Offers are requested from all U.S. and foreign flag carriers.

SUBMISSION OF FREIGHT OFFERS:

To determine lowest landed cost, all carriers are required to submit offers electronically for the cargoes advertised by this RFP via the U.S. Department of Agriculture (USDA) Web Based Supply Chain Management (WBSCM) system for the Solicitation Number(s) referenced above. All offers are subject to all requirements of WBSCM and of the afore-mentioned Solicitation(s), including the deadline(s) for submission of bids therein.

Only firm and non-contingent offers will be accepted. Offers with subjects may be rejected.

The Web Based Supply Chain Management System (WBSCM) can be accessed through the following website: <http://www.usda.gov/wps/portal/usda/usdahome?navid=WBSCM>

Carriers must be assigned a USDA eAuthentication logon ID and password to access the WBSCM system. Contact the WBSCM Help Desk for information regarding logon IDs, passwords, and WBSCM system questions or concerns: Telephone: (877) 927-2648, E-mail: [wbscmhelp@ams.usda.gov](mailto:wbscmhelp@ams.usda.gov)

In awarding cargo under Freight Solicitations covered by this Master Solicitation, USAID will consider factors including lowest-landed cost and the impact of any potential award on USAID's ability to satisfy the requirements of statutes and regulations including the Cargo Preference Act. There have been significant changes to the Cargo Preference legislation. Offerors are encouraged to review the USAID notice on the same, available at: <https://forums.info.usaid.gov/index.php?q=usaid-procurement-announcements/notices-trade>

Carriers are encouraged to offer on any/all "FAS points" and "bridge points" as listed on the USDA documents "approved ports/terminals" and form KC-362. Loading USDA approved ports/plants/bridges as per KC-362

Availability/at port date for commodity deliveries FAS vessel for this solicitation 064 cargo is September 20, 2014. The potential shipment periods for bids at plant or bridge locations can be found in the commodity solicitation. The availability/at port and shipment periods are the contractual requirement of the commodity supplier(s). Successful ocean carriers are encouraged to coordinate with the commodity supplier(s) to ensure a smooth loading and/or transfer operation.

Availability as provided above basis FAS load port (please refer to actual commodity solicitation for potential shipment periods basis plant and bridge destination). For delivery basis intermodal plant and bridge, offerors are encouraged to coordinate with the commodity vendor to ensure a smooth loading operation.

* Commodity, load port, and intermodal point abbreviations as per USDA Form kc-362. Delivery terms per USDA Notice to the Trade of April 5, 1995. For any commodities allocated basis intermodal supplier’s plant, vessel owners must comply with supplier’s load and capacity capabilities.

If the vessel fails to comply with supplier’s load capabilities, any costs incurred by CCC including, but not limited to, carrying charges, liquidated damages, and storage, will be for the vessel’s account. If containers/railcars/trucks are placed at the supplier’s plant, carrier must ensure that containers/ railcars/trucks are placed at the plant by the commencement of the supplier’s shipping period and supply containers/railcars/trucks on a continuous basis until the supplier fulfills his contract quantity. Carriers are responsible to offer only for vendors who match owners’ capabilities. Carriers are encouraged to refer to KC-362 for the list of plant locations and capabilities. If supplier fails to provide commodity for loading during the specified shipping period (or beyond allowable free time) demurrage, if any, will be for account of supplier.

\*\*\*EXCEPT TO THE EXTENT AS PROVIDED IN THE FREIGHT TENDERS, ALL AWARDS UNDER THIS RFP WILL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE U.S. FOOD AID BOOKING NOTE DATED NOVEMBER 1, 2004 WHICH IS FULLY INCORPORATED HEREIN. COPIES OF THIS BOOKING NOTE MAY BE OBTAINED FROM THE USAID WEBSITE AT <https://forums.info.usaid.gov/index.php?q=usaid-procurement-announcements/notices-trade>

1. Approved Exceptions to Standard USAID Title II Terms, Procedures and Formats and other special terms and conditions (these items will apply to above cargo, unless specified otherwise):

Full Liner Berth Terms, All Inclusive. No Demurrage - No Dispatch - No Detention

Rates offered to be all-inclusive and stated per gross metric ton. All-inclusive rates which include costs for services other than port-to-port ocean transportation must include a breakdown of the ocean charge component and each of the following other charges, as applicable: domestic inland transportation, foreign inland transportation, fumigation or destination bagging, stripping/stacking charges at final destination, and special requirements for container load protocol (if applicable). No minimum bill of lading quantities or charges or minimum container quantities or charges to apply. Carriers who do not submit all inclusive rates as outlined above will be considered non responsive.

