



United States
Department of
Agriculture

Agricultural
Marketing
Service

Stop 0253-Room 2610-S
1400 Independence Avenue, SW
Washington, DC 20250

ANNOUNCEMENT LS-135

February 2008

**PURCHASE OF CANNED PINK SALMON
FOR DISTRIBUTION TO
FEDERAL FOOD AND NUTRITION PROGRAMS**

I. GENERAL

- A. The United States Department of Agriculture (USDA) will periodically issue Invitations under this Announcement for offers to sell to USDA canned pink salmon. The canned pink salmon must be produced in accordance with the IDCR, dated April 2006 (see Attachment I). An offer unit for canned pink salmon must be packed in 24-14¾ oz. (418 g) cans per shipping container and 1,600 cases per offer unit (35,400 pounds).

The Invitations will specify the offer date, product type, the closing time for receipt of bids, the shipping period, the destinations to be filled with any transportation restrictions, and any other provisions applicable to the proposed procurement, which are in addition to or different from those set forth herein (see Exhibit A for an example of an Invitation). Bids solicited under this Announcement and applicable Invitations are for delivery of products to USDA on an f.o.b. destination or f.a.s. vessel basis only.

Additional bid and contract provisions are included in the Annual Certifications, Representations, and Warranties (Appendix-1) and the General Terms and Conditions for the Procurement of Agricultural Commodities or Services, Revision 2, dated November 1984, and Amendments 1, 2, 3, and 4 dated October 1990, November 1990, August 1989, and March 1990, respectively, hereinafter referred to as USDA-1.

- B. Offerors are cautioned to carefully read this Announcement, Appendix-1, USDA-1, specifications, and Invitations. Failure to do so will be at the Offeror's risk. These documents are incorporated into the contract (see Section IV. of this Announcement). Offerors are cautioned that statements made by persons other than the Contracting Officer, written or implied, are not binding on the Government unless confirmed in writing by the Contracting Officer.

C. Offer Prices and Evidence of Shipment

Offer prices must be quoted and delivery of product must be on the basis of f.o.b. trucks or railcars at destinations or f.a.s. vessel as specified in the applicable Invitation. Certain destinations require delivery by TRUCK ONLY or RAIL ONLY and will be so identified in the Invitation. **All product whether shipped by truck, rail, or piggyback must be palletized and stretchwrapped in accordance with instructions contained in IDCR, unless the Invitation and subsequent contract specifies "NO PALLETS."** Contractors may arrange for pallet exchange with consignee; however, USDA is in

no way responsible for such arrangements. Destinations not participating in pallet exchange will be noted on the Invitation. Offers submitted on a basis other than f.o.b. destination or f.a.s. vessel will be rejected as nonresponsive.

When notified of shipments, consignees may request upgrading of delivery services; for example, delivery within the consignee's premises or to a specific room within a building. Such delivery terms are beyond USDA contractual requirements. Any negotiations to upgrade services are between contractor and consignee and any additional charges for special delivery terms are between the consignee and the contractor. Any charges invoiced to USDA for additional delivery services will be denied.

All delivery units--truck lot and less-than-truck lot (LTL) quantities--must be secured at all times prior to unloading with tamper proof, tamper resistant, serially numbered, high security seals that meet the American Society for Testing and Materials (ASTM) - F-1157-04 standard. Failure to seal or maintain the delivery unit under seal in accordance with these requirements may subject the shipment to rejection. The contractor must maintain a record of each seal number used for truck lot and LTL delivery units. Additionally, the contractor must ensure that the applicable seal identification number is on each bill of lading, shipment manifest, or other delivery documents for each delivery destination.

When LTL delivery units are transported on the same trailer or railcar and destined for multiple recipients, the trailer or railcar must be sealed after each delivery. The seal number must be recorded on the appropriate delivery documents and correspond with the applied seal at the time of arrival at the next destination. It will be the responsibility of the contractor to provide a sufficient number of seals and ensure that the carrier service (truck or rail) secures the trailer or railcar after each delivery destination. Failure to seal the trailer or railcar after each stop may subject the shipment to rejection at the next scheduled stop and rejection of any subsequent deliveries on the trailer or railcar.

The ASTM - F1157-04 standard can be obtained through the following website:
American Society of Testing and Material: <http://www.astm.org/cgi-bin/SoftCart.exe/index.shtml?E+mystore>

When making deliveries to more than one destination from the same railcar, the quantities required at each stopoff must be placed in separate compartments under seal. Each railcar compartment must be stacked in a manner that will preclude containers shifting while in transit.

Contracts will be awarded on an f.o.b. destination or f.a.s. vessel basis with inspection/certification and acceptance at origin. If transportation is provided by common carrier, the contractor must, in support of the contractor's invoice, furnish a copy of the signed commercial bill of lading indicating the carrier's receipt of the product covered by the invoice for transportation to the destination specified in the contract. If transportation is provided by other than common carrier, the contractor must attach to the contractor's invoice a receipted copy of the appropriate delivery document evidencing date of delivery and quantity received at the destination specified in the contract.

D. Responsibility of Offeror

1. Annual Certifications, Representations, and Warranties

An Offeror intending to submit bids must complete Annual Certifications, Representations, and Warranties in Appendix-1 and return it to the Contracting Officer at the mailing address listed in Section II. A. of this Announcement prior to the submission of its initial bid. The Appendix must be signed by an officer of the company. If there are any changes or revisions to the annual Appendix-1, Offeror must submit an updated Appendix to the Contracting Officer or submit corrections or revisions prior to bid submission.

In addition to the certifications submitted under Appendix-1, Contractor must complete the Online Representations and Certifications (ORCA) located at the following web address: <http://orca.bpn.gov/login.aspx>.

2. Standard Form 129--Solicitation Mailing List Application

An Offeror intending to submit bids must also complete a Solicitation Mailing List Application (SF-129) and return it to the Contracting Officer at the mailing address listed in Section II. A. of this Announcement prior to the submission of its initial bid.

All items (except Item 18) of the SF-129 must be completed (see Exhibit B). Offeror must also include the following information for Items 4, 8, 10, 14, 16B, 19, and 20:

- | | |
|------------------|--|
| Items 4 and 8: | Employer's identification number and USDC Establishment number |
| Item 8: | Identify all affiliates of Offeror (applicant as shown in 4) by providing full name, main office address, and employer's identification number and Tax Payer Identification Number (TIN) of the affiliates. An "affiliate" is defined on the back of the form. |
| Item 10: | The product(s) purchased by USDA, the Offeror is interested in supplying, weekly volume of production, capacity, and percent of capacity available for USDA contracts. Attach a separate list if additional space is needed. |
| Item 14: | Company's TIN |
| Item 16B: | Identify the warehouse to be used and its storage capacity. |
| Items 19 and 20: | Must be an officer of the company. |

Offeror must certify with each bid to the accuracy of the current SF-129 and Appendix-1 on file with the Contracting Officer.

3. Responsibility

A firm submitting an offer under this Announcement must be in compliance with the Federal standards for responsibility contained in Title 48 C.F.R. Subpart 9.1, USDA-1, this Announcement, and Invitations. A determination of responsibility contained in Title 48, C.F.R. subpart 9.1 must be made prior to a firm submitting an offer.

Facilities used in fulfilling USDA contracts must be operating in accordance with the applicable Food and Drug Administration (FDA) regulations and under NMFS Type I Inspection, which may include Integrated Quality Assurance (IQA) or Hazard Analysis Critical Control Point (HACCP) Quality Management Program (HACCP-QMP). Facilities to be used in fulfilling USDA contracts must be operating in accordance with the applicable Salmon Control Plan (by year).

Contractor must be registered under the Central Contractor Registry (CCR) System as prescribed in Title 48 C.F.R., Subpart 4.1104 and will certify in Appendix-1 on file with the Contracting Officer.

4. Responsibility of Subcontractors/Suppliers

Contractor shall include, and the subcontractor must meet, the responsibility terms in above paragraph D.3., in every subcontract for supplies or services used by the contractor in fulfilling USDA contracts, either directly or indirectly and obtain certification of responsibility as described in Appendix-1 to this Announcement from subcontractors and suppliers.

Contractors shall include, and subcontractors must comply with, the domestic products clause in paragraph I.F. of this section for all subcontracts for fish or fish products used in fulfilling any contracts under this Announcement. Prior to their performance on the contract, subcontractors or suppliers of salmon to be used in fulfilling contracts must be approved by the NMFS for compliance with domestic origin and all other applicable requirements.

Subcontractors or suppliers of salmon: (1) are ineligible to supply product if they do not have a domestic product program approved by the NMFS, or if they are currently delivering late on USDA contracts or USDA-approved subcontracts and late delivery is not due to causes beyond their control; and (2) **shall be deemed nonresponsible if they are not operating in accordance with the applicable FDA regulations and under NMFS Type I Inspection, which may include IQA or HACCP-QMP** or have been suspended or debarred under the provisions of 48 C.F.R. Subpart 9.4.

