United States Department of Agriculture

Agricultural Marketing Service

P.O. Box 96456
Washington, DC
20090-6456

ANNOUNCEMENT LS-78 **NOVEMBER 2000**

PURCHASE OF CANNED MEATS FOR DISTRIBUTION TO ELIGIBLE OUTLETS CANNED PORK W/NATURAL JUICES CANNED BEEF W/NATURAL JUICES CANNED LUNCHEON MEAT

I. GENERAL

A. The United States Department of Agriculture (USDA) will periodically issue Invitations under this Announcement for offers to sell to USDA canned beef, canned pork, and canned luncheon meat in accordance with Technical Data Supplement for Canned Meats--Product codes A610 and A630, dated November 2000, (hereinafter referred to as TDS-CM), Technical Data Supplement for Canned Luncheon Meat--Product code A617, dated December 2000, (hereinafter referred to as TDS-LM), and the Institutional Meat Purchase Specifications (IMPS) General Requirements.

Canned meat products will be purchased on a competitive bid basis from suppliers who have met qualification requirements described in Section I.D.4. Interested suppliers may submit samples and documentation at any time during this purchase program. Suppliers should allow 5 working days from receipt by USDA for notification of results of the evaluation of the canned meat products, quality control program, and process description. Following notification of acceptance of canned meat products and documentation, a supplier should promptly request a supplier assessment audit as outlined in Section I.D.4. A supplier is eligible to bid after the initial supplier assessment audit is satisfactory.

Submission of samples, production process documentation, and quality control program is not binding on USDA. Actual purchases will be on a competitive bid basis as described in this Announcement and separately issued Invitations. The Invitations will specify the product type, offer date, the closing time for receipt of bids, the shipping period, the destinations 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 A 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, TDS-CM, TDS-LM, IMPS General Requirements, 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 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 on the basis of f.o.b. railcars or trucks at destination or f.a.s. vessel as specified in the applicable Invitation. Certain destinations require delivery by TRUCK ONLY or RAIL ONLY and will be so identified in the Invitation. **All product whether shipped by truck, rail, or piggyback must be palletized and stretchwrapped in accordance with instructions contained in the IMPS General Requirements 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.** Offers submitted on a basis other than f.o.b. destination or f.a.s. vessel will be rejected as nonresponsive.

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.

Contracts for all canned meat products purchased under this Announcement will be awarded on an f.o.b. destination or f.a.s. vessel basis with quality assurance determined by USDA through pre-award and post award audits as described in TDS-CM and TDS-LM. If product is checkloaded by an Agricultural Marketing Service (AMS) agent as described in Option 1 of Section VII, Inspection and Checkloading, and transportation is provided by common carrier, the Contractor may submit an invoice for payment prior to actual delivery, **provided product is shipped 5 calendar days in advance of the not later than (NLT) delivery date on the contract.** Contractor must furnish with the invoice a copy of the AMS acceptance certificate and 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 shipment 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 3 of this Announcement prior to the submission of its initial bid. The Appendix must be signed by an Officer of the company. If there are any changes or revisions to the annual Appendix 1, offeror must submit an updated Appendix to the Contracting Officer or attach corrections or revisions at the time of bid offering.

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 3 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 B). Offeror must also include the following information for Items 4, 8, 10, 16B, 19, and 20:

Items 4 and 8:	The Federal meat inspection establishment number or State 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 form.
Item 10:	The products the offeror is interested in supplying, weekly volume of production, capacity, and percent of capacity available for USDA contracts.
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 Invitations. Facilities to be used in fulfilling USDA contracts must be either operating under the provisions of the Federal Meat Inspection Act (FMIA), 21 U.S.C. 601 et seq., and the regulations issued thereunder.

4. Supplier Assessment and Quality System Certification Program Requirements

To become an approved supplier, the following must be sent to the Contracting Officer at Agricultural Marketing Service, U.S. Department of Agriculture, Room 2610-South Building, 1400 Independence Avenue, SW., Washington, D.C. 20250, for evaluation prior to bidding:

(1) For each item offered, 12 cans of product and the related Nutrition Facts panel that conforms to the attached TDS-CM, dated November 2000 and TDS-LM, dated December 2000; and
(2) A written quality control program that addresses the contractor's quality assurance measures to ensure compliance with TDS-CM and/or TDS-LM and a written description of their production process.

