

# Agricultural Marketing Service

Creating Opportunities for American Farmers and Businesses

## 2017 INDUSTRY MEETING FOR

## USDA FOODS CONTRACTORS AND SUPPLIERS

**OCTOBER 24-25, 2017  
ARLINGTON, VA**





# Outline

- The Team for Dairy, Grain & Oilseed Products
- FAR Overview
- 2-Day Requirement for NLT Waiver Submissions
- Bidding to Port vs Final Destination
- Changes and Improvements 2017
- Language Changes (GovDelivery) FY2018
- Other Upcoming Changes for FY2018





# Dairy, Grain and Oilseeds Team





# Dairy Grain and Oilseeds Team

**Christine Gouger 816-926-3379**

**[Christine.Gouger@ams.usda.gov](mailto:Christine.Gouger@ams.usda.gov)**

- **Section Supervisor**





# Dairy Grain and Oilseeds Team

Jeff Jackson 816-926-2530

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- Contracting Officer
  - Dairy, Grain & Oilseed Products
  - Multifood Warehouses
- Contract Specialist for
  - Pancakes & Tortillas



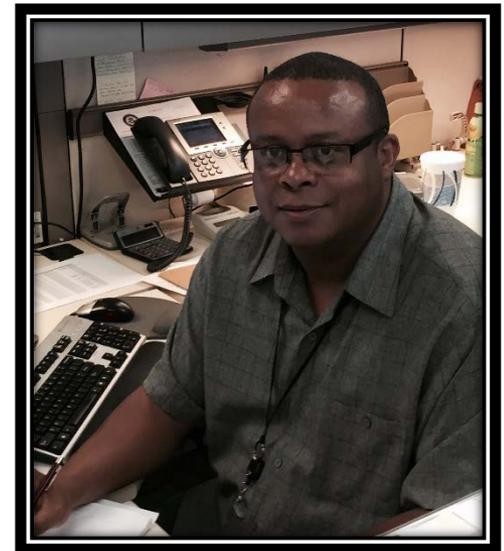


# Dairy, Grain and Oilseed Team

David C. Jackson      816-823-1142

[DavidC.Jackson@ams.usda.gov](mailto:DavidC.Jackson@ams.usda.gov)

- Contracting Officer
  - Crackers; Pancakes; Tortillas;
- Contract Specialist for
  - Pasta Products
  - Cereal-Fortified Ready-to-Eat
  - Macaroni & Cheese



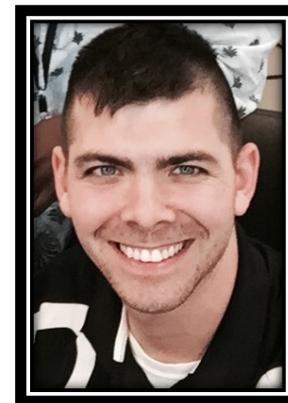


# Dairy Grain and Oilseeds Team

Trevor Wilson 816-926-1564

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- Cheese-Process & Natural American
- Butter



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- Cheese-Mozzarella
- String Cheese

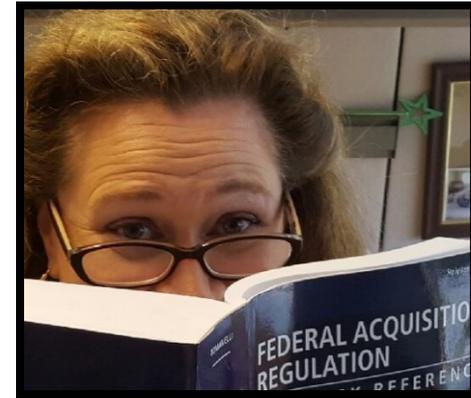




# Dairy, Grain and Oilseeds

Mara Whitaker 816-926-6063

[Mara.Whitaker@ams.usda.gov](mailto:Mara.Whitaker@ams.usda.gov)



- Bakery Flour Mix & Instant Nonfat Dry Milk (AbilityOne)
- Cereal-Processed (Oatmeal, Farina)
- Corn Products (Cornmeal, Grits)
- Raw Shelled Peanuts
- Rice
- Wild rice (Traditional Native American Food-Farm Bill Initiative)





# Dairy Grain and Oilseeds Team

Clyde King 816-926-2610

[Clyde.King@ams.usda.gov](mailto:Clyde.King@ams.usda.gov)



- Flour-Bakery & Wheat
- Milk-Evaporated & UHT

Cheryl A. Davis 816-926-3377

[Cheryl.A.Davis@ams.usda.gov](mailto:Cheryl.A.Davis@ams.usda.gov)



