



United States
Department of
Agriculture

Agricultural
Marketing
Service

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

AMENDMENT 1 TO ANNOUNCEMENT LS-9

SEPTEMBER 2004

**PURCHASE OF HAM, BONELESS, FULLY-COOKED, WATER-ADDED
FOR DISTRIBUTION TO CHILD NUTRITION
AND OTHER FEDERAL FOOD AND NUTRITION PROGRAMS**

This amendment is being issued to remove all references to the Audit, Review, and Compliance Branch 1010 USDA Supplier Eligibility Program from the Announcement.

Replace Section I.D.6. Responsibility of Subcontractors/Suppliers with:

“Contractors 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 Announcement LS-9 from any subcontractors and suppliers.

Contractors shall include, and subcontractors must comply with, the domestic products clause in paragraph I.F. of this section for all subcontracts for meat, meat products, or other ingredients used in fulfilling any contracts under this Announcement. All shipping containers for raw material must be labeled as “Domestic Only Product” on the principle display panel.

Subcontractors or suppliers of ham are: (1) ineligible to supply product 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”

Section I.F. Domestic Products, replace the fifth sentence of first paragraph with “*Such segregation plan will be audited by the ARC Branch and made available to the ARC Branch agent.*” delete the second paragraph in its entirety, and replace the third paragraph with:

“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 products 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 materials will be shipped in containers labeled as “Domestic Only Product” on the principle display panel.”

Section II. E.4. Certifications, Item 2, is amended to include Amendment 1. Item 2 of the bid should be as shown below:

“2. By submitting this bid, Offeror certifies it HAS read and DOES agree to the terms of LS-9 and Amendment 1 dated September 2004, Appendix 1; Inv. __; IDCR dated June 2004; company’s technical proposal approved by the Contracting Officer; AMS audit team’s initial report, USDA-1, Rev. 2, and Amds. 1, 2, 3, and 4, and the Federal Acquisition Regulations. (both boxes must be selected).

HAS

DOES”

ATTACHMENT 1, Item Description and Checklist of Requirement for Ham - water added, dated June 2004, page 1, Section II. A. 1, Meat Component, delete last paragraph.

This amendment will be effective with offers submitted on and after September 7, 2004.

/s/ William T. Sessions (09/17/04)

William T. Sessions

Deputy Administrator

Livestock and Seed Program