AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. *(If applicable)*
0001	10/27/2026		

6. ISSUED BY CODE 84LL

USDA-FS CSA INTERMOUNTAIN 1
IDAHO PANHANDLE NATIONAL FORESTS
3232 WEST NURSERY ROAD
COEUR DALENE ID 83815

7. ADMINISTERED BY *(If other than Item 6)* CODE

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

CODE FACILITY CODE

(x) 9A. AMENDMENT OF SOLICITATION NO.
1284LL27Q0006

x 9B. DATED *(SEE ITEM 11)*
10/27/2026

10A. MODIFICATION OF CONTRACT/ORDER NO.

10B. DATED *(SEE ITEM 13)*

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 electronic communication which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT 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 you desire to change an offer already submitted , such change may be made by letter or electronic communication, provided each letter or electronic communication 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 data, 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 _____ copies to the issuing office.

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

Aluminum Boundary Post Markers, Region One

1284LL27Q0006 is amended to change forklifts are available to assist with offload.

The "Submit Invoice-to" address for USDA orders is the Department of Treasury's Invoice Processing Platform (IPP), https://www.ipp.gov. If the contractor lacks an IPP account, USDA will automatically initiate the enrollment process with Treasury using the contractor's SAM.gov Accounts Receivable POC as the IPP account holder. Once the enrollment process is complete, the IPP account holder will receive notification and can being invoicing. More information about IPP can be found at: https://www.ipp.gov

Except as provided herein, all terms and conditions of the document referenced in Item 9 A 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)*	
		SARAH L. ACKERMAN	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		*(Signature of Contracting Officer)*	

STATEMENT OF REQUIREMENT

The contractor shall provide new aluminum boundary post markers for Region One. Delivery is to three locations, Idaho Panhandle National Forests, Lolo National Forest, and Flathead National Forest. The actual delivered quantities to each location will be based on total awarded amount.

The purpose of these posts is to mark the legal boundary line between National Forest Service System Lands and the adjacent landowners. These posts will be driven into the ground with hand tools between a depth of 6 inches to 24 inches, and decals then affixed to the posts to mark the boundary line. The posts shall withstand the force of pounding them into the ground and be stable and last in the ground for at least 50 years.