5. Past Performance

The Offeror must certify to timely performance on current contracts and subcontracts in **Item 6** of the certification section under the Domestic Bid Electronic Bid Entry System (DEBES) offer. A determination that the late performance is beyond the control or negligence of the contractor or the contractor's subcontractor **must be made by the Contracting Officer prior to bid opening**. An Offeror will

be deemed nonresponsible if the Offeror **or any of it's affiliates or subcontractors** are delivering late on other contracts or subcontracts with USDA and the late delivery is not due to causes beyond the contractor's or the contractor's subcontractor's control. This provision, as it pertains to small business, is a deviation from 48 C.F.R. Subpart 19.6.

A false certification may result in rejection of the offer, suspension and debarment by USDA, termination of the contract, liability for damages under the provisions of USDA-1, or criminal prosecution.

Offerors are cautioned NOT to BID on product quantities exceeding a level that the Offeror can reasonably expect to deliver in accordance with the contract schedule. On-time delivery is imperative because this product is used in USDA Federal food and nutrition programs. Late deliveries cause serious and substantial damages to USDA and to recipient agencies, some of which cannot be compensated for by liquidated damages.

Contractor delivering late on contract(s) must immediately notify the Contracting Officer of late shipments. If the contractor intends to request an extension due to causes beyond the control or negligence of the contractor, such notice must be made to the Contracting Officer 3 business days in advance of a bid opening in which the contractor wants to bid. Notification and request for extension must include (1) documentary evidence of causes beyond contractor's control for each day requested, (2) a production report of completed and/or expected production including cases (pounds) and dates, and (3) actual delivery dates by Notice-to-Deliver numbers (see Article 68 of USDA-1).

6. Food Defense Requirements

The contractor and all subcontractors must have a documented food defense plan that provides for the security of a plant's production processes, which includes the storage and transportation of pre-production raw materials and other ingredients and post-production finished products. The plan shall address the following areas: 1) food defense plan management; 2) outside and inside security of the production and storage facilities; 3) processing, including all fish sources; 4) controlled access to production and storage areas; 5) storage; 6) water supply; 7) mail handling; 8) personnel security; and 9) transportation, shipping, and receiving (includes the sealing of any transport conveyance for truck lot and less-than-truck lot quantities of finished product).

The food defense plans will be subject to periodic review by the AMS, ARC Branch and NMFS. See FSIS Security Guidelines for Food Processors:

<http://www.fsis.usda.gov/OA/topics/SecurityGuide.pdf> Information on the transportation and distribution of meat, poultry, and egg products is located at: <http://www.fsis.usda.gov/oa/topics/transportguide.htm>

E. Buy American Certification

End products furnished must be of domestic origin as defined below in I.F. This provision is a deviation from 48 C.F.R. Part 25 and for the purposes of this Announcement supersedes Article 49 of USDA-1.

F. Domestic Products

All salmon used in fulfilling contracts awarded under this Announcement must be produced in the United States (U.S.). U.S.-produced salmon means originated from the U.S. U.S. is defined as being landed by American flag vessels, and completely processed in the U.S., its territories, possessions, Puerto Rico, or the Trust Territories of the Pacific Islands (hereinafter referred to as the United States). U.S.-produced does not include salmon caught on American flag vessels and processed outside the U.S. or salmon caught on vessels other than American and processed in the U.S. If any fish product originating from sources other than the U.S. are processed or handled, the contractor will develop and maintain an identification and record system for these products to ensure they are segregated and not used to fulfill contracts awarded under this Announcement. Such segregation plan must be approved by the NMFS agent, the Contracting Officer or agent thereof upon request. The contractor will maintain records including, but not limited to, landing vessels, invoices, production and inventory records evidencing product origin, and make such records available for review by the Government in accordance with Article 76 of USDA-1.

Contractor must obtain certification from suppliers either by a letter that identifies product by production lot or caught by American flag vessel statement on the label. Other minor ingredients, such as seasonings, must be U.S.-produced unless such product is not manufactured in the United States.

Contractor agrees to include this domestic origin certification clause in its entirety in all subcontracts for fish or fish products used in fulfilling any contracts awarded under this Announcement.

The subcontractor will deliver only fish or fish products landed by American flag vessels and completely processed in the U.S. Prior to performance of USDA contracts or subcontracts, contractors and subcontractors must obtain approval of its domestic product program from the NMFS.

G. Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity

1. If the Government receives information that a contractor or a person has engaged in conduct constituting a violation of subsection (a), (b), (c), or (d) of section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423) (the Act), as amended by section 4304 of the National Defense Authorization Act for Fiscal Year 1996 (P.L. 104-106), the Government may:
 - a. Cancel the solicitation, if the contract has not yet been awarded or issued; or
 - b. Rescind the contract with respect to which:

- i. The contractor or someone acting for the contractor has been convicted for an offense where the conduct constitutes a violation of subsection 27(a) or (b) of the Act for the purpose of either (a) exchanging the information covered by such subsections for anything of value; or (b) obtaining or giving anyone a competitive advantage in the award of a Federal agency procurement contract; or
 - ii. The head of the contracting activity has determined, based upon a preponderance of the evidence, that the contractor or someone acting for the contractor has engaged in conduct constituting an offense punishable under subsection 27(e)(1) of the Act.
2. If the Government rescinds the contract under paragraph 1 of this clause, the Government is entitled to recover, in addition to any penalty prescribed by law, the amount expended under the contract.
3. The rights and remedies of the Government specified herein are not exclusive, and are in addition to any other rights and remedies provided by law, regulation, or under this contract.

H. Service of Protest

1. Protests, as defined in 48 C.F.R. part 33.101, that are filed directly with an agency, and copies of any protests that are filed with the General Accounting Office (GAO), shall be served on the Contracting Officer by obtaining written and dated acknowledgment of receipt from the Contracting Officer designated in Section II.A.
2. A copy of any protest shall be received by the Contracting Officer at the mailing address listed in Section II.A., within 1 day of filing a protest with the GAO.

II. SUBMISSION OF OFFERS

A. Where and How To Submit Offers

1. Electronic Submission of Offers

All Offers must be submitted electronically by accessing DEBES. Browser Requirements for DEBES for electronic bidding are described in Attachment II. An Offeror must request and receive a DEBES logon ID in order to access the website. See Attachment III for the form to request a logon ID. Only approved suppliers will receive a DEBES login ID.

The DEBES system will generally be available all day Saturday until 9:00 p.m. Central Time, and on Sundays from 8:30 a.m. until 3:30 p.m. Central Time. System availability may at times be subject to interruptions in service due to unscheduled maintenance.

Access the DEBES website at: <https://pcsd.usda.gov:3077/mdbc1000.exe?>

Once connected to DEBES, follow the online procedures. Click on the “Help” button for detailed instructions on using the system or call (202)720-2650 for assistance.

AMS will not be responsible for any failure attributed to the transmission of the bid data prior to being accepted and stored on our web server including, but not limited, to the following:

- a. Any failure of the Offeror’s computer hardware or software;
- b. Availability of your Internet Service Provider (ISP);
- c. Delay in transmission due to the speed of your modem; or
- d. Delay in transmission due to excessive volume of Internet traffic.

If an Offeror’s ISP is not available, an Offeror may submit a bid via facsimile (FAX). If an Offeror plans to submit a bid via FAX, Offeror **MUST** contact the Contracting Officer for approval prior to faxing offers.

NOTE: Exhibits C and D provide an example of how offers may be submitted.

- a. Submission by FAX is only to be used in the event the Offeror’s ISP service is not available and with approval of the Contracting Officer. The telephone number for receiving offers by FAX is listed below.

FAX (202) 720-0949 (24 Hours)

- b. Verification: **USDA-AMS-LS-CP Branch**

(202) 720-2650 (6:30 a.m.-4:00 p.m., Central Time, Monday-Friday)

Faxed offers, modifications, or withdrawals of offers must be addressed as follows:

Contracting Officer
Livestock and Seed Program
Agricultural Marketing Service
U.S. Department of Agriculture
Stop 0253, Room 2610-South Building
1400 Independence Avenue, SW
Washington, D.C. 20250-0253

B. Where and When to Submit Offers

Offers, modifications, or withdrawals of offers must be submitted to the Contracting Officer, Livestock and Seed Program, Agricultural Marketing Service (AMS), U.S. Department of Agriculture, Washington, D.C. 20250.

