

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT	1. CONTRACT ID CODE	PAGE OF PAGES 1 6
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2. AMENDMENT/MODIFICATION NO. 0003	3. EFFECTIVE DATE Mar 3, 2009	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
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6. ISSUED BY CODE DEFENSE SUPPLY CENTER PHILA. PACIFIC REGION REGIONAL PROCUREMENT OFFICE 440 FULLER WAY, BLDG 280 PEARL HARBOR, HI 96860-4967 BEVERLY.QUEVEDO@DLA.MIL	7. ADMINISTERED BY (If other than Item 6) CODE
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICITATION NO. SPM302-08-R-0002
	<input checked="" type="checkbox"/>	9B. DATED (SEE ITEM 11) Jun 11, 2008
	<input type="checkbox"/>	10A. MODIFICATION OF CONTRACT/ORDER NO.
	<input type="checkbox"/>	10B. DATED (SEE ITEM 13)
CODE		FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers is extended, is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:
 (a) By completing items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
<input type="checkbox"/>	
<input type="checkbox"/>	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
<input type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
<input type="checkbox"/>	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not, is required to sign this document and return _____ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)
 RFP NO. SPM302-08-R-0002, FULL LINE FRESH FRUIT VEGETABLE SUPPORT FOR DOD AND NON-DOD ACTIVITIES IN HAWAII AND GUAM

The purpose of this amendment is to provide answers to questions received in response to the RFP.

The RFP closing date of 3 April 2009, 2:00 PM, Hawaii Standard Time, remains unchanged.

Amendment no. 0003 is continued on page 2.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
15B. CONTRACTOR/OFFEROR	16B. UNITED STATES OF AMERICA
15C. DATE SIGNED	16C. DATE SIGNED
(Signature of person authorized to sign)	(Signature of Contracting Officer)

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QUESTIONS AND ANSWERS

1. Question: Clarify if the lots can be bid separately. For example, are we able to bid on Hawaii as a stand alone lot without Guam, or vice-a-versa?

Answer: Yes, the lots can be bid separately.

2. Question: Could you please clarify Section 1. Paragraph (b), Submission of Offers, subparagraph (1), page 115? The last sentence of this section states "Offerors are required to submit a complete proposal for each lot the offeror wishes to be considered for award." We represent a company who plans to bid on all 8 lots. May we provide an inclusive response? This would involve a single technical response with the specific details noted by lot when necessary and the appropriate market basket documents for each lot.

Answer: Offerors are required to provide a stand alone proposal for each lot. An all inclusive response for all 8 lots would be considered an alternate proposal and evaluated separately. Alternate proposals may be submitted in addition to the stand alone proposals for the individual lots.

3. Question: When it comes to F&R...if there is a freeze in California and lettuce prices triple, and based on this fact, the new price does not pass the F&R...what contingencies are in place to support the troops?

Answer: The RFP, Paragraph 2, Pricing Requirements, subparagraph B.9, page 36 (Amendment no. 0002), states if the Contracting Officer cannot determine or negotiate a fair and reasonable price, the Contracting Officer may remove the item in question from the ordering catalog, without liability to the contractor or the Government. The Government reserves the right to procure such removed items from any alternate source of supply.

4. Question: The question regarding the solicitation for contract # SPM302-08-R-0002, pertains to the Perishable Agricultural Commodities Act as to whether the Prime Vendor must have a PACA License or only the supplier of the Fresh Fruits and Vegetables.

Answer: In general, any person who buys or sells more than 2,000 pounds of fresh or frozen fruits and vegetables in any given day is required to be licensed under the PACA. Wholesalers, processors, truckers, grocery wholesalers, and food service firms fit into this category. A person selling at retail is subject to a PACA license once the invoice costs of fresh and frozen fruits and vegetable purchases exceed \$230,000 in a calendar year.

5. Question: Clarify 500 employees for size standard vice 100 employees for NAICS.

Answer: In accordance with the RFP, Solicitation Provisions, FAR 52.212-1, Instructions to Offerors – Commercial Items (JUN 2008), page 62 (Amendment no. 0002), the small business

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size standard for a concern which submits an offer in its own name, but which proposes to furnish an item which it did not itself manufacture, is 500 employees.

6. Question: Does the contractor have to be Food Safety Certified for the upcoming long term produce contract.

Answer: In accordance with the RFP, Submission Requirements, Paragraph 1, Technical Proposal, Factor 1 –Quality Assurance/Produce Quality, paragraph 1.1, page 67 (Amendment no. 0002), the offeror is required to submit copies of the firm’s three most recent independent warehouse audits plus any state or USDA warehouse inspection reports performed within the last 18 months.

7. Question: Who will absorb the cost or lost in the following scenario:

a. A single order of normally around 52,000 lbs of produce by Aircraft Carrier visiting Guam is cancelled in its entirety due to change of ships schedule or delay in arriving to port (by the time they get to port in Guam most produce are already spoiled/rotten). This includes orders from small ships which average 10,000 to 15,000 lbs of produce. In this scenario produce is normally enroute to Guam or in the warehouse when cancellation is received.

Answer: The question is acknowledged. An answer will be provided in a forthcoming amendment.

b. A full 40 foot container of produce is rejected by Guam Customs and Quarantine Inspectors or U.S. Army Vet inspectors.

