

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

CONTRACT ID CODE DO-C1 PAGE OF PAGES 1 6

2. AMENDMENT/MODIFICATION NO. 0003
 3. EFFECTIVE DATE 05/03/2011
 4. REQUISITION/PURCHASE REQ. NO. IQC90138009038
 5. PROJECT NO. (If applicable)
 6. ISSUED BY CODE SP0300
 7. ADMINISTERED BY (If other than Item 6) CODE S1103A

DLA Troop Support
 Subsistence Supplier Operations Directorate
 700 Robbins Avenue
 Philadelphia, PA 19111-5092
 POC: Deborah Veneri/215-737-7346

DLA Troop Support
 Business Opportunities Office
 Building 36 Second Floor, Bid Opening Room
 700 Robbins Avenue
 Philadelphia, PA 19111-5092

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X) 9A. AMENDMENT OF SOLICITATION NO. SPM3S1-10-R-7070
 9B. DATED (SEE ITEM 11) 05/27/2010
 10A. MODIFICATION OF CONTRACT/ORDER NO.
 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.

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).

C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not, is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

NSN: 8915-01-157-3024 - Mixed Fruit
 NSN: 8915-01-224-6145 - Pears
 NSN: 8915-01-467-1490 - Raspberry Applesauce
 NSN: 8915-01-492-5548 - Carbohydrate-enhanced Applesauce
 NSN: 8915-01-525-9671 - Mango Peach Applesauce
 NSN: 8940-01-443-1520 - Apple Pieces in Spiced Sauce

(See attached Pages for continuation)

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) EILEEN FRIEL

15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)
 15C. DATE SIGNED
 16B. UNITED STATES OF AMERICA (Signature of Contracting Officer)
 16C. DATE SIGNED

The following changes are applicable to the Wet-Pack Fruit Solicitation SPM3S1-10-R-7070:

A. See changes listed below on Page 2 of Amendment 0002 dated 22 Jun 2010 against Solicitation Number SPM3S1-10-R-7070:

A new closing date is established as listed below:

Revised technical/business proposals should be marked with the solicitation number and faxed to the Business Opportunities Office at 215-737-9300, 9301,9302 or 9303, or if hand carried, in the depository located at DLA Troop Support, Bldg. 36, 2nd Floor Bid Opening Room, Philadelphia, PA 19111-5092. One (1) copy of your revised technical/business proposal is due by 3:00 PM local time – May 18, 2011 and is subject to Late Submissions, Modifications and Withdrawals of Proposals provision of the solicitation found at FAR 52.212-(f).

SECTION B

1. Page 3-B-1. ITEMS TO BE SUPPLIED

TPK-1 Term deleted

2. Page 5 of 142 – The NAICS codes for the Wet-Pack Fruit Component items are corrected to read: 311422

SECTION C

1. Page 8 of 142, delete C-2 PRIME DOCUMENTS and its contents and insert:

C-2 PRIME DOCUMENTS:

PCR-F-002, FRUITS, WET PACK, PACKAGED IN A FLEXIBLE POUCH, SHELF STABLE
PCR-A-001, APPLE PIECES IN SPICED SAUCE, PACKAGED IN A FLEXIBLE POUCH, SHELF STABLE

Applicable versions of documents cited here as prime documents including changes are posted at <http://www.dscp.dla.mil/subs/support/specs/frozen/slcts.asp>

2. Pages 8 to 10 of 142, C-4, Delete Miscellaneous Requirements and add the following:

C-4 MISCELLANEOUS REQUIREMENTS

Fruits: Incubate at 80 degrees Fahrenheit +/- 5 degrees for 10 days.

Any evidence of swelling or microbial activity following incubation shall be considered a test failure.

1. Compliance with the provisions contained in Title 21, Code of Federal Regulations Part 110 “Current Good Manufacturing Practice in Manufacturing, Packaging or Holding Human Food,” and all regulations referenced herein, is required. In addition, the contractor is required to comply with all the provisions contained within specific parts of the Code of Federal Regulations. For example, low-acid canned food manufacturers, Part 110 and 113 are applicable.