After the sample and the above documents are evaluated and meet the criteria listed under the Quality Assurance section of the applicable TDS, an AMS audit team will perform an in-plant assessment of the facilities, processes, and quality control program used to produce the sample canned meat products. The initial assessment consists of an onsite pre-award audit to determine the supplier's ability to meet contractual requirements. The audit will include, but is not limited to, a thorough evaluation of the potential contractors' and subcontractors' facilities, equipment, procedures and all reference documents. Documentation must support TDS-CM and/or TDS-LM. A detailed review of purchasing, receiving, production, quality control, inventory, shipping records, and interviews with management and production personnel will be conducted.

After the sample has met the evaluation criteria and the supplier has passed the initial assessment, the supplier will be put on the approved supplier list and will be eligible to bid. There will be an approximate turn around time of 5 working days between receipt of sample and applicable documentation to the notification of results of the evaluation.

Suppliers with samples meeting the applicable criteria should contact the Quality Manager, on (202) 720-1124 to set up a supplier assessment audit.

5. Responsibility of Subcontractors/Suppliers

Contractor shall include the responsibility terms in D.3. above 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-78 from subcontractors and suppliers.

Contractors shall include the domestic products clause in I.F. in all subcontracts for meat or meat products used in fulfilling any contracts under this Announcement and obtain certification from subcontractors or suppliers of beef and pork to be used in fulfilling contracts that they have been approved by the Meat Grading and Certification Branch (MGCB) for compliance with domestic origin requirements prior to their performance on the contract. If subcontractor is operating under a segregation plan approved by MGCB, all shipping containers must be labeled as "domestic". See paragraph I.F. of this Announcement and Meat Grading and Certification Branch

Instruction 606 regarding procedures for requesting domestic origin reviews and fees for service.

Subcontractors or suppliers of beef and pork are (1) ineligible if they do not have a domestic product program approved by MGCB; or if they are 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 FMIA or have been suspended or debarred under the provisions of 48 C.F.R. Subpart 9.4, or if they have been suspended or debarred as an affiliate of any party who has 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 10** of the offer. A determination that the late performance is 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 its' 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 Contractor's 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 school lunch and other 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. **Contractor 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 bid. 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 delivery dates by 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 supersedes Article 49 of USDA-1. Other minor ingredients, e.g., seasonings, must comply with Article 49 of USDA-1.

F. Domestic Products

All meat or meat products used in fulfilling contracts awarded under Announcement LS-78 must be produced in the United States (U.S.). U.S. produced means manufactured from livestock raised in the U.S., 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 beef or cattle nor pork or hogs imported for direct slaughter. If any meat or meat products originate from sources other than the U.S. are processed or handled, contractor will develop and maintain an identification and record system for these products to ensure they are segregated and not used to fulfill contracts awarded under this Announcement. Such segregation plan must be made available to the AMS Meat Grading and Certification agent. Contractor will maintain records including, but not limited to, invoices, production and inventory records evidencing product origin, and to make such records available for review by the Government in accordance with Article 76 of USDA-1.

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 subcontractor that (1) it has been approved by MGCB for compliance with domestic origin requirements; (2) it will deliver only meat or meat products originating from U.S. produced livestock as defined herein; and (3) if meat is produced under an approved MGCB segregation plan it will be shipped in containers labeled as "domestic."

Prior to performance on USDA contracts or subcontracts, contractors and meat subcontractors must obtain approval of its domestic product program from Meat Grading and Certification Branch. See Meat Grading and Certification Instruction 606 regarding procedures for requesting review.

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:

(1) Cancel the solicitation, if the contract has not yet been awarded or issued; or

(2) 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.

II. SUBMISSION OF OFFERS

A. How To Submit Offers

Offers may be submitted electronically by accessing the Domestic Electronic Bid Entry System (DEBES) via the Internet, facsimile (FAX), by mail, or hand delivery.

1. Electronic Bid Submission

Browser Requirements for DEBES for electronic bidding are described in Attachment I. To submit bids electronically through DEBES, an offeror must request an ID in order to access the website. See Attachment II for the form to request a logon ID. If offeror is concerned about electronic bid receipt, Offeror may also submit a duplicate FAX bid if desired.

a. For offers submitted electronically, access the DEBES website at:
https://pcsd.usda.gov:3077/mdbc1000.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.

b. 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:
(1) Any failure of the offeror's computer hardware or software,
(2) Availability of your Internet service provider,
(3) Delay in transmission due to the speed of your modem, or
(4) Delay in transmission due to excessive volume of Internet traffic.

In the event of problems submitting bids electronically, offers should be FAXED prior to bid closing.

