



Outline

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- FAR Overview
- Award Timing (NLT Award Dates)
- 2-Day Requirement for NLT Waiver Submissions
- Bidding to Port vs Final Destination
- Changes and Improvements 2017
- Language Changes (GOVDelivery) 2018
- Other Upcoming Changes for 2018
- Purchase Schedule Changes for 2018





Staff Introductions





Fruit & Tree Nut Staff

- Elizabeth Lober, Section Supervisor (Acting)
- Sean Frey, Contracting Officer
 - IDIQ Fruit
- Adrienne Collins, Contract Specialist
 - Apples-Frozen & Canned; Blueberries; Cranberries; Cherries; Plums-Canned; Kosher Fruit
- DeVonne Collins, Contract Specialist
 - Dried Fruits and Tree Nuts





Fruit & Tree Nut Staff (contd.)

- David Cottrell, Ag Marketing Specialist
 - Apples-Bulk, Fresh, & Processing; Oranges; Pears-Bulk, Fresh, & Processing
- La Shawne Brown, Contract Specialist
 - Fruit Juices
- Suzette Offer, Procurement Technician
- Cedric Hopkins, Procurement Technician





Vegetable Team Staff

- Elizabeth Lober, Section Supervisor
- David Munford, Contracting Officer
- Colleen Nicholson, Ag Marketing Specialist
 - IDIQ Vegetables; Corn; Peas
- Barbara Nelson, Contract Specialist
 - IDIQ Vegetables; Green Beans; Tomatoes-Diced/Canned; White Potatoes; Vegetable Mix; Frozen Carrots





Vegetable Team Staff (contd.)

- Dave Cottrell, Contract Specialist
 - Potatoes-Bulk & Fresh; Dehydrated Potatoes; Potatoes-Sweet Bulk & Fresh
- Renee Collier, Ag Marketing Specialist
 - Canned Beans, Bulk Beans
- Jenny Watson, Contract Specialist
 - Canned Vegetables; Canned Soup; Canned & Pouch Tomato Products- Paste, Sauce, & Salsa; Tomato Juice





Vegetable Team Staff (contd.)

- Carol Givens-Verser, Ag Marketing Specialist
 - HHP Dry Beans; Canned Carrots; Kosher NSLP Vegetables; Dry Lentils
- Raquel Clinton, Contract Specialist
 - Frozen Vegetables; Frozen Potatoes; Butternut Squash;
- Darien Davis, Procurement Technician





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**



Agricultural Marketing Service



Part 1	Federal Acquisition Regulation System
Part 2	Definitions of Words & Terms
Part 3	Improper Business Practices & Personal Conflicts of Interest
Part 4	Administrative Matters
Part 5	Publicizing Contract Actions
Part 6	Competition Requirements
Part 7	Acquisition Planning
Part 8	Required Sources of Supplies & Services
Part 9	Contractor Qualifications
Part 10	Market Research
Part 11	Describing Agency Needs
Part 12	Acquisition of Commercial Items
Part 13	Simplified Acquisition Procedures
Part 14	Sealed Bidding
Part 15	Contracting by Negotiation
Part 16	Types of Contracts
Part 17	Special Contracting Methods
Part 18	Emergency Acquisitions
Part 19	Small Business Programs
Part 20	Reserved
Part 21	Reserved
Part 22	Application of Labor Laws to Government Acquisitions
Part 23	Environment, Energy & Water Efficiency, Renewable Energy Technologies, Occupational Safety, & Drug-Free Workplace
Part 24	Protection of Privacy & Freedom of Information
Part 25	Foreign Acquisition
Part 26	Other Socioeconomic Programs
Part 27	Patents, Data, & Copyrights
Part 28	Bonds & Insurance
Part 29	Taxes
Part 30	Cost Accounting Standards Administration
Part 31	Contract Cost Principles & Procedures
Part 32	Contract Financing
Part 33	Protests, Disputes, & Appeals
Part 34	Major System Acquisition
Part 35	Research & Development Contracting
Part 36	Construction & Architect-Engineer Contracts
Part 37	Service Contracting
Part 38	Federal Supply Schedule Contracting
Part 40	Reserved
Part 41	Acquisition of Utility Services
Part 42	Contract Administration & Audit Services
Part 43	Contract Modifications
Part 44	Subcontracting Policies & Procedures
Part 45	Government Property
Part 46	Quality Assurance
Part 47	Transportation
Part 48	Value Engineering
Part 49	termination of contracts
Part 50	Extraordinary Contractual Actions
Part 51	Use of Government Sources by Contractors
Part 52	Solicitation Provisions & contract Clauses
Part 53	Forms





