

**SUPPLEMENT 304 TO AMS MASTER SOLICITATION****MAY 2013**

**PURCHASE OF PORK CHOPS (FROZEN)  
FOR DISTRIBUTION  
TO  
FEDERAL FOOD AND NUTRITION ASSISTANCE PROGRAMS**

This document provides additional USDA requirements and specifications for the purchase of frozen pork chops as described in the attached References to the Applicable Bid and Contract Provisions (Exhibit A). In addition to product descriptions, this exhibit also provides information on the Item Description and Checklist of Requirements (IDCR) for Pork Loin Chops, Center Cut, Boneless, Frozen, effective April 2013 (Attachment I).

**I. INSTRUCTIONS TO POTENTIAL BIDDERS**

- A.** The frozen pork chops (product) will be purchased on a competitive bid basis from contractors who have met the requirements described in Section I.B. Interested contractors may submit samples and technical proposals at any time during this purchase program. Contractors should allow 10 working days from receipt of technical proposal by USDA for notification of the results of the evaluation of the product samples and technical proposals from the Contracting Officer's Technical Representative (COTR). A contractor is deemed eligible to bid after notification by the COTR.

Submission of a technical proposal is not binding on USDA. Actual purchases will be on a competitive bid basis as described in the Master Solicitation, this Supplement, and separately issued Solicitations.

**B. Documentation and Assessment Requirements****1. Technical Proposal Requirement**

- a. Include a detailed description of item and each of the production steps that are taken to meet or exceed the minimum product requirements set forth in the applicable IDCR. (Plan/Do)
- b. Describe all the quality assurance methods used to verify conformance to all requirements. This will include the monitoring and measurements taken during the process to verify conformance with each requirement. All measurement results shall be recorded and made available to AMS. (Check)
- c. Identify all corrective actions to be taken if deviations from contractual and specification requirements occur during production, and all preventative actions to be taken to preclude a reoccurrence. (Act)

- d. The technical proposal shall follow the format as describe in Section III. Instructions for Submission of Technical Proposal. Offeror's proposal should be brief and concise.
  - e. The technical proposal shall be preceded by the following, as required by the Template
    - 1) Table of Contents listing the major areas as they appear in the technical proposal template; and
    - 2) List of attachments, forms provided with the proposal, if appropriate.
  - f. The technical proposal should be written in the following format:
    - 1) Plan and Do - A description of the planning and production steps taken to meet each requirement.
    - 2) Check - Describes all the quality assurance methods that will be used to verify conformances to each requirement. This will include the monitoring and measurement taken during the process (all measurements results shall be recorded and made available to AMS upon request).
    - 3) Act - Identifies all corrective actions to be taken if deviations from contractual and specification requirements occur during production and all preventative actions taken to preclude reoccurrences.
  - g. Product Sample
    - 2 packages of product for each item offered, including the label, ingredient statement, and Nutrition Facts panel conforming to the IDCR (Attachment I).
2. The COTR will review each technical proposal and sample to determine if they are adequate and will notify the contractor of the status of their sample and technical proposal. See Section III for instructions for submission of technical proposal.

Once a contractor is notified by the COTR that the technical proposal and samples meet the applicable criteria, the USDA, AMS, LPS Grading and Verification Division (GVD) will contact the contractor to set up a pre-award onsite capability assessment.

### 3. Assessment by GVD

After the technical proposal and samples are evaluated and approved, a GVD auditor will perform an onsite assessment of the facility(s), processes, food defense plan, and quality control program used to produce the product(s) to determine the contractor's ability to meet contractual requirements. The following assessments will apply:

#### a. Pre-Award Onsite Capability Assessment

The pre-award onsite assessment (audit) will include, but is not limited to, a thorough evaluation of the potential contractors' and subcontractors' facility(s), processes, food security plan, quality control program, equipment, procedures, and the appropriate documents and forms used during the

production of the product. Documentation must support: 1) the production of the product complies with the applicable IDCR and the potential contractor's approved technical proposal, and 2) the contractor's or subcontractor's food security plan. In addition, the audit will consist of the review of records related to purchasing, receiving, production, quality control, inventory and shipping records, and interviews with management and production personnel.

