



United States  
Department of  
Agriculture

Agricultural  
Marketing  
Service

STOP 0253- Room 2610-S  
1400 Independence Ave. SW  
Washington, D.C. 20090-0253

ANNOUNCEMENT LS-130

MAY 2006

**PURCHASE OF FROZEN LAMB PRODUCTS  
FOR DISTRIBUTION TO  
FEDERAL FOOD AND NUTRITION PROGRAMS**

I. GENERAL

- A. The United States Department of Agriculture (USDA) will periodically issue Invitations under this Announcement for offers to sell to USDA frozen lamb products as described in the attached Checklist and Reference to Applicable Bid and Contract Provisions (See Exhibit A for Checklist). In addition to product descriptions, this exhibit also provides information on applicable product specifications (see Exhibit B) and a checklist of applicable bid and contract provisions as described in this Announcement.

The Invitations will specify the product type, the offer date, the closing time for receipt of bids, the shipping period, the destinations to be filled with any transportation restrictions, and any other provisions applicable to the proposed procurement, which are in addition to or different from those set forth herein (see Exhibit C for an example of an Invitation). Bids solicited under this Announcement and applicable Invitations are for delivery of products to USDA on a f.o.b. destination or f.a.s. vessel basis only.

Additional bid and contract provisions are included in the Annual Certifications, Representations, and Warranties (Appendix 1) and the General Terms and Conditions for the Procurement of Agricultural Commodities or Services, Revision 2, dated November 1984, and Amendments 1, 2, 3, and 4 dated October 1990, November 1990, August 1989, and March 1990, respectively, hereinafter referred to as USDA-1.

- B. Offerors are cautioned to carefully read this Announcement, Appendix 1, USDA-1, specifications, applicable instructions of the Agricultural Marketing Services' (AMS) Audit, Review, and Compliance (ARC) and Meat Grading and Certifications (MGC) Branches, and invitations. Failure to do so will be at the Offeror's risk. These documents are incorporated into the contract (see Section IV. of this Announcement). Offerors are cautioned that statements made by persons other than the Contracting Officer, written or implied, are not binding on the Government unless confirmed in writing by the Contracting Officer.

C. Offer Prices and Evidence of Shipment

Offer prices must be quoted and delivery of product must be based on f.o.b. mechanically refrigerated cars or trucks at destination or f.a.s. vessel as specified in the applicable Invitation. Certain destinations that require delivery by TRUCK ONLY or RAIL ONLY, will be so identified in the Invitation. **All products, whether shipped by truck, rail, or piggyback, must be palletized and stretch wrapped in accordance with Exhibit B, Ordering Data unless the invitation and subsequent contract specifies “NO PALLETS.” Contractors may arrange for pallet exchange with consignee, however, USDA is in no way responsible for such arrangements. Destinations that are known to not participate in a pallet exchange will be noted on Invitations.** Offers submitted on a basis other than f.o.b. destination or f.a.s. vessel will be rejected as non-responsive.

When notified of shipments, consignees may request upgrading of delivery services; for example, delivery within the consignee’s premises or to a specific room within a building. Such delivery terms are beyond USDA contractual requirements. Any negotiations to upgrade services are between contractor and consignee and any additional charges for special delivery terms are between the consignee and the contractor. Any charges invoiced to USDA for additional delivery services will be denied.

When making deliveries to more than one destination from the same railcar, the quantities required at each stopoff must be placed in separate compartments under seal. Each railcar compartment must be stacked in a manner that will preclude containers shifting while in transit.

**All delivery units--truck lot and less-than-truck lot (LTL) quantities--must be secured at all times prior to unloading with tamper proof, tamper resistant, serially numbered, high security seals that meet the ISO 17712 standard. Failure to seal or maintain the delivery unit under seal in accordance with these requirements may subject the shipment to rejection.**

**The contractor must maintain a record of each seal number used for truck lot and LTL delivery units. Additionally, the contractor must ensure that the applicable seal identification number is on each bill of lading, shipment manifest, or other delivery documents for each delivery destination.**

**When LTL delivery units are transported on the same trailer or railcar and destined for multiple recipients, the trailer or railcar must be sealed after each delivery. The seal number must be recorded on the appropriate delivery documents and correspond with the applied seal at the time of arrival at the next destination. It will be the responsibility of the contractor to provide a sufficient number of seals and ensure that the carrier service (truck or rail) secures the trailer or railcar after each delivery destination. Failure to seal the trailer or railcar after each stop may subject the shipment to rejection at the next scheduled stop and rejection of any subsequent deliveries on the trailer or railcar.**

**will result in rejection of the shipment by the recipient agency at the next scheduled stop and rejection of any subsequent deliveries on the trailer or railcar.**

**The ISO 17712 standard can be obtained through the following websites:**

**1) American National Standards Institute:**

**<http://webstore.ansi.org/ansidocstore/iso.asp?> or 2) International Organization for Standardization: <http://www.iso.org/iso/en/CatalogueListPage.CatalogueList>.**

Contracts for all lamb products purchased under this Announcement will be awarded on an f.o.b. destination or f.a.s. vessel basis with inspection and acceptance at origin. If transportation is provided by common carrier, the contractor must support the contractor's invoice, by furnishing a copy of the signed commercial bill of lading indicating the carrier's receipt of the product covered by the invoice for transportation to the destination specified in the contract. If transportation is provided by other than common carrier, the contractor must attach to the contractor's invoice a receipted copy of the appropriate delivery document evidencing date of delivery and quantity received at the destination specified in the contract.

**D. Responsibility of Offeror**

**1. Annual Certifications, Representations, and Warranties**

An Offeror intending to submit bids must complete Annual Certifications, Representations, and Warranties in Appendix-1 and return it to the Contracting Officer at the mailing address listed in Section II.A. of this Announcement prior to the submission of its initial bid. An officer of the company must sign the Appendix-1. If there are any changes or revisions to the annual Appendix-1, offeror must submit an updated Appendix-1 to the Contracting Officer or submit corrections or revisions prior to bid submission. **In addition to the certifications submitted under Appendix-1, Contractor must complete the Online Representations and Certifications (ORCA) located at the following web address:**  
<http://orca.bpn.gov/login.aspx>.

**2. Standard Form 129--Solicitation Mailing List Application**

An offeror intending to submit bids must also complete a Solicitation Mailing List Application (SF-129) and return it to the Contracting Officer at the mailing address listed in Section II. A. of this Announcement prior to the submission of its initial bid.

All items (except Item 18) of the SF-129 must be completed (see Exhibit D). Offeror must also include the following information for Items 4, 8, 10, 14, 16B, 19, and 20:

Items 4 and 8: The Federal meat inspection establishment number or State meat inspection number and employer's identification number.

- Item 8: Identify all affiliates of Offeror (applicant as shown in 4) by providing full name, main office address, and employer's identification number of the affiliates. An "affiliate" is defined on the back of the SF129.
- Item 10: The specific product purchased by USDA the Offeror is interested in supplying, weekly volume of production, capacity, and percent of capacity available for USDA contracts. Attach separate list if additional space is needed.
- Item 14: Company's taxpayer identification number (TIN).
- Item 16B: Identify the freezer or warehouse to be used and its storage capacity.
- Items 19 and 20: Must be an officer of the company.

**Offeror must certify with each bid to the accuracy of the current SF-129 and Appendix-1 on file with the Contracting Officer.**

### 3. Responsibility

A firm submitting an offer under this Announcement must meet the Federal standards for responsibility contained in Title 48 C.F.R. Subpart 9.1, USDA-1, this Announcement, and applicable Invitations. A determination of the responsibility contained in Title 48 C.F.R. Subpart 9.1 must be made prior to a firm submitting an offer. Facilities to be used in fulfilling USDA contracts must be either operating under the provisions of the 1) Federal Meat Inspection Act (FMIA), 21 U.S.C. 601 et seq., and the regulations issued thereunder or 2) State-Federal Cooperative Agreement, section 301 of FMIA.

**Contractor must be registered under the Central Contractor Registry (CCR) System as prescribed in Title 48 C.F.R., Subpart 4.1101 and will certify in Appendix-1 on file with the Contracting Officer.**

Offeror must ensure that all products offered for USDA purchases are in compliance with applicable contract and specification requirements. Offeror shall authorize the Contracting Officer's Technical Representative (COTR) and other authorized AMS agents unrestricted access to all records that pertain to USDA contracts.

If a contract is awarded to a contractor which intends to produce the product in a State-inspected meat packing plant operating under Section 301 of the FMIA, the following will apply:

**The product to be produced under this Announcement is for use in USDA programs in the State where the meat packing plant is located. If an intended**

**recipient of the product cannot receive the product and the USDA cannot divert the product to another recipient within the producing State, the USDA will reject, at no cost to the USDA, any undelivered product produced by such State-inspected meat packing plants. Such rejection may occur at any time up until final acceptance by consignee. In the event of such rejection, the Contractor must remove USDA markings from the rejected product.**

Additionally, for State-inspected plants, nutrition labeling must be in accordance with State regulations and be equal to USDA-Food Safety and Inspection (FSIS) regulations at 9 CFR Parts 317 and 320.

State inspected plants may not bid on certain products that require movement to interim facilities for processing or storage prior to shipment to another State. Each Invitation issued under this Announcement will identify bid restrictions, in whole or in part, on State-inspected plants.

#### 4. Food Defense Requirements

The contractor and all subcontractors must have a documented food defense plan that provides for the security of a plant's production processes, which includes the storage and transportation of pre-production raw materials and other ingredients and post-production finished products. The plan shall address the following areas: 1) food defense plan management; 2) outside and inside security of the production and storage facilities; 3) slaughter and processing, including all raw material sources; 4) controlled access to production and storage areas; 5) storage; 6) water and ice supply; 7) mail handling; 8) personnel security; and 9) transportation, shipping, and receiving (includes the sealing of any transport conveyance for truck lot and less-than-truck lot quantities of finished product).