Answer: The contractor is liable for costs for rejected produce.

c. On “NIS” and “EMERGENCY” Local procurement from Guam local prime vendors, unit price will be much higher, for delivery same week....who will pay the difference in cost.

Answer: In accordance with the RFP, Paragraph 2, Pricing Requirements, subparagraph B.7.b, page 35 (Amendment no. 0002), the Contracting Officer is responsible for making the determination as to whether the increased contract unit price is fair and reasonable. The increased unit price will be paid when it is approved by the Contracting Officer.

8. Question: Please define the mechanics of Unit Price. What documentations do you require to substantiate the Market Basket Pricing? Please give examples.....

Answer: See Submission Requirements, Paragraph 2, Market Basket Pricing, subparagraph A.4, pages 70-71, of the RFP (Amendment no. 0002) for required submittals.

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9. Question: PRICE CHANGES - If price adjustments, particularly increases are held off due to approval delays such as NOT F&R, Holiday's, and EPA adjustment Issues, Typhoons or Weather conditions and later approved, will Contractor be eligible for price difference reimbursement for produce invoiced at lower unit price?

Answer: The question is acknowledged. The government requires further clarification on this question. An answer will be provided in a forthcoming amendment.

10. Question: EMERGENCY DELIVERIES – Often times we have many emergency orders a month.....will the government pay for emergency orders/deliveries beyond once (1) per month?

Answer: In accordance with the RFP, Requirements, Paragraph 21, Emergency Orders, page 50 (Amendment no. 0002), the contractor will provide a minimum of one emergency order (excluding mobilization actions) per month per customer at no additional cost to the Government. The Government will pay for emergency orders beyond this requirement if proposed by the successful offeror (awardee). Charges for emergency orders beyond the one per month minimum that an offeror proposes to charge, if any, should be included in its business proposal.

11. Question: The solicitation states that whatever we submit on Market Basket Pricing in the proposal will hold for the very first week of orders of the contract. In the interest of fairness to the customer, wouldn't it be prudent to have a current Market Basket done within two weeks of Award of Contract? Produce is volatile with many conditions affecting (weather, labor, growing regions, availability, season, etc.). Asparagus out of season may be double or half of cost depending on what month you are pricing.

Answer: In accordance with the RFP, Submission Information, Paragraph 1, General, page 65 (Amendment no. 0002), unit prices submitted at the time of final proposal revisions will be effective for the first week of the contract, unless deviations (documented market conditions) are approved by the Contracting Officer.

12. Question: How does the BARRY ACT apply to the contract in terms of *seasonal* produce items, if product is available from both the USA & other countries (tomatoes for example) do we go with USA grown product even if the price is *substantially* higher during that period?

Country of origin and seasonality will affect price and quality during different growing seasons for key items. If we are selling our tracking customers product from countries out of the U.S. it could mean being competitively at a price disadvantage.

Answer: In accordance with the RFP, Requirements, Paragraph 5, Defense Appropriation Act, page 42 (Amendment no. 0002), non-domestic Fresh Fruits and Vegetables (FF&V) may be supplied when domestic FF&V of satisfactory of quality and sufficient quantity cannot be

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procured as and when needed at U.S. market prices, pursuant to the Domestic Non-Availability Determination (DNAD) for FSC 8915, Fresh Fruits and Vegetables, dated 16 May 2008. If seasonal product is available from both the USA and other countries, product shall be purchased from the USA.

13. Question: Could you clarify if the Estimated Case Quantities provided on the market basket documents are annual estimates or for the 18 month base period?

Answer: The market baskets are based on an 18-month base period.

14. Question: Could you provide the Delivery Locations and Individual Customer Estimates for each lot? I could not get the link on page 39 to work, neither could I find this information anywhere on DSCP's website.

Answer: See the delivery locations and schedules that were revised in Attachment 9 of the RFP (Amendment no. 0002). The individual customer estimates will be provided in a forthcoming amendment.

15. Question: Would it be beneficial to provide Performance Considerations to the Statement of Work, and would it be accepted toward evaluation?

Answer: The question is acknowledged. An answer will be provided in a forthcoming amendment.

16. Question: May we please obtain the *actual* Market Basket Spreadsheet file to see the Excel format of the columns? The form may differ from what we see in the copies of the file. We would like to be clear on all of the tabs of the form and the columns of required information. We would like to have a more clear idea of unit cost. Perhaps a formula or example that shows how it is derived would be useful in providing the market basket pricing.

Answer: The unit price does not contain a formula. A forthcoming amendment will indicate when the EXCEL file is posted to the DSCP and FBO websites. Offerors will be required to complete the government's excel file for their Business Proposal.

17. Question: While the RFP states we must price market basket items on the sheet with no substitutions, there are many items on the market basket list that do not follow standard unit packs in the item descriptions and government cs/wt columns. In an effort to accurately price all items, may we get further clarification for specific items on the Market Basket List?

Answer: Please submit a list of the items that you would like further clarification.

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18. Question: What format is preferred the weekly Market Forecast reports? There are as many formats available as there are produce companies. Is there one that DSCP has a preference for or a standardized format already created?

Answer: There is no specific format preferred for the weekly Market Forecast report. The required information for the Market Forecast is specified in the RFP, Requirements, Paragraph 8, Value Added Services, page 43 (Amendment no. 0002).