

# AGAR ADVISORY

## ADVISORY NO. 99

### Evaluation Process in USDA Agricultural Commodity Contracts

#### 1. SUMMARY

The U.S. Department of Agriculture (USDA) purchases over \$2.5 billion in agricultural commodities each year to support domestic and international food assistance programs. It is critically important that the food provided is nutritious, safe, and readily available when needed to support these vital food assistance programs. USDA also has a mission to support farmers and ranchers in the strengthening of America's agricultural economy. To support these objectives, the Office of Procurement and Property Management (OPPM) releases this AGAR Advisory to establish effective evaluation criteria for agricultural commodity purchases. These criteria are intended to promote commodity acquisitions from food suppliers who utilize effective business management processes in the production of high quality agricultural commodities in a clean and safe working environment.

#### 2. REFERENCES

Federal Acquisition Regulation (FAR) 48 CFR, Part 15, *Contracting by Negotiation*. This FAR part may be accessed at <https://www.acquisition.gov/far/current/html/FARTOCP15.html#wp246607>. FAR Subpart 13.5, *Test Program for Certain Commercial Items*. This FAR part may be accessed at <https://www.acquisition.gov/far/current/html/Subpart%2013.5.html>.

#### 3. ACTIONS

When utilizing FAR Part 15, all new agricultural commodity procurements above the simplified acquisition threshold shall include the technical evaluation factors listed below. Acquisitions for commercial items exceeding the \$6.5 million test program threshold prescribed in FAR subpart 13.500 (or the \$12 million threshold prescribed in FAR subpart 13.500(e)) shall also include the following technical evaluation factors:

- a. Safety of food products. Examples of evaluation factors may include: quality and effectiveness of the offeror's commodity quality assurance program, past performance including any record of safety problems and corrective actions taken by the offeror, product testing, prevention programs, etc.
- b. Management and workforce practices and policies. Examples of evaluation factors may include: effectiveness of the offeror's recruitment and retention program, diversity of the workforce, effectiveness of the employee safety program, quality of the offeror's equal employment opportunity and labor practices programs, etc.

Other evaluation factors may be included as appropriate for the agricultural commodity being procured.

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**EXPIRATION DATE:** Effective upon issue date until canceled. [END]