The food defense plans will be subject to periodic review by the AMS, ARC Branch. See FSIS Security Guidelines for Food Processors:

<http://www.fsis.usda.gov/OA/topics/SecurityGuide.pdf> Information on the transportation and distribution of meat, poultry, and egg products is located at: <http://www.fsis.usda.gov/oa/topics/transportguide.htm>

#### 5. Responsibility of Subcontractors/Suppliers

Contractor shall include, and subcontractors must meet, the responsibility terms in the above paragraph D.3. of this section in every subcontract for supplies or services used by the contractor in fulfilling USDA contracts, either directly or indirectly and obtain certification of responsibility **as described in Appendix-1 to the Announcement from any subcontractors and suppliers.**

**Contractor shall include the domestic products clause in paragraph I. F. in all subcontracts for meat or meat products used in fulfilling any contracts under this Announcement. All shipping containers must be labeled as "Domestic Only**

**Product” on the principle display panel and invoices or bill of lading from the raw material supplier must indicate “Domestic Only Product.” The contractor shall also obtain certification from subcontractors or suppliers of lamb to be used in fulfilling contracts that they have been audited by the ARC Branch for compliance with domestic origin requirements prior to their performance on the contract. If subcontractor is operating under segregation plan audited by the ARC Branch, all shipping containers must be labeled as “domestic.” Refer to paragraph I.F. of this Announcement and the Audit, Review, and Compliance Branch Instruction for procedures on requesting domestic origin reviews and fees for service.**

Subcontractors or suppliers of lamb are ineligible: 1) if they do not have a domestic product program audited by the ARC Branch; 2) if they are delivering late on USDA contracts or USDA-approved subcontracts and late delivery is not due to causes beyond their control; or 3) if they are not operating under the provisions of the FMIA or have been suspended or debarred under the provisions of 48 C.F.R. Subpart 9.4.

#### 6. Past Performance

The offeror must certify to timely performance on current contracts and subcontracts in **Item 4** of the Certification Section under the Domestic Electronic Bid Entry System (DEBES) offer (Exhibit E). A determination that any past or current late performance was beyond the control or negligence of the contractor or the contractor’s subcontractor **must be made by the Contracting Officer prior to bid opening**. An offeror will be deemed nonresponsible if the offeror **or any of it’s affiliates or subcontractors** are delivering late on other contracts or subcontracts with USDA and the late delivery is not due to causes beyond the contractor’s or the subcontractor’s control. This provision, as it pertains to small business, is a deviation from 48 C.F.R. Subpart 19.6.

**A false certification may result in rejection of the offer, suspension, and debarment by USDA, termination of the contract, liability for damages under the provisions of USDA-1, or criminal prosecution.**

Offerors are cautioned **NOT TO BID** on product quantities exceeding a level that the offeror can reasonably expect to deliver in accordance with the contract schedule. On-time delivery is imperative because this product is used in USDA Federal food and nutrition programs. Late deliveries cause serious and substantial damages to USDA and to recipient agencies, some of which cannot be compensated for by liquidated damages.

**Contractors shipping late on contract(s) must immediately notify the Contracting Officer of late shipments. If the contractor intends to request an extension due to causes beyond the control or negligence of the contractor, such notice must be made to the Contracting Officer 3 business days in advance of a bid opening in which the contractor wants to submit an offer. Notification and**

**request for extension must include (1) documentary evidence of causes beyond Contractor's control for each day requested, (2) a production report of completed and/or expected production including pounds and dates, and**

**(3) actual or expected shipment dates by Notice to Deliver (N/D) numbers (see Article 68 of USDA-1).**

E. Buy American Certification

End products furnished must be of domestic origin as defined in I.F. below. This provision is a deviation from 48 C.F.R. part 25 and for the purposes of this Announcement replaces Article 49 of USDA-1.

F. Domestic Products

All meat or meat products used in fulfilling contracts awarded under Announcement LS-130 must be produced in the United States. United States produced (hereafter referred to as U.S.-produced) lamb means manufactured from lambs raised in the United States, its territories, possessions, Puerto Rico, or the Trust Territories of the Pacific Islands (hereinafter referred to as the United States). U.S.-produced does not include imported lamb or lambs imported for direct slaughter. If any meat or meat products originate from sources other than the United States are processed or handled, the contractor will develop and maintain an identification and record system for these products to assure USDA that they are segregated and not used to fulfill contracts awarded under this Announcement. Such segregation plan must be audited and made available to the ARC Branch agent. The contractor will maintain records including, but not limited to, invoices, production and inventory records evidencing product origin, and will make such records available for review by the Government in accordance with Article 76 of USDA-1.

**The contractor agrees to include this domestic origin certification clause, in its entirety, in all subcontracts for meat or meat products used in fulfilling any contracts awarded under this Announcement; and obtain certification from each meat or meat product subcontractor that (1) the subcontractor will deliver only meat or meat products originating from U.S.-produced livestock as defined herein and (2) all raw material will be shipped in containers labeled as "Domestic Only Product" on the principle display and the bill of lading accompanying the shipment will contain the statement of "Domestic Only Product."**

**Prior to performance on USDA contracts or subcontracts, Contractors and meat subcontractors must have an audit of its domestic product program by the ARC Branch.**

G. Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity

1. If the Government receives information that a Contractor or a person has engaged in conduct constituting a violation of subsection (a), (b), (c), or (d) of section 27 of the

Office of Federal Procurement Policy Act (41 U.S.C. 423) (the Act), as amended by section 4304 of the National Defense Authorization Act for Fiscal Year 1996 (P.L. 104-106), the Government may:

- a) Cancel the solicitation, if the contract has not yet been awarded or issued; or
- b) Rescind the contract with respect to which:
  - i. The Contractor or someone acting for the Contractor has been convicted for an offense where the conduct constitutes a violation of subsection 27(a) or (b) of the Act for the purpose of either (a) exchanging the information covered by such subsections for anything of value; or (b) obtaining or giving anyone a competitive advantage in the award of a Federal agency procurement contract; or
  - ii. The head of the contracting activity has determined, based upon a preponderance of the evidence, that the Contractor or someone acting for the Contractor has engaged in conduct constituting an offense punishable under subsection 27(e)(1) of the Act.
2. If the Government rescinds the contract under paragraph 1 of this clause, the Government is entitled to recover, in addition to any penalty prescribed by law, the amount expended under the contract.
3. The rights and remedies of the Government specified herein are not exclusive, and are in addition to any other rights and remedies provided by law, regulation, or under this contract.

#### H. Service of Protest

1. Protests, as defined in 48 C.F.R. part 33.101, that are filed directly with an agency, and copies of any protest that are filed with the General Accounting Office (GAO), shall be served on the Contracting Officer by obtaining written and dated acknowledgement of receipt from the Contracting Officer designated in Section II.A.
2. The copy of any protest shall be received by the Contracting Officer at the FAX or mailing address listed in Section II.A., within 1 business day of filing a protest with the GAO.

## II. SUBMISSION OF OFFERS

### A. Where and How to Submit Offers

1. Electronic Submission of Offers

All offers must be submitted electronically by accessing the DEBES. Browser Requirements for DEBES for electronic bidding are described in Attachment I. An



offeror must request and receive a DEBES logon ID in order to access the website (see Attachment II for the form to request a logon ID). Only suppliers deemed responsible by the Contracting Officer will receive a DEBES logon ID.

Access the DEBES website at:

<https://pcsd.usda.gov:3077/mbc1000.exe?>

**Once connected to DEBES, follow the online procedures. Click on the “Help” button for detailed instructions on using the system or call (202) 720-2650 for assistance.**

AMS will not be responsible for any failure attributed to the transmission of the bid data prior to being accepted and stored on our web server including, but not limited, to the following:

- a) Any failure of the offeror’s computer hardware or software;
- b) Availability of your Internet Service Provider (ISP);
- c) Delay in transmission due to the speed of your modem; or
- d) Delay in transmission due to excessive volume of Internet traffic.

The DEBES system will generally be available 24 hours per day except on Saturday until 9:00 p.m. Central Time, and on Sundays from 8:30 a.m. until 3:30 p.m. Central Time. System availability may at times be subject to interruptions in service due to unscheduled maintenance.

If an offeror’s ISP is not available, the offeror may submit a bid via facsimile (FAX). If an offeror plans to submit a bid via facsimile (FAX), the offeror **MUST** contact the Contracting Officer for approval prior to faxing the offers.

Note: Exhibit E provides an example of how offers may be submitted via FAX:

Facility for receiving an offer by FAX is as follows:

FAX (202) 720-0949 (24 Hours)

Verification: **USDA-AMS-LS-CP Branch (202) 720-2650**

(6:30 a.m. - 4:00 p.m., Central Time, Monday - Friday)

Faxed offers, modifications, or withdrawals of offers must be addressed as follows:

Contracting Officer  
Livestock and Seed Program  
Agricultural Marketing Service  
U.S. Department of Agriculture  
Stop 0253, Room 2610-South Building

1400 Independence Avenue, SW  
Washington, D.C. 20250

B. Where and When to Submit Offers

Offers, modifications, or withdrawals of offers must be submitted to the Contracting Officer, Livestock and Seed Program, Agricultural Marketing Service (AMS), U.S. Department of Agriculture, Washington, D.C. 20250.

Offers, modifications, or withdrawals of offers under this Announcement must be received into the **DEBES Lockbox, or, if authorized by the Contracting Officer, faxed to the AMS, LS, CP Branch not later than 1:30 p.m., Central Time**, on the date specified in the Invitation. Invitations will be issued by FAX, as needed, and made available electronically through the USDA, AMS Commodity Procurement Home Page and posted on the DEBES Internet site. If the planned bid date or the Invitation falls on a nonworkday for USDA employees in the District of Columbia, offers, modifications, or withdrawals are to be received by 1:30 p.m., Central Time on the next succeeding business day. Whether an offer, modification, or withdrawal is received within the time limitation will be determined by the last submission time recorded in DEBES or electronically captured at the AMS, LS, CP Branch in the event the a bid is faxed.