Upon completion of the onsite capability assessment, the auditor will provide a report to the Contracting Officer for final review. After the contractor has satisfactorily completed the pre-award onsite capability assessment, the contractor will receive written notification from the Contracting Officer of their eligibility to bid.

If the report demonstrates that the technical proposal or food security plan is inadequate, the applicant will be notified by the Contracting Officer that they are ineligible to bid. The applicant will have an opportunity to correct identified deficiencies, modify their process, food security plan, and/or technical proposal, and resubmit for further consideration. Eligibility will depend on whether the modifications demonstrate that: 1) the process is capable of delivering products in compliance with the applicable IDCR, 2) they are in compliance with their food security plan, 3) includes the applicable assessment by USDA, and 4) they comply with other applicable contractual requirements.

b. Post-Award Assessment

Eligible contractors who receive contracts must have their documented food security plan, technical proposals, and supporting documentation readily available for review by the COTR or AMS agents. Records may be maintained on hard copy or electronic media. However, records maintained as electronic media will be made available in printed form immediately upon request by AMS or its agents.

The GVD will conduct an onsite audit of the contractor's and subcontractor's facility(s) and processes when production commences for the first contract awarded. Additional audits will be conducted as determined by the Contracting Officer, but not less than once per month for contractors or subcontractors with continuous or multiple contracts, or once per contract for intermittent contractors. At the discretion of the Contracting Officer, more frequent audits may be conducted when audit deficiencies are detected.

c. Post-Award Actions

Any deviation from contractual requirements will be immediately reported by the contractor to the Contracting Officer and COTR. The Contracting Officer or COTR will notify the contractor regarding eligibility to continue to participate as a contractor.

Contractor will assure that the delivered product complies with the provisions of the applicable IDCR, the applicable assessment by USDA, and the contractor's technical proposal approved by the COTR.

Once a contractor is eligible to bid, the contractor must follow instructions stated in the AMS Master Solicitation.

**C. Animal Welfare Requirements**

All contractors and subcontractors/suppliers must meet the animal handling and welfare requirements set forth in Attachment II- Technical Requirements Schedule - Animal Handling and Welfare 2013 (TRS-AHW-2013), effective July 2013.

Contractors/Suppliers with written programs approved under TRS-AHW-2010 (May 2010) will qualify under such approval until June 30, 2013, at which time they must be approved under TRS-AHW-2013 to remain eligible to bid on solicitations.

**D. Responsibility/Eligibility**

Facilities used in fulfilling USDA contracts must be operating under the provisions of the Federal Meat Inspection Act (FMIA), 21 U.S.C. 601 et seq., and the regulations issued thereunder.

Subcontractors or contractors of pork chops (product) are: (1) ineligible if they are currently delivering late on USDA contracts, or USDA-approved subcontracts and late delivery is not due to causes beyond their control; and (2) nonresponsible if they are not operating under the provisions of the Federal Meat Inspection Act or have been suspended or debarred under the provisions of 48 C.F.R. Subpart 9.4.

**E. Domestic Requirements (AMS Master Solicitation, Section E)**

All raw materials will be shipped in containers labeled as "Domestic Only Product" on the principle display panel and the bill of lading accompanying the shipment will contain the statement "Domestic Only Product."

**F. Loading and Sealing of Vehicles (AMS Master Solicitation, Section H)**

Loading of the vehicle may also be conducted by a person authorized in a contractor's approved technical proposal.

