

X -- USAID RFP TRN-06-043 Food Aid Warehouse and Cargo Handling Services in / near the Persian Gulf Area and the Horn of Africa Region

General Information

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Contracting Office Address

Agency for International Development, Washington D.C., USAID/Washington, 1300 Pennsylvania Avenue, NW Room 7.10-006, Washington, DC, 20523

Description

USAID RFP TRN-06-043 for Food Aid Warehouse and Cargo Handling Services in / near the Persian Gulf Area and the Horn of Africa Region.

USAID Authorized Geographic Code is 935. This is a combined synopsis/solicitation for commercial items prepared in accordance with FAR subpart 12.6, as supplemented with additional information and requirements in this notice. This announcement constitutes the only solicitation - Proposals are being requested and a separate written solicitation will not be issued. The solicitation number is USAID/TRN-06-043 and is issued as a Request for Proposals (RFP). This solicitation incorporates Federal Acquisition Regulation provisions and clauses in effect through Federal Acquisition

Circular 2001-10. Incorporated by reference are FAR 52.212-1, Instructions to Offerors-Commercial Items; 52.212-2, Evaluation-Commercial Items; FAR 52.212-3, Offeror Representation and Certifications-Commercial Items - (Include a completed copy of 52.212-3 with your proposal or provide a statement that, "The offeror completed the annual representations and certifications electronically via the ORCA website at <http://orca.bpn.gov>. After reviewing the ORCA database information, the offeror verifies by submission of this offer that the representations and certifications currently posted electronically at FAR 52.212-3, Offeror Representations and Certifications?Commercial Items, have been entered or updated in the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the NAICS code referenced for this solicitation), as of the date of this offer and are incorporated in this offer by reference (see FAR 4.1201), except for paragraphs _____."

The following Federal Acquisition Regulation terms and conditions are hereby made an integral part of any contract resulting from this RFP:

The provision at 52.212-4, Contract Terms and Conditions-Commercial Items applies to this acquisition.

The provision at 52.212-5, Contract Terms and conditions Required to Implement Statutes or Executive Orders-Commercial Items applies to this acquisition. The following clauses in 52.212-5 are checked:

52.203-3, Gratuities (APR 1984);

52.203-11, Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (APR 1991);

52.203-12, Limitation of Payments to Influence Certain Federal Transactions (June 2003);

52.225-13, Restrictions on Certain Foreign Purchases (Dec 2003);

52.232-33, Payment by Electronic Funds Transfer-Central Contractor Registration (Oct 2003);

52.247-64, Preference for Privately Owned U.S. Flag Commercial Vessels.

FAR 52.247-5 Familiarization with Conditions.

FAR 52.247-8 Estimated Weights or Quantities Not Guaranteed.

FAR 52.247-21 Contractor Liability for Personal Injury and/or Property Damage.

FAR 52.249-2 Termination for Convenience of the Government (Fixed Price).

FAR 52.249-8 Default (Fixed Price Supply and Service) plus Alternate I.

The Contractor/Recipient is reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the contractor/recipient to ensure compliance with these Executive Orders and laws. This provision must be included in all subcontracts/sub-awards issued under this contract/agreement.

This procurement is unrestricted. The North American Industrial Classification System (NAICS) code is 493130, food products warehouse, with a small business size standard of \$21.5 million in annual receipts for the company and its affiliates (See FAR Part 19 definitions).

2. STATEMENT OF WORK:

The purpose of this contract is to have an organization (the U.S. government may award two or more contracts for two or more warehouse locations) provide warehouse, cargo handling, port clearance, custodial and logistics services, covering food commodities (including bags, boxes, ties, etc.), for the United States Agency for International Development (USAID). Contract performance will primarily take place near the Persian Gulf AND near the Horn of Africa. The contractor shall maintain or have available a minimum capacity for storage, handling and protection of food aid commodities totaling 10,000 net metric tons. The government may elect to have the contractor store and handle food aid commodities up to a maximum of 30,000 net metric tons. The government shall declare options in net metric ton storage requirements at least 15 days prior to arrival of commodities. In the event the government increases the storage requirement, the contractor shall indicate their agreement to the government. If required, the contractor shall submit an amended operational plan to the government for approval. Such plan shall be submitted no later than seven days after government notice of increased minimum requirements.