3. STORED PRODUCTS PEST MANAGEMENT PROGRAM

The procedures contained in the "Integrated Pest Management (IPM) Program Requirements of Operational Rations," March 2009 are required and apply to all operational rations food component operations. Each contractor is to have an IPM program in place prior to the initiation of production of Government product. The IPM plan and the associated pesticide labels and MSDS documents are not to be submitted to DLA Troop Support. The contractor shall have those documents available for on-site review during a Quality Systems Management Visit (QSMV) or Quality Systems Compliance Audit. In addition, evidence of an insect or rodent infestation, foreign material or contamination involving any end item will be cause for rejection of the involved lot. IPM program requirements can be found on the DLA Troop Support website at: <http://www.dscp.dla.mil/subs/support/quality/ipm-cpaf.pdf>

4. PRODUCT SANITARILY APPROVED SOURCE REQUIREMENTS

As required by 48 CFR 246.471-1 Subsistence, AR 40-657, Veterinary/Medical Food Inspection and Laboratory Service, DLAR 4155.3, inspections of Subsistence Supplies and Services, DLAD 52.246-9044, Sanitary Conditions, and as clarified by the Armed Forces Food Risk Evaluation Committee, 31 JAN 1996, all Operational Ration Food Components will originate from sanitarily approved establishments. Acceptable sanitary approval is constituted by listing in the "Directory of Sanitarily Approved Food Establishments for Armed Forces Procurement," published by the U.S. Army Veterinary Command (VETCOM), or an establishment inspected and approved by the U.S. Department of Agriculture (USDA) or the U.S. Department of Commerce (USDC) and possessing a USDA/USDC establishment number. This requirement applies to all GFM and CFM Operational Ration Food Components and to all Operational Ration types. Requests for inspection and "Directory" listing by VETCOM will be routed through FTR for coordination and action. Situations involving sole sources of supply, proprietary supply sources, and commercial Brand Name items will be evaluated directly by the Chief, FTR, in coordination with the Chief, Approved Sources Division, VETCOM.

5. FOOD DEFENSE/ PLAN (FDP) (Operational Rations, Prime vendor, and others).

Currently, all DLA Troop Support Subsistence contracts have a requirement for the submission and implementation of some type of Food Defense at each contractor facility. Areas of concern listed in this checklist must be addressed in the plan. As a result of increased risk for the potential of intentional food tampering the plan shall describe (in general terms) the type of preventive measures that are taken or will be taken to reduce food defense vulnerabilities and to protect the food intended for DLA Troop Support's customers at CONUS and OCONUS locations. The plan must include preventive steps taken to safeguard product from intentional tampering/ contamination during all stages of receipt, production, storage, assembly, delivery, and shipment. If a Food Defense Plan (including Food Defense Plans Covered in QSP) was previously submitted to DLA Troop Support, identify the office, name of the person the plan was submitted to, date of submittal, and rating assigned. The following information may be covered in the Food Defense Plan or under other pertinent areas of the QSP, if a QSP is required for the facility. If some of the food defense information is covered in the QSP (e.g., receipt inspection, storage, warehousing, training, traceability, mock recalls, etc.) cross-reference the applicable Section/Area of the QSP. If the plan is submitted with the QSP, a rating (separate from the QSP) of acceptable, marginally acceptable, or unacceptable will be assigned to the Food Defense/ Plan. Note: Points will be deducted for not responding to a question with a YES, No, N/A or for not providing the information requested (e.g., establishment registration information). To download a copy of the DLA Troop Support Food Defense Checklist go to <http://www.dscp.dla.mil/subs/support/quality/index.asp> or contact the applicable DLA Troop Support Contracting Officer or the Quality Audits & Food Defense Branch (FTSB).

2. Page 10 of 142, C-5, delete lines 1 and 2, and add the following:

A. PRIME DOCUMENTS:

The applicable versions of the prime documents cited in Section C-2 of this solicitation, including additions, deletions and/or substitutions, are posted at <http://www.dscp.dla.mil/subs/support/specs/frozen/slcts.asp>.

B. OTHER DOCUMENTS:

The applicable versions of MIL-PRF-44073, DLA Troop Support Form 3507, and DLA Troop Support Form 3556 are cited at <http://www.dscp.dla.mil/subs/support/specs/frozen/slcts.asp>".

SECTION E

1. Page 26 of 142, E-3-A, line 12, delete text beginning with "(B.) Quality Assurance Provisions (Packaging and Labeling)" through page 28 of 142, line 12, "critical defects. The finding of any critical defect shall be cause for rejection of the lot." and replace with the following:

(B.) Quality Assurance Provisions (Packaging and packing materials)

1. Quality Assurance Criteria. The following quality assurance criteria, utilizing ANSI/ASQC Z1.4, Sampling Procedures and Tables for Inspection by Attributes are applicable.

A. Pouch material testing. The pouch material shall be examined for the characteristics listed in table I-A of this paragraph for Type I.. The lot size, sample unit, and inspection level criteria for each of the test characteristics are listed below. Any test failure shall be classified as a major defect and shall be cause for rejection of the lot.

TABLE I-A.

