTN-40 LB				
140		EAST POINT GA				
150	110543	APPLES GRANNY SMITH FRESH CTN-40 LB	04/01/2024-04/03/2024	30344		CS
					924.000	
160		LOT: 435981978 DENVER CO / GRAND JUNC...				
		Tendering text - Item : LOT: 435981978 DENVER CO / GRAND JUNCTION CO /				
170	110543	APPLES GRANNY SMITH FRESH CTN-40 LB	04/08/2024-04/10/2024	80239		CS
					693.000	
180	110543	APPLES GRANNY SMITH FRESH CTN-40 LB	04/08/2024-04/10/2024	81505		CS
					231.000	
		Total Quantity for APPLES GRANNY SMITH FRESH CTN-40 LB				CS

SOLICITATION
Domestic Commodity Invitation

Information

Description: 12-3J14-24-B-0228-0001
Bid invitation number: 2000009877

Samantha Klagenberg

Contracting Officer
Commodity Procurement Division
United States Department of Agriculture