- Peanut Products
- Sunflower Seed Butter
- Vegetable Oil
- Crackers





# Dairy Grain and Oilseeds Team

Helen Rivera 816-926-6619

[Helen.Rivera@ams.usda.gov](mailto:Helen.Rivera@ams.usda.gov)

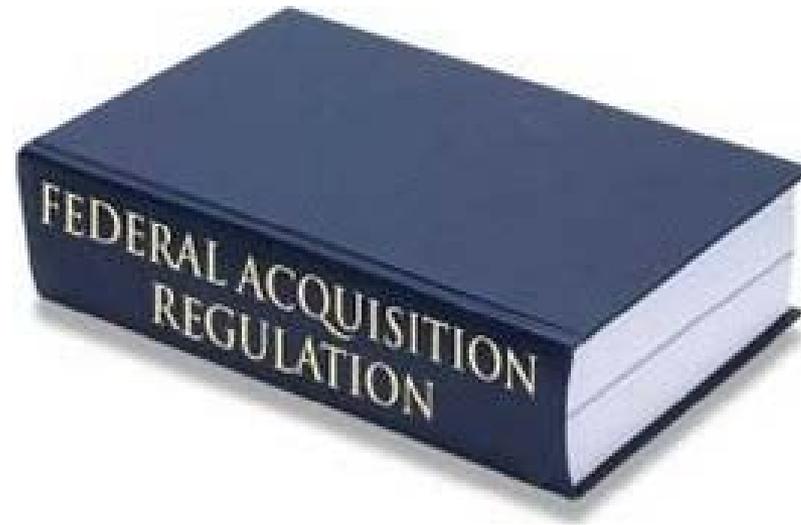
Procurement Technician

- GovDelivery Notices
- Federal Business Opportunities (FBO) Notices
- Domestic Invoices
- Other technical support





# THE FAR – A Brief Overview





# FAR Overview

- Federal Acquisition Regulation (FAR)
  - the principal set of rules in the **Federal Acquisition Regulation** System. The FAR System governs the "acquisition process" by which executive agencies of the United States federal government acquire (i.e., purchase or lease) goods and services by contract with appropriated funds.





# FAR Overview

- Basics:
  - Divided into 53 parts
- The FAR ensures government purchasing procedures are conducted in a standard, **consistent, fair, and impartial manner**





# FAR Overview

- US government contracts differ from commercial contracts, primarily due to federal mandates related to:
  - Appropriations Law (funding)
  - Small Business Requirements (set asides)
  - Competition Requirements
  - Prompt Pay
  - Labor Laws
  - FDA Food Safety Modernization Act (FSMA)
  - Food Defense Audits
  - Buy American (U.S. Origin)





# FAR clauses in the Master Solicitation

- Quality Assurance

## 52.212-4(a) and 52-212-4(a)(1) *Inspection and Acceptance*

- “... the Government reserves the right to inspect in all cases.”
- FAR 46.102(d) [Agencies shall ensure that--] “No contract precludes the Government from performing inspection”.
- With commercial items terms, and we are encouraged to rely on the contractor’s QC systems. Because of the criticality of food to our mission, we also require Food Defense Audits and Higher Level Inspection Clause (with elements of ISO Quality Management).
- In the future we would look at adding the GFSI, BRC, and other widely accepted inspection regimes to this clause.





# FAR Overview

- AMS Mission presents unique challenges
  - Product availability are subject to unpredictable weather conditions, competing demand
    - Timing is critical
    - Funding always an issue
  - Our recipients are unique
    - Children
    - Needy families
  - Food Safety and Health concerns are paramount
    - Nutrition





## 2-Day Requirement for NLT Waiver Submissions

- Master Solicitation for Commodity Procurements, Section C. Additional Clauses, 4A52.211-1 Compensation for Delays in Delivery (page 20)
  - Sets a due date of **2 working days after the scheduled NLT delivery date** for submission of waiver requests to extend the NLT delivery date for extensions that are outside of the control of the contractor





## 2-Day Requirement for NLT Waiver Submissions

### **4A52.211-1 Compensation for Delays in Delivery**

(a) If a Contractor determines that it will not be able to deliver the commodity by the Not-Later-Than (NLT) delivery date, the Contractor shall notify the Contracting Officer immediately. If the reason for not meeting the NLT delivery date is beyond the control or negligence of the Contractor, the Contractor is required to submit a waiver request within 2 working days after the scheduled NLT delivery date. Failure to submit a waiver request within the time specified will result in liquidated damages being assessed. Waiver requests submitted after the time specified will not be accepted. See clause 52.211-11, of the Master Solicitation.