Offers, modifications, or withdrawals of offers under this Announcement must be received in the **DEBES Lockbox, or if authorized by the Contracting Officer, faxed to the**

AMS, LS, CP Branch not later than 1:30 p.m., Central Time, on the date specified in the Invitation. Invitations will be issued by FAX and be available electronically through the USDA, AMS Commodity Procurement Home Page and posted on the DEBES Internet site. If the planned bid date falls on a nonworkday for USDA employees in the District of Columbia, offers, modifications, or withdrawals are to be received by 1:30 p.m., Central Time on the next succeeding business day. Whether an offer, modification, or withdrawal is received within the time limitation will be determined by the last submission time recorded in DEBES or electronically captured at the AMS, LS, CP Branch in the event a bid is faxed.

C. Shipping Periods

Planned shipping periods by Invitation are included in Exhibit E. USDA may change this schedule or cease purchases depending on market conditions or funding considerations. Contracts will be awarded on a shipping period basis. The shipping period will be a specific period identified with each Invitation to be issued under this Announcement. Bidders are cautioned to refer to the applicable Invitation prior to bidding.

D. Purchase Units

The purchase unit size for 14 ³/₄-ounce cans of pink salmon to be purchased is 1,600 cases (35,400 pounds). The quantity offered on bids must be in purchase unit increments. An offeror may bid the entire quantity on the Invitation or a greater amount, but not less than one unit (1600 cases). Only one offer price may be quoted to any delivery point listed from each shipping point, including combined destinations as one line item. Offerors may rearrange the destination sequence on these combined delivery units.

E. What to Submit

An offer must include each of the following items:

Section 1--General

1. Name, phone number, and complete address and zip code of Offeror (include both street and mailing address if different).
2. Identify submission as a bid. STATE: Bid--ANNOUNCEMENT LS-135, Invitation No._.
3. Name and street address including zip code of (a) final processing point and (b) shipping point.

Section 2--Offer Form

1. Item number listed on applicable Invitation, destination, and price per case delivered to specific destination, segregated by product type if more than one is requested.

NOTE: For bids other than electronic, Offerors may, at their own risk, exclude name of destination. Errors in item number(s) will not be apparent to Contracting Officer.

Quote only one delivered price per case for each destination or multiple destinations listed as one item number. If more than one price per item is quoted, the line item will be ruled nonresponsive.

Estimated number of purchase units by destination will be listed on the Invitation. USDA may adjust the quantities listed on the Invitation based on offerings, market conditions, and/or program requirements.

Transportation restrictions will be shown on the Invitations.

The Offeror may submit offers for as many destinations as desired. The maximum quantity to be awarded is determined by the constraint(s) quoted in Section 3, Constraints of the bid.

Offer prices may be quoted up to four places to the right of the decimal point. **If other than four places, any digit past the fourth will automatically be dropped.**

Section 3--Constraints

1. State maximum quantity to be awarded and/or maximum quantity overall for Invitation, both in number of purchase units and equivalent number of cases for (shipment) to required destinations between (date) and (date).

NOTE: If offering for more than one processing point, be sure to indicate the number of units and cases offered for each processing point and/or maximum overall for each processing point.

Maximum quantity offered may be greater than demand shown on the Invitation.

Total maximum quantity overall for specific product types or Invitation is optional. If total overall is not quoted, AMS may award up to the maximum for each type.

State the applicable shipping period(s) associated with the Invitation.

Section 4--Certifications

1. For this bid, your company is designated as: (choose one)
 - ☐ Large Business
 - ☐ Large Minority Business
 - ☐ Large Woman-Owned Business
 - ☐ Large Woman-Owned Minority Business

- ☐ Small Business
- ☐ Small Minority Business
- ☐ Small Disadvantaged "Not 8A"
- ☐ Small Woman-Owned Minority
- ☐ Small Woman-Owned "Not 8A"
- ☐ "8a" Small Woman-Owned
- ☐ "8a" Small Disadvantaged

NOTE: For bids submitted electronically, if default designation is incorrect, please choose correct designation and notify Contracting Officer.

2. By submitting this bid, Offeror certifies it HAS read and DOES agree to the terms of LS-135, Appendix 1; Inv. ; IDCR, dated April 2006; USDA-1, Rev. 2, and Amds. 1, 2, 3, and 4, and the Federal Acquisition Regulations. (both boxes must be selected).

- ☐ Has
- ☐ Does

3. (a) Annual Representations, Certifications, and Warranties (Appendix-1) submitted to the Contracting Officer are current, accurate, and complete. Submitted to Contracting Officer (mm/dd/ yyyy): _____

(b) If Appendix HAS been amended, enter date amended: _____ or N/A.

4. Offeror certifies that the company has completed the Online Representations and Certifications Application (ORCA) on (mm/dd/yyyy): _____.

5. Offeror certifies that the SF-129 on file with the Contracting Officer is accurate and part of this offer.

- ☐ Does
- ☐ Does Not

6. All product required under any existing USDA contract(s) or subcontract(s) with a Not-Later-Than date prior to this bid opening HAS been delivered?

- ☐ Has
- ☐ Has Not
- ☐ Has Not, But Has Notified C/O
- ☐ No Existing Contracts

7. Show name, title, fax number, and phone number of person submitting this bid (must be an authorized company representative).

NOTE Exhibits C and D, attached, show how offers may be submitted by FAX giving all essential details in the briefest possible manner using above format.

III. ACCEPTANCE OF OFFERS

The USDA will award contracts to responsible bidders whose bids conform to the Announcement and the applicable Invitation and whose bids are most advantageous to the Government in terms of, but not limited to, price, quantity needs at the specified destinations, and cost. The USDA requires a minimum acceptance period of 7 calendar days. Acceptance of offers will be made by FAX, filed at Washington, D.C., not later than midnight, local time, the seventh day following the day for receipt of offers. The official time of award is the date and time stamped on the contract faxed from the AMS, LS, CP Branch. Transmission of the contract is the official notice that the contract has been awarded. A notice of award will also be issued in the form of a Food Purchase Report (FPR) posted on the Livestock and Seed Program, USDA, AMS Commodity Procurement Home Page (see Notice attached), after 1:00 p.m., Central time on the day of acceptance. Information on awards will be available by telephone to offers and interested parties promptly following the posting of the FPR. Inquiries may be made to a USDA-AMS Market News office or the Contracting Officer.

Failure to accept an offer will constitute rejection. Filing of the acceptance wire as specified above will result in a binding contract without further action by either party. The actual time of award described herein deviates from 48 C.F.R. 14.408-1.

IV. PROVISIONS OF CONTRACT

The contract consists of Announcement LS-135; the applicable Invitation; IDCR, dated April 2006; contractor's offer including SF-129 and Appendix 1; the acceptance by USDA; USDA-1, and the Federal Acquisition Regulations 48 CFR Section et seq. The following USDA-1 articles are excluded: Articles 34, 49, 50, 64(c), and all of Part E.

If the provisions of contract documents are not consistent, the following priority order will prevail: Invitation, Announcement, IDCR, Appendix-1, Federal Acquisition Regulations, and USDA-1.

V. PRODUCT SPECIFICATIONS AND INSPECTION/CERTIFICATION SERVICES

- A. Canned pink salmon delivered pursuant to this Announcement and the applicable Invitations shall have been packed in the U.S. in accordance with: (1) IDCR, dated April 2006; (2) the Federal Food and Drug Administration Standard of Identity and Fill of Container for Canned Salmon, 21 C.F.R. 161.70; (3) the Good Manufacturing Practice regulations (21 C.F.R. Part 110); and (4) additional requirements as prescribed in the applicable Salmon Control Plan (by year).
- B. Specifications for the canned pink salmon will be set forth in the IDCR, dated April 2006. If documents are amended, appropriate amendments must be referenced.
- C. Product must be produced under the applicable Salmon Control Plan (by year), FDA regulations and under NMFS Type I Inspection, which may include IQA or HACCP-QMP or Type II Lot Inspection.

- D. Questions concerning charges and the availability of NMFS inspectors should be discussed with the Western Regional Inspection Office in Seattle, Washington at (206) 526-4259.

VI. LOSS DUE TO DETERIORATION, SPOILAGE, OR RECALL

A. Loss Due to Deterioration or Spoilage

The contractor will be liable for losses due to deterioration or spoilage for which he or she is responsible, which are discovered within 9 months of the date of delivery to USDA, in accordance with the provisions of Article 61 of USDA-1.

B. Liabilities Due to Product Recalled for Health or Safety Risk

In accordance with Article 60 of USDA-1, the contractor shall be held liable for failure of the commodity to meet all of the contract and specifications requirements. In the event, product is recalled due to a health or safety risk, the contractor is responsible for removal and replacement of recalled products and reimbursement of State and local costs incurred as a result of the recall, as outlined in the Food and Nutrition Service's (FNS), Commodity Holds and Recall Process. These costs include, at a minimum, storage, transportation, processing, and distribution of the commodities.

If product under contract is delivered to a facility for further processing under contract with a State and the product is recalled, it will be handled in accordance with the FNS's Commodity Holds and Recall Process. A copy of the report can be obtained at the following web address: <http://www.fns.usda.gov/fdd/foodsafety/hold-recallpros.pdf>.

