World Food Programme

Ocean Transportation Service

The Food Aid Organization of the United Nations

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# EMAIL

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| **FROM:** | **Daniel Stolk – Deputy Chief/OIC** | **Pages 6** | **06 Feb 2020** |
| **TO:** | **WFP Brokers BY Email** | **CC: FAX :** | |

***Subject: WORLD FOOD PROGRAMME US-ORDER***

**(AB)** **WBSCM COMMODITY SOLICITATION N°. 2000006761**

**WBSCM FREIGHT SOLICITATION N°. 2000006762**

**FRIM OFFERS ONLY TO BE SENT VIA WBSCM WITH COPY OF THE OFFERS BY EMAIL TO WFP / MR. AMER BADAWI -**
**PLEASE SEE ALSO SPECIAL NOTE AT THE END OF THE TENDER**

**CARGO:** **45,500 MT BULK SORGHUM, IN TWO LOTS WHICH CAN BE COMINGLED:**

**LOT 1: F/R N°012/20**
**22,750 MTONS BULK SORGHUM PLUS EMPTY BAGS**
**(ETHIOPIA-SO#5000563756/SI#7800004369)**
**INTENTION BERBERA**

**LOT 2: F/R N°013/20**
**22,750 MTONS BULK SORGHUM PLUS EMPTY BAGS**
**(ETHIOPIA-SO#5000564347/SI#7800004371)**
**INTENTION BERBERA**

**FOR EVALUATION PURPOSE PLEASE BASE YOUR FREIGHT RATE ON THE ABOVE LOTS ON THE INTENDED DISCHARGE PORT.**

**THE ABOVE LOTS CAN BE LOADED TOGETHER WITH ANOTHER NON-WFP 10,000 MT OF BULK SORGHUM FOR DESTINATION DJIBOUTI (SEPARATELY TENDER). HOWEVER, WFP LOTS AND THE NON-WFP LOT TO BE SEPARATED BY NATURAL-HOLD SEPRATION. IN THE EVENT THAT VESSEL'S STABILITY DOES NOT PERMIT FOR NATURAL-HOLD SEPARATION, THEN ARTIFICAL SEPARATION CAN BE INSTALLED AT OWNERS TIME AND COST.**

**FURTHERMORE, IN CASE THAT THE WFP LOTS ARE SUPPLIED BY MORE THAN ONE SUPPLIER, EACH SUPPLIER'S QUANTITY TO BE ALSO SEPARATED NATURAL-HOLD SEPARATION VESSEL STABLITY PERMITTING, OTHERWISE ARTIFICIAL SEPARATION TO BE INSTALL AT OWNERS TIME AND COST.**

**ARTIFICIAL SEPARATION, IF USED, TO BE CONSTRUCTED OF POLYPROPYLINE TARPS AND MINIMUM 20 (TWENTY) STANDARD SIZE PLYWOOD SHEETS TO BE SPREAD ON TOP OF THE TARPS FOR EACH INSTALLED SEPARATION.**

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| Distribution:<br>Crisci / Stolk / Badawi | Filing:<br>Order/ Charter Files: 012/20 – 013/20 |