SCHEDULE OF ITEMS

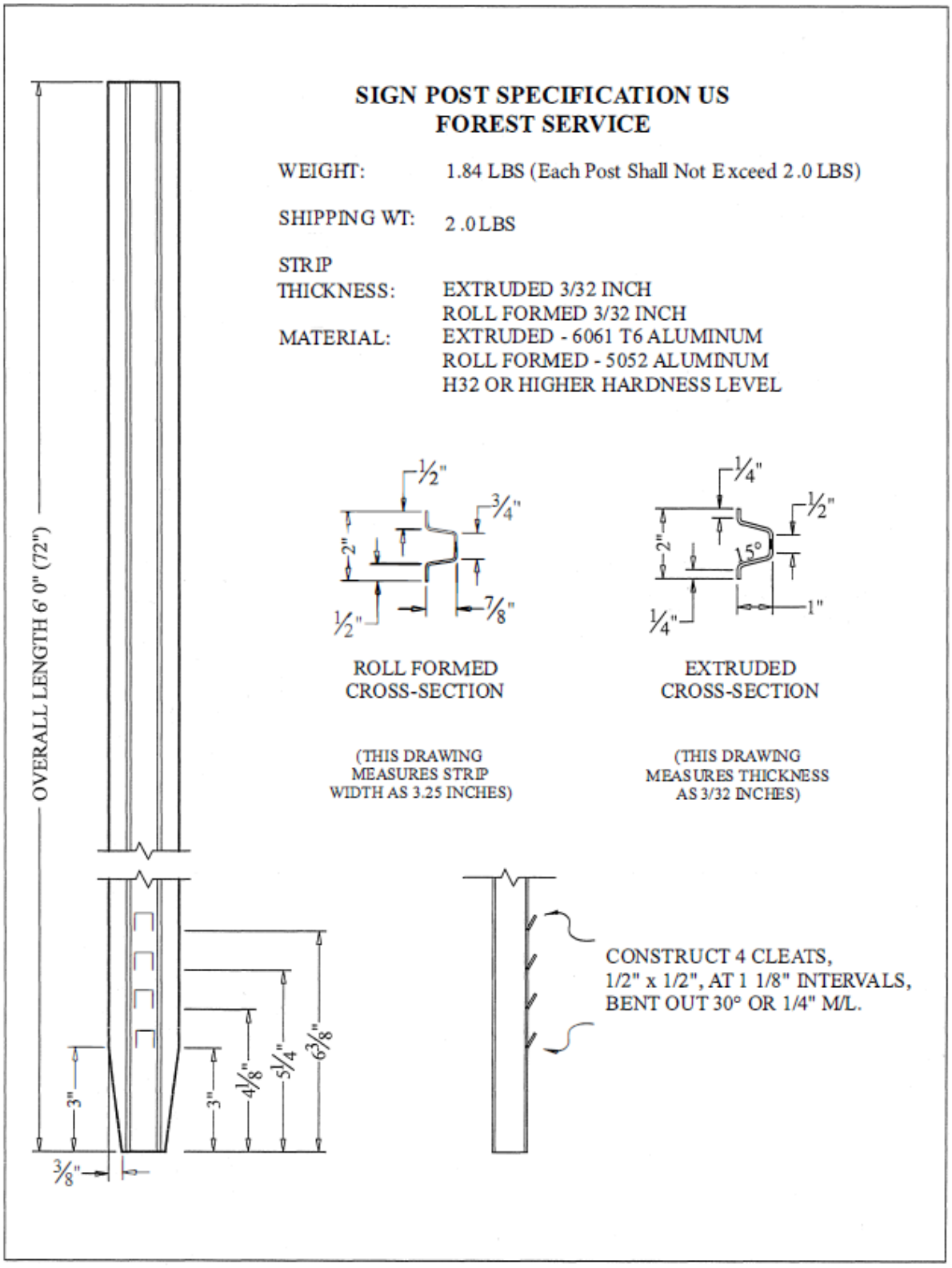
CLIN	Description	Estimated Quantity	Unit of Issue	Unit Cost	Total
0001	Aluminum Posts	9000	Each		
0002	(OPTIONAL) Additional Aluminum Posts (See bullet f in Schedule Notes)	1000	Each		
			TOTAL		

Schedule Notes:
a) One award will be made from this solicitation.
b) The Total Price shall include all costs including delivery.
c) Fill in table above with all information.
d) The Government reserves the right to award all, some, or no line items as a result of this solicitation.
e) Items labeled as optional are not required to be awarded by the Government. If awarded, the Contractor shall be required to deliver the optional line items in accordance with the terms and conditions of the resultant contract.
f) At time of award, the Government will award as many optional posts as the budget allows based on the quoted unit cost. Contractors shall provide a unit cost for CLIN 0002 that would apply to just one additional post or as many as 1000.

SPECIFICATIONS
Shall comply with the following specifications.

Technical Specifications:

- The posts shall be manufactured from either Extruded 6061 T6 Aluminum or 5052 Aluminum
- The weight of each post shall not exceed two pounds
- The posts shall be manufactured to the drawing specifications:



Location Information

No loading dock is available for offloading however forklifts are available at all 3 sites. Will need a minimum of 24 hours notice when the delivery truck will be arriving as to provide access to secure storage yards and to schedule the forklift. Delivery will need to be made Monday-Thursday during business hours, 0800-1630, excluding holidays.