VII. INSPECTION/CERTIFICATION AND CHECKLOADING

Inspection/certification and checkloading as required by Articles 54 and 55 of USDA-1 must be performed by an USDC/NMFS agent. The cost of all services performed by USDC/NMFS agents will be borne by the contractor. Procedures to be followed and a schedule of fees for these services may be obtained by contacting the nearest USDC, NMFS, Inspection Office listed in Section XI. of this Announcement.

Whether each lot offered for inspection/certification meets the applicable product and container requirements of the contract will be determined on the basis of representative sample units drawn as provided and specified in regulations governing processed fishery products (50 C.F.R. Part 260) and U.S. Standards for Condition of Food Containers effective on the date of the Invitation. Prior to sampling, contractor shall furnish the USDC/NMFS agent with a list of lot numbers/can codes and the approximate number of cases per code. Contractor shall deliver lots that are intact whenever possible and split or combine lots only when necessary.

Contractor shall not ship the commodity before receipt of shipping instructions from the Farm Service Agency (FSA) Kansas City Commodity Office (KCCO) or before the product has been inspected/certified by the USDC/NMFS agent and found to meet contract specifications.

Contractor shall not ship the commodity unless he is informed by the USDC/NMFS agent that a designated lot is acceptable. Notice by the USDC/NMFS agent that a designated lot to be shipped does not meet contract requirements shall constitute rejection to the contractor of such lot.

If commodity is to be transloaded from sea van to truck or rail at port, a USDC/NMFS agent must be present for unloading and loading product under seal.

VIII. SHIPMENT--TRANSFER OF TITLE

A. Shipping Requirements

Shipment must be made in accordance with this Announcement, the applicable Invitation, Articles 56 and 64(b) of USDA-1, and the Notice-to-Deliver (Form KC-269) issued by KCCO. The contractor must closely follow delivery notification instructions contained in the Notice-to-Deliver. Such delivery notification is vital to proper execution of shipment, particularly in the case of minimal transit time.

The contractor must notify State distributing agencies and consignees of shipment. For rail shipment, notification must be made on the day of shipment. For truck shipment, notification of the estimated arrival time should be made as far in advance of delivery as possible. In addition, for truck or piggy-back shipment, the contractor must request and keep scheduled appointments. **Unloading appointments for truck or piggy-back deliveries must be requested from the consignee contact party(s) at least 24 hours in advance of delivery.** A copy of the original USDC Memorandum Report of Inspection must accompany each shipment so that it will be easily available to the warehouseman or consignee (as applicable) upon arrival.

B. Tolerances

The contractor must ship the quantity called for on the Notice-to-Deliver. No tolerance is provided.

C. Early Shipment Requests

Requests for permission to ship in advance of the "Not-Earlier-Than" date given in the Notice-to-Deliver must be made to KCCO and approval will be granted if consignee is willing to accept product early and the contractor arranges for the availability of an USDC/NMFS agent to perform necessary checkloading and final acceptance duties and provides to KCCO the assurances required by KCCO of that arrangement.

D. Transfer of Title

Title and risk of loss will pass to USDA on the date of receipt of the product at the destination specified in the contract, as evidenced by suitable dated documentation such as the **commercial bill of lading**, warehouse receipt, dock receipt, or other similar signed and dated document evidencing delivery. If the contractor has the product in storage and transfer of title is requested, title will pass to USDA as evidenced by the commercial bill

of lading after final certification of the shipping unit by an USDC/NMFS agent. The contractor is responsible for any shortage or damages as evidenced by the **commercial bill of lading, FNS-57 report**, or other commercial receipt evidencing delivery of product.

IX. LIQUIDATED DAMAGES

A. Compensation to Contractor for Late Mailing of Notice-to-Deliver

Liquidated damages for delay in shipment due to late mailing of Notice-To-Deliver will be payable in accordance with Article 65 of USDA-1 and will be at the rate of 25 cents per hundredweight **net per calendar day**.

B. Compensation to USDA for Delays in Shipment

Timely delivery is important to fulfill the nutritional and dietary needs of persons consuming canned pink salmon under the Federal food and nutrition programs and for the efficient and proper administration of these programs. Liquidated damages for delay in shipment are payable at the rate of 25 cents per hundredweight net per day in accordance with Article 67 of USDA-1. For purposes of assessing liquidated damages for delay in shipment, the date shown on the USDC Memorandum Report of Inspection which covers checkloading and shipment is considered to be the date of shipment.

X. INVOICES AND PAYMENT

A. Shipping Period Contracts

Invoicing and payment will be handled in accordance with Article 70 of USDA-1 except that a properly prepared invoice consists of the following:

1. Invoicing as provided for on the Notice-to-Deliver (Form KC-269) or commercial invoice form;
2. Original USDC Memorandum Report of Inspection issued at time of shipment; and
3. Commercial Bill of Lading or other commercial receipt signed by the recipient's agent evidencing date of shipment and quantity of product shipped.

Any loss in transit will be determined by an Over, Short, or Damage Report (FNS-57) filed by recipient. Kansas City Management Office (KCMO) will advise contractor of discrepancy and recover loss by setoff from future payments or process a claim.

Contractors are encouraged to instruct carriers to return bills of lading or other commercial receipts signed by recipient agents evidencing the date and quantity of product received to avoid conflicts. If there is a conflict, the bill of lading signed by the recipient representative will prevail unless the discrepancy is due to damage not discernable at time of delivery.

B. Invoice Mailing & Interest

1. The invoice package must be mailed or delivered to KCMO at the address listed in Section XI of the Announcement. The outside of the package should be marked:

**“Prompt Pay Provisions Apply--Canned Salmon Product
Attn: Vendor Invoice Payment Section”**

Interest will be paid in accordance with the provisions of the Prompt Payment Act if payment is made beyond thirty days after the date of delivery. For payment purposes, the date of delivery will be the receipt date by KCMO of a properly prepared invoice.

C. Electronic Payment

USDA payments must be made directly to a financial banking institution. To receive payments electronically, complete the attached Form SF-3881, ACH Vendor Payment Enrollment Form and submit to the KCMO, Commodity Financial Operations Division, Inventory Control Branch; Telephone (816) 926-6988.

USDA will no longer issue a paper copy of the disbursement statement. Please complete the attached “Address Information” form, which identified payment disbursement statement address as well as other information needed.

XI. INQUIRIES

Inquiries pertaining to this Announcement and applicable documents should be directed to the Contracting Officer, Livestock and Seed Program; USDA, AMS, Stop 0253, Room 2610-S; 1400 Independence Avenue, S.W.; Washington, D.C. 20250-0253. Telephone:(202) 720-2650.

Inquiries concerning inspection and certification should be directed to either:

Deputy Director
National Seafood Inspection Program
NOAA/NMFS/F/SI
1315 East-West Highway
Room 10842
Silver Spring, MD. 20910

Telephone: (301)713-2355

Director, Southeast Inspection Branch
National Seafood Inspection Program
USDC-NOAA-NMFS
Koger Building
9721 Executive Center Drive North, Suite 133
St. Petersburg, FL 33702

Telephone: (727)570-5383

Director, Western Regional Inspection Office
Chief, Western Regional Inspection Office
National Seafood Inspection Program
DOC-NOAA-NMFS
7600 Sand Point Way NE Bldg 32
Seattle, WA 98115

Telephone: (206) 526-4259

Director, Northeast Inspection Branch
National Seafood Inspection Program
USDC, NOAA, NMFS
11-15 Parker Street
Gloucester, MA 01930

Telephone: (978)281-9292

Inquiries concerning shipping instructions should be directed to:

Director, Kansas City Commodity Office (KCCO)
Farm Service Agency
U.S. Department of Agriculture
P.O. Box 419205
Kansas City, MO 64141-6205

Telephone: (816)926-6062 (concerning shipping instructions)

Inquiries concerning payments should be directed to:

Director, Kansas City Management Office (KCMO)
Farm Service Agency
U.S. Department of Agriculture
Mail Stop 8578
P.O. Box 419205
Kansas City, MO 64141-6205

Express Mail:
Farm Service Agency
U.S. Department of Agriculture
9240 Troost Ave
Kansas City, MO 64131-3055

Telephone: (816)926-6205 (concerning payments)

Associate Deputy Administrator
Livestock and Seed Program
Agricultural Marketing Service

Attachments

SAMPLE INVITATION

DATE ISSUED: CANNED PINK SALMON, ANNOUNCEMENT LS-135, INVITATION NO._:

The U.S. Department of Agriculture (USDA) invites offers pursuant to ANNOUNCEMENT LS-135 to sell canned pink salmon for use in Federal food and nutrition programs. Purchases will be made on a shipping period basis to destinations indicated below. Destination quantities listed are estimates and are subject to adjustment based on offerings, changes in recipient needs, market conditions, and program operations.