**II. SUBMISSION OF OFFERS**

The following Item will be included in the attribute section of the offer submitted in Web-Based Supply Chain Management (WBSCM) (AMS Master Solicitation, Exhibit 2):

*Offeror certifies that all product conforms with the applicable Item Description and Checklist of Requirements and no changes to the production process or technical proposal have occurred without proper approval by the COTR.*

- Does

### III. INSTRUCTIONS FOR SUBMISSION OF TECHNICAL PROPOSAL

The following procedures establish the acceptable minimum requirements for the format and content of the proposals:

- A. The Government has provided a technical proposal format to be used in preparing the technical proposal (Exhibit B). The offeror shall submit the technical proposal in an electronic format through the company's external portal site maintained by the AMS Commodity Procurement Staff (Exhibit C)). When submitting the technical proposal through the company's external portal site, e-mail notification to the COTR must be provided ([darin.doerscher@ams.usda.gov](mailto:darin.doerscher@ams.usda.gov) and [steve.whisenant@ams.usda.gov](mailto:steve.whisenant@ams.usda.gov)). The technical proposal can be submitted as a Microsoft Word document or in a portable document file format (PDF). The technical proposal must be submitted in its entirety. The collection of attachments and appendices may be submitted as a separate document. This format and electronic form provided will aid in the evaluation of the technical proposal.
- B. The technical proposal must be submitted by an authorized agent of the company.
- C. While it is not the desire of the Government to penalize an offeror for noncompliance with formatting instructions, technical evaluators may have difficulty evaluating the technical proposal to the fullest extent possible if the proposal is not presented in the proper format. Technical evaluators will not be required to search other subsections or sections of the offeror's technical proposal for information requested for evaluation.
- D. Technical Proposal Revisions

Changes to an offeror's technical proposal may be submitted based on the Government's Amendments, Clarification Request, pre-award and post-award assessments, monitoring program, or at the request of the offeror. Maintenance of the integrity and clarity of each technical proposal is critical. All technical proposal revisions must meet the following criteria:

1. Any changes to a technical proposal made by the offeror after its initial submittal shall be accomplished by submitting replacement pages or the entire technical proposal per the discretion of the COTR. A cover letter must be submitted with the changes identified and an explanation of the need for the change. The offeror shall include the revision date and the appropriate page number(s).
2. Changes from the original technical proposal shall be highlighted and deletions in strikeouts.

**Note:** When revisions to the approved technical proposal are submitted by electronic (Microsoft Word or PDF) format in their external portal site, the contractor must provide an e-mail notification to the COTR ([darin.doerscher@ams.usda.gov](mailto:darin.doerscher@ams.usda.gov) and [steve.whisenant@ams.usda.gov](mailto:steve.whisenant@ams.usda.gov)).

#### **IV. PRODUCT SPECIFICATIONS AND AUDIT SERVICES**

- A.** Specifications for the product are identified in the Exhibit A. If documents are amended, appropriate amendments must be referenced.
- B.** Compliance with processing requirements as described in the applicable IDCR and contractor's/subcontractor's approved technical proposal will be verified through audits by AMS agents. The cost of all audits, excluding travel time and per diem cost associated with transporting the AMS agents from a duty point into the area of a contractor's or subcontractor's plant, will be paid by the contractor/subcontractor. However, payment of these charges (travel and per diem cost) by USDA will only be made when the services rendered by the AMS agent are directly related to production for specific contracts. When the services of the AMS agent are performed for the account of a subcontractor, the serial contract number in which the product will be used must be declared to the AMS agent. Per diem and travel expenses will be prorated to the contractor for any official services performed by the AMS agent not related to the USDA-purchase commodities to which these provisions apply.
- C.** Questions concerning GVD auditors should be discussed with the Division's Deputy Director at (202) 669-5252 or Program Manager at (202) 309-1506.

#### **V. QUALITY INSPECTION PLAN**

Not required under this Supplement.

#### **VI. INVOICES AND PAYMENT**

In addition to the referenced payment documents in the Master Solicitation, Contractor must include a copy of the Contractor's Certificate of Conformance (see Exhibit D).