50% of Order Shipped to:
ATTN: Kyle Mettler
Idaho Panhandle National Forests
3232 W Nursery Rd
Coeur d'Alene, ID 83815

25% of Order Shipped to:
ATTN: Troy Hensiek
Lolo National Forest
1615 Catlin Street
Missoula, MT 59804

25% of Order Shipped to:
ATTN: Ben Sidor
Flathead National Forest
10 Hungry Horse Drive
Hungry Horse, MT 59919

Estimated Date of Delivery:_____
(Estimated date will be incorporated into award)

Federal Holidays are excluded. The Contractor shall not deliver on Federal Holidays. Federal Holidays are observed as follows:

- New Year's Day, January 1*
- Birthday of Martin Luther King, Jr., third Monday in January
- Washington's Birthday, third Monday in February
- Memorial Day, last Monday in May
- Juneteenth – June 19*
- Independence Day, July 4*
- Labor Day, first Monday in September
- Columbus Day, second Monday in October
- Veteran's Day, November 11*
- Thanksgiving Day, Fourth Thursday in November
- Christmas Day, December 25*

Government facilities observe Federal Holidays that fall on a weekend as follows: Government facility will be closed the Friday before a holiday which falls on a Saturday; Government facility will be closed the first Monday after a holiday which falls on a Sunday.

Federal Acquisition Regulation (AR) and United States Department of Agriculture Acquisition Regulation (AGAR) Clauses and Provisions

The clauses and provisions contained herein are applicable to any order awarded as a result of this solicitation. The terms and conditions set forth herein supersede all other terms and conditions. Acceptance of the order in accordance with (IAW) FAR 12.201-1(b)(2) constitutes acceptance of all terms and conditions contained herein.

As part of the Revolutionary FAR Overhaul (RFO), system updates may lag policy updates. The System for Award Management (SAM) may continue to require entities to complete representations based on provisions that are not included in this solicitation. Contracting officers will rely on representations from offers based on provisions in the

solicitation. Entities are not required to, nor are they able to, update their entity registration to remove these representations in SAM.

52.252-2 Clauses Incorporated by Reference Feb 1998

This solicitation incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also the full text of the clause may be accessed electronically at Internet address https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-52

52.212-4 Terms and Conditions—Commercial Products and Commercial Services (Nov 2025)
☐ Alternate I (Nov 2025) of 52.212-4
52.203-17 Contractor Employee Whistleblower Rights (Nov 2023)
52.203-19 Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017)
52.222-50 Combating Trafficking in Persons (Nov 2025)
☐ Alternate I (Nov 2025) of 52.222-50
52.226-8 Encouraging Contractor Policies to Ban Text Messaging While Driving (May 2024)
52.232-39 Unenforceability of Unauthorized Obligations (Jun 2013)
52.232-40 Providing Accelerated Payments to Small Business Subcontractors (Mar 2023)
52.233-3 Protest After Award (Sep 2025)
52.233-4 Applicable Law for Breach of Contract Claim (Sep 2025)
52.240-91 Security Prohibitions and Exclusions (Nov 2025)
☐ Alternate I (Nov 2025) of 52.240-91
52.244-6 Subcontracts for Commercial Products and Commercial Services (Nov 2025)

The following clauses are applicable if checked:.

☐ 52.203-6 Restrictions on Subcontractor Sales to the Government (Jun 2020) with Alternate I (Nov 2021) of 52.203-6
☐ 52.203-13 Contractor Code of Business Ethics and Conduct (Nov 2021)
☐ 52.204-9 Personal Identity Verification of Contractor Personnel Jan 2011
☒ **52.204-13 System for Award Management—Maintenance (Nov 2025)**
☐ 52.204-91 Contractor identification (Nov 2025)
☒ **52.209-6 Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (Sep 2025)**
☐ 52.209-9 Updates of Publicly Available Information Regarding Responsibility Matters (Sep 2025)
☒ **52.209-10 Prohibition on Contracting with Inverted Domestic Corporations (Sep 2025)**
☐ 52.219-4 Notice of Price Evaluation Preference for HUBZone Small Business Concerns (Nov 2025)
☒ **52.219-6 Notice of Total Small Business Aside (Nov 2025)**
☐ Alternate I (Mar 2020).
☐ 52.219-8 Utilization of Small Business Concerns (Nov 2025)
☐ 52.219-9 Small Business Subcontracting Plan (Nov 2025)
☐ Alternate III (Nov 2025) of 52.219-9.
☐ Alternate IV (Nov 2025) of 52.219-9
☐ 52.219-14 Limitations on Subcontracting (Nov 2025)
☐ 52.219-16 Liquidated Damages—Subcontracting Plan (Nov 2025)
☐ 52.219-33 Nonmanufacturer Rule (Nov 2025)
☒ **52.222-3 Convict Labor (June 2003)**
☒ **52.222-19 Child Labor—Cooperation with Authorities and Remedies (Nov 2025)**
☐ 52.222-35 Equal Opportunity for Veterans (Nov 2025)
☐ Alternate I (Jul 2014) of 52.222-35
☒ **52.222-36 Equal Opportunity for Workers with Disabilities (Nov 2025)**