The contractor shall take delivery (possession) of USAID food aid commodities at the foreign port, provide transport to the contractor's warehouse facility, store and control the food commodities and re-deliver commodities on a F.o.B. warehouse door or on a f.a.s vessel basis, to organizations designated by USAID. (No forwarding or logistic services are required in the United States.) The government shall issue a fixed rate contract for these commercial commodity warehouse services.

The contractor shall take possession of food aid cargo (containerized, bagged, on pallets or in cartons - whole grains and/or processed corn, wheat and/or soybean products, refined vegetable oils) at the local port area (containerized, ex tackle and / or at the end of a bagging line) and deliver the commodities to contractor's warehouse for storage, protection and subsequent re-delivery. The contractor shall store commodities in a manner which ensures ease of access, inspection and fumigation. The contractor shall preserve the condition of commodities and will follow USAID (FFP Commodity Reference Guide) guidelines and best commercial practices in storing and maintaining food commodities. The contractor shall maintain the warehouse in a sound, clean condition and take all reasonable steps to keep it free of insects, rodents, birds and other conditions which may adversely affect the condition of the commodities or their containers. Commodities shall be stored in the warehouse in such a manner that lot identity is maintained to the extent that, when delivery of any lot is ordered by USAID, the specific commodities received will be re-delivered. Contractor shall coordinate receipt, possession and re-delivery of cargo with vessel owners, port officials, non-governmental organizations and custom officials. Contractor is responsible for obtaining and/or generating all documentation relating to acceptance of possession of cargo, as well as any documentation associated with re-delivery/re-export of commodities to USAID-designated consignees or transported to other destinations. Contractor shall assure customs duty-free possession of commodities and transfer of title to consignees. Title to cargo shall remain with USAID, or other party designated by USAID, until title is transferred to the USAID/FFP designated organization (a PVO, NGO or cooperating sponsor).

The contractor shall provide commodity receiving, handling, port-to-warehouse inland transportation, warehousing, inventory control, accountability, and container stuffing /

loading or re-delivery services for USAID sponsored pre-positioned humanitarian aid cargoes under this contract. Cargo shall generally consist of agricultural products bagged in 25 kg. or 50 kg. multi-walled polypropylene or paper bags. Cargo may also include vegetable oil in 5-gallon pails or similar containers. The initial minimum warehouse requirement is 10,000 net metric tons. The warehouse shall be suitable for off-the-ground storage of food and it shall comply with all local safety and fire regulations. The contractor and its agents shall provide USAID with a copy of any insurance certificates covering personnel and the facility against liability, loss or damage, theft or fire during the term of this contract.

If arriving cargo is containerized, the contractor will strip containers at the port area or will truck containers to its warehouse, strip the containers and return the empty containers back to the carrier's yard in the port area. Container free time will be as per carrier tariff. Any charges due to contractor exceeding allowable container free time shall be for the account of the contractor.

If the cargo is discharged at port in bulk: 1) the contractor will receive cargo at the port at the end of the bagging line or as close to the bagging line as possible if trucks are unable to come alongside vessel. USAID will advise the contractor of vessel daily bagging rate without guarantee. Any unreasonable delay caused by contractor's inability to take away commodities from the end of the bagging line or the vessel's f.a.s. position, which results in vessel's claim for detention, will be for the account of the contractor; or 2) (if available) receive and store bulk commodities, to be bagged or re-delivered as directed at a later time.

The contractor will provide written reports including but not limited to in-bound receiving reports, over / short / loss / damage / wet / torn or slack reports, out-bound shipping or delivery reports and on-demand snapshot inventory in stock status reports. All reports must reference the commodity Notice to Deliver numbers as assigned by the U.S. Department of Agriculture or USAID.