All offers must be in the format prescribed in LS-135 and be received by 1:30 p.m., **Central Time** Friday,____, 2008. Acceptances will be announced by midnight, Friday, _____, 2008. Shipments are to be made between ____and____, 2008.

Bids must be submitted electronically via the Internet. Offerors must be assigned a Logon ID by USDA to access the site. The Internet address is: <https://pcsd.usda.gov:3077/mdbc1000.exe?> Once connected, follow the online procedures.

Inquiries about ANNOUNCEMENT LS-135 or this Invitation should be directed to the Contracting Officer, Livestock and Seed Program; USDA, AMS, Stop 0253; Room 2610-South; 1400 Independence Avenue, S.W.; Washington, D.C. 20250-0253. Telephone: (202)720-2650; **FAX (202)720-9538.**

ANNOUNCEMENT : LS-135
INVITATION : 100

COMM GROUP : 27 FISH, CANNED
COMM TYPE : 20 SALMON, PINK, CND
PACK SIZE : 57 24/14¾ OZ. CANS

ITEM NO	DESTINATION CITY	ST	TRANS RESTR	QUANTITY (CASES)
-----	-----	----	-----	-----

SHIPPING PERIOD 03/01/08 – 03/15/08

001	VANDIVER	AL		8,000
002	DURAND	GA	TRUCK ONLY	16,000
003	PALMDALE	FL		1,600

TOTAL QUANTITY FOR COMMODITY TYPE	25,600
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TOTAL QUANTITY FOR INVITATION	25,600
-------------------------------	--------

CONTRACTING OFFICER

EXHIBIT B
PAGE 1 OF 2

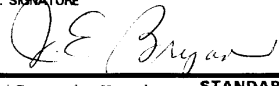
SOLICITATION MAILING LIST APPLICATION				1. TYPE OF APPLICATION		2. DATE		OMB No.: 9000-0002	
				<input checked="" type="checkbox"/> INITIAL <input type="checkbox"/> REVISION		9/27/99		Expires: 10/31/97	
NOTE: Please complete all items on this form. Insert N/A in items not applicable. See reverse for instruction. Public reporting burden for this collection of information is estimated to average .58 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (MVR), Federal Acquisition Policy Division, GSA, Washington, DC 20405.									
3. SUBMIT TO	a. FEDERAL AGENCY'S NAME				b. NAME				
	USDA, AMS, Livestock and Seed Program				Matanuska Seafoods EI#12-198674				
	b. STREET ADDRESS				c. COUNTY				
	Room 2610-South, P.O. Box 96456				Box 347				
	c. CITY	d. STATE	e. ZIP CODE	f. CITY		g. STATE		h. ZIP CODE	
	Washington	DC	20090-6456	Tynhek		AK		99748	
5. TYPE OF ORGANIZATION (Check one)				6. ADDRESS TO WHICH SOLICITATIONS ARE TO BE MAILED (If different than item 4)					
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> NON-PROFIT ORGANIZATION <input type="checkbox"/> PARTNERSHIP <input checked="" type="checkbox"/> CORPORATION, INCORPORATED UNDER THE LAWS OF THE STATE OF: Alaska				a. STREET ADDRESS Same as #4 b. COUNTY c. CITY d. STATE e. ZIP CODE					
7. NAMES OF OFFICERS, OWNERS, OR PARTNERS									
a. PRESIDENT			b. VICE PRESIDENT			c. SECRETARY			
J.E. Bryan			W.C. Edmonds			H.S. Wright			
d. TREASURER			e. OWNERS OR PARTNERS						
R.F. Campbell			Shareholders of the Corporation						
8. AFFILIATES OF APPLICANT									
NAME		LOCATION			NATURE OF AFFILIATION				
Moose Pass Supply Co.		Company TIN #XXXXXXXXXX 123 Abero Ave., Lakeview, AK 98555			Wholly owned subsidiary - Retail Sales of Hunting & Fishing supplies				
9. PERSONS AUTHORIZED TO SIGN OFFERS AND CONTRACTS IN YOUR NAME (Indicate if agent)									
NAME		OFFICIAL CAPACITY			TELEPHONE NUMBER				
					AREA CODE		NUMBER		
William L. Quinn		Production Manager			609		535-6801		
Roger Spangenberg		Sales Manager			609		535-6801		
10. IDENTIFY EQUIPMENT, SUPPLIES, AND/OR SERVICES ON WHICH YOU DESIRE TO MAKE AN OFFER (See attached Federal Agency's supplemental listing and instruction, if any)									
Commodity: Canned Pink Salmon Current Weekly Prod.: 540,000 lbs. Additional Capacity: 100,000 % available for USDA Contracts: 100%									
11a. SIZE OF BUSINESS (See definitions on reverse)			11b. AVERAGE NUMBER OF EMPLOYEES (Including affiliates) FOR FOUR PRECEDING CALENDAR QUARTERS			11c. AVERAGE ANNUAL SALES OR RECEIPTS FOR PRECEDING THREE FISCAL YEARS			
<input checked="" type="checkbox"/> SMALL BUSINESS (If checked, complete items 11b and 11c) <input type="checkbox"/> OTHER THAN SMALL BUSINESS			112			\$ 27,306,705.00			
12. TYPE OF OWNERSHIP (See definitions on reverse) (Not applicable for other than small businesses)			13. TYPE OF BUSINESS (See definitions on reverse)						
<input type="checkbox"/> DISADVANTAGED BUSINESS <input type="checkbox"/> WOMAN-OWNED BUSINESS			<input checked="" type="checkbox"/> MANUFACTURER OR PRODUCER <input type="checkbox"/> CONSTRUCTION CONCERN <input type="checkbox"/> SURPLUS DEALER <input type="checkbox"/> SERVICE ESTABLISHMENT <input type="checkbox"/> RESEARCH AND DEVELOPMENT						
14. DUNS NO. (If available)			15. HOW LONG IN PRESENT BUSINESS?						
02-777734			39 years						
16. FLOORSPACE (Square Feet/ft ²)					17. NET WORTH				
a. MANUFACTURING		b. WAREHOUSE		c. DATE		d. AMOUNT			
43,000		115,000*		December 31, 1998		\$ 17,654,226.82			
18. SECURITY CLEARANCE (If applicable, check highest clearance authorized)									
FOR		TOP SECRET	SECRET	CONFIDENTIAL	c. NAMES OF AGENCIES GRANTING SECURITY CLEARANCES			d. DATES GRANTED	
a. KEY PERSONNEL									
b. PLANT ONLY									
The information supplied herein (including all pages attached) is correct and neither the applicant nor any person (or concern) in any connection with the applicant as a principal or officer, so far as is known, is now debarred or otherwise declared ineligible by any agency of the Federal Government from making offers for furnishing materials, supplies, or services to the Government or any agency thereof.									
19a. NAME OF PERSON AUTHORIZED TO SIGN (Type or print)				20. SIGNATURE			21. DATE SIGNED		
J.E. Bryan							09/27/99		
19b. TITLE OF PERSON AUTHORIZED TO SIGN (Type or print)									
President									
AUTHORIZED FOR LOCAL REPRODUCTION Previous edition not usable *Lee's Warehouse 224 Main Street Snohomish, WA 87934 *Cascade Warehouse 123 Fir Street Mukilteo, WA 87208 STANDARD FORM 129 (REV. 12-98) Prescribed by GSA - FAR (48 CFR) 53.214(e)									

EXHIBIT B

PAGE 2 OF 2

INSTRUCTIONS

Persons or concerns wishing to be added to a particular agency's bidder's mailing list for supplies or services shall file this properly completed Solicitation Mailing List Application, together with such other lists as may be attached to this application form, with each procurement office of the Federal agency with which they desire to do business. If a Federal agency has attached a Supplemental Commodity list with instructions, complete the application as instructed. Otherwise, identify in Item 10 the equipment, supplies, and/or services on which you desire to bid. (Provide Federal Supply Class or Standard Industrial Classification codes, if available.) The application shall be submitted and signed by the principal as distinguished from an agent, however constituted.

After placement on the bidder's mailing list of an agency, your failure to respond (submission of bid, or notice in writing, that you are unable to bid on that particular transaction but wish to remain on the active bidder's mailing list for that particular item) to solicitations will be understood by the agency to indicate lack of interest and concurrence in the removal of your name from the purchasing activity's solicitation mailing for items concerned.