2. FAX Bid Submission

a. Facilities for receiving offers by FAX are as follows:

FAX (202) 720-7271 (24 Hours)

b. Verification: **USDA-AMS-InformationTechnology, Network Telecommunication Section (NTS), Communications Center**

(202) 720-2104 (6:30 a.m. - 3:00 p.m., Central Time, Monday - Friday)

3. Mail or Hand Delivered Bids

a. Offers submitted via Express Mail, commercial package delivery service, or hand delivered to:

Contracting Officer
Livestock and Seed Program
Agricultural Marketing Service
U.S. Department of Agriculture
Room 2610-South Building
1400 Independence Avenue, SW
Washington, D.C. 20250
(202) 720-2650 (Verification of receipt from delivery service)

b. If offer is sent by mail or hand delivery, place the notation, **"DO NOT OPEN UNTIL PRESCRIBED TIME PER ANNOUNCEMENT LS-78"** on the lower left-hand corner of the envelope.

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 either **the DEBES Lockbox or be received by the USDA mailroom, the Contracting Officer of the Livestock and Seed Program, or the NTS's Communications Center** not later than **1:00 p.m., Central Time**, on the date specified in the Invitation. A planned purchase schedule for canned meat products is included as Exhibit C. USDA may change this schedule or cease purchases depending on market conditions or funding considerations. If the planned bid date on Exhibit C or the Invitation falls on a nonworkday for USDA employees in the District of Columbia, offers, modifications, or withdrawals are to be received by **1:00 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 time stamp of the AMS-NTS-Communications Center or, in the case of letters and mailgrams, the time stamp of the USDA-APHIS mail room in Washington, D.C. The time of receipt for bids submitted electronically will be the time recorded by the DEBES System.

C. Shipping Periods

Planned shipping periods by invitation are identified in Exhibit C. USDA may change this schedule. Bidders are cautioned to refer to the applicable invitation prior to bidding.

To allow more transit time and reduce late deliveries, the USDA contract shipping period, for all canned meat products begins 4 days in advance of the recipient's expected arrival time. When scheduling shipments, priority of orders should be rail and piggy-back shipments before trucks and distant destinations before nearby points.

D. Purchase Units

Canned pork and canned beef will be purchased in units of 36,018 pounds net weight (828 shipping containers) or multiples thereof. Canned luncheon meat will be purchased in units of 36,000 pounds net weight (800 shipping containers) or multiples thereof. 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--36,018 pounds or 36,000 pounds, as applicable. 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

An offer must include each of the following numbered items in the order listed:

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-78, Invitation No._.

3. Name and street address including zip code of (a) final processing point and (b) shipping point.

4. 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. 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 Item 5 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.**

5. State maximum quantity overall for invitation, 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.

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

6. 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.

7. By submitting this bid, Offeror certifies it HAS read and DOES agree to the terms of LS-78; Appendix 1; Inv. ___; [TDS-CM, dated November 2000 or TDS-LM dated December 2000]; IMPS General Requirements; qualified manufacturer's documented production process and quality control manual; AMS audit team's initial report; USDA-1, Rev. 2, and Amds. 1,2,3, and 4. *(If submitting electronically, both boxes must be selected.)*

   ✍✍ HAS
   ✍✍ DOES

8. (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.

9. Offeror certifies that the SF-129 on file with the Contracting Officer is accurate and part of this offer.

   ✍✍ Does
   ✍✍ Does Not

10. All product required under any existing USDA contract(s) or subcontract(s) with a Not Later Than Date prior to this bid opening HAS been shipped/delivered?

    ✍✍ Has
    ✍✍ Has Not
    ✍✍ Has Not, But Has Notified C/O
    ✍✍ No Existing Contracts

11. By submitting this bid, offeror certifies that all product conforms with TDS-CM dated November 2000 and/or TDS-LM dated December 2000 and no changes to the production process or written documents have occurred without proper approval by the Contracting Officer.

    ✍✍ Does

12. Show name, title, fax number, and phone number of person submitting this bid (must be an authorized company representative).

    NOTE: **Exhibits D, E, and F** attached, show how offers may be submitted via mail or FAX giving all essential details in the briefest possible manner using above format.