☐ Alternate I (Jul 2014) of 52.222-36
☐ 52.222-37 Employment Reports on Veterans (Nov 2025)
☐ 52.222-40 Notification of Employee Rights Under the National Labor Relations Act (Dec 2010
☐ 52.222-41 Service Contract Labor Standards (Aug 2018)
☐ 52.222-42 Statement of Equivalent Rates for Federal Hires (May 2014)

This Statement is for Information Only:
It is not a Wage Determination

Employee Class	Monetary Wage -- Fringe Benefits

☐ 52.222-43 Fair Labor Standards Act and Service Contract Labor Standards -- Price Adjustment (Multiple Year and Option Contracts) (Aug 2018)
☐ 52.222-44 Fair Labor Standards Act and Service Contract Labor Standards -- Price Adjustment (May 2014)
☐ 52.222-51 Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (May 2014)
☐ 52.222-53 Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (Nov 2025)
☐ 52.222-54 Employment Eligibility Verification (Nov 2025)
☐ 52.222-62 Paid Sick Leave Under Executive Order 13706 (Jan 2022)
☒ **52.222-90 Addressing DEI Discrimination by Federal Contractors (Apr 2026)**
☐ 52.223-2 Reporting of Biobased Products Under Service and Construction Contracts (Nov 2025)
☐ 52.223-9 Estimate of Percentage of Recovered Material Content for EPA-Designated Items (May 2008)
☐ Alternate I (May 2008) of 52.223-9
☐ 52.223-11 Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (Nov 2025)
☐ 52.223-12 Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (Nov 2025)
☒ **52.223-23 Sustainable Products and Services (Nov 2025)**
☐ 52.224-3 Privacy Training (Jan 2017)
☐ Alternate I (Jan 2017) of 52.224-3
☒ **52.225-1 Buy American-Supplies (Nov 2025)**
☐ Alternate I (Oct 2022) of 52.225-1
☐ 52.225-3 Buy American--Free Trade Agreements--Israeli Trade Act (Nov 2025)
☐ Alternate II (Nov 2025) of 52.225-3.
☐ Alternate III (Nov 2025) of 52.225-3.
☐ Alternate IV (Oct 2022) of 52.225-3
☐ 52.225-5 Trade Agreements (Nov 2023)
☐ 52.225-19 Contractor Personnel in a Designated Operational Area or Supporting a Diplomatic or Consular Mission outside the United States (May 2020)
☐ 52.225-26 Contractors Performing Private Security Functions Outside the United States (Oct 2016)
☐ 52.226-4 Notice of Disaster or Emergency Area Set-Aside (Nov 2007)
☐ 52.226-5 Restrictions on Subcontracting Outside Disaster or Emergency Area (Aug 2025)
☐ 52.229-12 Tax on Certain Foreign Procurements
☐ 52.232-29 Terms for Financing of Purchases of Commercial Products and Commercial Services (Nov 2021)
☐ 52.232-30 Installment Payments for Commercial Products and Commercial Services (Nov 2021)
☒ **52.232-33 Payment by Electronic Funds Transfer— System for Award Management (Oct 2018)**
☐ 52.232-34 Payment by Electronic Funds Transfer—Other Than System for Award Management (Jul 2013)