SIZE OF BUSINESS DEFINITIONS (See Item 11A.)

a. Small business concern - A small business concern for the purpose of Government procurement is a concern, including its affiliates, which is independently owned and operated, is not dominant in the field of operation in which it is competing for Government contracts, and can further qualify under the criteria concerning number of employees, average annual receipts, or the other criteria, as prescribed by the Small Business Administration. (See Code of Federal Regulations, Title 13, Part 121, as amended, which contains detailed industry definitions and related procedures.)

b. Affiliates - Business concerns are affiliates of each other when either directly or indirectly (i) one concern controls or has the power to control the other, or (ii) a third party controls or has the power to control both. In determining whether concerns are independently owned and operated and whether or not affiliation exists, consideration is given to all appropriate factors including common ownership, common management, and contractual relationship. (See Items 8 and 11A.)

c. Number of employees - (Item 11B) In connection with the determination of small business status, "number of employees" means the average employment of any concern, including the employees of its domestic and foreign affiliates, based on the number of persons employed on a full-time, part-time, temporary or other basis during each of the pay periods of the preceding 12 months. If a concern has not been in existence for 12 months, "number of employees" means the average employment of such concern and its affiliates during the period that such concern has been in existence based on the number of persons employed during each of the pay periods of the period that such concern has been in business.

TYPE OF OWNERSHIP DEFINITIONS (See Item 12.)

a. "Disadvantaged business concern" - means any business concern (1) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and (2) whose management and daily business operations are controlled by one or more of such individuals.

b. "Women-owned business" - means a business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.

TYPE OF BUSINESS DEFINITIONS (See Item 13.)

a. "Manufacturer or producer" - means a person (or concern) owning, operating, or maintaining a store, warehouse, or other establishment that produces, on the premises, the materials, supplies, articles or equipment of the general character of those listed in Item 10, or in the Federal Agency's Supplemental Commodity List, if attached.

b. "Service establishment" - means a concern (or person) which owns, operates, or maintains any type of business which is principally engaged in the furnishing of nonpersonal services, such as (but not limited to) repairing, cleaning, redecorating, or rental of personal property, including the furnishing of necessary repair parts or other supplies as a part of the services performed.

- COMMERCE BUSINESS DAILY - The Commerce Business Daily, published by the Department of Commerce, contains information concerning proposed procurements, sales, and contract awards. For further information concerning this publication, contact your local Commerce Field Office.

SAMPLE OFFER WIRE OR LETTER

Format to follow only in the event of USDA system failure or an offeror's ISP is unavailable at the time of bid closing.

NOTE: FAX bids must be authorized by the Contracting Officer prior to submission in the event of a USDA system failure or company's ISP is unavailable.

The following example shows how offer wires or letters may be submitted giving all essential details in the briefest possible manner. Basic to this procedure is a number identification with each line item of information required in the offer (see format in Announcement LS-135.)

Address to: Contracting Officer, Livestock and Seed Program
 USDA, AMS, Room 2610-South
 Agricultural Marketing Service
 Mail Stop 0253
 Washington, D.C. 20250
 Telephone: 202-720-2650

BID FAX NUMBER: 202-720-0949
 BID RECEIPT VERIFICATION: 202-720-2650

Section 1--General

1. Mantanuska Seafoods
 Box 347, Hwy 35
 Tyonek, AK 98746
2. LS-135/100
3.

Plant Mantanuska Seafood Box 347, Hwy 35 Tyonek, AK 98746 Telephone 302-555-3215	Shipping Point Lee's Warehouse 224 Main Street Snohomish, CA 98044
---	--

Section 2--Offer Form

1.

	ALTERNATE FORMAT
(1) Vandiver, AL, \$22.80 per case	(1) \$22.80 per cs
(2) Durand, GA, \$22.75 per case	(2) \$22.75 per cs
(3) Palmdale, FL, \$23.75 per case	(3) \$23.75 per cs

Section 3--Constraints

1.

Maximum to be awarded	Shipping Period
16 offer units, 25,600 cases for shipment between _____ and _____)	

Section 4--Certifications

1. Small Business
2. HAS
 DOES
3. (a) 02/03/08 (date Appendix-1 was signed by Offeror)
 (b) N/A
4. 2/03/08
5. DOES
6. NO EXISTING CONTRACTS
7. J. E. Bryan, President, FAX 302-555-3214, TEL. 302-555-3213
(Signature Required)

SAMPLE OFFER ELECTRONICALLY SUBMITTED

Submitted at: 02/15/2008 - 10:19:19 am Central Time

MANTANUSKA SEAFOODS
 BOX 347, HWY 35
 TYONEK, AK 98746

LS-135/100, CANNED PINK SALMON

Authorized Changes and Comments						
Date		Time	USDA ID		Comments	
Plant 01-Mantanuska Seafoods, Box 347, Hwy 35, Tyonek, AK 98746						
Shipping Point 01-Lee's Warehouse, 224 Main Street, Snohomish, WA 98044						
CANNED PINK SALMON						
Line Item	Pack Size	Destination	Delivery Period	Est CASES	Price/LBS	Tran Mode
001	14 ¾ oz cans	Vandiver, AL	03/01/2008 - 03/15/2008	8,000	22.80	
002	14 ¾ oz cans	Durand, GA	03/01/2008 - 03/15/2008	16,000	22.75	Truck
003	14 ¾ oz cans	Palmdale, FL	03/01/2008 - 03/15/2008	1,600	23.75	

High Bid Price: 28.00 Line Item: 003
 Low Bid Price: 27.36 Line Item: 001
 Sum of Bid Prices: 82.88

Constraints				
Const #	Max Qty	Plant Location	Shipping Period	Product
1	16	01-Mantanuska Seafood	03/01/2008 - 03/15/2008	Canned Pink Salmon
Certifications				
For this bid your company is designated as: SMALL BUSINESS				
Question				Answer
01) By submitting this bid, Offeror certifies it HAS read and DOES agree to the terms of LS-135; Appendix-1; Inv. 100, IDCR, April 2006; USDA 1, Rev. 2, and Amnds 1, 2, 3, and 4 and the Federal Acquisition Regulations (Both boxes must be selected)				HAS DOES
02A) Annual Representations, Certifications and Warranties (Appendix-1) submitted to the Contracting Officer are current, accurate, and complete. Submitted to Contracting Officer (mm/dd/yyyy)				02/3/08
02B) If Appendix HAS been amended, enter date amended or N/A.				N/A
03) Offeror certifies that the SF-129 on file with the Contracting Officer is accurate and part of this offer.				DOES
04) Offeror certifies that the company has completed the Online Representations and Certifications Application (ORCA) on (mm/dd/yyyy)				02/03/08
05) All product required under existing USDA contract(s) or subcontract(s) with a Not Later Than Date prior to this bid opening HAS been delivered.				NO EXISTING CONTRACTS
05) Show name, title, fax number, and phone number of person submitting bid (must be an authorized company representative).				J. E. Bryan, President Fax 302-555-3214 Phone 302-555-3213

**Planned Purchase Schedule
Fiscal Year 2008**

2007 or 2008 Harvested Salmon Only

NOTE: Notification of future invitations will be available on our website at:
http://www.ams.usda.gov/lscp/fish/fish_purchaseinfo.htm

**USDA, AMS,
Livestock and Seed Program****APPROVED****ITEM DESCRIPTION AND
CHECKLIST OF REQUIREMENTS
(IDCR) FOR
CANNED PINK SALMON**

Contracting Officer Technical Representative (COTR):
Standardization Branch
Room 2607, Phone: (202) 720-4486

Effective April 2006

I. ITEM DESCRIPTION

Canned Pink Salmon – Twenty four (24) 14.75 ounce cans, per case.

II. CHECKLIST OF REQUIREMENTS

Product will be produced under (1) the Food and Drug Administration regulations and all applicable federal Acts and regulatory references cited therein which are in effect on the date of production and (2) the National Marine Fisheries Service (NMFS) Type I inspection, which may include Integrated Quality Assurance (IQA) or HACCP Quality Management Program (HACCP-QMP) and (3) current year's salmon control plan. The contractors must declare the type of NMFS inspection program they are operating under.

A. Materials/Product Characteristics

1. Material - Salmon shall be of domestic origin as defined within section I. F. of this announcement and shall be of the following specie and style:
 - a) Specie – *Oncorhynchus gorbuscha* (Pink)
 - b) Style – Regular (skin and bones included)
2. Product Characteristics
 - a) Color shall be pink to buff
 - b) Texture shall be moderately firm to slightly soft
 - c) Color of oil will be pink to light yellow
 - d) Sodium content shall not exceed 270 mg/63 g serving as declared on the Nutrition Facts panel on the can label.
 - e) Objectionable Materials – The Contractor must assure that all heads, gills, tails, viscera, blood marks, bruising, collar cartilage, and fins have been excluded.

B. Preparation for Delivery

1. Cans and Cases - Individual cans of salmon will have a net weight of 14.75 ounces. Twenty-four (24) cans will be unitized to a net weight of 22.125 pounds.

All cans will be unitized into cases by packing into new fiberboard shipping containers, placing on fiberboard trays with plastic shrink wrap or plastic shrink wrap only. Only one size and style of unitized cases may be offered in an individual delivery unit.