The contractor will re-deliver the bagged or palletized commodities on a warehouse door F.o.B. basis or to a f.a.s. position under ships hook as directed by the contracting officer or USAID Cognizant Technical Officer (CTO). USAID will advise contractor of vessels receiving capability without guarantee. Any delay caused by contractor's inability to place commodities in a f.a.s. position, which results in vessels claim for detention or dead freight, will be for the account of the contractor. Alternatively, USAID will advise the contractor of PVO / NGO receiving capability without guarantee. Any claims for detention or dead freight will be settled in accordance with FAR 52.233 - 1, "Disputes" if a claim is filed after final payment to the contractor. If a claim is filed and settled prior to final payment, such amounts may be deducted from payment.

Fumigation: The contractor shall arrange and pay for independent condition inspections for any pre-positioned bagged food commodities in place on the warehouse floor more than 30 days or if 30 days have passed since the last inspection. The contractor shall also arrange and pay for condition inspections for any cargo five days prior to re-delivery or container stuffing. These condition inspections shall be completed in accordance with the U.S. Federal Grain Inspection Service (FGIS) condition inspection guidelines. If condition inspectors find infested commodities, the

contractor shall arrange and pay for fumigation of any lots found to be infested. Fumigation is to be done in accordance with the FGIS fumigation handbook (<http://archive.gipsa.usda.gov/reference-library/handbooks/fumigation/fumhb.pdf>). The contractor shall pay all cost associated with condition inspections and fumigation. Inspection costs shall be part of the contractor's fixed rate for warehouse storage services. Fumigation costs may be billed directly at actual cost. The contractor shall be reimbursed for the actual costs in accordance with the contract rates, terms and conditions. Copies of all inspection and fumigation reports shall be sent to the USAID contracting officer.

Survey of commodity: Survey operations will be performed by firms other than the contractor unless so directed by the contracting officer or CTO.

Customs clearance: The contractor will be responsible for all customs clearances, fees and related documents necessary to take duty-free and tax free delivery of commodities for storage. Because this is humanitarian assistance cargo, the contractor shall not pay any customs duty or taxes on the commodities without the prior written approval of the contracting officer. The contractor will be responsible for all customs and transit clearances to redeliver commodities for loading onboard outbound vessels or vehicles.

Reporting requirements: Standard monthly reports shall cover all aspects of commodity receipt, container un-stuffing, inventory, condition inspection, fumigation, container stuffing and re-delivery. The contractor will provide ad hoc inventory and condition reports as required by the USAID contracting officer or CTO.

Re-delivery of commodities for loading onboard outbound vessel or NGO vehicles:

Release of commodities will be authorized by the USAID contracting officer or CTO.

Contractor may be required to obtain commodity phytosanitary certificates for re-export or equivalent documentation from local government representatives. A sample of the United States version of this document is available at the following link:

<http://www.aphis.usda.gov/ppq/pim/exports/ppq579.pdf>.

Government Condition inspections: Contractor will permit unannounced condition inspections of the warehouse and commodities by the US government or their agent to insure that the commodities are being controlled and maintained in sound condition. The inspector shall provide the contractor with an authorization letter from USAID's contracting officer or CTO.

Disposition of unfit commodities: Any cargo deemed unfit for human consumption at the time of arrival at the port of entry, or during contractor possession, will be disposed of by the contractor in accordance with United States Code, Title 22 Code of Federal Regulations Part 211.8 (b). Any reference in the regulation to "cooperating sponsor" shall be substituted by "contractor."

This contract is expected to commence during about October 2006. The contract shall be effective through about September 2008. Up to three (one year) option periods may be declared by the government 30 days prior to commencement of each option period, or thereafter as agreed by the parties. The government contact person for all contract notifications is the contracting officer.

3. **EVALUATION CRITERIA FOR PROPOSALS:** The following proposal elements will be evaluated by the government to determine the best value to the government. The government may award multiple warehouse service contracts as a

result of this solicitation. Your proposal shall provide the government with your contract rates, calculations and estimates for the following:

A. Your total estimated price for one year operations with 10,000 mt initially delivered at the beginning of the first month, and with a 10,000 mt balance on the floor at the end of one year. (Apply your proposed rates and prices on a per metric ton basis for taking delivery, placing commodity in the warehouse and redelivery of commodity.)