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|---|---|
| **LOADING (LP):** | **1-2 SB(S) 1-2 PORT(S) USA ALL RANGES** |
| **DISCHARGING (DP):** | **1-2 SB(S) 1-3 PORTS(S) IN CHARTERERS' OPTION OUT OF PORT SUDAN / DJIBOUTI / BERBERA / MOMBASA**<br><br>**DISCHARGE PORT INTENTION AS INDICATED ABOVE <u>IS SUBJECT TO CHANGE IN CHARTERERS OPTION.</u>** |
| **LP/DP REQUIREMENTS** | **OWNERS TO SATISFY THEMSELVES ABOUT THE PREVAILING CONDITIONS & RESTRICTIONS AT ALL LOADING AND DISCHARGING PORTS AND CHARTERERS ARE NOT RESPONSIBLE FOR ANY FAILURE THERETO.** |
| **NOMINATION OF DP(S)/RATES:** | **CHARTERERS TO AFFIRM/DECLARE DISCHARGE PORT(S)/RATE(S) LATEST UPON PASSING STRAIT OF MESSINA EASTBOUND FOR SHIPMENT FROM THE US/TEXAS GULF, OR UPON PASSING COLOMBO WESTBOUND FOR SHIPMENT FROM THE US WEST COAST.** |
| **ROTATION** | **ROTATION OF DISCHARGE PORT(S) TO BE IN GEOGRAPHICAL ROTATION (NORTH TO SOUTH) EXCEPT IN CASE OF DISCHARGING AT DJIBOUTI AND BERBERA THEN ROTATION TO BE IN CHARTERERS' OPTION.** |
| **POSITION/ LAYDAYS:** | **02-12 MARCH 2020 FOR BOTH LOTS**<br><br>**CONTRACT AWARDS WILL BE BASED ON BEST VALUE TO THE PROGRAMME, INCLUDING LOGISTICAL CONCERNS, WHICH WILL BE DETERMINED BY THE FOLLOWING CRITERIA; PAST PERFORMANCE, VESSEL POSITION & READINESS, DELIVERY SCHEDULE, PRICE, AND VESSEL CAPACITY. IN ADDITION, AWARDING THE CARGO - USAID/WFP WILL CONSIDER FACTORS INCLUDING THE LOWEST LANDED COSTS BASIS, DESIGNATED WITH "*" IN DISCH RATE SECTION BELOW, AND THE IMPACT OF ANY POTENTIAL AWARD ON USAID/WFP'S ABILITY TO SATISFY THE REQUIREMENTS OF STATUTES AND REGULATIONS INCLUDING THE CARGO PREFERENCE ACT.** |
| **LOAD RATE:** | **SCALE GROSS LOAD** |
| **DISCH RATE:** | **<u>PORT SUDAN</u>**<br>**MINIMUM ONE DAY WHERE APPLICABLE**<br>***3,500 MT PWWD – SELF TRIMMING BULK CARRIERS FOR OVER 30,001 MT**<br>**2,500 MT PWWD – CONBULKER FOR OVER 30,001 MT**<br>**2,400 MT PWWD – ALL TYPE OF DRYCARGO VESSELS FOR 10,001-30,000 MT**<br>**1,500 MT PWWD – ALL TYPE OF DRYCARGO VESSELS FOR UP TO 10,001 MT**<br><br>**CHARTERERS' OPTION: LO BAGGED/STACKED ONTO TRUCKS WITH NO DEM/DES/DET**<br><br>**<u>DJIBOUTI:</u>**<br>**MINIMUM ONE DAY WHERE APPLICABLE**<br>*** 6,000 MTONS PWWD FOR SD BULK CARRIERS FOR OVER 15,001 MT**<br>**5,000 MTONS PWWD FOR SD BULK CARRIERS FOR UP TO 15,000 MT**<br>**5,000 MTONS PWWD FOR TWEENDECKERS FOR OVER 15,001 MT**<br>**4,000 MTONS PWWD FOR TWEENDECKERS FOR UP TO 15,000 MT**<br><br>**OR AT CHARTERERS' OPTION:**<br>**2,500 MTONS PWWD** |

OR AT CHARTERERS' OPTION:
LO BAGGED/STACKED ON TO TRUCKS WITH NO DEM/DES/DET

OR AT CHARTERERS' OPTION:
LO BAGGED/STACKED INTO PORT WAREHOUSE WITH NO DEM/DES/DET

OR AT CHARTERERS' OPTION:
LINER OUT LO BAGGED/STACKED INTO OWNERS' STEVEDORES' PORT WAREHOUSE WITHIN THE PORT AREA AND RELOAD SAME ONTO RECEIVERS'/CONSIGNEE'S CONVEYANCES W/ NO DEM/DES/DET

**BERBERA:**
*2,500 MTONS PWWD
OR AT CHARTERERS' OPTION:
LO BAGGED/STACKED ON TO TRUCKS WITH NO DEM/DES/DET

OR AT CHARTERERS' OPTION:
LO BAGGED/STACKED INTO PORT WAREHOUSE WITH NO DEM/DES/DET

OR AT CHARTERERS' OPTION:
LINER OUT LO BAGGED/STACKED INTO OWNERS' STEVEDORES' PORT WAREHOUSE WITHIN THE PORT AREA AND RELOAD SAME ONTO RECEIVERS'/CONSIGNEE'S CONVEYANCES W/ NO DEM/DES/DET

**MOMBASA:**
(ALWAYS BASED MINIMUM 3 WORKABLE HOLDS OTHERWISE PRORATA) AND MINIMUM ONE DAY WHERE APPLICABLE
FOR STBC IN CHARTERERS OPTION:
*9,000 MTONS PWWD OR
3,800 MTONS PWWD OR
2,000 MTONS PWWD
IF PERFFORMING VESSLE IS NON-BULK CARRIER OR TWEENDECKER:
3,000 MTONS PWWD

OR AT CHARTERERS' OPTION:
LO BAGGED/STACKED ON TO TRUCKS WITH NO DEM/DES/DET

OR AT CHARTERERS' OPTION:
LO BAGGED/STACKED INTO PORT WAREHOUSE WITH NO DEM/DES/DET

OR AT CHARTERERS' OPTION:
LINER OUT LO BAGGED/STACKED INTO OWNERS' STEVEDORES' PORT WAREHOUSE WITHIN THE PORT AREA AND RELOAD SAME ONTO RECEIVERS'/CONSIGNEE'S CONVEYANCES W/ NO DEM/DES/DET

