

**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-0159**  
Bid invitation number: **2000009799**  
Purchasing Group: **AMS-Fruit and Veg**

## SOLICITATION

### Master/Shortfall Invitation

#### Bid invitation Overview

Bid Timezone: Central Time  
Start Date: 01/04/2024 15:00:00  
Offer Due Date : 01/15/2024 13:00:00

Opening date: 01/15/2024 13:00:00

Invitation Type : Master

#### Additional requested information:

#### Tendering text - Header :

Section 32 Fresh Pears, SOLICITATION NO: 2000009799

The U.S. Department of Agriculture (USDA) invites offers to sell fresh 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, January 25, 2024. Deliveries are to be made between February 19, 2024 and April 10, 2024.

The Contract Specialist handling this purchase will be Nick Wiber at [nick.wiber@usda.gov](mailto:nick.wiber@usda.gov). The Contact Officer handling this purchase will be David Jackson. Please contact the specialist first.

2023 crop year only

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

111424 - PEARS BARTLETT FRESH CTN#40 LB- 100% Small Business Set Aside

111423 - PEARS BOSC FRESH CTN#40 LB- 100% Small Business Set Aside

Estimated shipping schedule and quantities can be found in the Part B and and Exhibit 2 documents.

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.

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 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

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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](mailto: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 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.

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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 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).

**See attached documents:**

- 1 . CommoditySpecificationforFreshFruitJuly2019
- 2 . Templates for Supplier Agreement Letter
- 3 . USDA GAP AND GHP
- 4 . Master Solicitation November 7, 2023
- 5 . Exhibit 2 - Estimated S32 Pear Demand
- 6 . Part B

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**Attributes :**

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

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

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).

**Bid invitation Item details**

Item	Material	Description	Quantity	
<b>40</b>		<b>FRUIT, FRESH</b>		
50	111423	PEARS BOSC FRESH CTN#40 LB		CS
			31,360.000	
		<b>Total Quantity for PEARS BOSC FRESH CTN#40 LB</b>		CS
			31,360.000	

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Item	Material	Description	Quantity	
60	111424	PEARS BARTLETT FRESH CTN#40 LB	45,080.000	CS
		<b>Total Quantity for PEARS BARTLETT FRESH CTN#40 LB</b>	<b>45,080.000</b>	<b>CS</b>
		<b>Total Quantity for Invitation</b>	<b>76,440.000</b>	<b>CS</b>



Contracting officer  
 Commodity Procurement Division  
 United States Department of Agriculture