III. ACCEPTANCE OF OFFERS

The USDA will award contracts to responsible bidders 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 4 calendar days. Acceptance of offers will be made by FAX filed at Washington, D.C., not later than midnight, Washington, D.C. time, the fourth day following the day for receipt of offers. The actual time of award is the time stamped on the acceptance wire at time of receipt by the AMS-NTS Communications Center or agent thereof. A notice of award will also be issued in the form of a Food Purchase Report (FPR) posted at the Department's Office of Information, News Division, after 1:00 p.m., Central Time, on the day of acceptance. Information on awards will be available by telephone to bidders and interested parties promptly following the filing of contracts with the AMS-NTS Communications Center and the posting of the FPR. Inquiries may be made to a USDA-AMS Market News office or the Contracting Officer. Information on awards is also available electronically through **the USDA, AMS Commodity Procurement Home Page** (see Notice attached). 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-78; the applicable Invitation; TDS-CM or TDS-LM, IMPS General Requirements, contractor’s or subcontractor’s (manufacturer’s) process documentation and quality control manual; the AMS audit team’s initial report, Contractor’s offer including SF-129 and Appendix 1; the acceptance by USDA; and USDA-1 except Articles 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, TDS-CM and/or TDS-LM, IMPS General Requirements, Contractor or Subcontractor's production process documentation and quality control manual, AMS Audit Team's Initial Report, Appendix 1, and USDA-1.

V. PRODUCT ITEM DESCRIPTION AND CHECKLIST OF REQUIREMENTS AND CERTIFICATION SERVICES

A. Specifications for canned pork, canned beef, and canned luncheon meat will be set forth in the TDS-CM or TDS-LM and IMPS General Requirements. If documents are amended, appropriate amendments must be referenced.

B. Compliance with processing requirements as described in the TDS-CM or TDS-LM, IMPS General Requirements, and Contractor/Subcontractor's process documentation and quality control program will be verified through audits by AMS agents. The cost of all audits must be borne by the contractor.

C. Questions concerning charges and the availability of AMS auditors should be discussed with the Meat Grading and Certification Branch in Washington, D.C. at (202) 720-1246. Questions concerning charges and the availability of AMS agents for checkloading should be discussed with the nearest Meat Grading and Certification Branch field office or telephone the Office of Field Operations, Denver, Colorado (303) 294-7676.

VI. 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.

VII. INSPECTION AND CHECKLOADING

The Contractor will not ship the product before receipt of shipping instructions from the Farm Service Agency (FSA) Kansas City Commodity Office (KCCO). Inspection as required by Article 54 of USDA-1 will be performed by AMS agents through supplier assessment and post award audits as described in the appropriate TDS.

Checkloading by an AMS agent as described in Article 55 of USDA-1 is at the option of the contractor. If checkloading is performed by an AMS agent, as described in Option 1 below, contractor may submit an invoice for payment prior to actual delivery; provided, the product is shipped by commercial carrier 5 days in advance of the "not later than delivery date" on the Notice to Deliver (See Section I.C.) and transportation is provided by common carrier. 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.

Option 1- AMS Checkloading

At the request of the Contractor, an AMS agent (on a fee basis) will checkload the product at the time of shipment and perform the following duties as described in the TDS-CM or TDS-LM:

1. Conduct an external condition of container examination;
2. Supervise the loading and sealing of each truck; and
3. Issue a final Acceptance Certificate that may be used for payment purposes.

Option 2 - Contractor Checkloading

Contractor will perform checkloading examinations as described in TDS-CM or TDS-LM at the time of shipment and issue contractor's certificate to accompany each shipment that contains the following information:

1. Contract Number
2. Notice-to-Deliver Number
3. Name of product
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. The shipping unit will be 36,018 pounds (822.1 g) net weight (828 containers per offer unit) for canned beef and canned pork. The shipping unit will be 36,000 pounds 850 g) net weight (800 containers per offer unit) for canned luncheon meat. A tolerance of 15 above and below 36,018 pounds for canned beef and canned pork and 36,000 pounds for canned luncheon meat shall be permitted only on the final shipment of each contract.
7. Identity of car or truck (car numbers and letters, seals, truck license, etc.) as applicable
8. Contractor certification that product conforms with TDS-CM or TDS-LM.
9. Count and projected net weight verified.
10. Signature of company official responsible for checkloading.

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. Such notification of shipment 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. If product is shipped using an AMS agent to checkload as described in shipping Option 1, Section VII. Inspection and Checkloading, a copy of the original USDA Agricultural Products Acceptance Certificate must accompany each shipment so that it will be easily available to the warehouseperson or consignee (as applicable) upon arrival. If the contractor performs checkloading as provided by Option 2 in Section VII, the contractor must include with each shipment the contractor's certificate and a signed bill of lading or other commercial documentation evidencing the quantity shipped with each delivery. If product is shipped in other than a commercial carrier and a bill of lading is not issued, the contractor's checkloading certificate must document quantity shipped and Contractor must obtain a commercial receipt (i.e., warehouse receipt) signed by recipient agent evidencing date of shipment and quantity of product received.

B. Tolerances

No tolerance from the quantity called for in the shipping instruction shall be permitted except that a variation of plus or minus 15 shipping containers of product shall be allowed only on the final shipment of each contract.

