

MOZZARELLA CHEESE – Other Mozzarella Products, SOLICITATION 12-3J14-25-B-0102 WBSCM NO: 2000010493

The U.S. Department of Agriculture (USDA) invites offers to sell Mozzarella Cheese Products pursuant to the AMS Master Solicitation for use in the domestic food distribution programs. Bids are due by 1pm CST on 3 January 2025. Acceptances will be announced by 5pm CST on 13 January 2025. Deliveries are to be made between 16 February 2025 - 31 March 2025.

This solicitation may show multiple stops on some line items; however, the number of stops will be limited to a maximum of three. To determine the number of destinations, review the "Tendering Text" for the lot, which will indicate the city and state for each stop. Bidders may submit different prices for each stop. However, a price is required on all line items within the lot. For offshore destinations (Puerto Rico, Hawaii, etc.), offerors have the option to choose to enter their bids direct to the offshore destination or to the port. Purchases will be made on an f.o.b. destination basis to cities on this solicitation. Destination quantities listed are estimates and subject to adjustment based on offerings, changes in recipient needs, market conditions, and program operations.

All prime vendors are reminded that they are prohibited from subcontracting with companies or individuals that have been suspended or debarred.

The government has modified its acquisition strategy for Mozzarella Cheese in response to changing requirements. Recipients of bulk processor packs of mozzarella cheese have definite requirements as to the use, or lack thereof, of the antimycotic Natamycin during production. In place of the previous IDIQ vehicle with a one-year period of performance, the government instead expects to solicit via series of Invitation for Bids (IFB) resulting in definite firm-fixed-price contracts. Three separate solicitations will be offered each round: one for bulk processor packs of mozzarella that contain Natamycin, one for bulk processor packs of mozzarella that do NOT contain Natamycin and one for other mozzarella cheese products. The government will continue to solicit for bulk processor packs using established codes that differentiate a requirement for wrapped or unwrapped product: 110244 Chilled Bulk Processor Pack (LMPS) and 111791 Chilled Bulk Wrapped Processor Pack (LMPS). The solicitation for other mozzarella cheese products does not have a definite requirement for Natamycin. There will NOT be an Economic Price Adjustment (EPA) with this solicitation.

This Solicitation (SOLICITATION 12-3J14-25-B-0102 WBSCM NO: 2000010493) specifically invites offers for **Other Mozzarella Cheese Products**.

USDA invites all potentially interested parties to attend a Pre-Solicitation Conference. Conference to be held virtually via Zoom on Tuesday 12/10/2024 from 1300-1500 CST. Additional information, to include registration information and an access link, will be distributed via subsequent announcement on GovDelivery.

Products delivered under contracts awarded from this solicitation must be manufactured in a plant approved by USDA/Dairy Programs with the code C17. Products may be processed under code C52 or P11. Products processed under code P11 must originate from a plant with a C17 code. Plant

approvals must be listed on the Dairy Programs website (<https://apps.ams.usda.gov/dairy/ApprovedPlantList/>), or documentation of the approval must be submitted as an attachment to your bid.

This Acquisition has up to 30% Small Business Set-Aside and Hub Zone preference.

This solicitation is being executed via Invitation for Bids (IFB) with intention to result in a Firm-Fixed Price (FFP) contract award.

The below changes are made to the USDA Commodity Requirements Document for Mozzarella Cheese, August 2024.

Part 1, Section 1.1, E. Microbiological Requirements:

E. Coli shall be required to be <10 MPN/gram.

L. monocytogenes shall be Negative in a 25-gram sample.

Additional Provisions and Clauses

52.212-4 CONTRACT TERMS AND CONDITIONS—COMMERCIAL ITEMS (Nov 2021)

B. ADDENDA TO 52.212-4

(a) Inspection/Acceptance – 52.212-4 Addendum.

(2)(B) Proof of product conformance as evidenced by:

- i. Copies of Certificate of Analysis (COA) and
- ii. Certificate of Conformance (Per FAR Clause 52.246-15) and
- iii. The AMS Commodity Inspection Certificate or Graders Memorandum
 - If contractor elected to comply with official inspection by AMS; the contractor shall bear the expense of AMS inspection.
 - Procedures and a schedule of fees for these services may be obtained by contacting: AMS / Kody Guden email: kody.guden@usda.gov.

52.203-17 Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (Jun 2020)

(a) This contract and employees working on this contract will be subject to the whistleblower rights and remedies in the pilot program on Contractor employee whistleblower protections established at [41 U.S.C. 4712](#) by section 828 of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112-239) and Federal Acquisition Regulation (FAR) [3.908](#).

(b) The Contractor shall inform its employees in writing, in the predominant language of the workforce, of employee whistleblower rights and protections under [41 U.S.C. 4712](#), as described in section FAR [3.908](#).

(c) The Contractor shall insert the substance of this clause, including this paragraph (c), in all subcontracts over the simplified acquisition threshold, as defined in FAR [2.101](#) on the date of subcontract award.