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
 - Buy American
 - Security Requirements
 - Etc.





FAR Overview

- AMS Mission presents unique challenges
 - Products are subject to harvest & weather conditions
 - Timing is critical
 - Funding always an issue
 - Our recipients are unique
 - Children
 - Needy families
 - Food Safety and Health concerns are paramount
 - Nutrition





Award Timing / NLT Award Dates

- NLT Award Date
 - Date is announced in Solicitation WBSCM Tendering Text
 - “Acceptances will be announced by Midnight on October 31, 2017.”
 - NLT Award Date is always subject to change
 - Multiple factors can affect award timing
 - AMS CPS will typically provide notice of a change to NLT Award date as a courtesy, via letter from the CO.
 - Notice provides an opportunity to withdraw your bid
 - **Feel free to contact CS or CO on the day of award if you are concerned about timing or award.**





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 Waiver Submissions

- Send the CS a waiver request within 2 days of missed delivery due to circumstances outside of your control
- If the new NLT delivery dates are unknown, send the request with “TBD” listed as the new delivery dates
 - The waiver will be on-hold until you know the new delivery dates.
- Do not invoice until the waiver has been completed to avoid reimbursements





Bidding to Port vs Final Destination

- Vendors are not required to bid to Final Destination for Offshore Shipments
 - Each Offshore location has a Port
- 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 the USDA Agricultural Marketing Service website. The header includes the USDA logo and navigation tabs for Market News, Rules & Regulations, Grades & Standards, Services, Resources, and Selling Food. The main content area is titled 'Web-Based Supply Chain Management (WBSCM)' and includes a description of the system, a 'Login to WBSCM' link, and 'Training Options' for both online and instructor-led sessions. A sidebar on the left provides a navigation menu for 'Selling Food to USDA' and 'Related Websites'.

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

https://www.ams.usda.gov/selling-food/wbscm

WBSM Help Desk
WBSMAMSHelpdesk@ams.usda.gov

Recent I

- 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)

Award Processes: Submitting Offers

- Import-Export 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)





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 20
- Entering an Offer for M.....
- Entering Constraints ...
- Reviewing a Submitted
- Changing an Offer after
- Withdrawing a Submit

Figure 31.

Step 19: Go to the "Condition Type" column and click the down arrow.

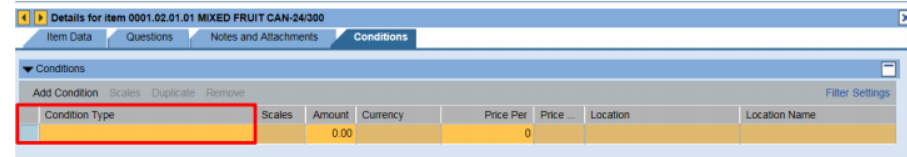


Figure 32.

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

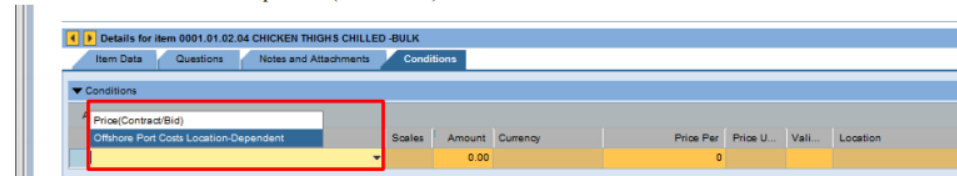


Figure 33.