Carriers shall include all actual and anticipated war risk insurance premiums in their offered rates. USAID will only reimburse or pay actual contracted rates. Carrier bears the risk of any increase in war risk insurance premiums.

For all parcels, please refer to Clause 14 of the booking guidelines for notice requirements.

All offers MUST include ETA and ETS load port, and ETA discharge port, along with routing information in the remarks section.

- Single bottom service offer must include vessel itinerary in the remarks section.

- Regular liner service offer must include frequency/routing/transit time in the remarks section.

For all offers, Carrier must acknowledge in the remarks section of WBSCM all country specific requirements when submitting offer.

Should cargo be containerized for carrier convenience (CCC), any/all additional cost at destination due to containerization including devanning or stripping into warehouse and THC is for carrier account.

If containerization is required, container demurrage/detention shall be in accordance with the carrier container demurrage/detention rates, but shall not exceed $10 per container per day or as per carrier tariff rate, whichever is lowest cost per day/per container.

Central America/Caribbean Barge Clause:

If a barge is offered for service, it must be of such a type to adequately protect the cargo, either by design, such as a house or multi-deck barge, or by use of permanent bin walls, provided the commodity is containerized.

Transatlantic Barge Clause:

TOWED BARGES WILL BE CONSIDERED IN THE TRANSATLANTIC TRADE PROVIDED ALL CARGO IS CONTAINERIZED AND STOWED UNDER DECK. TO QUALIFY AS “UNDER DECK” STOWAGE, THE CONTAINERS MUST BE STOWED IN A HOLD OR COMPARTMENT BELOW THE WEATHER DECK CAPABLE OF BEING VENTILATED AND ALLOTTED ENTIRELY TO THE CARRIAGE OF CARGO. IT MUST BE BOUND BY PERMANENT DECKS AND BULKHEADS OR THE SHELL OF THE VESSEL, COMPLETELY PROTECTED FROM SALT SPRAY AND WEATHER ELEMENTS. NO OTHER STOWAGE ARRANGEMENT WILL BE CONSIDERED UNLESS THE CARRIER HAS RECEIVED WRITTEN NOTIFICATION FROM THE SHIPPER(S) AND USAID PROVIDING APPROVAL FOR A SPECIFIC VESSEL PRIOR TO THAT VESSEL PARTICIPATING IN ANY TITLE II TRANSATLANTIC FOOD AID SHIPMENTS

Notice to the Trade dated 4/15/2009 - Container Loading Protocol- High Moisture Commodities Program, is fully incorporated into this solicitation.

Carrier must provide the rate per gross metric ton for CAPIT protocol in the "other" bid price in WBSCM. At time of awarding cargo, Carrier must provide the name and contact number of the carrier’s appointed loading contractor.

At time of loading carrier must confirm the amount of desiccant used for each container. This information must be provided in writing.

For more information on container load protocol, please visit: <https://forums.info.usaid.gov/index.php?q=usaid-procurement-announcements/notices-trade>

All vessel substitution requests must be reviewed by USAID. The proposed substitute vessel should be of the same type as the originally awarded vessel. This applies to both U.S. and foreign flag vessel substitutions. The proposed substitute vessel must also appear on the applicable Maritime Administration U.S. or foreign flag vessel list which can be accessed using the following URL: <http://www.marad.dot.gov/ships_shipping_landing_page/cargo_preference/cargo_humanitarian_assistance/cargo_human_assistance_reports/Humanitarian_Food_Aid_Reports.htm>

Vessel substitutions must be approved by the Shipper and USAID/USDA, as applicable, and cargo shall not be loaded into unapproved substitute vessels.

Commodity, load port and intermodal point abbreviations as per USDA form KC-362. Delivery terms per USDA Notice to the Trade of April 5, 1995.

Certain commodities covered by this RFP must be inspected by APHIS/PPQ or other such authorities prior to loading so that phytosanitary certificate can be issued. Such inspection must take place not more than 30 days prior to the cargo being loaded aboard the vessel at the port of export. Carriers intending to load these cargoes into containers, lash barges, or otherwise unitize cargoes in a way that will prohibit or restrict inspections without sustaining additional costs will be required to bear all such additional expenses if this is done before inspections are effected or if cargoes are not loaded on-board a vessel within the 30 day period following inspection.

If container service offered, carrier must certify that each container utilized to load cargo is: (a) in wind and water tight condition; (b) not more than 10 years old; and, (c) not a salvaged container or mustered out from regular service. As a condition of payment, carrier must provide the Forwarder a FGIS survey report attesting to the satisfactory condition of containers. Survey is to be performed prior to loading cargoes.

