

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



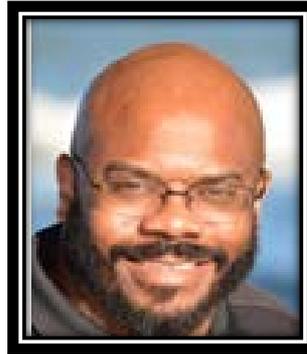


Contracting Team for Livestock, Poultry & Fish

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



Greta
Samuel



Glenn
Reid



Marcus
Peebles



Chanel
Robinson



Endrea
White



Reedema
Rock



Chyra
Lewis



James
Akhnana





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:
 - 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 | Commodity Procurement | New Tab | POMMO | BEOS | Dashboard - GovDelivery | Mail - David.Munford

USDA United States Department of Agriculture
Agricultural Marketing Service

About AMS | News & Announcements

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 >](#)

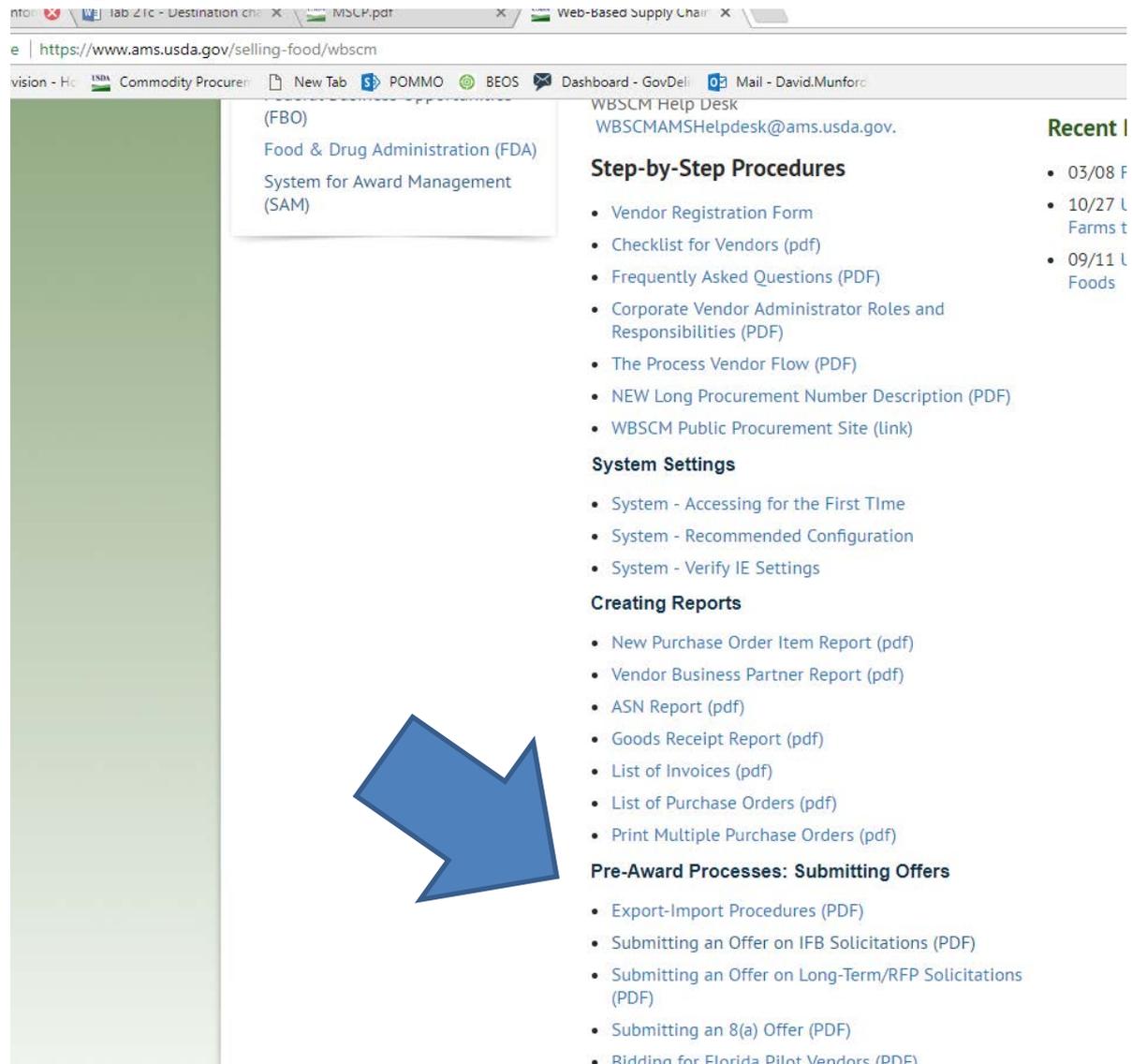
Training Options

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. 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**: A list of recent updates, including '03/08 F', '10/27 L Farms t', and '09/11 L Foods'.
- Step-by-Step Procedures**: A list of procedural documents and links, such as '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)', and 'WBSM Public Procurement Site (link)'.
- System Settings**: A list of system-related items, including 'System - Accessing for the First Time', 'System - Recommended Configuration', and 'System - Verify IE Settings'.