C. Early Shipping Requests

Requests for permission to deliver in advance of the "Not-Earlier-Than" date given in the Notice-to-Deliver must be made to KCCO and approval will be granted if consignee is willing to accept product early 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 or delivery due to late mailing of Notice-To-Deliver 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 canned meats 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 canned meat 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 consignee receipt is considered to be the date of shipment. However, if contractor utilizes an AMS agent to checkload the product (see Section VII, Option 1) and the product is shipped by common carrier (evidenced by a commercial bill of lading signed by carrier's agent) 5 days in advance of the not later than delivery date, the delivery date will be calculated as the date shipped plus 5 days.

X. INVOICES AND PAYMENT

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

Shipping Period - AMS Checkloading (Section VII - Option 1)

If product is checkloaded by an AMS agent and **shipped by common carrier 5 days in advance** of the "not later than delivery date" on the Notice to Deliver, contractor may invoice at the time of shipment. A properly prepared invoice consists of the following:

(1) Invoicing as provided for on the Notice-to-Deliver (Form KC-269) or commercial invoice form;
(2) Commercial bill of lading signed by carrier's agent; and
(3) Original USDA Agricultural Products Acceptance Certificate issued at time of shipment.

Shipping Period - Contractor Checkloading (Section VII - Option 2)

(1) Invoicing as provided for on the Notice-to-Deliver (Form KC-269) or commercial invoice form;
(2) Commercial bill of lading or other commercial receipt signed by recipient agent evidencing quantity shipped and date of shipment
(3) Original of Contractor's checkloading certificate.

If a commercial bill of lading signed by carrier's agent is not issued, the invoice package must include a (i.e., warehouse receipt) signed by recipient agent evidencing date of shipment 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 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, 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 (KCM0) at the address listed in Section XI of the Announcement. 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 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 Kansas City Management Office, Commodity Financial Operations Division, Inventory Control Branch; Telephone (816) 926-6988.

Complete the attached address information form which identifies payment disbursement statement address as well as other information needed.

XI. INQUIRIES

Inquiries pertaining to this Solicitation and applicable documents should be directed to the Contracting Officer, Livestock and Seed Program; USDA, AMS, Room 2610-S; P.O. Box 96456; Washington, D.C. 20090-6456. 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 (concerning shipping instructions)

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 (concerning payments)

_____
Acting Deputy Administrator
Livestock and Seed Program
Agricultural Marketing Service

Attachments

ANNOUNCEMENT LS-78 EXHIBIT A

****

DATE: CANNED MEAT, ANNOUNCEMENT LS-78, INVITATION NO._:

The U.S. Department of Agriculture (USDA) invites offers pursuant to ANNOUNCEMENT LS-78 to sell canned meat 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-78 and be received by **1:00 p.m., CENTRAL TIME**, Monday,_____, 2000. Acceptances will be announced by midnight, Friday, _____, 2000, shipments are to be made between _____and_____, 2000.

Bids may be submitted electronically via the Internet. Offerors are encouraged to submit bids electronically. 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-78 or this Invitation should be directed to the Contracting Officer, Livestock and Seed Program ;USDA, AMS, Room 2610-South ;Post Office Box 96456 ;Washington, D.C. 20090-6456. Telephone: 202/720-2650.

ANNOUNCEMENT : LS-78
INVITATION : 100

COMM GROUP : 24 MEAT, CANNED
COMM TYPE : 60 PORK, CANNED W/NATURAL JUICES
PACK SIZE : 29 24/29 OZ. CANS

ITEM NO	DESTINATION CITY	ST	TRANS RESTR	QUANTITY (LBS.)
SHIPPING PERIOD 06/26/00 - 07/11/00				
001	VANDIVER	AL		36,018
002	DURAND	GA	TRUCK ONLY	108,054
003	PALMDALE	FL		216,108

TOTAL QUANTITY FOR COMMODITY TYPE 360,180

TOTAL QUANTITY FOR INVITATION 360,180

_____
CONTRACTING OFFICER

SOLICITATION MAILING LIST APPLICATION

1. TYPE OF APPLICATION: [X] INITIAL [ ] REVISION
2. DATE: 5/26/98
OMB No.: 9000-0002
Expires: 10/31/97

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: USDA, AMS, Livestock and Seed Program
b. STREET ADDRESS: Room 2610-South, P.O. Box 96456
c. CITY: Washington
d. STATE: DC
e. ZIP CODE: 20090-6456

4. APPLICANT

a. NAME: Lakeshore Meat FI No. 7999 TIN No 9734565837
b. STREET ADDRESS: 1275 Corwith Avenue
c. COUNTY: EI 197643
d. CITY: Calumet
e. STATE: IL
e. ZIP CODE: 67345