2. Palletization - All cases shall be stacked on new or well-maintained pallets and palletized with shrink wrap plastic.
3. Labeling – Cases and cans will be commercially labeled and include all information required by regulations. All cans shall bear a code that is traceable to production lot and date and back to the source of the harvested salmon to ensure compliance with domestic origin requirements.
4. All product must be delivered to AMS

C. Delivered Product

1. Delivery Unit - Each delivery unit will consist of 1,600 cases with a net weight of 35,400 pounds.
2. Sealing – All products must be delivered to AMS destinations under seal according to this Announcement.

D. Warranty

Warranty – The contractor will warrant that the product complies with all contractual requirements as provided for under Section VI. of this Announcement.

E. Acceptance and Certification

The USDC/NMFS agent shall certify acceptable product and set forth on either: 1) a lot inspection certificate, 2) a Certificate of inspection, or 3) a Memorandum Report of Inspection, as appropriate, the following:

1. Contract Number
2. Notice to Deliver Number
3. Name of Product
4. Can Code(s) and the month and year of production
5. Count of cases and total projected net weight of product in each lot
6. Total projected net weight per delivery unit
7. Identity of car or truck (car numbers and letters, seals, truck license, etc.)
8. A statement that "Product conforms with the Item Description and Checklist of Requirements (IDCR) for Canned Pink Salmon and projected net weights certified."

Browser Requirements for DEBES

Netscape 4.07 or above
Internet Explorer 5.0 or above

The browser must be capable of handling 128 bit encryption. To determine this:

In IE, go to **Help/About Internet Explorer**. The display will show:

Cipher Strength: 128-bit

If it does not, you will need to download a new version of the browser from Microsoft at

<http://www.microsoft.com>.

In Netscape, go to **Help/About Communicator**. The display will show:

**This version supports U.S. security with
RSA Public Key Cryptography, MD2, MD5,
RC2-CBC, RC4, DES-CBC,
DES-EDE3-CBC.**

If it does not, you can download a new version of the browser from Netscape at
<http://home.netscape.com/download/index.html?cp=djucc4>. Choose the 128 bit Strong Encryption*
version for your download.

The **Production** site URL address is:

<https://pcsd.usda.gov:3077/mdbc1000.exe?>

The **Vendor Practice** site URL address is:

<https://pcsd.usda.gov:3050/mdbc1000.exe?>

Proxy Servers

Most connection problems are the result of improper browser version, not using 128 bit encryption, and connecting through your corporate proxy server. The proxy server must be set up to allow HTTPS protocol through the appropriate port; Vendor Practice is port 3050 and Production is port 3077.

LIVESTOCK AND SEED PROGRAM**VENDOR REQUEST FOR LOGON IDENTIFICATION (ID) AND PASSWORD
DOMESTIC ELECTRONIC BID ENTRY SYSTEM (DEBES)****COMPANY INFORMATION:**

COMPANY NAME		
Street Address		
City	State	Zip Code
Person to receive Vendor ID and password		
Method to receive Vendor ID and password: (Complete one)		
Telephone:		
Fax:		
E-Mail:		
Assign 5-8 digit alpha/numeric personal identification number (PIN) for company: _____		
(This code will be used as verification by USDA when assigning or resetting a password)		
NAME AND TITLE OF PERSON REQUESTING LOGON ID: (Must be authorized on SF-129 to sign bids)		
Name _____ Title _____		
Signature _____ Date _____		

TO BE COMPLETED BY USDA:

VENDOR LOGON ID: (“A” and 6 digits)	PASSWORD: (must be changed at first DEBES logon):
Notified: _____ (Company Representative)	Date: _____
USDA Marketing Specialist:	Date:

PLEASE FAX TO: Contracting Officer, Commodity Procurement Branch, LS Program (202)720-9538
FOR INFORMATION CALL (202)720-2650

AGRICULTURAL MARKETING SERVICE

FOOD PURCHASE INFORMATION ON THE INTERNET

Suppliers and Recipients of Food Products Purchased by the Department of Agriculture's Agricultural Marketing Service (AMS), an agency in the Marketing and Regulatory mission area, can access information on purchases and offers via the Internet.

USDA HOME PAGE:

[HTTP://WWW.USDA.GOV](http://www.usda.gov)

AMS HOME PAGE:

[HTTP://WWW.AMS.USDA.GOV](http://www.ams.usda.gov)

AMS COMMODITY PROCUREMENT HOME PAGE:

[HTTP://WWW.AMS.USDA.GOV/CP](http://www.ams.usda.gov/cp)

**ACH VENDOR/MISCELLANEOUS PAYMENT
ENROLLMENT FORM**

OMB No. 1510-0056

Expiration Date 01/31/2000

This form is used for Automated Clearing House (ACH) payments with an addendum record that contains payment-related information processed through the Vendor Express Program. Recipients of these payments should bring this information to the attention of their financial institution when presenting this form for completion.

PRIVACY ACT STATEMENT

The following information is provided to comply with the Privacy Act of 1974 (P.L. 93-579). All information collected on this form is required under the provisions of 31 U.S.C. 3322 and 31 CFR 210. This information will be used by the Treasury Department to transmit payment data, by electronic means to vendor's financial institution. Failure to provide the requested information may delay or prevent the receipt of payments through the Automated Clearing House Payment System.

AGENCY INFORMATION

FEDERAL PROGRAM AGENCY:

United States Department of Agriculture - Commodity Credit Corporation

AGENCY IDENTIFIER:

USDA-FSA-KCMO

AGENCY LOCATION CODE (ALC):

0000-4992-2

ACH FORMAT:

DO NOT COMPLETE THIS☒ CCD+☐ CTX☐ CTP

ADDRESS:

Attn: ACH Disbursements
P. O. Box 419205
Kansas City, Missouri 64141-6205

CONTACT PERSON NAME:

Bob Glenn

TELEPHONE NUMBER:

(816) 926-6988

ADDITIONAL INFORMATION:

FAX Number: (816) 823-1364

PAYEE/COMPANY INFORMATION

NAME:

SSN NO. OR TAXPAYER ID NO.:

MAILING ADDRESS:

ENTITY/MASTER-CONTRACT CODE (If known) (Attach sheet if more space needed):

DISBURSEMENT STATEMENT MAILING ADDRESS (If different from above):

CONTACT PERSON NAME:

TELEPHONE NUMBER:

()

SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL:

FINANCIAL INSTITUTION INFORMATION

NAME:

ADDRESS:

ACH COORDINATOR NAME:

TELEPHONE NUMBER:

()

NINE-DIGIT ROUTING TRANSIT NUMBER

DEPOSITOR ACCOUNT TITLE:

DEPOSITOR ACCOUNT NUMBER:

LOCKBOX NUMBER:

TYPE OF ACCOUNT:

☐

CHECKING

☐

SAVINGS

☐

LOCKBOX

SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL (Could be the same as ACH Coordinator):

TELEPHONE NUMBER:

()

INSTRUCTIONS FOR COMPLETING SF-3881 FORM

1. Agency Information Section - Federal agency prints or types the name and address of the Federal program agency originating the vendor/miscellaneous payment, agency identifier, agency location code, contact person name and telephone number of the agency. Also, the appropriate box for ACH format is checked.
2. Payee/Company Information Section - Payee prints or types the name of the payee/company and address that will receive ACH vendor/miscellaneous payments, social security or taxpayer ID number, and contact person name and telephone number of the payee/company. Payee also verifies depositor account number, account title, and type of account entered by your financial institution in the Financial Institution Information Section.
3. Financial Institution Information Section - Financial institution prints or types the name and address of the payee/company's financial institution who will receive the ACH payment, ACH coordinator name and telephone number, nine-digit routing transit number, depositor (payee/company) account title and account number. Also, the box for type of account is checked, and the signature, title, and telephone number of the appropriate financial institution official are included.

BURDEN ESTIMATE STATEMENT

The estimated average burden associated with this collection of information is 15 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Financial Management Service, Facilities Management Division, Property and Supply Branch, Room B-101, 3700 East-West Highway, Hyattsville, MD 20782 and the Office of Management and Budget, Paperwork Reduction Project (1510-0056), Washington, DC 20503.