(b) If a Contractor delivered a product and the product is rejected, the Contractor shall deliver an acceptable replacement product prior to the end of the NLT delivery date and liquidated damages will not be assessed. However, if the replacement product will be delivered beyond the NLT delivery date, liquidated damages will be assessed.

(c) When deliveries are made by contract carrier or vendor's own vehicle, the date shown on the signed commercial bill of lading will be considered the date of delivery.

(End of clause)





## 2-Day Requirement for NLT Extension Requests

(aka NLT “Waiver” Submissions)

- First and foremost: Tell us if a shipment will be late!
- Send in any NLT date extension requests within 2 days of missed delivery due (only ask if circumstances causing the delay are outside of your control)
- If the new NLT delivery dates are unknown, send the request with “TBD” listed as the new delivery dates
  - The request will be on-hold until you know the new delivery dates.
- Do not invoice until the contract has been modified to reflect the new NLT date





# Bidding to Port vs Final Destination

- Vendors are not required to bid to Final Destination for Offshore Shipments (e.g., Hawaii, Guam, Puerto Rico, Virgin Islands)
  - Each Offshore location has a Port of Export to bid to
- Instructions for bidding to port are available on the AMS Website at:
  - [www.ams.usda.gov/selling-food/wbscm](http://www.ams.usda.gov/selling-food/wbscm)





# Bidding to Port vs Final Destination

The screenshot shows a web browser window with the URL <https://www.ams.usda.gov/selling-food/wbscm>. The page header includes the USDA logo and 'United States Department of Agriculture Agricultural Marketing Service'. A navigation menu contains 'Market News', 'Rules & Regulations', 'Grades & Standards', 'Services', 'Resources', and 'Selling Food'. Below the menu, a breadcrumb trail reads 'Home > Selling Food to USDA'. The main content area is split into two columns. The left column, titled 'Selling Food to USDA', contains a list of links: Overview, How the Process Works, Becoming an Approved Vendor, Purchase Programs: Solicitations & Awards, Pilot Project: Unprocessed Fruits & Vegetables, Product Specifications & Requirements, Web-Based Supply Chain Management (WBSCM) System, Small Business Opportunities, Contact Commodity Procurement, Annual Industry Meeting, and Annual Purchase Summaries. Below this is a 'Related Websites' section with links to Food & Nutrition Service (FNS), Food Safety Inspection Service (FSIS), Farm to School Resources, and Know Your Farmer, Know Your. The right column, titled 'Web-Based Supply Chain Management (WBSCM)', contains a paragraph describing the system, a 'Login to WBSCM >' link, and a 'Training Options' section. The 'Training Options' section includes 'Online Training' and 'Instructor-led Training' descriptions. A large blue arrow points from the right side of the page towards the 'Login to WBSCM >' link.

Secure | <https://www.ams.usda.gov/selling-food/wbscm>

AMS CP Division - Home | USDA Commodity Procurement | New Tab | POMMO | BEOS | Dashboard - GovDelivery | Mail - David.Munford

About AMS | News & Announcements

**USDA** United States Department of Agriculture  
Agricultural Marketing Service

Market News | Rules & Regulations | Grades & Standards | Services | Resources | **Selling Food**

Home > Selling Food to USDA Stay connected:

## Selling Food to USDA

- [Overview](#)
- [How the Process Works](#)
- [Becoming an Approved Vendor](#)
- [Purchase Programs: Solicitations & Awards](#)
- [Pilot Project: Unprocessed Fruits & Vegetables](#)
- [Product Specifications & Requirements](#)
- [Web-Based Supply Chain Management \(WBSCM\) System](#)
- [Small Business Opportunities](#)
- [Contact Commodity Procurement](#)
- [Annual Industry Meeting](#)
- [Annual Purchase Summaries](#)

### Related Websites

- [Food & Nutrition Service \(FNS\)](#)
- [Food Safety Inspection Service \(FSIS\)](#)
- [Farm to School Resources](#)
- [Know Your Farmer, Know Your](#)

## Web-Based Supply Chain Management (WBSCM)

Web-Based Supply Chain Management (WBSCM) is a fully integrated, web-based ordering and procurement system. All federal food and commodity orders, solicitations, offers, awards, deliveries, invoices, and payments occur in WBSCM, and all business partners in the commodity program are required to use this system.