NOTE: Once AMS establishes an external portal site, invitations will no longer be sent by FAX, unless requested by supplier or USDA is experiencing technical difficulties at the portal site. Eligible suppliers will be granted access to the site and can subscribe to the appropriate folder(s). USDA will notify suppliers through a Notice to Trade.

C. Shipping Periods

Planned shipping periods for each Invitation are identified in Exhibit F. USDA may change this schedule or cease purchases depending on market conditions or funding consideration. Bidders are cautioned to refer to the applicable invitation prior to bidding.

**Shipping periods will be on the first half and second half of the month (e.g., July 1-15 and July 16-31). Contracts awarded on a delivery period reflect the recipient's expected delivery schedule.**

D. Purchase Units

The purchase unit size for the various lamb products purchased is shown in Exhibit A. The quantity offered on bids must be in purchase unit increments. An offeror may bid the entire quantity on the Invitation or a greater amount, but not less than one unit (i.e., 36,000 pounds). Only one offer price may be quoted to any delivery point listed from each shipping point, including combined destinations bracketed as one line item. Offerors may rearrange the destination sequence on these combined delivery units.

E. What to Submit

**Electronic Bid:**

An offer must include each of the following items:

**Section 1--General**

1. Name, phone number, and complete address and zip code of Offeror (include both street and mailing address if different).
2. Identify submission as a bid. STATE: Bid--ANNOUNCEMENT LS-130, Invitation No. \_\_.
3. Name and street address including zip code of (a) final processing point and (b) shipping point.

**Section 2--Offer Form**

1. Item number listed on applicable Invitation, destination, and price per pound delivered to specific destination, segregated by product type if more than one is requested.

Notes: For bids other than electronic, Offerors may, at their own risk, exclude name of destination. Errors in item number(s) will not be apparent to Contracting Officer.

Quote only one delivered price per pound for each destination or multiple destinations listed as one item number. If more than one price per item is quoted, the line item will be ruled nonresponsive.

Estimated number of purchase units by destination will be listed on the Invitation. The offeror must not indicate the number of purchase units by destination. USDA may adjust the quantities listed on the Invitation based on offerings, market conditions, and/or program requirements.

Transportation restrictions will be shown on the Invitations.

The offeror may submit offers for as many destinations as desired. The maximum quantity to be awarded is determined by the constraints quoted in Section 3, Constraints, of the bid.

Offer prices may be quoted up to four places to the right of the decimal point. **If other than four places, any digit past the fourth will automatically be dropped.**

### Section 3 --Constraints

1. State maximum quantity of each commodity type (if applicable) to be awarded and/or maximum quantity overall for invitation (if applicable), both in number of purchase units and equivalent net pounds for shipment to required destinations between (date) and (date).

Notes: If offering for more than one processing point, be sure to indicate the number of units offered for each commodity type and/or maximum quantity overall for each processing point.

Maximum quantity offered may be greater than demand shown on the invitation.

Total maximum quantity overall for specific product types or Invitation is optional. **If total overall is not quoted, AMS may award up to the maximum for each type.**

**State the applicable shipping period(s) associated with the Invitation.**

### Section 4--Certifications

1. For this bid, your company is designated as: (choose one)

Large Business  
 Large Minority Business  
 Large Woman-Owned Business  
 Large Woman-Owned Minority Business  
 Small Business  
 Small Minority Business  
 Small Disadvantaged "Not 8A"  
 Small Woman-Owned Minority  
 Small Woman-Owned "Not 8A"  
 "8a" Small Woman-Owned  
 "8a" Small Disadvantaged

**NOTE: For bids submitted electronically, if default designation is incorrect, please choose correct designation and notify Contracting Officer.**

2. By submitting this bid, Offeror certifies it HAS read and DOES agree to the terms of LS-130; Appendix-1; Inv. \_\_\_\_; Exhibit A dated May 2006; USDA-1, Rev. 2, and Amds. 1,2,3, and 4, and the Federal Acquisition Regulations (FAR).

Has

Does

3. (a) Annual Representations, Certifications, and Warranties (Appendix-1) submitted to the Contracting Officer are current, accurate, and complete. Submitted to Contracting Officer (mm/dd/yyyy): \_\_\_\_\_
- (b) If Appendix HAS been amended, enter date amended: \_\_\_\_\_ or N/A.
4. Offeror certifies that the company has completed the Online Representations and Certifications Application (ORCA) on (mm/dd/yyyy): \_\_\_\_\_.
5. Offeror certifies that the SF-129 on file with the Contracting Officer is accurate and part of this offer.
- Does
- Does Not
6. All products required under any existing USDA contract(s) or subcontract(s) with a NLT date prior to this bid opening HAS been shipped?
- Has
- Has Not
- Has Not, But Has Notified C/O
- No Existing Contracts
7. Show name, title, fax and phone number of the person submitting this bid (must be an **authorized company representative**).

### III. ACCEPTANCE OF OFFERS

The USDA will award contracts to offerors deemed eligible and responsible and whose bids conform to the Announcement and the applicable Invitation and whose bids are most advantageous to the Government in terms of, but not limited to, price, quantity needs at the specified destinations, and cost. The USDA requires a minimum acceptance period of 7 calendar days from the acceptance of offers. Acceptance of offers will be made by FAX, filed at Washington, D.C., no later than midnight, local time, the seventh day following the day for receipt of offers. Transmission of the contract is the official notice that the contract has been awarded. A notice of award will also be issued in the form of a Food Purchase Report (FPR) posted on the **Livestock and Seed Program, USDA, AMS Commodity Procurement Home Page** (see Notice attached), after 1:00 p.m., **Central time** on the day of acceptance. Information on awards will be available by telephone to offerors and interested parties promptly following the posting of the FPR. Inquiries may also be made to a USDA, AMS Market News office or the Contracting Officer.

Failure to accept an offer will constitute rejection. Filing of the acceptance wire as specified above will result in a binding contract without further action by either party. The actual time of award described herein deviates from 48 C.F.R. 14.408-1.

#### IV. PROVISIONS OF CONTRACT

The contract consists of Announcement LS-130; the applicable Invitation; applicable ordering data specified in Exhibit B, applicable MGCB and ARC Branch Instructions; Contractor's offer including SF-129 and Appendix 1; the acceptance by USDA; and USDA-1 and the Federal Acquisition Regulations, 48 CFR Section et. seq. The following Articles are excluded: 34, 49, 50, 64(c), and all of Part E.

If the provisions of contract documents are not consistent, the following priority order will prevail: Invitation, Announcement, Ordering Data as stated in Exhibit B, Appendix-1, Federal Acquisition Regulations, and USDA-1.

#### V. PRODUCT SPECIFICATIONS, CERTIFICATION, AND AUDIT SERVICES

- A. Specifications for lamb items are identified in the Exhibit A Checklist and Exhibit B. If documents are amended, the Exhibit A will be updated to include appropriate references.

AMS certification agents, under the direction of the Livestock and Seed (LS) Program, will perform all examinations and tests as required. AMS Agents will conduct all certification services in accordance with the applicable MGCB Instruction(s). The cost of all certification services performed by the AMS agents must be borne by the Contractor. This includes, but is not limited to, examinations, supervision, official documentation, and related services.

AMS auditors, under the direction of the LS Program, will perform audit services on the verification of contractors or subcontractors plan to meet domestic origin requirement under this Announcement. The frequency of the audits will occur, at a minimum, once per quarter.

- B. For certification services (other than those charges associated with audits), AMS will pay per diem and travel expenses, including travel time, involved in transporting the AMS agents from a duty point into the area of a contractor or subcontractor's plant. However, payment of these charges by USDA will only be made when the services rendered by an AMS agent are directly related to production for specific, outstanding 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 acceptance of USDA-purchased commodities to which these provisions apply.

The cost of all AMS audits, including per diem and travel expenses, must be borne by the contractor or subcontractor.

- C. All local travel and travel time will be charged to the contractor or subcontractor in accordance with the applicable MGCB and ARC Branches instructions and regulations. The regular hourly rate and established fees for required laboratory analyses will be charged as applicable.
- D. Questions concerning charges and the availability of AMS certification agents should be discussed with the Office of Field Operations, Denver, Colorado (720) 497-2520.
- E. Questions concerning AMS auditors should be discussed with the ARC Branch in Washington, D.C. on (202) 690-0406 or (540) 361-7640.

The full cooperation of all contractors and subcontractors will be required in planning production and shipping schedules to permit maximum effective utilization of AMS agents and to minimize travel and per diem costs. Contractors or subcontractors will be expected to use AMS certification agents assigned on a full-time basis. In those instances where local operating conditions will not permit them to utilize the AMS certification agent's time fully each day and on successive days, contractors or subcontractors may be required to enter into a short-term commitment agreement in which they agree to pay for a minimum of 8 hours per day for a specified period of time.

## VI. LOSS DUE TO DETERIORATION, SPOILAGE, OR RECALL

### A. Loss Due to Deterioration or Spoilage

The contractor will be liable for losses due to deterioration or spoilage for which he or she is responsible, which are discovered within 6 months of the date of delivery to USDA, in accordance with the provisions of Article 61 of USDA-1.

### B. Liabilities Due to Product Recalled for Health or Safety Risk

In accordance with Article 60 of USDA-1, the contractor shall be held liable for failure of the commodity to meet all of the contract and specifications requirements. In the event product is recalled due to a health or safety risk, the contractor is responsible for removal and replacement of recalled products and reimbursement of State and local costs incurred as a result of the recall, as outlined in the Food and Nutrition Service's (FNS) Commodity Holds and Recall Process (see below). These costs include, at a minimum, storage, transportation, processing, and distribution of the commodities.

If product under contract is to be delivered to a facility for further processing under contract with a State and the product is recalled, it will be handled in accordance with the FNS's Commodity Holds and Recall Process. A copy of this report can be obtained at the following web address: <http://www.fns.usda.gov/fdd/foodsafety/hold-recallpros.pdf>

## VII. INSPECTION/CERTIFICATION AND CHECKLOADING

Inspection and certification checkloading as required by Articles 54 and 55 of USDA-1 must be performed by an AMS agent. The Contractor will not ship the product before receipt of shipping instructions from the Farm Service Agency (FSA) Kansas City Commodity Office (KCCO) or before the product has been inspected by the AMS agent and found to meet contract specifications.