#### **VII. AMS CLAUSES**

##### **A. Contractor Checkloading**

Contractor will perform checkloading examinations as described in the applicable specification at the time of shipment and issue contractor's certificate to accompany each shipment that includes all of the following information:

1. Purchase Order Number and Purchase Order Item Number;
2. Sales Order Number and Sales Order Item Number;
3. Name of product/Material number;

4. Shipping Date;
5. Production lot number(s) and date each lot was produced;
6. Count of shipping containers and total projected net weight in each production lot;
7. Identity of car or truck (car numbers and letters, seals, truck license, etc.) as applicable;
8. Contractor certification that product conforms with the applicable IDCR;
9. Count and projected net weight verified; and
10. Signature of company official responsible for checkloading.

**VIII. ATTACHMENTS**



Room 3932-S, STOP 0256  
 1400 Independence Avenue, SW  
 Washington, DC 20250-0201

**EXHIBIT A**  
**PAGE 1 OF 1**

**CHECKLIST AND REFERENCES TO APPLICABLE BID AND CONTRACT PROVISIONS**  
**SUPPLEMENT 304 TO AMS MASTER SOLICITATION**  
**For**  
**FROZEN PORK CHOPS**

PRODUCT DESCRIPTION					OFFER/CONTRACT PROVISIONS			
WBSM Material Description	Specifications Listed in Priority Order	WBSM Material Number	Packaging and Packing	Minimum Offer Unit Size/Shipping Unit	Tolerance Section	Delivery Period	Federal/ State Plants, Section ID	Competition (See Solicitation)
PORK CHOPS BNLS FRZ PKG-40/1 LB	IDCR for Pork Loin Chops, Center Cut, Boneless, Frozen dated April 2013	110380	Packed in 1-pound package packed to 40 lbs. net weight per shipping container	950 cases; 38,000 lbs. net	None	First Half/Last Half of month	Federal Plants Only	Full & Open



(Frozen Pork Chops)

Page X of Y

[Company Name]  
[Company Address]

**Technical Proposal for:** [Supplement Number] and [Specification]

**Table of Contents:** (all pages and attachments must be number and identified—any attachments must be identified and referenced in the Technical Proposal)

*The technical proposal should include all phases of production and meet or exceed the requirements stated in the specification to produce complying product.*

*Note: Please refer to the applicable IDCR for the list of requirements. This is a sample format and outline numbering may be different in each IDCR.*

- I. ITEM DESCRIPTION** - Provide a brief description of the product that will be addressed in the technical proposal.
- II. CHECKLIST OF REQUIREMENTS** - Provide a brief description of the planning, production steps (do), check and corrective/preventive (act) measures that the company will do to assure compliance with the checklist of requirements section of the specification.
  - A. MATERIAL** - Provide a brief description of the planning, production steps (do), check and corrective/preventative (act) measures that the company will do to assure compliance with the material section of the specification.

Contractors are responsible for providing sufficient product traceability and must have records to verify the source of raw materials used in each lot of product.

- 1. Meat Component (Pork) - (plan, do, check, act)
      - a. Domestic Origin
      - b. Harvesting Requirements
      - c. Boneless Meat Requirements
    - 2. Non-Meat Components - (plan, do, check, act)
  - B. PROCESSING** - Provide a brief description of the planning, production steps (do), check and corrective/preventative (act) measures that the company will do to assure compliance with the processing section of the specification.
    - 1. Plate and Blade size - (plan, do, check, act)
    - 2. Metal Detection - (plan, do, check, act)
  - C. FINISHED PRODUCT LIMITATIONS** - Provide a brief description of the planning, production steps (do), check and corrective/preventative (act) measures that the company will do to assure compliance with the finished product limitations section of the specification.
    - 1. Fat Content - (plan, do, check, act)
    - 2. Sodium Content - (plan, do, check)