[Login to WBSCM >](#)

### Training Options

**Online Training:** AMS encourages all new users to take advantage of this on-line training resource. The training site is only available from 12:00 pm Monday through 12:00 p.m. Friday (Eastern Time). To request access to the external training site, send an e-mail with your full name, e-mail address, and company name to [wbscmamshelpdesk@ams.usda.gov](mailto:wbscmamshelpdesk@ams.usda.gov). A new request must be submitted for each week the user wishes to practice in the training environment.

**Instructor-led Training:** AMS provides USDA approved vendors the opportunity to participate in LiveMeeting training sessions focusing on various topics, including: Submitting Offers, Advanced Shipping Notifications



# Bidding to Port vs Final Destination

The screenshot shows the USDA WBSM website interface. The browser address bar displays <https://www.ams.usda.gov/selling-food/wbscm>. The page content is organized into several sections:

- Recent**
  - 03/08 F
  - 10/27 L Farms t
  - 09/11 L Foods
- Step-by-Step Procedures**
  - Vendor Registration Form
  - Checklist for Vendors (pdf)
  - Frequently Asked Questions (PDF)
  - Corporate Vendor Administrator Roles and Responsibilities (PDF)
  - The Process Vendor Flow (PDF)
  - NEW Long Procurement Number Description (PDF)
  - WBSM Public Procurement Site (link)
- System Settings**
  - System - Accessing for the First Time
  - System - Recommended Configuration
  - System - Verify IE Settings
- Creating Reports**
  - New Purchase Order Item Report (pdf)
  - Vendor Business Partner Report (pdf)
  - ASN Report (pdf)
  - Goods Receipt Report (pdf)
  - List of Invoices (pdf)
  - List of Purchase Orders (pdf)
  - Print Multiple Purchase Orders (pdf)
- Pre-Award Processes: Submitting Offers**
  - Export-Import Procedures (PDF)
  - Submitting an Offer on IFB Solicitations (PDF)
  - Submitting an Offer on Long-Term/RFP Solicitations (PDF)
  - Submitting an 8(a) Offer (PDF)
  - Bidding for Florida Pilot Vendors (PDF)

A blue arrow points to the "Bidding to Port vs Final Destination" link in the left-hand navigation menu.



# Bidding to Port vs Final Destination

## Submitting an Offer on Invitation for Bid Solicitations

Select “Ctrl+Click” to follow links below

### Contents

- Submitting an Offer..... 2
- Entering Pricing ..... 10
- Bidding Offshore vs. Final Destination ..... 18
- Reviewing a Pending Offer ..... 28
- Entering an Offer for Multiple Plants..... 30
- Entering Constraints ..... 32
- Reviewing a Submitted Offer ..... 41
- Changing an Offer after Submitting.....
- Withdrawing a Submitted Offer.....

Figure 31.

**Step 19:** Go to the “Condition Type” column and click the down arrow.



Figure 32.

- Select the applicable condition: Price Contract/Bid (deliver directly to offshore location or Offshore Port Costs Location-Dependent (FAS Vessel)



Figure 33.



# Procurement Schedule (DGO)

<https://www.ams.usda.gov/sites/default/files/media/AMSCPSKCProcurementScheduleOct2017Nov2018.pdf>



Commodity Procurement Staff – Kansas City  
Contracting Branch

August 7, 2017

## DAIRY, GRAIN, and OILSEED PROCUREMENT SCHEDULE

Solicitation/Procurement Schedule – October 2017 through November 2018

*Schedule is subject to change. Changes will be posted to the internet.*

QUARTERLY Schedule					
PRODUCT	SOLICITATION ISSUANCE	BIDS DUE	OFFERS AWARDED	PUBLIC RELEASE OF AWARD	DELIVERY PERIODS
Bakery Flour Mix*					
Corn Products	10/12/2017	10/24/2017	10/26/2017	10/27/2017	January-March 2018
Crackers	01/11/2018	01/23/2018	01/25/2018	01/26/2018	April-June 2018
Macaroni & Cheese	04/05/2018	04/17/2018	04/19/2018	04/20/2018	July-September 2018
Pasta Products	06/28/2018	07/10/2018	07/12/2018	07/13/2018	October-December 2018
Peanut Products					
Rice Products					
String Cheese					
Sunflower Seed Butter					
Bakery and Wheat Flour					
Evaporated Milk	10/19/2017	10/31/2017	11/02/2017	11/03/2017	January-March 2018
High-Protein Yogurt	01/18/2018	01/30/2018	02/01/2018	02/02/2018	April-June 2018



# Language Changes (GovDelivery) FY2018

- Changes will go into effect on November 6:
  - New terms (standardizing on FAR terms)
    - *Purchase Announcements* become *Presolicitation Notices*
    - *Bid Awards/Bid Arrays* become *Abstract of Bids*
- Solicitation numbers will include both the—