- Creating Reports**: A list of report templates, such as '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)', and 'Print Multiple Purchase Orders (pdf)'.
- Pre-Award Processes: Submitting Offers**: A list of offer submission procedures, including '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)', and 'Bidding for Florida Pilot Vendors (PDF)'.

A large blue arrow points from the 'Creating Reports' section towards the 'Pre-Award Processes: Submitting Offers' section.



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

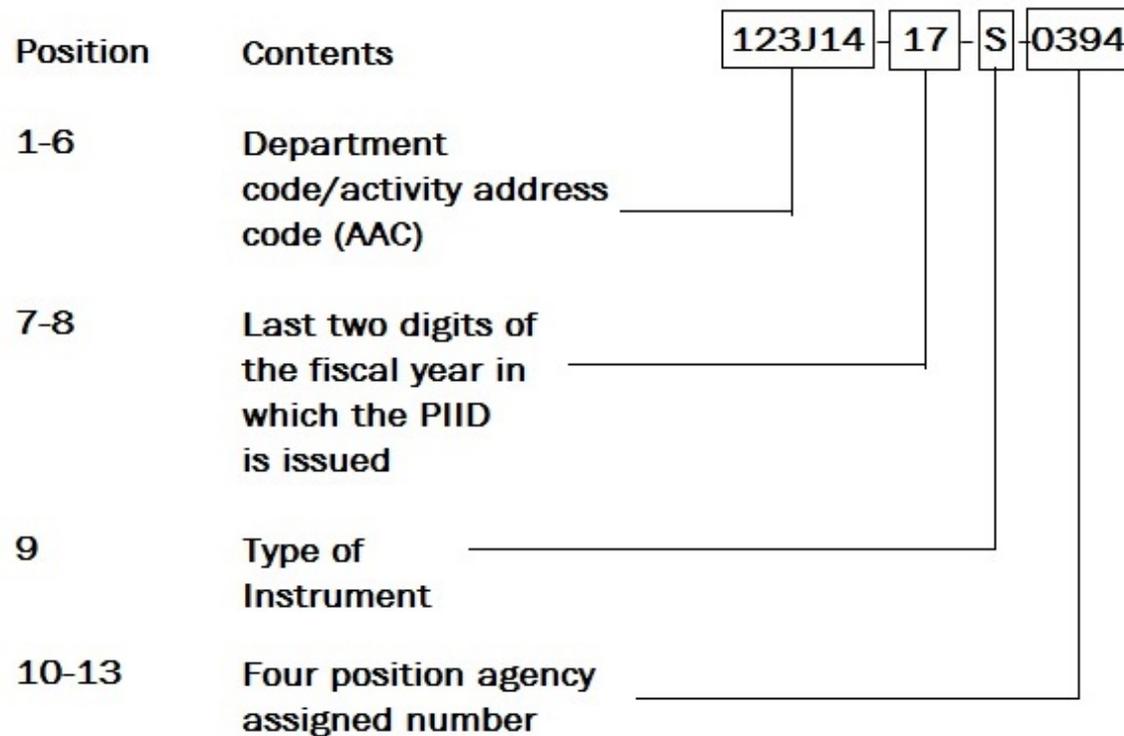




PIID (Procurement Instrument Identifier) Breakdown

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

Breakdown of a PIID





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"> • Bid Invitation.pdf • Bid Award.pdf • PCA Report.pdf
2000004875	Canned Dried Beans (110020, 100367, 100372, 110021, 100361, 100363); Set Asides	July 17, 2017	July 31, 2017	<ul style="list-style-type: none"> • Bid Invitation.pdf • PCA Report.pdf
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"> • Bid Invitation.pdf • PCA Report.pdf



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?