If CCC service offered, containers to be loaded by carrier at carrier’s time, risk, and expense. No minimum container load requirements will be accepted.

\*\*Offerors must certify in their offer that they are not currently suspended or debarred from doing business with the U.S. government/USAID\*\*

USAID Notice to the Trade dated July 22, 2009 - The Freedom of Information Act (FOIA) and Submission of Freight Proposals in response to P.L. 480 Title II Requests for Proposals - Please be advised that effective immediately, all ocean carriers submitting freight proposals in response to P.L. 480 Title II freight RFPs for mark and count cargoes and/or bulk cargoes and/or overseas and/or domestic preposition cargoes must include one of the statements below in each freight offer submitted. Please note that this statement is required for each offer submitted. For offers submitted through the electronic WBSCM System, one of the statements below must appear in the Free Form Remarks Section for each offer submitted. Each page of each offer submitted outside of WBSCM must include one of the following statements:

1. This freight proposal, whether successful or unsuccessful, contains trade secrets or commercial financial information which are privileged and confidential and exempt from disclosure under the Freedom of Information Act, 5 U.S.C. Section 552. Furthermore, this information is prohibited from disclosure under the Trade Secrets Act, 18 U.S.C. Section 1905.

-- OR --

2. This freight proposal, whether successful or unsuccessful, may, in the future, be made public or released under a FOIA request.

Expansion of terminal designations within the port of Houston, Texas:

Effective with Title II Invitation 028 issued on February 20, 2008, the Notice to the Trade eod-150 (pilot program for load port surveys and processed commodity bidding basis Houston, Texas) is cancelled. USAID Notice to the Trade dated April 5, 2006 “f.a.s. allocated commodities at Houston and Jacinto” is also rescinded. This means that beginning with Invitation 028, Houston will no longer be available as an approved delivery point. Offerors must select terminals within the port of Houston as listed in Notice to the Trade: expansion of terminal designations within the port of Houston, Texas. The notice is posted on the USAID ocean notices website at <https://forums.info.usaid.gov/index.php?q=usaid-procurement-announcements/notices-trade>. A complete list of delivery/bid point codes, including the new Houston delivery/bid point codes, is available at:

[http://www.fsa.usda.gov/fsa/webapp?area=home&subject=coop&topic=pas-ex-ap](http://www.fsa.usda.gov/FSA/webapp?area=home&subject=coop&topic=pas-ex-ap)

This freight solicitation and any resultant freight contracts shall include, by reference, FAR Clause 52.232-22, Limitation of Funds per USAID Notice to the Trade dated February 26, 2010.

All vessels carrying Title II Food Aid Cargo must fly the USAID banner with the updated logo and brandmark. Details of the requirement can be found at <http://www.usaid.gov/branding> .

Offers must be for named vessel(s) and include reasonable and acceptable loading schedules and transit times in order to be considered responsive. Offers for carriage via vessels not in a regularly scheduled liner service must provide vessel's itinerary and current position. Additionally, such offers should include full particulars on vessel owner's company including officers, address and bank reference.

Evaluation and contract award: Offers which do not comply with mandatory requirements of this RFP, including, but not limited to, the minimums and maximums specified above, will not be considered. Offers must include full particulars demonstrating the willingness and ability to meet these requirements. Forwarders reserve the right to award without discussions with USAID approval. Award will be to the lowest responsible offeror meeting the mandatory requirements of this RFP.

The food shipped under this solicitation is provided under the authority of section 202(a) of the Food for Peace Act.

Contract and Payment Terms: Except to the extent provided above, this RFP is subject to the standard USAID Title II Cooperating Sponsor Booking Guidelines (including any and all adjustments and attachments), which are fully incorporated herein. Copies of these guidelines may be obtained from USAID website, <https://forums.info.usaid.gov/index.php?q=usaid-procurement-announcements/notices-trade>

- Offers from NVOCCs will be considered non-responsive.

- Offers must include: vessel name, type, flag, and year built, ETA at load port, discharge port, and final destination, full style of carrier offering, address, telephone, telex, and/or telefax numbers, as well as the names and titles of the corporate officers with direct responsibility for the offer and applicable corporate DUNS number, whether service is direct or transshipped, container or breakbulk, whether service offered is liner or charter, statement that carrier is a VOCC. Ocean freight rate to be in U.S. dollars and must be all inclusive repeat all inclusive.

For complete details on all types of commodity procurement, see *Master Solicitation for Commodity Procurements, Effective Date 02-05-2015* available at: <https://www.fsa.usda.gov/Internet/FSA_File/master_solicitation.pdf>