United States
Department of
Agriculture

Agricultural
Marketing
Service

Stop 0253, Room 2610-S
Washington, DC
20250

ADDRESS INFORMATION FOR AMS COMMODITY PURCHASE PROGRAM

Vendor Name and Address: Contracts will be awarded and mailed to address provided.	Company Name:	
	Contact:	
	Address-Street:	
	Address-P.O. Box:	
	City, State, Zip:	
	Fed. Meat Insp. Est. No. Or State Insp. No. as appropriate:	
	E-Mail address:	
	Phone:	Fax:
Payment Disbursement Statement address: Payments to Vendors must be made electronically. To set up electronic transfer, contact the Kansas City Mgmt. Office (816/926-6988) <input type="checkbox"/> ACH <input type="checkbox"/> In Process	Company Name:	
	Contact:	
	Address-Street:	
	Address-P.O. Box:	
	City, State, Zip:	
	Phone:	
	Taxpayer Identification No. (TIN #)	
	Plant Address: If Vendor address is same for plant, write "Same". If multiple plants, attach additional pages.	Company Name:
Contact:		
Address-Street:		
Address-P.O. Box:		
City, State, Zip:		
Phone:		
Plant's Shipping Point Address: If Plant address is same for shipping, write "Same". If multiple shipping points, attach additional pages.	Company Name:	
	Contact:	
	Address-Street:	
	Address-P.O. Box:	
	City, State, Zip:	
	Phone:	
Notice to Deliver Address:	Company Name:	
	Contact:	
	Address-Street:	
	Address-P.O. Box:	
	City, State, Zip:	
	Phone:	

Signature & Title (Authorized Company Representative)

Date

PLEASE RETURN THIS FORM BY FAX TO: Contracting Officer, Livestock & Seed Division, AMS, USDA;
(202)720-9538; Telephone (202)720-2650.

SOLICITATION MAILING LIST APPLICATION				1. TYPE OF APPLICATION <input type="checkbox"/> INITIAL <input type="checkbox"/> REVISION		2. DATE		OMB No.: 9000-0002 Expires: 10/31/97	
NOTE: Please complete all items on this form. Insert N/A in items not applicable. See reverse for instruction. Public reporting burden for this collection of information is estimated to average .58 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (MVR), Federal Acquisition Policy Division, GSA, Washington, DC 20405.									
3. SUBMIT TO	a. FEDERAL AGENCY'S NAME				4. APPLICANT	a. NAME FI Est. #			
	b. STREET ADDRESS					b. STREET ADDRESS		c. COUNTY	
	c. CITY		d. STATE	e. ZIP CODE		d. CITY		e. STATE	f. ZIP CODE
5. TYPE OF ORGANIZATION (Check one)					6. ADDRESS TO WHICH SOLICITATIONS ARE TO BE MAILED (If different than item 4)				
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> NON-PROFIT ORGANIZATION <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION, INCORPORATED UNDER THE LAWS OF THE STATE OF:					a. STREET ADDRESS b. COUNTY c. CITY d. STATE e. ZIP CODE				
7. NAMES OF OFFICERS, OWNERS, OR PARTNERS									
a. PRESIDENT			b. VICE PRESIDENT			c. SECRETARY			
d. TREASURER			e. OWNERS OR PARTNERS						
8. AFFILIATES OF APPLICANT									
NAME			LOCATION			NATURE OF AFFILIATION			
9. PERSONS AUTHORIZED TO SIGN OFFERS AND CONTRACTS IN YOUR NAME (Indicate if agent)									
NAME			OFFICIAL CAPACITY			TELEPHONE NUMBER			
						AREA CODE		NUMBER	
10. IDENTIFY EQUIPMENT, SUPPLIES, AND/OR SERVICES ON WHICH YOU DESIRE TO MAKE AN OFFER (See attached Federal Agency's supplemental listing and instruction, if any)									
11a. SIZE OF BUSINESS (See definitions on reverse)			11b. AVERAGE NUMBER OF EMPLOYEES (including affiliates) FOR FOUR PRECEDING CALENDAR QUARTERS			11c. AVERAGE ANNUAL SALES OR RECEIPTS FOR PRECEDING THREE FISCAL YEARS			
<input type="checkbox"/> SMALL BUSINESS (If checked, complete items 11B and 11C) <input type="checkbox"/> OTHER THAN SMALL BUSINESS						\$			
12. TYPE OF OWNERSHIP (See definitions on reverse) (Not applicable for other than small businesses)			13. TYPE OF BUSINESS (See definitions on reverse)						
<input type="checkbox"/> DISADVANTAGED BUSINESS <input type="checkbox"/> WOMAN-OWNED BUSINESS			<input type="checkbox"/> MANUFACTURER OR PRODUCER <input type="checkbox"/> CONSTRUCTION CONCERN <input type="checkbox"/> SURPLUS DEALER <input type="checkbox"/> SERVICE ESTABLISHMENT <input type="checkbox"/> RESEARCH AND DEVELOPMENT						
14. DUNS NO. (If available)			TIN #			15. HOW LONG IN PRESENT BUSINESS?			
16. FLOORSPACE (Square Feet/ft ²)					17. NET WORTH				
a. MANUFACTURING			b. WAREHOUSE		a. DATE		b. AMOUNT		
							\$		
18. SECURITY CLEARANCE (If applicable, check highest clearance authorized)									
FOR		TOP SECRET	SECRET	CONFIDENTIAL	c. NAMES OF AGENCIES GRANTING SECURITY CLEARANCES			d. DATES GRANTED	
a. KEY PERSONNEL									
b. PLANT ONLY									
The information supplied herein (including all pages attached) is correct and neither the applicant nor any person (or concern) in any connection with the applicant as a principal or officer, so far as is known, is now debarred or otherwise declared ineligible by any agency of the Federal Government from making offers for furnishing materials, supplies, or services to the Government or any agency thereof.									
19a. NAME OF PERSON AUTHORIZED TO SIGN (Type or print)					20. SIGNATURE			21. DATE SIGNED	
19b. TITLE OF PERSON AUTHORIZED TO SIGN (Type or print)									

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Previous edition not usable

STANDARD FORM 129 (REV. 12-96)
Prescribed by GSA - FAR (48 CFR) 53.214(e)

INSTRUCTIONS

Persons or concerns wishing to be added to a particular agency's bidder's mailing list for supplies or services shall file this properly completed Solicitation Mailing List Application, together with such other lists as may be attached to this application form, with each procurement office of the Federal agency with which they desire to do business. If a Federal agency has attached a Supplemental Commodity list with instructions, complete the application as instructed. Otherwise, identify in Item 10 the equipment, supplies, and/or services on which you desire to bid. (Provide Federal Supply Class or Standard Industrial Classification codes, if available.) The application shall be submitted and signed by the principal as distinguished from an agent, however constituted.

After placement on the bidder's mailing list of an agency, your failure to respond (submission of bid, or notice in writing, that you are unable to bid on that particular transaction but wish to remain on the active bidder's mailing list for that particular item) to solicitations will be understood by the agency to indicate lack of interest and concurrence in the removal of your name from the purchasing activity's solicitation mailing for items concerned.

SIZE OF BUSINESS DEFINITIONS (See Item 11A.)

a. Small business concern - A small business concern for the purpose of Government procurement is a concern, including its affiliates, which is independently owned and operated, is not dominant in the field of operation in which it is competing for Government contracts, and can further qualify under the criteria concerning number of employees, average annual receipts, or the other criteria, as prescribed by the Small Business Administration. (See Code of Federal Regulations, Title 13, Part 121, as amended, which contains detailed industry definitions and related procedures.)

b. Affiliates - Business concerns are affiliates of each other when either directly or indirectly (i) one concern controls or has the power to control the other, or (ii) a third party controls or has the power to control both. In determining whether concerns are independently owned and operated and whether or not affiliation exists, consideration is given to all appropriate factors including common ownership, common management, and contractual relationship. (See Items 8 and 11A.)

c. Number of employees - (Item 11B) In connection with the determination of small business status, "number of employees" means the average employment of any concern, including the employees of its domestic and foreign affiliates, based on the number of persons employed on a full-time, part-time, temporary or other basis during each of the pay periods of the preceding 12 months. If a concern has not been in existence for 12 months, "number of employees" means the average employment of such concern and its affiliates during the period that such concern has been in existence based on the number of persons employed during each of the pay periods of the period that such concern has been in business.

TYPE OF OWNERSHIP DEFINITIONS (See Item 12.)

a. "Disadvantaged business concern" - means any business concern (1) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and (2) whose management and daily business operations are controlled by one or more of such individuals.

b. "Women-owned business" - means a business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.

TYPE OF BUSINESS DEFINITIONS (See Item 13.)

a. "Manufacturer or producer" - means a person (or concern) owning, operating, or maintaining a store, warehouse, or other establishment that produces, on the premises, the materials, supplies, articles or equipment of the general character of those listed in Item 10, or in the Federal Agency's Supplemental Commodity List, if attached.

b. "Service establishment" - means a concern (or person) which owns, operates, or maintains any type of business which is principally engaged in the furnishing of nonpersonal services, such as (but not limited to) repairing, cleaning, redecorating, or rental of personal property, including the furnishing of necessary repair parts or other supplies as a part of the services performed.

- **COMMERCE BUSINESS DAILY** - The Commerce Business Daily, published by the Department of Commerce, contains information concerning proposed procurements, sales, and contract awards. For further information concerning this publication, contact your local Commerce Field Office.