## VIII. SHIPMENT--TRANSFER OF TITLE

### A. Shipping Requirements

Shipment must be made in accordance with this Announcement, the applicable Invitation, Articles 56 and 64(b) of USDA-1, and the Notice-to-Deliver (Form KC-269) issued by KCCO. The Contractor must closely follow delivery notification instructions contained in the Notice-to-Deliver (N/D). Such shipment notification is vital to proper execution of shipment, particularly in cases of minimal transit time.

The Contractor must notify State distributing agencies and consignees of shipment. For rail shipment, notification must be made on the day of shipment. For truck shipment, notification of the estimated arrival time should be made as far in advance of delivery as possible. In addition, for truck or piggy-back shipment, the Contractor must request and keep scheduled appointments. **Unloading appointments for truck or piggy-back deliveries or shipment must be requested from the consignee contact party(ies) at least 24 hours in advance of delivery.** A copy of the original USDA Agricultural Products Acceptance Certificate must accompany each shipment so that it will be easily available to the warehouseman or consignee (as applicable) upon arrival.

### B. Tolerances

Tolerances are as shown in Exhibit A.

### C. Early Shipment Requests

Requests for permission to ship in advance of the "Not-Earlier-Than" date given in the N/D must be made to KCCO and approval will be granted if consignee is willing to accept product early and the Contractor arranges for the availability of an AMS certification agent to perform necessary checkloading and final acceptance duties and provides to KCCO the assurances required by KCCO of that arrangement.

### D. Transfer of Title

Title and risk of loss will pass to USDA on the date of receipt of the product at the destination specified in the contract, as evidenced by suitable dated documentation such as the **commercial bill of lading**, warehouse receipt, dock receipt, or other similar



signed and dated document evidencing delivery. If the Contractor has the product in storage and transfer of title is requested, title will pass to USDA as evidenced by the commercial bill of lading after final certification of the shipping unit by an AMS agent. The Contractor is responsible for any shortage or damages as evidenced by the **commercial bill of lading, FNS-57 report**, or other commercial receipt evidencing delivery of product.

## IX. LIQUIDATED DAMAGES

### A. Compensation to Contractor for Late Mailing of Notice-to-Deliver

Liquidated damages for delay in shipment due to late mailing of the N/D will be payable in accordance with Article 65 of USDA-1 and will be at the rate of 25 cents per hundredweight **net per calendar day**.

### B. Compensation to USDA for Delays in Shipment

Timely delivery is important to fulfill the nutritional and dietary needs of persons consuming frozen lamb products under Federal food and nutrition programs and for the efficient and proper administration of these programs. Liquidated damages for delay in shipment are payable at the rate of 25 cents per hundredweight for frozen lamb products net per day in accordance with Article 67 of USDA-1. For purposes of assessing liquidated damages for delay in shipment, the date shown on the acceptance certificate is considered to be the date of shipment.

## X. INVOICES AND PAYMENT

### A. Shipping Period Contracts

Invoicing and payment will be handled in accordance with Article 70 of USDA-1 except that a properly prepared invoice consists of the following:

- (1) Invoicing as provided for on the N/D (Form KC-269) or commercial invoice form;
- (2) Original USDA Agricultural Products Acceptance Certificate issued at time of shipment; and
- (3) Commercial Bill of Lading signed by the carrier's agent evidencing quantity shipped and date of shipment.

If a commercial bill of lading signed by carrier's agent is not issued, the invoice package must include a warehouse receipt signed by recipient agent evidencing date of delivery and quantity of product received.

**Any loss in transit will be determined by an Over, Short, or Damage Report (FNS-57) filed by recipient. KCMO will advise contractor of discrepancy and recover loss by setoff from future payments or process a claim.**

**Contractors performing under a destination shipping period contract are encouraged to instruct carriers to return bills of lading or other commercial receipts signed by recipient agents evidencing the date and quantity of product received to avoid conflicts. If there is a conflict discovered after delivery, the Bill of Lading signed by the recipient representative will prevail unless the discrepancy is due to damage not discernable at time of delivery.**

B. Invoice Mailing & Interest

1. The invoice package must be mailed or delivered to Kansas City Management Office (KCMO) at the address listed in Section XI. The outside of the package should be marked:

**“Prompt Pay Provisions Apply--Meat Product  
Attn: Vendor Invoice Payment Section”**

2. Interest will be paid in accordance with the provisions of the Prompt Payment Act 31 USC 3901 et.seq. if payment is made beyond the seventh day after the date of delivery. For payment purposes, the date of delivery will be the receipt date by KCMO of a properly prepared invoice.

C. Electronic Payment

USDA payments must be made directly to a financial banking institution. To receive payments electronically, complete the Attached Form SF-3881, ACH Vendor Payment Enrollment Form and submit to the KCMO, Commodity Financial Operations Division, Inventory Control Branch; Telephone (816) 926-6988 or access the form via the Internet at: <https://pcsd.usda.gov:3076/finance/>.

USDA will no longer issue a paper copy of the disbursement statement. Complete the attached address information form, which identifies payment disbursement statement address as well as other needed information.

XI. INQUIRIES

Inquiries pertaining to this solicitation and applicable documents should be directed to:

Contracting Officer  
Livestock and Seed Program  
Agricultural Marketing Service  
U.S. Department of Agriculture  
Stop 0253, Room 2610-South Building  
1400 Independence Avenue, SW  
Washington, D.C. 20250

Telephone: (202) 720-2650

Inquiries concerning **shipping instructions** should be directed to:

Director, Kansas City Commodity Office (KCCO)  
Farm Service Agency  
U.S. Department of Agriculture  
P.O. Box 419205  
Kansas City, MO 64141-6205

Telephone: (816) 926-6062

Inquiries concerning **payments** should be directed to:

Director, Kansas City Management Office (KCMO)  
Farm Service Agency  
U.S. Department of Agriculture  
P.O. Box 419205  
Kansas City, MO 64141-6205

Telephone: (816) 926-6205

/s/ William T. Sessions (5/1/06)  
Acting Deputy Administrator  
Livestock and Seed Program  
Agricultural Marketing Service

Attachments



United States  
Department of  
Agriculture

Agricultural  
Marketing  
Service

STOP 0253- Room 2610-S  
1400 Independence Avenue, SW.  
Washington, D.C. 20250-0253

EXHIBIT A

DATED MAY 2006

**CHECKLIST AND REFERENCES TO APPLICABLE BID AND CONTRACT PROVISIONS**  
**ANNOUNCEMENT LS-130 FOR FROZEN LAMB PRODUCTS**

PRODUCT DESCRIPTIONS (SECTION I. A. GENERAL)						BID/CONTRACT PROVISIONS				
Product/ Commodity Box Code	Specifications Listed in Priority Order	IMPS Item No./Spec.	Commodity Purchase Code	Packaging and Packing	Minimum Purchase Unit Size/ Shipping Unit	Tolerance Section VIII. B	Shipping Period Section II.C.; IV and VIII	Federal /State Plants Section I. D. 3	Competition (See Invitation)	Payment Section X
Lamb Roasts <b>A623</b> (Type 3)  Weight Range: <b>Individual Roasts should not exceed 5 lbs.</b>	Exhibit B, Ordering Data  IMPS 200 dated April 1996  IMPS General Requirements dated June 1996  IMPS Quality Assurance dated June 1997	<b>IMPS 208B</b> Lamb Shoulder, Arm Out Boneless  <b>IMPS 234C</b> Lamb Leg, Bottom, Boneless	<b>19 30 42</b>	The lamb roasts will be individually vacuumed packaged. Roasts will be packed between 38-42 pounds net weight per shipping container.	36,000 lbs 900 cases Each shipping unit will contain both roasts in accordance with percentages below:  <b>208B -- 30-40%</b>  <b>234C -- 60-70%</b>	36,000 lbs - plus or minus 30 lbs per shipping unit	First Half/Last Half of month shipping period	Federal & State	Full and Open	Upon Shipment X.B.
Lamb Shoulder Roasts <b>A625</b> (Type 2)  Weight Range: <b>Individual Roasts should not exceed 5 lbs</b>	Exhibit B, Ordering Data  IMPS 200 dated April 1996  IMPS General Requirements dated June 1996 IMPS Quality Assurance dated June 1997	<b>IMPS 208B</b> Lamb Shoulder, Arm Out, Boneless	<b>19 32 40</b>	The lamb shoulder l roasts (208B) will be vacuumed packaged. Roasts will be packed between 38-40 pounds net weight per shipping container.	36,000 lbs 900 cases	36,000 lbs - plus or minus 30 lbs per shipping unit	First Half/Last Half of month shipping period	Federal & State	Full and Open	Upon Shipment X.B.
Lamb Leg Roasts <b>A624</b> (Type 1)  Weight Range: <b>Individual Roasts should not exceed 5 lbs</b>	Exhibit B, Ordering Data  IMPS 200 dated April 1996  IMPS General Requirements dated June 1996  IMPS Quality Assurance dated June 1997	<b>IMPS 234C</b> Lamb Leg, Bottom, Boneless	<b>19 31 40</b>	The leg roast (234C) will be will be vacuumed packaged. Roasts will be packed between 38-40 pounds net weight per shipping container.	36,000 lbs 900 cases	36,000 lbs - plus or minus 30 lbs per shipping unit	First Half/Last Half of month shipping period	Federal & State	Full and Open	Upon Shipment X.B.