Changes & Improvements 2017

- In response to industry...
 - Built more time into IFB solicitations (8-10 days)
 - IDIQ Successes
 - Fruit: Solicited early and Awarded approx. 1 month earlier than 2016
 - Vegetables: Solicited early and awarded 3 weeks earlier than 2016
 - Kosher
 - Solicited earlier and received more of the product





Language Changes (GOVDelivery) 2018

- 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

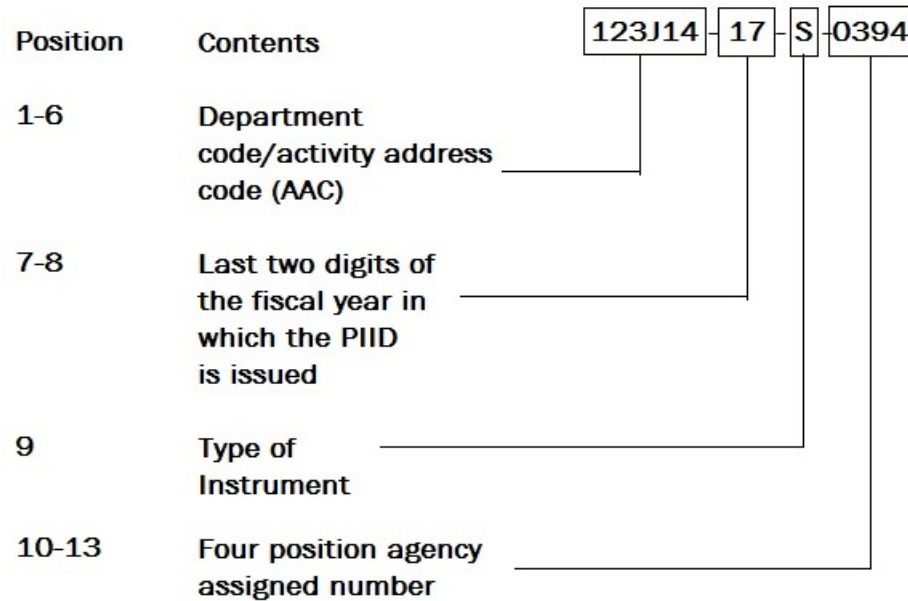
*PIID is referenced in Public Procurements
in WBSCM





PIID (Procurement Instrument Identifier) Breakdown

Breakdown of a PIID





Language Changes (GOVDelivery) 2018

- 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





Proposed Changes for 2018

- IDIQ
 - Oct through December, “Round 1,” deliveries will continue to be IFB
 - Frozen Strawberries and Apricot products will be solicited and awarded in April and awarded in early May
 - Jan through September Deliveries
 - Considering IFB/IDIQ rather than RFP
 - Streamlined process, fewer submittals
 - Considering soliciting “Round 2” January through June and “Round 3” for July through September





Other Proposed Changes for 2018

- Two Step Sealed Bidding
 - Vegetarian Beans and Refried Beans
 - Possibly Condensed Cream of Mushroom Soup
 - FAR 14.5
 - Step One: Request for an evaluation of technical proposals (aka product sample). No pricing is involved. The objective is to determine the acceptability of the supplies or services offered prior to issuing the IFB.
 - Step Two: Involves IFB solicitation and submission of sealed bids by vendors who submitted acceptable technical proposals in Step One.
- IFB/IDIQ vs RFP/IDIQ





Proposed Purchase Schedule Changes for Fruit & Tree Nut and Vegetable Teams





Proposed Changes for Apples

- 110561-Apples Fresh PKG-12/3 LB.
- 100514, 100517, 100521, 100522, 100523, and 110543-Fresh Variety Carton 40 LB.
- Reason for Proposed Change- Would be more effective to purchase the above mentioned materials 3 times a fiscal year.
- Point of contact- David Cottrell





Proposed Timeframe

- 1st solicitation would occur in June 2018- Delivery Periods occurring between September-December 2018.
- 2nd solicitation would occur in November 2018- Delivery Periods occurring between January-April 2019.
- 3rd solicitation would occur in March 2019-Delivery Periods occurring between May-August 2019.