TERMS:

1. TOWED BARGES AND TANKERS NOT ALLOWED. ITBS WORKABLE.
2. FOREIGN FLAG VESSELS TO BE MAX 20 YEARS OLD. ORIGINAL DATE OF CONSTRUCTION (NOT RE-BUILT DATE) TO APPLY.
3. GEARLESS VESSELS: NOT WORKABLE
4. VESSEL TO PROVIDE GEARS NECESSARY (AS PER CLAUSE 15 & 61 TO DISCHARGE ALL CARGO WITH MINIMUM LIFTING CAPACITY OF 20 MTONS SWL EACH CRANE)
5. DELETED
6. SUBSTITUTION OF VESSEL IS NOT PERMITTED WITHOUT CHARTERER'S AND USAID/USDA PRIOR APPROVAL. VESSEL SUBSTITUTIONS AS PER NOTICE TO THE

TRADE (DATED OCTOBER 20, 2009) AND SHOULD BE OF THE SAME OR SIMILAR TYPE OR BETTER, CLASS, AGE AND WITHIN SAME LAYDAYS AS THE AWARDED VESSEL. THE PROPOSED SUBSTITUTE VESSEL MUST ALSO APPEAR ON THE APPLICABLE MARITIME ADMINISTRATION US OR FOREIGN FLAG VESSEL LIST.

7. WFP CARGO NOT TO BE SUBLET – SEE RESPECTIVE CLAUSE 3 - PARAGRAPH D OF THE WORLDFOOD 2017 CHARTER PARTY
8. OWNERS TO APPOINT CHARTERERS' NOMINATED AGENTS AT LOAD AND DISCHARGE PORTS.
9. BULK CARRIERS TO BE SUITABLE FOR INTRANSIT FUMIGATION BY THE RECIRCULATION METHOD IN ACCORDANCE WITH USDA/FGIS REGULATIONS. FOR ITB'S, THE STANDARD SURFACE METHOD TO BE USED.
10. U.S. FLAG SHIPS TO CONFIRM THAT ALL NECESSARY COST DATA IS ON FILE WITH MARAD.
11. ITINERARY FROM DAY OF OFFER TO FIRST LOAD PORT TO BE SUBMITTED AND FORM PART OF THE C/P.
12. 14 DAYS PRE-ADVICE NOTICE REQUIRED. PRE-ADVICE MUST BE RECEIVED BY 1100 HRS NYT ON A BUSINESS DAY TO BEGIN TO COUNT THE SAME DAY.
13. IF OWNERS INTEND TO LIGHTEN, THE OFFER SHOULD SPECIFY THE COST AND WHETHER FULL OR PARTIAL LIGHTENING. IF LIGHTENING NOT PERFORMED AT THE DISCHARGE PORT AND VESSEL DIRECTLY DISCHARGES AT BERTH, WFP WILL DEDUCT THE LIGHTENING COST FROM THE OCEAN FREIGHT.
14. USAID FLAG AND BANNER CLAUSE TO APPLY.
15. USAID NOTICE TO THE TRADE DATED JULY 22, 2009 - FREEDOM OF INFORMATION ACT REQUESTS (FOIA):

    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 WBSCM, 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.
16. IT IS A CONDITION OF THE CONTRACT THAT THE FIXTURE OF ANY PART-CARGO OTHER THAN RELIEF CARGO WILL BE SUBJECT TO PRIOR APPROVAL BY WFP. WITHOUT PREJUDICE TO ANY DAMAGES THAT WFP MAY CLAIM, FAILURE BY OWNERS TO COMPLY WITH THIS CONDITION WILL GIVE WFP THE RIGHT TO TERMINATE THE CONTRACT OR TO IMPOSE ON OWNERS A RATE REDUCTION OF USD 10.00 PER CONTRACTED MT, AS LIQUIDATED DAMAGES.

    MILITARY CARGOES/ARMS/AMMUNITION/EXPLOSIVES OR SIMILAR ARE NOT ALLOWED
17 A. ALL OFFERS ARE SUBJECT TO CHARTERER'S APPROVAL AND THE WORLDFOOD 2017 CHARTER PARTY TERMS FOR USIK CARGOES AS AMENDED DECEMBER 2017 ANY PRIOR PART CARGO(ES) INCLUDED IN OFFERS RECEIVED ARE SUBJECT TO

THE REVIEW AND APPROVAL OF THE CHARTERERS AND MAY AT THEIR DISCRETION BE REJECTED BASED ON SCHEDULE, VESSEL DESIGN AND OTHER FACTORS THAT THEY DEEM NOT ADVANTAGEOUS TO THE PROGRAMME. (E.G., A SCHEDULE-RELATED FACTOR WILL INCLUDE WHETHER AWARD OF THIS CONTRACT WOULD AFFECT THE TIMELINESS OF DELIVERY OF OTHER USAID-FINANCED EMERGENCY CARGOES.)