## IMPS for Fresh Lamb - Series 200

## Ordering Data for procurement of IMPS

Type 1--Item No. 234C – Lamb Leg, Bottom, Boneless

Type 2--Item No. 208B – Lamb Shoulder, Arm Out, Boneless

Type 3--Combination of IMPS 208B, Lamb Shoulder, Arm Out, Boneless and IMPS 234C, Lamb Leg, Bottom, Boneless

## IMPS for Fresh Lamb - Series 200.

Type 2--Ordering Data for procurement of IMPS Item No. 208B – Lamb Shoulder, Arm Out, Boneless

- A. The above item shall be certified by USDA, AMS, Meat Grading and Certification Branch.
- B. Class – Lamb
- C. Grade – USDA Choice or Prime
- D. State of Refrigeration – Frozen (Zero degrees F at time of shipping and delivery, no additional freezing options. See IMPS General Requirements)
- E. Weight Range – **No individual packaged roast shall exceed 5 pounds.**
- F. Portion Weight - Not Applicable
- G. Style – Legs **and shoulders** may be derived from Style A or B.
- H. Fat Limitation - Practically Free of Surface Fat
- I. Purchaser Specified Options – **Both items will** be produced according to all applicable Material Requirements and with their respective Item descriptions listed within IMPS Series 200.

**Item No. 208B (page 19) The outside shoulder may be separated from the carcass prior to cutting the shoulder/rack separation. No additional PSO's are specified.**

Item No. 234C (page 23) No additional PSO's are specified.

## IMPS General Requirements

Packing and Packaging – Roasts shall be individually vacuumed packaged and packed into fiberboard containers with a net weight between 38- 40 pounds.

## Marking –

Each packaged roast must have a traceability code that is traceable to the establishment number, production lot, and date of production.

Shipping Container – All shipping containers will have the following information:

- (1) USDA shield at least 2 inches high and appearing on the top of the container or on the principle display panel.
- (2) Applicable contract number
- (3) A traceability code that is traced back to establishment number, production lot, and date.
- (4) **Type 2, IMPS 208B – Lamb Shoulder, Arm Out, Boneless – Product Code: A625**

**Palletized Unit Loads**

All products shall be stacked on new or well-maintained pallets and palletized with shrink wrap plastic.

**Delivery Unit**

The delivery unit will be 36,000 pounds net weight (plus or minus 30 pounds).

**Condition of Containers** – Exam is limited to observing the sampled packaged product for defect criteria listed within the IMPS QA provisions, or monitoring production (if grader is present), to assure items are properly vacuum packaged. Delivery units will be scanned for damaged containers. Damaged containers will have to be reworked or replaced.

**Sealing** – The grader shall assure that all boxes are palletized. Individual boxes need not be ‘stamped’. The traceability code for each lot shall be recorded on the certificate.

**Purchaser Specified Examination – Net Weight** (in accordance with IMPS Quality Assurance Provisions)

IMPS Quality Assurance Provisions – Stationary Lot Exam – AQL for Major 4.0, for Minor 10.0 – Defect Classification [Table 200D for the shoulder roasts](#).

IMPS for Fresh Lamb - Series 200.

**Type 1--Ordering Data for procurement of IMPS Item No. 234C** – Lamb Leg, Bottom, Boneless

- A. The above item shall be certified by USDA, AMS, Meat Grading and Certification Branch.
- B. Class – Lamb
- C. Grade – USDA Choice or Prime
- D. State of Refrigeration – Frozen (Zero degrees F at time of shipping and delivery, no additional freezing options. See IMPS General Requirements)
- E. Weight Range – 5 pounds or lower
- F. Portion Weight - Not Applicable
- G. Style – Legs may be derived from Style A or B.
- H. Fat Limitation - Practically Free of Surface Fat
- I. Purchaser Specified Options - Boneless leg will be produced according to all applicable Material Requirements and the Item description listed as IMPS Item No. 234C in IMPS Series 200, page 23. No additional PSO’s are specified.

IMPS General Requirements

**Packing and Packaging** – Roasts shall be individually vacuumed packaged and packed into fiberboard containers with a net weight between 38 40 pounds.

**Marking** –

Each packaged roast must have a traceability code that is traceable to the establishment number, production lot, and date of production.

Shipping Container – All shipping containers will have the following information:

Shipping Container – All shipping containers will have the following information:

- (1) USDA shield at least 2 inches high and appearing on the top of the container or on the principle display panel.
- (2) Applicable contract number
- (3) A traceability code that is traced back to establishment number, production lot, and date.
- (4) Type 1--IMPS 234C - Lamb, Bottom Leg, Boneless - Product code: A624

Palletized Unit Loads

All products shall be stacked on new or well-maintained pallets and palletized with shrink wrap plastic.

Delivery Unit

The delivery unit will be 36,000 pounds net weight (plus or minus 30 pounds).

Condition of Containers – Exam is limited to observing the sampled packaged product for defect criteria listed within the IMPS QA provisions, or monitoring production (if grader is present), to assure items are properly vacuum packaged. Delivery units will be scanned for damaged containers. Damaged containers will have to be reworked or replaced.

Sealing – The grader shall assure that all boxes are palletized. Individual boxes need not be ‘stamped’. The traceability code for each lot shall be recorded on the certificate.

Purchaser Specified Examination – Net Weight (in accordance with IMPS Quality Assurance Provisions)

IMPS Quality Assurance Provisions – Stationary Lot Exam – AQL for Major 4.0, for Minor 10.0 – Defect Classification Table 200 I.

IMPS for Fresh Lamb - Series 200.

**Type 3--Ordering Data for procurement of a combination of IMPS Item No. 234C – Lamb Leg, Bottom, Boneless and IMPS 208B – Lamb Shoulder, Arm Out, Boneless-- Product code A623**

- A. The above item shall be certified by USDA, AMS, Meat Grading and Certification Branch.
- B. Class – Lamb
- C. Grade – USDA Choice or Prime
- D. State of Refrigeration – Frozen (Zero degrees F at time of shipping and delivery, no additional freezing options. See IMPS General Requirements)
- E. Weight Range – 5 pounds or lower
- F. Portion Weight - Not Applicable
- G. Style – Legs and shoulders may be derived from Style A or B.
- H. Fat Limitation - Practically Free of Surface Fat

- I. Purchaser Specified Options - Boneless leg will be produced according to all applicable Material Requirements and the Item description listed as IMPS Item No. 234C in IMPS Series 200, page 23. No additional PSO's are specified.
- [Item No. 208B \(page 19\)](#) The outside shoulder may be separated from the carcass prior to cutting the shoulder/rack separation. No additional PSO's are specified.

#### IMPS General Requirements

Packing and Packaging – Roasts shall be individually vacuumed packaged and packed into fiberboard containers with a net weight between 38 42 pounds.

#### Marking:

Each packaged roast must have a traceability code that is traceable to the establishment number, production lot, and date of production.

Shipping Container – All shipping containers will have the following information:

Shipping Container – All shipping containers will have the following information:

- (1) USDA shield at least 2 inches high and appearing on the top of the container or on the principle display panel.
- (2) Applicable contract number
- (3) A traceability code that is traced back to establishment number, production lot, and date.
- (4) **Type 3 combination of IMPS Item No. 234C** – Lamb Leg, Bottom, Boneless and [IMPS 208B – Lamb Shoulder, Arm Out, Boneless--Product code A623](#)

#### Palletized Unit Loads

All products shall be stacked on new or well-maintained pallets and palletized with shrink wrap plastic.

#### Delivery Unit

The delivery unit will consist of **30-40** percent of IMPS 208B and **60-70** percent of IMPS 234C and will be a total 36,000 pounds net weight (pus or minus 30 pounds).

Condition of Containers – Exam is limited to observing the sampled packaged product for defect criteria listed within the IMPS QA provisions, or monitoring production (if grader is present), to assure items are properly vacuum packaged. Delivery units will be scanned for damaged containers. Damaged containers will have to reworked or replaced.

Sealing – The grader shall assure that all boxes are palletized. Individual boxes need not be 'stamped'. The traceability code for each lot shall be recorded on the certificate.

Purchaser Specified Examination – Net Weight (in accordance with IMPS Quality Assurance Provisions)

IMPS Quality Assurance Provisions – Stationary Lot Exam – AQL for Major 4.0, for Minor 10.0 – Defect Classification Table 200 I [for the leg roasts](#) and [Table 200D for the shoulder roasts](#).



### SAMPLE INVITATION

DATE: FROZEN LAMB PRODUCTS, ANNOUNCEMENT LS-130, INVITATION NO. \_:

The U.S. Department of Agriculture (USDA) invites offers pursuant to ANNOUNCEMENT LS-130 to sell frozen lamb products for use in Federal food and nutrition programs. Purchases will be made on a shipping period basis to destinations indicated below. Destination quantities listed are estimates and are subject to adjustment based on offerings, changes in recipient needs, market conditions, and program operations.

All offers must be in the format prescribed in LS-130 and be received by 1:30 p.m., **Central Time** in Washington, D.C., Friday, \_\_\_\_\_, 2006. Acceptances will be announced by midnight, Friday, \_\_\_\_\_, 2006, shipments are to be made between \_\_\_\_\_ and \_\_\_\_\_, 2006.

Bids must be submitted electronically via the Internet. Offerors must be assigned a Logon ID by USDA to access the site. The Internet address is <https://pcsd.usda.gov:3077/mdbc1000.exe?> Once connected, follow the online procedures. A "HELP" button provides detailed instructions or call (202) 720-2650 for assistance.

Inquiries about ANNOUNCEMENT LS-130 or this Invitation should be directed to the Contracting Officer, Livestock and Seed Program; USDA, AMS, Room 2610-South; Mail Stop 0253; 1400 Independence Avenue, SW; Washington, D.C. 20250-0253. Telephone: (202) 720-2650; FAX (202) 720-0949.