Proposed Changes....

100308- Carrots Can 24/300

100309- Carrots Can 6/10

Point of Contact: Carol Givens-Verser





Upcoming Changes to Carrots'

- For both of these materials 100308 and 100309 AMS would-
 - Solicit in April
 - New Delivery Periods between November-July.
 - Reason for this proposed change is due to vendor response.





Proposed Changes for Tomato Paste

- 100332- Tomato Paste Bulk
 - Moving forward, change would be to remove 3rd quarter purchase for this material.
 - Currently, U.S.D.A. has received feedback from vendors that it is difficult to provide product between the months of July-September.
- Point of Contact: Jenny Watson





Proposed Changes for Frozen Vegetables

- Changes involve the following materials:

110562	SWEET POTATOES CHUNK FRZ PKG-6/5 LB
110721	SWEET POTATOES CRINKLE FRZ PKG-6/5 LB
110844	POTATOES DICED FRZ PKG-6/5 LB
100357	POTATOES OVENS FRY PKG-6/5 LB
100356	POTATOES WEDGE FAT FREE FRZ PKG-6/5 LB
100355	POTATOES WEDGE FRZ PKG-6/5 LB
110480	CARROTS DICED FRZ CTN-30 LB
110481	CARROTS DICED FRZ CTN-12/2.5 LB
110421	MUSHROOMS DICED FRZ IQF CTN-40 LB
110724	PEPPERS/ONIONS BLEND FRZ CTN-30 LB
110425	SPINACH CHOPPED FRZ IQF CTN-20 LB (1902)
110391	SPINACH CHOPPED FRZ IQF PKG-12/2 LB





Changes to Sweet Potatoes....

- For materials 110562, Sweet Potatoes Chunk FRZ PKG 6/5 LB, and 110721, Sweet Potatoes Crinkle FRZ PKG-6/5 LB.
 - AMS wants to purchase these materials in March instead of April.
 - Solicited on an IFB annually
 - Change is due to vendor feedback.

- Point of Contact: Raquel Clinton





Changes to Potatoes...

- Potatoes 110844, Potatoes Diced FRZ PKG-6/5 LB, 100355 Potatoes Wedge FRZ PKG-6/5 LB, 100356 Potatoes Wedge FF, and 100357 Potatoes Ovens Fry PKG 6/5 LB.
 - Under proposed change these items will be solicited in August.
 - This change is in response to vendor feedback since potatoes are available throughout the year.
- Point of Contact: Raquel Clinton





Changes to Frozen Carrots.....

- For materials, 110480 Carrots Diced FRZ Ctn-30 LB, and 110481 Carrots Diced FRZ CTN-12/2.5 LB.
 - Proposed change is to purchase these materials year round for FY 2019-2020.
 - Consideration to change the current pack size from 12/2.5 to 12/2 based on vendor feedback for material 110481.
 - Currently, Industry standard is 12/2, and AMS is considering going to that size.
- Point of Contact: Raquel Clinton





Frozen Vegetable changes...

- Material 110421, Mushrooms Diced FRZ CTN- 40 LB.
 - Change this from an annual buy to a bi-annual purchase.
 - Considering combining Mushroom with Material 110861 Butternut Squash
 - These two materials would be put on one solicitation to be purchased in June and November.
- Point of Contact: Raquel Clinton





Frozen Vegetable changes....

- Material 110724, Pepper/Onions Blend FRZ CTN 30 LB.
 - Proposed change would be to have the NLT dates start in July instead of September.
 - Change is initiated per FNS request.
- Material 110425, Spinach Chopped FRZ CTN 20 LB, 110391, Spinach Chopped FRZ PKG 12/2 LB, 110481 Carrots Diced FRZ CTN-12/2.5 LB, and 110480 Carrots Diced FRZ CTN-30 LB.
 - Both Carrot pack-sizes will be combined with the spinach
 - The other bi-annual purchase of carrots are not combined with anything.
 - FNS and AMS are considering purchasing spinach bi-annually.
- Point of Contact: Raquel Clinton