WBSCM #

200001234

PIID

123J14-17-S-001

\*WBSCM Public Procurements Page is organized by PIID

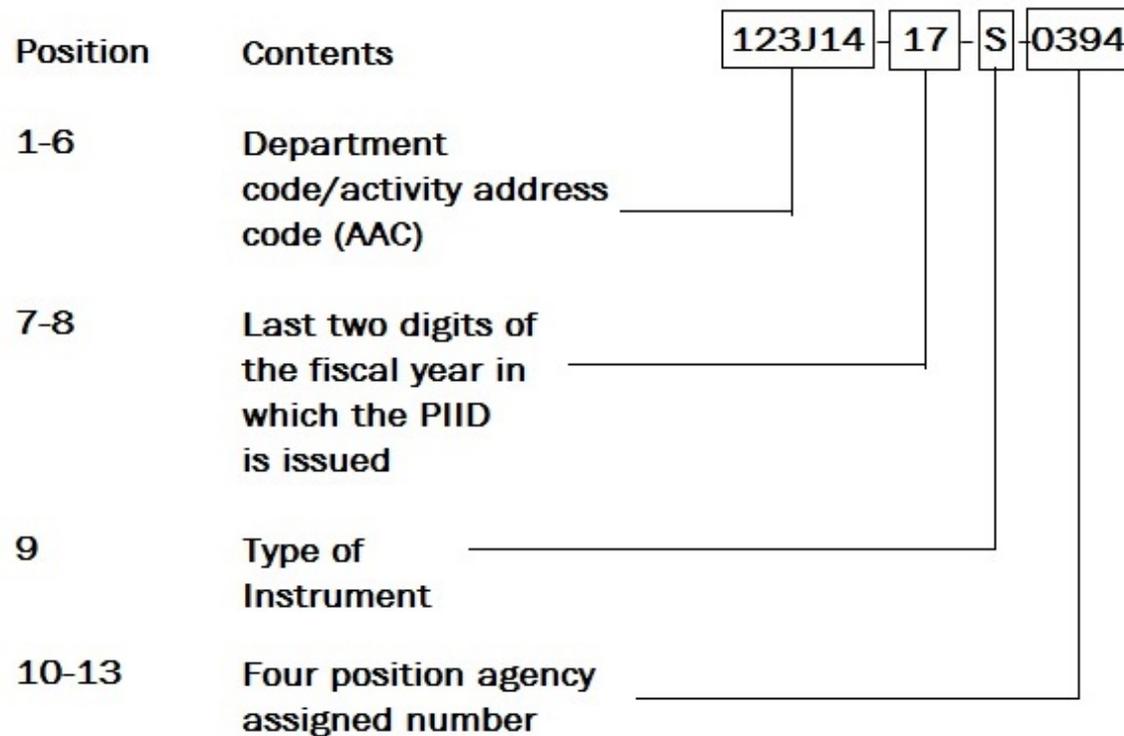




# PIID (Procurement Instrument Identifier) Breakdown

- Government-wide mandated numbering system
- Each solicitation's / contract action's number must remain unique for 20 years

## Breakdown of a PIID





# Language Changes (GovDelivery) FY2018

- Click the link to open the solicitation and view details:
  - E.g., Where to find Set-Asides?
- In the solicitation (click the GovDelivery link to “View Solicitation”)
  - Found in the “Tendering text – Header” section
- On our website: <https://www.ams.usda.gov/selling-food>

2000004922	Dried Edible Beans (100380, 100385, 100382)	August 7, 2017	August 11, 2017	<ul style="list-style-type: none"> <li>• Bid Invitation.pdf</li> <li>• Bid Award.pdf</li> <li>• PCA Report.pdf</li> </ul>
2000004875	Canned Dried Beans (110020, 100367, 100372, 110021, 100361, 100363); Set Asides	July 17, 2017	July 31, 2017	<ul style="list-style-type: none"> <li>• Bid Invitation.pdf</li> <li>• PCA Report.pdf</li> </ul>
2000004869	Dry Beans (100378, 100374, 101020, 100380, 100385, 100383, 100382, 110381, 100388, 110066); Set Aside: 8(a) offerings	July 14, 2017	July 28, 2017	<ul style="list-style-type: none"> <li>• Bid Invitation.pdf</li> <li>• PCA Report.pdf</li> </ul>





# Possible Changes for DGO Group

## *Your thoughts?!*

- Discontinue sending out Abstract of Bids via GovDelivery (fewer emails)
  - Do you read them?!
- Longer Term Contracts?
- Timing of purchases?