5. TYPE OF ORGANIZATION (Check one)
[ ] INDIVIDUAL
[ ] NON-PROFIT ORGANIZATION
[ ] PARTNERSHIP
[X] CORPORATION, INCORPORATED UNDER THE LAWS OF THE STATE OF: Illinois

6. ADDRESS TO WHICH SOLICITATIONS ARE TO BE MAILED (If different than Item 4)
a. STREET ADDRESS: Same as #4
b. COUNTY:
c. CITY:
d. STATE:
e. ZIP CODE:

7. NAMES OF OFFICERS, OWNERS, OR PARTNERS

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

8. AFFILIATES OF APPLICANT

NAME	LOCATION	NATURE OF AFFILIATION
Broadview Foods, TIN No. XXXXXXXXXX FI No. 321	7893 Dolton Ave., Highland, IL 67347	Parent Company

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

NAME	OFFICIAL CAPACITY	TELEPHONE NUMBER AREA CODE	TELEPHONE NUMBER 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
Ground Pork	500,000	250,000	40%
Pork Sausage	500,000	250,000	40%

11a. SIZE OF BUSINESS (See definitions on reverse)
[X] SMALL BUSINESS (If checked, complete Items 11B and 11C)
[ ] OTHER THAN SMALL BUSINESS

11b. AVERAGE NUMBER OF EMPLOYEES (Including affiliates) FOR FOUR PRECEDING CALENDAR QUARTERS: 125

11c. AVERAGE ANNUAL SALES OR RECEIPTS FOR PRECEDING THREE FISCAL YEARS: $ 29,456,000.00

12. TYPE OF OWNERSHIP (See definitions on reverse) (Not applicable for other than small businesses)
[ ] DISADVANTAGED BUSINESS
[ ] WOMAN-OWNED BUSINESS

13. TYPE OF BUSINESS (See definitions on reverse)
[X] MANUFACTURER OR PRODUCER
[ ] CONSTRUCTION CONCERN
[ ] SURPLUS DEALER
[ ] SERVICE ESTABLISHMENT
[ ] RESEARCH AND DEVELOPMENT

14. DUNS NO. (If available): 02-787396

15. HOW LONG IN PRESENT BUSINESS? 68 years

16. FLOOR SPACE (Square Feet/M²)
a. MANUFACTURING: 44,000
b. WAREHOUSE: 150,000 * See Below

17. NET WORTH
a. DATE: December 31, 1997
b. AMOUNT: $ 7,537,662.89

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): George Coates
19b. TITLE OF PERSON AUTHORIZED TO SIGN (Type or print): President
20. SIGNATURE: George Coates
21. DATE SIGNED: 05/26/98

AUTHORIZED FOR LOCAL REPRODUCTION
Previous edition not usable

* Robertson Bonded Warehouse
834 Bellwood Avenue
Irondale, IL 59571

STANDARD FORM 129 (REV. 12-96)
Prescribed by GSA - FAR (48 CFR) 53.214(e)

10. If additional space is needed, attach separate list of USDA commodities which you intend to offer.

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.

PLANNED PURCHASE SCHEDULE
CANNED PORK W/NATURAL JUICES
CANNED BEEF W/NATURAL JUICES
CANNED LUNCHEON MEAT

SCHOOL YEAR 2000-2001

INV. NO.	TYPE/UNITS	BID OPENING	AWARD NLT DATE	PRODUCTION	SHIPPING PERIOD
1	Canned Beef (22) Canned Pork (22)	12/18	12/22	3 WEEKS 5 WEEKS	01/12-01/27/01 01/28-02/11
2	Canned Pork (25) Canned Pork (?)	01/02/01 (Tuesday)	01/05	5 WEEKS 7 WEEKS	02/12-02/24 02/25-03/11
3	Luncheon Meat (25)	01/16 (Tuesday)	01/19	7 WEEKS	03/12-03/27
4	(?)	01/29	02/02	8 WEEKS	03/28-04/11

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.

ANNOUNCEMENT LS-78 **EXHIBIT D**

CANNED BEEF OR PORK

SAMPLE OFFER WIRE OR LETTER FOR MAXIMUMS BY TYPE AND OVERALL MAXIMUMS

The following example shows how offer wires or letters may be submitted giving all essential details in the briefest possible manner. Basic to this procedure is a number identification with each line item of information required in the offer (see format on page 9).