B. OFFERS ARE TO PROVIDE PAST PERFORMANCE INFORMATION. IF THE OFFEROR HAS TRANSPORTED ANY WFP/USAID-FINANCED CARGO(ES) THAT HAVE NOT MET THE ETA OF ANY BILL OF LADING/NNCR WITHIN THE PAST YEAR, THE OFFER SHOULD INCLUDE RELEVANT INFORMATION, INCLUDING THE IDENTITY OF THE CHARTERER, THE CONTRACT NUMBER, THE ETA, THE ACTUAL DATE OF DELIVERY, AND CONTACT INFORMATION FOR THE CHARTERER. OFFERS MAY ALSO INCLUDE EXPLANATIONS OF SUCH DELAYS.

C. EVALUATION: WFP WILL AWARD CONTRACT(S) TO THE RESPONSIBLE OFFEROR(S) THAT WILL PROVIDE THE BEST VALUE TO WFP. BEST VALUE SHALL BE DEFINED IN THIS PROCUREMENT AS TOTAL PRICE OF COMMODITY DELIVERED TO DESTINATION WITHIN THE BEST DELIVERY SCHEDULE THAT MEETS THE GOVERNMENT'S REQUIREMENTS. PAST PERFORMANCE INFORMATION TO BE INCORPORATED IN THE RESPONSIBILITY DETERMINATION AND BEST VALUE DECISION. NON-COST/PRICE FACTORS ARE WEIGHTED APPROXIMATELY EQUAL TO COST/PRICE FACTOR. NAMED VESSEL IN AN OFFER ARE VIEWED AS A REPRESENTATION OF THE TYPE AND KIND OF VESSEL THAT WILL BE PROVIDED. FAILURE TO OFFER EXACTLY AS PER THE ABOVE TERMS WILL RENDER AN OFFER NON-COMPLIANT AND AS SUCH THE OFFER WILL NOT BE CONSIDERED.

18. THESE COMMODITIES WILL BE USED BY WFP TO PROVIDE ASSISTANCE UNDER AUTHORITY OF FOOD FOR PEACE ACT (7 U.S.C. § 1722(A)) [SECTION 202(A) (EMERGENCY FOOD ASSISTANCE)] [SECTION 202(B) (NON-EMERGENCY FOOD ASSISTANCE)] [SECTIONS 202(A) (EMERGENCY FOOD ASSISTANCE) and 202(b) (NON-EMERGENCY FOOD ASSISTANCE), AS SPECIFIED FOR THE CARGOES MENTIONED ABOVE.
19. WFP RESERVES THE RIGHT TO REQUIRE VESSEL OWNER TO POST A PERFORMANCE BOND.
20. WFP INTENDS TO MAKE AWARD WITHOUT DISCUSSIONS BUT RESERVES THE RIGHT TO CONDUCT DISCUSSIONS AND SEEK FINAL PROPOSAL REVISIONS IF DEEMED NECESSARY.
21. OFFERS TO BE RECEIVED HERE LATEST ON TUESDAY, 11TH FEB 2020 AT 17.00 HOURS ROME TIME AND TO BE VALID UNTIL THURSDAY, 13TH FEB 2020 AT 11.00 HOURS WASHINGTON DC TIME.
22. ALL OTHER TERMS/DETAILS AND CONDITIONS AS PER WORDLFOOD 2017 USA C/P, AS AMENDED TO APPLY.
23. TRANSSHIPMENT IS NOT ALLOWED.

***Submission of Freight Offers:***

**To determine the lowest landed cost, all carriers are required to submit offers electronically for the cargoes advertised by this Tender via the USDA Web Based Supply Chain Management (WBSCM) system for the Solicitation Number referenced above. All proposals will be evaluated on the rates submitted in WBSCM. Free form remarks are not evaluated and are for informational purposes only and to cover optional ports, optional discharge rates, etc.**

**All offers are subject to all requirements of WBSCM and of the afore-mentioned Solicitation, including the deadline for submission of bids therein.**

**Freight offers are due no later than Tuesday, 11TH FEB 2020 at 1100 hours US East Coast time.**

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

**Carriers must be assigned a USDA eAuthentication logon ID and password to access WBSCM system. Contact the WBSCM Help Desk for information regarding logon IDs, passwords, and WBSCM system questions or concerns:**
**Tel (877) 927-2648**
**Email WBSCMhelp@ams.usda.gov**

**A COPY OF THE OFFER ALSO TO BE SENT BY EMAIL TO WFP ROME BEFORE THE DEADLINE.**

***World Food Programme***