☐ 52.232-36 Payment by Third Party (Nov 2025)
☐ 52.237-2 Protection of Government Buildings, Equipment, and Vegetation (Apr 1984)
☐ 52.237-3 Continuity of Services (Jan 1991)
☐ 52.240-92 Security Requirements (Nov 2025)
☐ 52.240-93 Basic Safeguarding of Covered Contractor Information Systems (No 2025)
☐ 52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels (Nov 2025)
☐ Alternate I (Apr 2023) of 52.247-64.
☐ Alternate II (Nov 2021) of 52.247-64

Other Applicable Clauses

52.247-34 F.O.B. Destination (Jan 1991)

FAR 52.217-7 OPTION FOR INCREASED QUANTITY-SEPARATELY PRICED LINE ITEM (MAR 1989):
The Government may require the delivery of the numbered line item, identified in the Schedule as an option item, in the quantity and at the price stated in the Schedule. The Contracting Officer may exercise the option by written notice to the Contractor within 90 calendar days from date of award.

AGAR Clauses

This solicitation incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of the clause may be accessed electronically at Internet address https://www.usda.gov/guidance-documents/acquisition-policy/ocp/usda-agar30-sept-26pdf.

AGAR 452.203-70 Unenforceable Supplier Terms (MAY 2026)

AGAR 452.204–70 Modification for Contract Closeout (Apr 2026)

AGAR 452.236-70 Electronic Submission of Payment Requests (Sep 2026)

Solicitation Information

52.252-1 Solicitation Provisions Incorporated by Reference Feb 1998
This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es): https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-52

52.212-1 Instructions to Offerors - Commercial Products and Commercial Services (Nov 2025)
52.203-18 Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements or Statements-Representation (Jan 2017)
52.209-2 Prohibition on Contracting with Inverted Domestic Corporations - Representation (Sep 2025)
52.209-11 Representation by Corporations Regarding Delinquent Tax Liability or a Felony Conviction under any Federal Law (Sep 2025)
52.240-90 Security Prohibitions and Exclusions Representations and Certifications (Nov 2025)

The following provisions are applicable if checked:

☐ 52.203-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (Sep 2024)
☒ **52.204-7 System for Award Management—Registration (Nov 2025)**

☐ Alternate I (Nov 2025) to 52.204-7
☐ 52.204-90 Offeror Identification (Nov 2025)
☐ 52.207-6 Solicitation of Offers from Small Business Concerns and Small Business Teaming Arrangements or Joint Ventures (Multiple-Award Contracts) (Aug 2024)
☐ 52.209-12 Certification Regarding Tax Matters (Oct 2025)
☐ 52.219-2 Equal Low Bids (Nov 2025)
☐ 52.222-18 Certification Regarding Knowledge of Child Labor for Listed End Products (Feb 2021)
☐ 52.222-48 Exemption from Application of the Service Contract Labor Standards for Maintenance, Calibration, or Repair of Certain Equipment–Certification (Nov 2025)
☐ 52.222-52 Exemption from Application of the Service Contract Labor Standards for Certain Services-Certification (Nov 2025)
☐ 52.222-56 Certification Regarding Trafficking in Persons Compliance Plan (Oct 2020)
☐ 52.223-4 Recovered Material Certification (May 2008)
☒ **52.225-2 Buy American Certificate (Oct 2022)**
☐ 52.225-4 Buy American-Free Trade Agreements-Israeli Trade Act Certificate (Nov 2025)
☐ 52.225-6 Trade Agreements-Certificate (Feb 2021)
☐ 52.226-3 Disaster or Emergency Area Representation (Nov 2007)
☐ 52.229-11 Tax on Certain Foreign Procurements—Notice and Representation (Jul 2025)

FAR 52.212-1 is amended as follows:

INSTRUCTIONS TO QUOTERS

Quote shall be emailed to tammy.guillory@usda.gov and sarah.ackerman@usda.gov. Contractor is responsible for verifying receipt of quote.
Any questions regarding this RFQ shall be submitted electronically to Tammy Guillory and Sarah Ackerman at the email addresses above.
Contractors shall submit a price quote and technical proposal to include all the evaluation factors with the required information (below).