- D. PREPARATION FOR DELIVERY** - Provide a brief description of the planning, production steps (do), check and corrective/preventative (act) measures that the company will do to assure compliance with the preparation of delivery section of the specification.
1. Packaging - (plan, do, check, act)
  2. Packing - (plan, do, check, act)
  3. Labeling - (plan, do, check, act)
  4. Palletized Unit Loads - (plan, do, check, act)
- E. DELIVERY UNIT** - Provide a brief description of the planning, production steps (do), check and corrective/preventative (act) measures that the company will do to assure compliance with the delivery unit section of the specification.
- F. DELIVERED PRODUCT** - Provide a brief description of the planning, production steps (do), check and corrective/preventative (act) measures that the company will do to assure compliance with the delivered product section of the specification.
1. Size and Style of Container - (plan, do, check, act)
  2. Sealing - (plan, do, check, act)
- G. PRODUCT ASSURANCE** - Provide a brief description of the planning, production steps (do), check and corrective/preventative (act) measures that the company will do to assure compliance with the warranty and complaint resolution section of the specification.
1. Warranty
  2. Complaint Resolution
- H. NON-CONFORMING PRODUCT** - Please provide a brief description of the planning, production steps (do), check and corrective/preventative (act) measures that the company will do to assure compliance with the non-conforming product section of the specification.

**NOTE: When preparing the technical proposal, the offeror should follow the outline format in the applicable IDCR.**

### **III. ATTACHMENTS OR APPENDIXES**

Attach all referenced documents with the applicable document name and reference number. Provide an example of the Statistical Process Control Charts and Histograms that the contractor intends to utilize in the production process, if applicable.

**Insert Exhibit D: XNET access request form**

(Insert once this document has been converted to PDF. This keeps the document from change its outline format.)

**UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
LIVESTOCK, POULTRY AND SEED PROGRAM**

**CERTIFICATE OF CONFORMANCE FOR  
PURCHASE OF PORK CHOPS (FROZEN)  
FOR DISTRIBUTION  
TO  
FEDERAL FOOD AND NUTRITION ASSISTANCE PROGRAMS**

**CERTIFICATE OF CONFORMANCE**

I certify the following:

- (1) On [delivery date(s)], [Contractor's name] furnished the (insert the appropriate commodity description) called for by Purchase Order/Purchase Order Item Number \_\_\_\_\_/\_\_\_\_\_ via [Carrier] under Sales Order Number(s)/Sales Order Item number(s): \_\_\_\_\_/\_\_\_\_\_.
- (2) The (insert the appropriate material name/material number) is of the quality specified and conforms in all respects with the purchase order requirements, including [Contractor's name] Technical Proposal or Production plan as approved by the AMS, LPS, Food Safety and Commodity Specification Division, COTR.
- (3) Product identification, (i.e. production lot number(s)) is in the quantity shown on the attached acceptance document.
- (4) Contractor assures all meat or meat products used in fulfilling this contract was produced in the United States as defined in the Supplement 304, Section I.E and AMS Master Solicitation Section I.E.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
(Signed by an officer or representative authorized to represent the company)

Title: \_\_\_\_\_

**ITEM DESCRIPTION AND CHECKLIST OF REQUIREMENTS (IDCR) FOR PORK  
LOIN CHOPS, CENTER CUT, BONELESS, FROZEN**

**April 2013**

(Insert once this document has been converted to PDF. This keeps the document from change its outline format.)

**TECHNICAL REQUIREMENTS  
SCHEDULE – ANIMAL HANDLING AND  
WELFARE 2013 (TRS-AHW-2013)**

(Insert once this document has been converted to PDF. This keeps the document from change its outline format.)

**TECHNICAL REQUIREMENTS  
SCHEDULE – ANIMAL HANDLING AND  
WELFARE 2010 (TRS-AHW-2010)**

(Insert once this document has been converted to PDF. This keeps the document from change its outline format.)