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 Contracting Team for Livestock, Poultry & Fish
• FAR Overview
• 2-Day Requirement for NLT Waiver Submissions
• Bidding to Port vs Final Destination
• Language Changes (GovDelivery) FY2018
• Other Upcoming Changes for FY2018
## Contracting Team for Livestock, Poultry & Fish

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Products</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christine Gouger</td>
<td>Section Supervisor (Acting)</td>
<td>Beef: Coarse-Chub &amp; Fine Ground</td>
</tr>
<tr>
<td>Greta Samuel</td>
<td>Contracting Officer;</td>
<td>Boneless Beef; Canned Meats; Diced Beef Roast; Beef-Special Trim; Catfish; Pork Products</td>
</tr>
<tr>
<td>Chanel Robinson</td>
<td></td>
<td>Bison; Pork Ham; Pollock; Salmon; Turkey and Turkey Products-Deli, Smoked, Sliced Breast, Hams, &amp; Roasts</td>
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<tr>
<td>Chyra Lewis</td>
<td></td>
<td>Chicken-Whole Bagged Birds, Cut-Up, &amp; Oven Roasted; Chicken and Chicken Products; Diced Chicken</td>
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<tr>
<td>Glenn Reid</td>
<td></td>
<td>Chicken Strips; Cooked Products (Beef and Pork Crumbles; Pulled Pork; Patties); Shelf Stable Chicken – RFP; Tuna; Chicken-Consumer Split Breast</td>
</tr>
<tr>
<td>James Akhnana</td>
<td></td>
<td>Chicken-Canned Boned &amp; Fajita Strips; Eggs and Egg Products; Eggs-Whole &amp; Tankers; Turkey; Turkey Taco</td>
</tr>
<tr>
<td>Reedema Rock</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Endrea White</td>
<td>Procurement Technician</td>
<td></td>
</tr>
<tr>
<td>Marcus Peebles</td>
<td>Procurement Technician</td>
<td></td>
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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

• 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 Overview

• AMS Mission presents unique challenges
  – Not buying materials for our use, but for USDA Food Distribution Program recipients
    • Children
    • Needy families
  – Food safety and health concerns are paramount with these (often vulnerable) populations & because of the trust placed in the USDA
  – Nutrition requirements can be unique
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:
Bidding to Port vs Final Destination

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 Food

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. 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

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)
- WBSCM 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)
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 #**   **PIID**
  200001234    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**

<table>
<thead>
<tr>
<th>Position</th>
<th>Contents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-6</td>
<td>Department code/activity address code (AAC)</td>
</tr>
<tr>
<td>7-8</td>
<td>Last two digits of the fiscal year in which the PIID is issued</td>
</tr>
<tr>
<td>9</td>
<td>Type of Instrument</td>
</tr>
<tr>
<td>10-13</td>
<td>Four position agency assigned number</td>
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</tbody>
</table>
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](https://www.ams.usda.gov/selling-food)

<table>
<thead>
<tr>
<th>SO</th>
<th>Description</th>
<th>Start Date</th>
<th>End Date</th>
<th>Available Files</th>
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</thead>
<tbody>
<tr>
<td>2000004869</td>
<td>Dry Beans (100378, 100374, 101020, 100380, 100385, 100383, 100382, 110381, 100388, 110066); Set Aside: 8(a) offerings</td>
<td>July 14, 2017</td>
<td>July 28, 2017</td>
<td>Bid Invitation.pdf, PCA Report.pdf</td>
</tr>
</tbody>
</table>
Possible Changes

• Two Step Sealed Bidding instead of RFPs (FAR 14.5)
  – Step One: Request for technical proposals (RFTP)
    • The objective is to determine the acceptability of the supplies offered prior to issuing the IFB (no pricing).
    • Go/no go to step two based on sensory evaluation panel results.
  – Step Two: Involves IFB solicitation & WBSCM submission of sealed bids by vendors who submitted acceptable technical proposals in Step One.
Possible Changes

Your thoughts?!

• Two step sealed bid process?
• Abstract of Bids via GovDelivery (more emails)
• Procurement Schedule
  • Excel format?
  • A more set schedule for monthly/quarterly purchases?