Address to: Contracting Officer, Livestock and Seed Program
USDA, AMS, Room 2610-South
Agricultural Marketing Service
Post Office Box 96456
Washington, D.C. 20250
Telephone: 202-720-2650

BID FAX NUMBER: 202-720-7271
BID RECEIPT VERIFICATION: 202-720-2104

1. John Jones Packing Co.
22 Main Street
(P.O. Box 123)
Berwyn, Maine 55507
TEL. 705-555-1212

2. LS78/01, Canned Beef

3.

Plant	**Shipping Point**
Jones' Meat Packers 224 Main Street Berwyn, Maine 55501	Jones Meat Packers 224 Main Street Berwyn, Maine 55501

4.

Canned Beef	ALTERNATE FORMAT
(1) Vandiver, AL, $0.9990 per lb.	(1) $0.9990 per lb.
(2) Durand, GA, $0.9992 per lb.	(2) $0.9992 per lb.
(3) Palmdalte FL, $0.9994 per lb.	(3) $0.9994 per lb.

5.

Maximum to be awarded:	**Shipping Period**
5 offer units, 180,090 pounds; canned beef	07/01/00--07/15/00
5 offer units, 180,090 pounds; canned beef	07/16/00—07/31/00

Total Overall Canned Beef--10 offer units, 360,180 pounds

Shipment between 07/01/00 and 07/31/00

6. Large Business

7. HAS

8. (a) 06/01/00

(b) N/A

9. DOES

10. HAS

11. George Coates, President, Tel. 705-347-1715; FAX 705-347-8333

(SIGNATURE REQUIRED)

CANNED LUNCHEON MEAT*************************************

SAMPLE OFFER WIRE OR LETTER FOR MAXIMUMS BY TYPE AND OVERALL MAXIMUMS

The following example shows how offer wires or letters may be submitted giving all essential details in the briefest possible manner. Basic to this procedure is a number identification with each line item of information required in the offer (see format on page 9).

Address to: Contracting Officer, Livestock and Seed Program
USDA, AMS, Room 2610-South
Agricultural Marketing Service
Post Office Box 96456
Washington, D.C. 20250
Telephone: 202-720-2650

BID FAX NUMBER: 202-720-7271
BID RECEIPT VERIFICATION: 202-720-2104

1. John Jones Packing Co. TEL. 705-555-1212
   22 Main Street

   3 (P.O. Box 123)
   Berwyn, Maine 55507

2. LS78/01, Luncheon Meat

3.

Plant	**Shipping Point**
Jones' Meat Packers	Jones Meat Packers
224 Main Street	224 Main Street
Berwyn, Maine 55501	Berwyn, Maine 55501

4.

Canned Luncheon Meat	ALTERNATE FORMAT
(1) Vandiver, AL, $1.0500 per lb.	(1) $1.0500 per lb.
(2) Durand, GA, $1.0532 per lb.	(2) $1.0532 per lb.
(3) Palmdale, FL $1.0559 per lb.	(3) $1.0559 per lb.

5.

Maximum to be awarded:	**Shipping Period**
5 offer units, 180,000 pounds; luncheon meat	7/01/00--07/15/00
5 offer units, 180,000 pounds; luncheon meat	7/16/00--0731/00

Total Overall Luncheon Meat--10 offer units, 360,000 pounds

Shipment between 07/01/00 and 07/31/00

6. Large Business

7. HAS

8. (a) 06/01/00

   (b) N/A

9. DOES

10. HAS

11. George Coates, President, Tel. 705-347-1715; FAX 705-347-8333

(SIGNATURE REQUIRED)

EXHIBIT F

SAMPLE OFFER ELECTRONICALLY SUBMITTED

Submitted at: 12/13/1999 - 10:19:19 am Central Time

JOHN JONES PACKING CO.
22 MAIN STREET
BERWYN, ME 55507

LS-78/100, CANNED MEAT

Authorized Changes and Comments			
Date	**Time**	**USDA ID**	**Comments**

Plant 01-John Jones Packing Co., 224 Main Street, Berwyn, ME
Shipping Point 01-Jones Meat Packing, 224 Main Street, Berwyn, ME

CANNED BEEF WITH NATURAL JUICES

Line Item	Pack Size	Destination	Delivery Period	Est LBS	Price/LBS	Tran Mode
001	24/30 oz Cnd Beef	VANDIVER, AL	07/01/2000 - 07/15/2000	36,000	0.9990	Truck
002	24/30 oz Cnd Beef	DURAND, GA	07/01/2000 - 07/15/2000	108,054	0.9992	Truck
003	24/30 oz Cnd Beef	PALMDALE, FL	07/01/2000 - 07/15/2000	216,108	0.9994	Truck