(End of clause)

52.211-16 Variation in Quantity (Apr 1984)

- (a) A variation in the quantity of any item called for by this contract will not be accepted unless the variation has been caused by conditions of loading, shipping, or packing, or allowances in manufacturing processes, and then only to the extent, if any, specified in paragraph (b) of this clause.
- (b) The permissible variation shall be limited to: See Clause 4A52.216-19 Percent increase
See Clause 4A52.216-19 Percent decrease

This increase or decrease shall apply to the Delivery Order (WBSCM Purchase Order) item quantity (i.e. net weight).

(End of clause)

4A52.216-19 Delivery Order - Limitations

- 1) The Government shall request delivery of supplies in truckload quantities to the states shown in the invitation item details attributes page of WBSCM. The table below identifies the truckload target quantity and acceptable variations in quantity for the specified type of cheese.

Cheese Pack Size	Lower Quantity Limit	Target Quantity/ Variation Limit, see Clause 52.211-16	Upper Quantity Limit
LMPS and Lite Processor Pack (Bulk Weight)	39,513 lbs.	40,320 lbs. +/- Two Percent	41,125 lbs.
LMPS and Lite 30 lb. Shred (Exact Weight)	40,320 lbs.	40,320 lbs. +/- Zero Percent	40,320 lbs.
8/6 lb. loaf (Variable Weight)	37,900 lbs.	40,320 lbs. See example below* - Six Percent	40,320 lbs.

*Variable weight material example, mozzarella 8/6 pound Purchase Order Item for 840 units, 40,320 pounds; Unit weight may vary from 48 to 50 pounds per unit;

-for a lot that weighs an average of 48 pounds per unit, the delivery would be 840 units, 40,320 pounds

-for a lot that weighs an average of 50 pounds per unit, the delivery would be 806 units, 40,300 pounds.

- 2) The Government may make changes and/or cancellations to purchase orders by giving the Contractor no less than 48 hours' notice of the change. If the Government cancels an order and the Contractor can provide evidence satisfactory to the Government that it has already packaged the order as required by the contract, the Government will accept the commodity. All changes executed IAW with 52.212-4 (C).

- 3) The commodity ordered shall be delivered by the contractor not later than the delivery period set forth in the Purchase Order. No extensions will be granted due to weekends or Federal holidays.

For shipments of commodity in excess of two stop-offs and a final destination, the adjustment to the contract price will be mutually agreed upon prior to delivery.

(End of clause)

52.246-15 Certificate of Conformance (Apr 1984)

(a) The Contractor shall ship with a Certificate of Conformance any supplies for which the contract would otherwise require inspection at source. In no case shall the Government's right to inspect supplies under the inspection provisions of this contract be prejudiced. Shipments of such supplies will not be made under this contract until use of the Certificate of Conformance has been authorized in writing by the CAO, or inspection and acceptance have occurred.

(b) The Contractor's signed certificate shall be attached to or included on the top copy of the inspection or receiving report distributed to the payment office or attached to the CAO copy when contract administration (Block 10 of the DD Form 250) is performed by the Defense Contract Administration Services. In addition, a copy of the signed certificate shall also be attached to or entered on copies of the inspection or receiving report accompanying the shipment.

(c) The Government has the right to reject defective supplies or services within a reasonable time after delivery by written notification to the Contractor. The Contractor shall in such event promptly replace, correct, or repair the rejected supplies or services at the Contractor's expense.

(d) The certificate shall be on company letterhead and be signed and dated by a competent company official.

(e) The certificate shall include the following statements:

I certify that on _____ [*insert date*], the _____ [*insert Contractor's name*] furnished the supplies or services called for by Contract No. _____ in accordance with all applicable requirements; the above supplies or services have a Manufacture/Production Date: _____ [*insert date*]; and a Date of Final Pack: _____ [*insert date*].

I further certify that the supplies _____ [*contain/do NOT contain*] Natamycin.

I further certify that the supplies or services are of the quality specified and conform in all respects with the contract requirements, including specifications, drawings, preservation, packaging, packing, marking requirements, and physical item identification (part number), and are in the quantity shown on this or on the attached acceptance document.

DATE OF EXECUTION:

(End of clause)

52.216-1 Type of Contract (Apr 1984)

The Government contemplates award of a firm-fixed-price contract resulting from this solicitation.

(End of provision)

Offers must be submitted electronically via the Web-Based Supply Chain Management System (WBSCM). Offers submitted by any means other than WBSCM will be deemed nonresponsive.

Offerors must be active in WBSCM and have the required bidder roles in order to submit offers under this solicitation. Once connected, follow the online procedures.

Offerors are cautioned to bid only quantities they can reasonably expect to produce and deliver.

Inquiries about the Master Solicitation dated 24 October 2024, the Commodity Requirements Document for Mozzarella Cheese dated 01 August 2024, or this Solicitation should be directed to the Contracting Officer; USDA, AMS, Commodity Procurement Program, Proteins, Grains, and Oilseeds Procurement Division; 1400 Independence Avenue, S.W. S-0239; Washington, D.C. 20250-0239. Telephone: (202) 720-4517.

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