ANNOUNCEMENT : LS-130  
INVITATION : 100

COMM GROUP : 19 Red Meat - Varied Types  
COMM TYPE : 30 Lamb Roast  
PACK SIZE : 42 38-42 Lb Ctn

ITEM NO	DESTINATION CITY	ST	TRANS RESTR	QUANTITY (LBS.)
<b>SHIPPING PERIOD 05/01/06 – 05/15/06</b>				
001	VANDIVER	AL		72,000
002	DURAND	GA	TRUCK ONLY	36,000 NO PALLETS
003	PALMDALE	FL		72,000
TOTAL QUANTITY FOR COMMODITY TYPE				180,000
TOTAL QUANTITY FOR INVITATION				180,000

CONTRACTING OFFICER

<b>SOLICITATION MAILING LIST APPLICATION</b>				1. TYPE OF APPLICATION <input checked="" type="checkbox"/> INITIAL <input type="checkbox"/> REVISION		2. DATE 5/27/98		OMB No.: 9000-0002 Expires: 10/31/97	
<p><b>NOTE: Please complete all items on this form. Insert N/A in items not applicable. See reverse for instruction.</b>          Public reporting burden for this collection of information is estimated to average .58 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (MVR), Federal Acquisition Policy Division, GSA, Washington, DC 20405.</p>									
3. SUBMIT TO			4. APPLICANT						
a. FEDERAL AGENCY'S NAME USDA, AMS, Livestock and Seed Program			a. NAME Lakeshore Meat FI No. 7999 TIN No 9734565837						
b. STREET ADDRESS Room 2610-South, P.O. Box 96456			b. STREET ADDRESS 1275 Corwith Avenue			c. COUNTY EI 197643			
c. CITY Washington			d. STATE DC			e. ZIP CODE 20090-6456			d. CITY Calumet
e. ZIP CODE 20090-6456			e. STATE IL			e. ZIP CODE 67345			
5. TYPE OF ORGANIZATION (Check one)					8. ADDRESS TO WHICH SOLICITATIONS ARE TO BE MAILED (If different than item 4)				
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> NON-PROFIT ORGANIZATION					a. STREET ADDRESS Same as #4				
<input type="checkbox"/> PARTNERSHIP <input checked="" type="checkbox"/> CORPORATION, INCORPORATED UNDER THE LAWS OF THE STATE OF: Illinois					b. COUNTY				
					c. CITY				
					d. STATE				
					e. ZIP CODE				
<b>7. NAMES OF OFFICERS, OWNERS, OR PARTNERS</b>									
a. PRESIDENT George Coates			b. VICE PRESIDENT Martha Jersild			c. SECRETARY Robert Olson			
d. TREASURER Walter Schnaak			e. OWNERS OR PARTNERS Shareholders of the Corporation						
<b>8. AFFILIATES OF APPLICANT</b>									
NAME			LOCATION			NATURE OF AFFILIATION			
Broadview Foods, TIN No. XXXXXXXXXX FI No. 2121			7893 Dolton Ave., Highland, IL 67347			Parent Company			
<b>9. PERSONS AUTHORIZED TO SIGN OFFERS AND CONTRACTS IN YOUR NAME (Indicate if agent)</b>									
NAME			OFFICIAL CAPACITY			TELEPHONE NUMBER			
						AREA CODE		NUMBER	
Edgar Kauffman			Sales Manager			611		796-1992	
Andrew Terrill			Production Manager			611		796-1992	
10. IDENTIFY EQUIPMENT, SUPPLIES, AND/OR SERVICES ON WHICH YOU DESIRE TO MAKE AN OFFER (See attached Federal Agency's supplemental listing and instruction, if any)									
Commodity		Current Weekly Prod.		Additional Capacity		% available for USDA Contracts			
Lamb legs		450,000		100,000		35%			
Shoulders		250,000		25,000		15%			
11a. SIZE OF BUSINESS (See definitions on reverse)			11b. AVERAGE NUMBER OF EMPLOYEES (Including affiliates) FOR FOUR PRECEDING CALENDAR QUARTERS			11c. AVERAGE ANNUAL SALES OR RECEIPTS FOR PRECEDING THREE FISCAL YEARS			
<input checked="" type="checkbox"/> SMALL BUSINESS (If checked, complete items 11b and 11c) <input type="checkbox"/> OTHER THAN SMALL BUSINESS			250			\$ 35,245,000.00			
12. TYPE OF OWNERSHIP (See definitions on reverse) (Not applicable for other than small businesses)			13. TYPE OF BUSINESS (See definitions on reverse)						
<input type="checkbox"/> DISADVANTAGED BUSINESS <input type="checkbox"/> WOMAN-OWNED BUSINESS			<input checked="" type="checkbox"/> MANUFACTURER OR PRODUCER <input type="checkbox"/> CONSTRUCTION CONCERN <input type="checkbox"/> SURPLUS DEALER						
<input type="checkbox"/> SERVICE ESTABLISHMENT <input type="checkbox"/> RESEARCH AND DEVELOPMENT									
14. DUNS NO. (If available)					15. HOW LONG IN PRESENT BUSINESS?				
02-78396					68 years				
<b>16. FLOORSPACE (Square Feet/ft<sup>2</sup>)</b>					<b>17. NET WORTH</b>				
a. MANUFACTURING			b. WAREHOUSE			a. DATE		b. AMOUNT	
44,000			150,000 * See Below			December 31, 1997		\$ 8,538,432.95	
<b>18. SECURITY CLEARANCE (If applicable, check highest clearance authorized)</b>									
FOR		TOP SECRET		SECRET		CONFIDENTIAL		d. DATES GRANTED	
a. KEY PERSONNEL									
b. PLANT ONLY									
The information supplied herein (including all pages attached) is correct and neither the applicant nor any person (or concern) in any connection with the applicant as a principal or officer, so far as is known, is now debarred or otherwise declared ineligible by any agency of the Federal Government from making offers for furnishing materials, supplies, or services to the Government or any agency thereof.									
19a. NAME OF PERSON AUTHORIZED TO SIGN (Type or print)					20. SIGNATURE			21. DATE SIGNED	
George Coates								05/26/98	
19b. TITLE OF PERSON AUTHORIZED TO SIGN (Type or print)									
President									
AUTHORIZED FOR LOCAL REPRODUCTION Previous edition not usable			* Robertson Bonded Warehouse 834 Bellwood Avenue Irondale, IL 59571			STANDARD FORM 129 (REV. 12-98) Prescribed by GSA - FAR (48 CFR) 53.214(e)			

## INSTRUCTIONS

Persons or concerns wishing to be added to a particular agency's bidder's mailing list for supplies or services shall file this properly completed Solicitation Mailing List Application, together with such other lists as may be attached to this application form, with each procurement office of the Federal agency with which they desire to do business. If a Federal agency has attached a Supplemental Commodity list with instructions, complete the application as instructed. Otherwise, identify in Item 10 the equipment, supplies, and/or services on which you desire to bid. (Provide Federal Supply Class or Standard Industrial Classification codes, if available.) The application shall be submitted and signed by the principal as distinguished from an agent, however constituted.

After placement on the bidder's mailing list of an agency, your failure to respond (submission of bid, or notice in writing, that you are unable to bid on that particular transaction but wish to remain on the active bidder's mailing list for that particular item) to solicitations will be understood by the agency to indicate lack of interest and concurrence in the removal of your name from the purchasing activity's solicitation mailing for items concerned.

SIZE OF BUSINESS DEFINITIONS  
(See Item 11A.)

a. Small business concern - A small business concern for the purpose of Government procurement is a concern, including its affiliates, which is independently owned and operated, is not dominant in the field of operation in which it is competing for Government contracts, and can further qualify under the criteria concerning number of employees, average annual receipts, or the other criteria, as prescribed by the Small Business Administration. (See Code of Federal Regulations, Title 13, Part 121, as amended, which contains detailed industry definitions and related procedures.)

b. Affiliates - Business concerns are affiliates of each other when either directly or indirectly (i) one concern controls or has the power to control the other, or (ii) a third party controls or has the power to control both. In determining whether concerns are independently owned and operated and whether or not affiliation exists, consideration is given to all appropriate factors including common ownership, common management, and contractual relationship. (See Items 8 and 11A.)

c. Number of employees - (Item 11B) In connection with the determination of small business status, "number of employees" means the average employment of any concern, including the employees of its domestic and foreign affiliates, based on the number of persons employed on a full-time, part-time, temporary or other basis during each of the pay periods of the preceding 12 months. If a concern has not been in existence for 12 months, "number of employees" means the average employment of such concern and its affiliates during the period that such concern has been in existence based on the number of persons employed during each of the pay periods of the period that such concern has been in business.

TYPE OF OWNERSHIP DEFINITIONS  
(See Item 12.)

a. "Disadvantaged business concern" - means any business concern (1) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and (2) whose management and daily business operations are controlled by one or more of such individuals.

b. "Women-owned business" - means a business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.

TYPE OF BUSINESS DEFINITIONS  
(See Item 13.)

a. "Manufacturer or producer" - means a person (or concern) owning, operating, or maintaining a store, warehouse, or other establishment that produces, on the premises, the materials, supplies, articles or equipment of the general character of those listed in Item 10, or in the Federal Agency's Supplemental Commodity List, if attached.

b. "Service establishment" - means a concern (or person) which owns, operates, or maintains any type of business which is principally engaged in the furnishing of nonpersonal services, such as (but not limited to) repairing, cleaning, redecorating, or rental of personal property, including the furnishing of necessary repair parts or other supplies as a part of the services performed.

- **COMMERCE BUSINESS DAILY** - The Commerce Business Daily, published by the Department of Commerce, contains information concerning proposed procurements, sales, and contract awards. For further information concerning this publication, contact your local Commerce Field Office.