Applicable assumptions are:

1. 3,000 mt re-delivered (exported) at the end of each month (via containers at vessel container yard) beginning with the first month.
2. 3,000 mt arrive (imported) at the beginning of each month (via containers at vessel container yard) beginning with the second month.
3. First in first out inventory control.
4. No fumigation.

The following one year estimate to be provided in your proposal, based upon the above projections --

1. Receipt and redelivery of commodities	\$
2. Warehouse storage expenses	\$
3. Total	\$

Any discrepancy between your one year calculations and your proposed contract rates will be evaluated using your proposed contract rates.

B. The technical plan of operations, warehouse location and space, key persons and resources. Technical plan of operations -

- 1) Suitability for the task, condition, location, resources and throughput capability of proposed warehouse and port area. Throughput and handling capability to un-stuff and stuff containers. Information systems, information personnel, reporting capabilities.
- 2) Describe availability of and frequency of steamship lines operating at local ports on their normal trade routes.
- 3) Qualifications of key direct hire or agent personnel (For example - project manager, warehouse supervisor and U.S.-located liaison). Labor relations and availability information.
- 4) Basic plan of operations and condition of equipment including local infrastructure to be applied in the performance of the contract. Distance between port and warehouse. Subcontract plan (if appropriate).
- 5) Past performance of the prime and sub-contractor, warehouse and key personnel in handling, protection and storage of food aid commodities.

Proposals shall include sufficient information and documentation (including addresses, map location and relation to port facilities, warehouse photographs and copies of significant local licenses and insurance certificates) to indicate your compliance with the above evaluation factors and capability to fulfill this contract. Evaluation: Items A and B are equally important elements in the evaluation process.

PROPOSAL: Offeror to provide the following ?

The rate for break bulk receipt or re-delivery - FAS vessel is \$____ per mt.

The rate for break bulk receipt or re-delivery ? FOB warehouse door is \$____ per mt.

The rate for containerized receipt or re-delivery (including un-stuffing or stuffing and local drayage) carrier container yard is \$____ per mt.

The rate for containerized receipt or re-delivery (including un-stuffing or stuffing and

local drayage) warehouse container yard / door is \$_____ per mt.
The per metric ton rate or price for fumigation is estimated to be \$_____.
The rate for warehouse storage and inspection is:
0 to 30,000 MT \$___ per mt / per day. Free days (from the date the commodity is placed on the warehouse floor) prior to application of warehouse storage service rate is _____ days.
The rate for bulk commodity storage is: \$_____ per mt / per day (if proposed).
The rate for bulk commodity bagging is: \$_____ per mt / per day (if proposed).
(All above rates to include drayage and handling, Terminal Handling Charge, delivery fees, and any other expenses, costs or charges that are not normally paid by carriers or shippers.)
5. DATE, TIME AND PLACE FOR RECEIPT OF OFFERS: Submit clean (all-inclusive) written proposal(s) for the above requirement to USAID by Monday June 5, 2006 at 1600 hours (Washington, D.C. local time). Courier and hand-delivery of proposals to the USAID Lobby, 14th Street Entrance, Ronald Reagan Building, 1300 Pennsylvania Avenue, N.W. Washington D.C. address is acceptable. Attn: Mr. Anthony Fisher. Mail proposals (to assure receipt by the closing time for proposals) to Mr. Anthony Fisher, M/OAA/T, USAID, Room 7.09-020, 1300 Pennsylvania Avenue, N.W., Washington, D.C. 20523-7900. Late proposals will not be considered except in accordance with FAR and agency provisions. The government expects to make an award during August 2006.

Point of Contact

John Abood, Contracting Officer, Phone 202-712-1779, Fax 202-216-3051, Email jabood@usaid.gov - John Abood, Contracting Officer, Phone 202-712-1779, Fax 202-216-3051, Email jabood@usaid.gov

Place of Performance

Address: Persian Gulf area and/or the Horn of Africa region