High Bid Price: 0.9994 Line Item: 003
Low Bid Price: 0.9990 Line Item: 001
Sum of Bid Prices: 2.9976

Constraints

Const #	Max Qty	Plant Location	Shipping Period	Product
1	10	01-John Jones Packing	07/01/2000 - 07/15/2000	CANNED BEEF WITH NATURAL JUICES

Certifications

For this bid your company is designated as: LARGE BUSINESS

Question	Answer
01) By submitting this bid, Offeror certifies it HAS read and DOES agree to the terms of LS-78, Inv. 100;, TDS-CM; dated November 2000; 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)	06/01/2000
02B) If Appendix HAS been amended, enter date amended or, enter N/A	N/A
03) Offeror certifies that the SF-129 on file with the contracting Officer is accurate and part of this offer.	DOES
04) All product required under existing USDA contract(s) or subcontract(s) with a Not Later Than Date prior to this bid opening HAS been shipped.	HAS
05) Show name, title, fax number, and phone number of person submitting bid (must be an authorized company representative).	George Coates, President Fax 705-555-1212 Phone 705-555-1234

High Bid Price: 0.9994 Plant: 01 Shipping Point: 01 Line Item: 003
Low Bid Price: 0.9990 Plant: 01 Shipping Point: 01 Line Item: 001
Sum of Bid Prices: 2.9976

ATTACHMENT I

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

COMPANY INFORMATION:

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

TO BE COMPLETED BY USDA:

VENDOR LOGON ID: **("A" and 6 digits)**	**PASSWORD:** **(must be changed at first DEBES logon):**
Notified: _____ Date: _____ **(Company Representative)**	
USDA Marketing Specialist:	**Date:**

PLEASE FAX TO: Sue Ratliff, Commodity Procurement Branch, LSP Programs 202-720-6129

FOR INFORMATION CALL 202/720-2650

ATTACHMENT II

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.

United States Department of Agriculture

Agricultural Marketing Service

P.O. Box 96456 Washington, DC 20090-6456

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.

FOR QUICK ACCESS TYPE THE ADDRESS DESIRED IN THE LOCATION BOX:

USDA HOME PAGE:	**HTTP://WWW.USDA.GOV**
AMS HOME PAGE:	**HTTP://WWW.AMS.USDA.GOV**
AMS COMMODITY PROCUREMENT HOME PAGE:	**HTTP://WWW.AMS.USDA.GOV/CP**

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: **USDA-FSA-KCMO**

AGENCY LOCATION CODE (ALC): **0000-4992-2**

ACH FORMAT: **DO NOT COMPLETE THIS BLOCK!**
☐ CCD+ ☐ CTX ☐ 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:
☐ CHECKING ☐ SAVINGS ☐ 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. Also, 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. Also, 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 recordkeeper, 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.

SOLICITATION MAILING LIST APPLICATION

1. TYPE OF APPLICATION ☐ INITIAL ☐ REVISION | 2. DATE | OMB No.: 9000-0002 Expires: 10/31/97

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

5. TYPE OF ORGANIZATION *(Check one)*

☐ INDIVIDUAL ☐ NON-PROFIT ORGANIZATION

☐ PARTNERSHIP ☐ CORPORATION, INCORPORATED UNDER THE LAWS OF THE STATE OF:

6. ADDRESS TO WHICH SOLICITATIONS ARE TO BE MAILED *(If different than Item 4)*

a. STREET ADDRESS	b. COUNTY	
c. CITY	d. STATE	e. ZIP CODE

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
☐ SMALL BUSINESS *(If checked, complete Items 11B and 11C)* ☐ 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)*	
☐ DISADVANTAGED BUSINESS ☐ WOMAN-OWNED BUSINESS	☐ MANUFACTURER OR PRODUCER ☐ CONSTRUCTION CONCERN ☐ SURPLUS DEALER ☐ SERVICE ESTABLISHMENT ☐ RESEARCH AND DEVELOPMENT	

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

16. FLOOR SPACE *(Square Feet/M²)*		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. 12-96)
Prescribed by GSA - FAR (48 CFR) 53.214(e)

INCLUDE ADDITIONAL INFORMATION AS SPECIFIED ON PAGE 3 OF ANNOUNCEMENT LS68

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.

United States Department of Agriculture

Agricultural Marketing Service

P.O. Box 96456
Washington, DC
20090-6456

NOVEMBER 2000

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 setup electronic transfer, contact the Kansas City Mgmt. Office (816/926-6988) ☐ ACH ☐ 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 PRIOR TO SUBMITTING A BID
Send by FAX to Contracting Officer, Livestock & Seed Program, AMS, USDA ;202/720-6129.