## SAMPLE OFFER ELECTRONICALLY SUBMITTED

Submitted at: 05/13/2006 - 10:19:19 am Central Time  
 JONES MEAT PACKING CO.  
 22 MAIN STREET  
 BERWYN, ME 55507

LS-130/100, FROZEN LAMB

Authorized Changes and Comments						
Date	Time	USDA ID	Comments			
Plant 01-Jones Meat Packing, 22 Main Street, Berwyn, ME						
Shipping Point 01-Jones Meat Packing, 22 Main Street, Berwyn, ME						
<b>LAMB ROAST</b>						
Line Item	Pack Size	Destination	Delivery Period	Est LBS	Price/LBS	Tran Mode
001	38-42 LB CTN	VANDIVER, AL	02/01/2006 - 02/15/2006	36,000	1.3687	Truck
002	38-42 LB CTN	DURAND, GA	02/01/2006 - 02/15/2006	36,000	1.3686	Truck
003	38-42 LB CTN	PALMDALE, FL	02/01/2006 - 02/15/2006	36,000	1.3685	Truck

Constraints				
Const #	Max Qty	Plant Location	Shipping Period	Product
1	3	01-John Jones Packing	05/01/2006 - 05/15/2006	LAMB ROASTS
Certifications				
For this bid your company is designated as: SMALL BUSINESS				
Question			Answer	
01) By submitting this bid, Offeror certifies it HAS read and DOES agree to the terms of LS-130; Inv. 100, Exhibit A to LS-130, USDA 1, Rev. 2, and Amnds 1, 2, 3, and 4 (Both boxes must be selected)			HAS DOES	
02A) Annual Representations, Certifications and Warranties (Appendix 1) submitted to the Contracting Officer are current, accurate, and complete. Submitted to Contracting Officer (mm/dd/yyyy)			4/30/2006	
02B) If Appendix HAS been amended, enter date amended or N/A.			N/A	
03) Offeror certifies that the company has completed the Online Representations and Certifications Application (ORCA) on (mm/dd/yyyy)			04/30/2006	
04) Offeror certifies that the SF-129 on file with the Contracting Officer is accurate and part of this offer.			DOES	
05) All product required under existing USDA contract(s) or subcontract(s) with a Not Later Than Date prior to this bid opening HAS been delivered.			NO EXISTING CONTRACTS	
05) Show name, title, fax number, and phone number of person submitting bid (must be an authorized company representative).			Edgar Kaufmann, President Fax 705-347-8333 Phone 705-347-1715	

High Bid Price: 1.3687 Line Item: 001  
 Low Bid Price: 1.3685 Line Item: 003  
 Sum of Bid Prices: 4.1058

**PLANNED PURCHASE SCHEDULE**

INV. NO.	TYPE/UNITS	BID OPENING	AWARD NLT DATE	PRODUCTION	SHIPPING PERIOD
01	Lamb Specified in Invitation	05/12/06	05/19/06	6 WEEKS	07/01-15/06
02	Lamb Specified in Invitation	05/26/06	06/02/06	6 WEEKS	07/16-30/06
03	Lamb Specified in Invitation	06/23/06	06/30/06	6 WEEKS	08/16-30/06
04	Lamb Specified in Invitation	07/28/06	08/04/06	6 WEEKS	09/16-30/06
05	Lamb Specified in Invitation	08/25/06	09/01/06	6 WEEKS	10/16-31/06
06	Lamb Specified in Invitation	09/29/06	10/06/06	6 WEEKS	11/16-30/06

NOTE: The above purchase schedule is for informational purposes only. USDA may change this schedule or cease purchases depending on market or funding considerations. Bidders are cautioned to refer to the applicable Invitation prior to submitting offers.



United States  
Department of  
Agriculture

Agricultural  
Marketing  
Service

Stop 0253, Room 2610-South  
1400 Independence Ave., SW  
Washington, DC 20250-0253

## **AGRICULTURAL MARKETING SERVICE**

### **FOOD PURCHASE INFORMATION ON THE INTERNET**

Suppliers and Recipients of Food Products Purchased by the Department of Agriculture's Agricultural Marketing Service (AMS), an agency in the Marketing and Regulatory mission area, can access information on purchases and offers via the Internet.

USDA HOME PAGE:

**[HTTP://WWW.USDA.GOV](http://www.usda.gov)**

AMS HOME PAGE:

**[HTTP://WWW.AMS.USDA.GOV](http://www.ams.usda.gov)**

AMS COMMODITY PROCUREMENT HOME PAGE:

**[HTTP://WWW.AMS.USDA.GOV/CP](http://www.ams.usda.gov/cp)**

## Browser Requirements for DEBES

Netscape 4.07 or above  
Internet Explorer 5.0 or above

The browser must be capable of handling 128 bit encryption. To determine this:

In IE, go to **Help/About Internet Explorer**. The display will show:

**Cipher Strength: 128-bit**

If it does not, you will need to download a new version of the browser from Microsoft at

<http://www.microsoft.com>.

In Netscape, go to **Help/About Communicator**. The display will show:

**This version supports U.S. security with  
RSA Public Key Cryptography, MD2, MD5,  
RC2-CBC, RC4, DES-CBC,  
DES-EDE3-CBC.**

If it does not, you can download a new version of the browser from Netscape at  
<http://home.netscape.com/download/index.html?cp=djucc4>. Choose the 128 bit Strong  
Encryption\* version for your download.

The **Vendor Practice** site URL address is:

**<https://pcsd.usda.gov:3050/mdbc1000.exe?>**

The **Production** site URL address is:

**<https://pcsd.usda.gov:3077/mdbc1000.exe?>**

### Proxy Servers

Most connection problems are the result of improper browser version, not using 128 bit encryption, and connecting through your corporate proxy server. The proxy server must be set up to allow HTTPS protocol through the appropriate port; Vendor Practice is port 3050 and Production is port 3077.

**LIVESTOCK AND SEED PROGRAM  
 VENDOR REQUEST FOR LOGON IDENTIFICATION (ID) AND PASSWORD  
 DOMESTIC ELECTRONIC BID ENTRY SYSTEM (DEBES)**

**COMPANY INFORMATION:**

<b>COMPANY NAME</b>		
<b>Street Address</b>		
<b>City</b>	<b>State</b>	<b>Zip Code</b>
<b>Person to receive Vendor ID and password</b>		
<b>Method to receive Vendor ID and password: (Complete one)</b>		
----- <b>Telephone:</b>		
----- <b>Fax:</b>		
----- <b>E-Mail:</b>		
<b>Assign 5-8 digit alpha/numeric personal identification number (PIN) for company:</b> _____ (This code will be used as verification by USDA when assigning or resetting a password)		
<b>NAME AND TITLE OF PERSON REQUESTING LOGON ID:</b> (Must be authorized on SF-129 to sign bids)		
Name _____ Title _____		
Signature _____ Date _____		

**TO BE COMPLETED BY USDA:**

<b>VENDOR LOGON ID:</b> (“A” and 6 digits)	<b>PASSWORD:</b> (must be changed at first DEBES logon):
<b>Notified:</b> _____ (Company Representative)	<b>Date:</b> _____
<b>USDA Marketing Specialist:</b>	<b>Date:</b>

**PLEASE RETURN THIS FORM BY FAX TO:**

**Contracting Officer, Commodity Procurement Branch, LS Program (202) 720-0949**

**For Information call: (202) 720-2650**



**ACH VENDOR/MISCELLANEOUS PAYMENT  
ENROLLMENT FORM**

OMB No. 1510-0056  
Expiration Date 01/31/2000

This form is used for Automated Clearing House (ACH) payments with an addendum record that contains payment-related information processed through the Vendor Express Program. Recipients of these payments should bring this information to the attention of their financial institution when presenting this form for completion.

**PRIVACY ACT STATEMENT**

The following information is provided to comply with the Privacy Act of 1974 (P.L. 93-579). All information collected on this form is required under the provisions of 31 U.S.C. 3322 and 31 CFR 210. This information will be used by the Treasury Department to transmit payment data, by electronic means to vendor's financial institution. Failure to provide the requested information may delay or prevent the receipt of payments through the Automated Clearing House Payment System.

**AGENCY INFORMATION**

FEDERAL PROGRAM AGENCY: United States Department of Agriculture - Commodity Credit Corporation		
AGENCY IDENTIFIER: <b>USDA-FSA-KCMO</b>	AGENCY LOCATION CODE (ALC): <b>0000-4992-2</b>	ACH FORMAT: <b>DO NOT COMPLETE THIS</b> <input checked="" type="checkbox"/> CCD+ <input type="checkbox"/> CTX <input type="checkbox"/> CTP
ADDRESS:  Attn: ACH Disbursements P. O. Box 419205 Kansas City, Missouri 64141-6205		
CONTACT PERSON NAME:  Bob Glenn		TELEPHONE NUMBER:  ( 816 ) 926-6988
ADDITIONAL INFORMATION:  FAX Number: 816-823-1364		

**PAYEE/COMPANY INFORMATION**

NAME:	SSN NO. OR TAXPAYER ID NO.:
MAILING ADDRESS:	ENTITY/MASTER-CONTRACT CODE (if known) (Attach sheet if more space needed):
DISBURSEMENT STATEMENT MAILING ADDRESS (if different from above):	
CONTACT PERSON NAME:	TELEPHONE NUMBER: (       )
SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL:	

**FINANCIAL INSTITUTION INFORMATION**

NAME:	
ADDRESS:	
ACH COORDINATOR NAME:	TELEPHONE NUMBER: (       )
NINE-DIGIT ROUTING TRANSIT NUMBER  _ _ _ _ _	
DEPOSITOR ACCOUNT TITLE:	
DEPOSITOR ACCOUNT NUMBER:	LOCKBOX NUMBER:
TYPE OF ACCOUNT: <input type="checkbox"/> CHECKING <input type="checkbox"/> SAVINGS <input type="checkbox"/> LOCKBOX	
SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL (Could be the same as ACH Coordinator):	TELEPHONE NUMBER: (       )

## **INSTRUCTIONS FOR COMPLETING SF-3881 FORM**

1. Agency Information Section - Federal agency prints or types the name and address of the Federal program agency originating the vendor/miscellaneous payment, agency identifier, agency location code, contact person name and telephone number of the agency. In addition, the appropriate box for ACH format is checked.
2. Payee/Company Information Section - Payee prints or types the name of the payee/company and address that will receive ACH vendor/miscellaneous payments, social security or taxpayer ID number, and contact person name and telephone number of the payee/company. Payee also verifies depositor account number, account title, and type of account entered by your financial institution in the Financial Institution Information Section.
3. Financial Institution Information Section - Financial institution prints or types the name and address of the payee/company's financial institution who will receive the ACH payment, ACH coordinator name and telephone number, nine-digit routing transit number, depositor (payee/company) account title and account number. In addition, the box for type of account is checked, and the signature, title, and telephone number of the appropriate financial institution official are included.