Characteristic	Lot size expressed in	Sample unit	Inspection level
Oxygen transmission rate	yards	1/2 yard	S-1
Water vapor transmission rate	yards	1/2 yard	S-1
Camouflage	yards	1/2 yard	S-1
Thermal processing	pouches	1 pouch	S-2
Low temperature	pouches	1 pouch	S-2
High temperature	pouches	1 pouch	S-2

B. Filled and sealed pouch testing. The filled and sealed thermoprocessed or hot-fill processed pouches shall be tested for the characteristics listed in table II of this paragraph for Type I. The lot size, sample unit, and inspection level criteria for each of the test characteristics are listed below. Any test failure shall be classified as a major defect and shall be cause for rejection of the lot.

TABLE IV Filled and sealed pouch tests

Characteristic	Lot size expressed in	Sample unit	Inspection level
Residual gas volume	pouches	1 pouch	S-2
Internal pressure	pouches	1 pouch	S-2 <u>1/</u>
Directional tear	pouches	1 pouch	S-2

1/ When a three-seal tester is used, a separate set of samples is required for testing of the closure seal.

C. Pouch examination. The pouches shall be examined for the defects listed in table II of MIL-PRF-44073 for Type I. The lot size shall be expressed in pouches. The sample unit shall be one thermal processed pouch. The inspection level shall be I and the AQL, expressed in terms of defects per hundred units, shall be 0.65 for major A defects, 2.5 for major B defects, and 4.0 for minor defects. Two hundred sample units shall be examined for critical defects. The finding of any critical defect shall be cause for rejection of the lot.

D. Examination of pouch and carton assembly. The completed pouch and carton assemblies shall be examined for the defects listed in table III of MIL-PRF-44073 for Type I. The lot size shall be expressed in units of completed assemblies. The sample unit shall be one pouch and carton assembly. The inspection level shall be S-3 and the AQL, expressed in terms of defects per hundred units, shall be 0.65 for major defects and 2.5 for minor defects. **Fifty sample pouch and carton assemblies shall be examined for critical defects. The finding of any critical defect shall be cause for rejection of the lot."**

2. Page 28 of 142, E-3-B., line 5:

Delete "4.2" and insert "4.3".

3. Page 29 of 142, insert the following after E-3-B:

"E-3-C. Additional Requirements for Entrées, Starches and Soups, and Fruits - Commercial Sterility

Thermally processed pouches shall be free of swelling or microbial activity when tested in accordance with the following commercial sterility test.

Commercial sterility test. Incubate filled, sealed and thermally processed pouches as follows:

Meat, poultry, fish and vegetables: Incubate at 95°F + 5°F for 10 days, unless otherwise specified by the inspection agency. 1/

Fruit: Incubate at 80°F + 5°F for 10 days. 1/

1/ Select a minimum of one pouch from each retort load. Select pouches from different areas within the retort. For a continuous cooking process, an inspection level of S-3 shall be used to establish sample size.”

Section M Evaluation Factors for Award:

1. Page 124 M-1- B. Evaluation Process: revised to read

(2) Business Evaluation: Each proposal will be evaluated against the requirements of the solicitation. The Government will evaluate prices and other information or data if requested, in accordance with FAR subpart 15.305. The Government will also evaluate the offeror’s proposals to determine cost/price balance. Projected award is for a Firm Fixed price. Cost/price balance relates to an offeror’s demonstrating that the proposed price provides an adequate reflection of the requirements of the solicitation.

2. Page 125 M-2 Evaluation Factors for Award (Evaluation Criteria) add the following paragraph:

1.0 Product Demonstration Models (PDM’s)

Offerors will be given an opportunity to correct deficient PDM samples (less than Good rating) if negotiations are conducted. If the offeror chooses to submit a second PDM, the final rating for the PDM factor will be based on either the first or second submission, whichever is higher. The final evaluation for this factor will be based on the highest rated PDM of the first or second submission, regardless of how many PDM samples are submitted.

The following changes apply to Amendment 0002 of Solicitation SPM3S1-10-R-7070:

1. Page 2 of 23, line 20 through line 8 of page 3 of 23, and add the following:

“Delete the alpha designations connected with the PCRs cited on page 11 of 142 of the solicitation. The applicable versions of PCRs cited on page 11 of 142 of the solicitation along with their applicable changes are found at <http://www.dscp.dla.mil/subs/support/specs/frozen/slcts.asp>”

2. Page 3 of 23, line 9, delete the following:

“Section E-Page 13, - -The Quality Assurance Provisions and Packaging Requirements listed in Section E of this solicitation are in accordance with MIL-PRF-44073G (11 Sep 09, w/change 2, 03 Mar 2010).”