### **BURDEN ESTIMATE STATEMENT**

The estimated average burden associated with this collection of information is 15 minutes per respondent or record keeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Financial Management Service, Facilities Management Division, Property and Supply Branch, Room B-101, 3700 East-West Highway, Hyattsville, MD 20782 and the Office of Management and Budget, Paperwork Reduction Project (1510-0056), Washington, DC 20503.



United States  
Department of  
Agriculture

Agricultural  
Marketing  
Service

STOP 0253-Room 2610-S  
1400 Independence Ave. S.W.  
Washington, D.C. 20250-0253

**ADDRESS INFORMATION FOR AMS COMMODITY PURCHASE PROGRAM**

Vendor Name and Address:  Contracts will be awarded and mailed to address provided.	Company Name:	
	Contact:	
	Address-Street:	
	Address-P.O. Box:	
	City, State, Zip:	
	Fed. Meat Insp. Est. No. Or State Insp. No. as appropriate:	
	Phone:	Fax:
Payment Disbursement Statement address: Payments to Vendors must be made electronically. To set up electronic transfer, contact the Kansas City Mgmt. Office (816/926-6988)  <input type="checkbox"/> ACH <input type="checkbox"/> In Process	Company Name:	
	Contact:	
	Address-Street:	
	Address-P.O. Box:	
	City, State, Zip:	
	Phone:	
	Taxpayer Identification No. (TIN #)	
Plant Address:  If Vendor address is same for plant, write "Same".  If multiple plants, attach additional pages.	Company Name:	
	Contact:	
	Address-Street:	
	Address-P.O. Box:	
	City, State, Zip:	
	Phone:	
Plant's Shipping Point Address:  If Plant address is same for shipping, write "Same".  If multiple shipping points, attach additional pages.	Company Name:	
	Contact:	
	Address-Street:	
	Address-P.O. Box:	
	City, State, Zip:	
	Phone:	
Notice to Deliver Address:	Company Name:	
	Contact:	
	Address-Street:	
	Address-P.O. Box:	
	City, State, Zip:	
	Phone:	

Signature & Title (Authorized Company Representative)

Date

PLEASE RETURN THIS FORM BY FAX TO:  
Contracting Officer, Livestock & Seed Division, AMS, USDA; 202/720-0949.

**SOLICITATION MAILING LIST APPLICATION**

1. TYPE OF APPLICATION

2. DATE

OMB No.: 9000-0002  
Expires: 10/31/97

INITIAL

REVISION

**NOTE: Please complete all items on this form. Insert N/A in items not applicable. See reverse for instruction.**

Public reporting burden for this collection of information is estimated to average .58 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (MVR), Federal Acquisition Policy Division, GSA, Washington, DC 20405.

3. SUBMIT TO	a. FEDERAL AGENCY'S NAME	4. APPLICANT	a. NAME	FI Est. #	
	b. STREET ADDRESS		b. STREET ADDRESS	c. COUNTY	
	c. CITY		d. STATE	e. ZIP CODE	d. CITY

5. TYPE OF ORGANIZATION (Check one)	6. ADDRESS TO WHICH SOLICITATIONS ARE TO BE MAILED (If different than item 4)		
<input type="checkbox"/> INDIVIDUAL	a. STREET ADDRESS	b. COUNTY	
<input type="checkbox"/> NON-PROFIT ORGANIZATION	c. CITY	d. STATE	e. ZIP CODE
<input type="checkbox"/> PARTNERSHIP	<input type="checkbox"/> CORPORATION, INCORPORATED UNDER THE LAWS OF THE STATE OF:		

**7. NAMES OF OFFICERS, OWNERS, OR PARTNERS**

a. PRESIDENT	b. VICE PRESIDENT	c. SECRETARY
d. TREASURER	e. OWNERS OR PARTNERS	

**8. AFFILIATES OF APPLICANT**

NAME	LOCATION	NATURE OF AFFILIATION

**9. PERSONS AUTHORIZED TO SIGN OFFERS AND CONTRACTS IN YOUR NAME (Indicate if agent)**

NAME	OFFICIAL CAPACITY	TELEPHONE NUMBER	
		AREA CODE	NUMBER

10. IDENTIFY EQUIPMENT, SUPPLIES, AND/OR SERVICES ON WHICH YOU DESIRE TO MAKE AN OFFER (See attached Federal Agency's supplemental listing and instruction, if any)

11a. SIZE OF BUSINESS (See definitions on reverse)	11b. AVERAGE NUMBER OF EMPLOYEES (including affiliates) FOR FOUR PRECEDING CALENDAR QUARTERS	11c. AVERAGE ANNUAL SALES OR RECEIPTS FOR PRECEDING THREE FISCAL YEARS
<input type="checkbox"/> SMALL BUSINESS (If checked, complete items 11B and 11C)	<input type="checkbox"/> OTHER THAN SMALL BUSINESS	\$

12. TYPE OF OWNERSHIP (See definitions on reverse) (Not applicable for other than small businesses)	13. TYPE OF BUSINESS (See definitions on reverse)		
<input type="checkbox"/> DISADVANTAGED BUSINESS	<input type="checkbox"/> MANUFACTURER OR PRODUCER	<input type="checkbox"/> CONSTRUCTION CONCERN	<input type="checkbox"/> SURPLUS DEALER
<input type="checkbox"/> WOMAN-OWNED BUSINESS	<input type="checkbox"/> SERVICE ESTABLISHMENT	<input type="checkbox"/> RESEARCH AND DEVELOPMENT	

14. DUNS NO. (If available)	TIN #	15. HOW LONG IN PRESENT BUSINESS?
-----------------------------	-------	-----------------------------------

**16. FLOORSPACE (Square Feet/M<sup>2</sup>)**

**17. NET WORTH**

a. MANUFACTURING	b. WAREHOUSE	a. DATE	b. AMOUNT
			\$

**18. SECURITY CLEARANCE (If applicable, check highest clearance authorized)**

FOR	TOP SECRET	SECRET	CONFIDENTIAL	c. NAMES OF AGENCIES GRANTING SECURITY CLEARANCES	d. DATES GRANTED
a. KEY PERSONNEL					
b. PLANT ONLY					

The information supplied herein (including all pages attached) is correct and neither the applicant nor any person (or concern) in any connection with the applicant as a principal or officer, so far as is known, is now debarred or otherwise declared ineligible by any agency of the Federal Government from making offers for furnishing materials, supplies, or services to the Government or any agency thereof.

19a. NAME OF PERSON AUTHORIZED TO SIGN (Type or print)	20. SIGNATURE	21. DATE SIGNED
19b. TITLE OF PERSON AUTHORIZED TO SIGN (Type or print)		

AUTHORIZED FOR LOCAL REPRODUCTION  
Previous edition not usable

STANDARD FORM 129 (REV. 12-98)  
Prescribed by GSA - FAR (48 CFR) 53.214(e)

## INSTRUCTIONS

Persons or concerns wishing to be added to a particular agency's bidder's mailing list for supplies or services shall file this properly completed Solicitation Mailing List Application, together with such other lists as may be attached to this application form, with each procurement office of the Federal agency with which they desire to do business. If a Federal agency has attached a Supplemental Commodity list with instructions, complete the application as instructed. Otherwise, identify in Item 10 the equipment, supplies, and/or services on which you desire to bid. (Provide Federal Supply Class or Standard Industrial Classification codes, if available.) The application shall be submitted and signed by the principal as distinguished from an agent, however constituted.

After placement on the bidder's mailing list of an agency, your failure to respond (submission of bid, or notice in writing, that you are unable to bid on that particular transaction but wish to remain on the active bidder's mailing list for that particular item) to solicitations will be understood by the agency to indicate lack of interest and concurrence in the removal of your name from the purchasing activity's solicitation mailing for items concerned.

### SIZE OF BUSINESS DEFINITIONS (See Item 11A.)

a. Small business concern - A small business concern for the purpose of Government procurement is a concern, including its affiliates, which is independently owned and operated, is not dominant in the field of operation in which it is competing for Government contracts, and can further qualify under the criteria concerning number of employees, average annual receipts, or the other criteria, as prescribed by the Small Business Administration. (See Code of Federal Regulations, Title 13, Part 121, as amended, which contains detailed industry definitions and related procedures.)

b. Affiliates - Business concerns are affiliates of each other when either directly or indirectly (i) one concern controls or has the power to control the other, or (ii) a third party controls or has the power to control both. In determining whether concerns are independently owned and operated and whether or not affiliation exists, consideration is given to all appropriate factors including common ownership, common management, and contractual relationship. (See Items 8 and 11A.)

c. Number of employees - (Item 11B) In connection with the determination of small business status, "number of employees" means the average employment of any concern, including the employees of its domestic and foreign affiliates, based on the number of persons employed on a full-time, part-time, temporary or other basis during each of the pay periods of the preceding 12 months. If a concern has not been in existence for 12 months, "number of employees" means the average employment of such concern and its affiliates during the period that such concern has been in existence based on the number of persons employed during each of the pay periods of the period that such concern has been in business.

### TYPE OF OWNERSHIP DEFINITIONS (See Item 12.)

a. "Disadvantaged business concern" - means any business concern (1) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and (2) whose management and daily business operations are controlled by one or more of such individuals.

b. "Women-owned business" - means a business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.

### TYPE OF BUSINESS DEFINITIONS (See Item 13.)

a. "Manufacturer or producer" - means a person (or concern) owning, operating, or maintaining a store, warehouse, or other establishment that produces, on the premises, the materials, supplies, articles or equipment of the general character of those listed in Item 10, or in the Federal Agency's Supplemental Commodity List, if attached.

b. "Service establishment" - means a concern (or person) which owns, operates, or maintains any type of business which is principally engaged in the furnishing of nonpersonal services, such as (but not limited to) repairing, cleaning, redecorating, or rental of personal property, including the furnishing of necessary repair parts or other supplies as a part of the services performed.

- **COMMERCE BUSINESS DAILY** - The Commerce Business Daily, published by the Department of Commerce, contains information concerning proposed procurements, sales, and contract awards. For further information concerning this publication, contact your local Commerce Field Office.