Price:
Contractor shall fill out the SF-1449 and provide pricing as requested in the Schedule of Items including completion and signing of requested company information.

Acceptability of the proposed product:
Provide the material the posts shall be manufactured from and confirmation the product shall be manufactured to the drawing specifications.

Delivery schedule and method:
Provide anticipated delivery date.

Relevant Past Performance:
Contractor shall provide the following information for relevant past performance:

Award #	CO's Name	COR's Name	Period of Performance

Award Type
It is anticipated that a Firm-Fixed-Price purchase order will be awarded as a result of this synopsis/solicitation. The Government intends to make one award from this solicitation. Therefore, to be considered responsive, contractors must submit pricing for all items.

Evaluation and Basis for Award

Evaluation-Commercial Items:
The provision at FAR 52.212-2, Evaluation—Commercial Products and Commercial Services is applicable to this solicitation.
a) Evaluation factors. The Government will award a contract resulting from this solicitation to the responsible Offeror whose offer conforming to the solicitation will be most advantageous to the Government, price and other factors considered. The following factors will be used to evaluate offers:

Price:
The Contractor's quotation shall be evaluated in accordance with FAR 12.204, to determine if it is fair and reasonable.

Acceptability of the proposed product:
Will be evaluated based on submission of product sheet and acceptability the proposed product. This factor will be evaluated using the following rating system: **Acceptable:** All required documents submitted and the proposed product meets the product specifications. **Unacceptable:** Missing required document(s) to evaluate acceptability of proposed product and or the product does not meet product specifications.

Delivery schedule and method:
Will be evaluated based on submission of provided anticipated date of delivery. This factor will be evaluated using the following rating system: **Acceptable:** Delivery date is acceptable. **Unacceptable:** Delivery date is unacceptable.

Relevant Past Performance:
The Government may utilize any references provided by the Contractor, along with information available from past work similar in size, complexity and scope completed within the last three years; and any information found using sources such as Federal Government sources or the Contractor Performance Assessment Reporting System (CPARS) to determine if the Contractor has acceptable or neutral Past Performance. The Government will consider the extent to which the vendor demonstrates experience performing work similar in scope, size, and complexity to the requirements of this solicitation. Government evaluators may avail themselves of various federal, state, and local past performance databases. The Government may research quoter performance on any federal, state, local, and commercial contract performance of the quoter that is known to the Government but not included on the submitted performance information. Additionally, the personal experience and evaluator knowledge of offeror performance may be utilized. Past Performance will be evaluated using the following rating system:

- **Acceptable:** The contractor shows a demonstrated ability to meet contract requirements in prior or current contracts, including quality of work, timeliness, cost control, business relations, and adherence to contract terms.
- **Neutral:** Offeror does not have a past performance record.
- **Unacceptable:** The contractor has a documented history of failing to meet contract requirements, including poor quality, missed deadlines, cost overruns, lack of responsiveness, or unethical behavior or did not respond to this evaluation factor.

Evaluation Method:
Award will be made to the quoter representing the best value to the Government. The Government may consider quotations that exceed minimum requirements and offer additional value or benefits, even if they are not the lowest priced. However, formal tradeoff procedures will not be conducted. Options. The Government will evaluate quotes for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that a quote is unacceptable if the option prices are significantly unbalanced. Evaluation of options shall not obligate the Government to exercise the option(s).

AGAR Provisions

This solicitation incorporates one or more provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of the clause may be accessed electronically at Internet address https://www.usda.gov/guidance-documents/acquisition-policy/ocp/usda-agar30-sept-26pdf.

NOTICE FOR FILING AGENCY PROTESTS
United States Department of Agriculture (USDA) Protest Procedures

The United States Department of Agriculture (USDA) is committed to fair, transparent, and efficient acquisitions. Interested parties with concerns about this solicitation are encouraged to seek resolution through the following USDA procedures.

Tier 1: Contracting Officer Concern Resolution

Submission: Interested parties with concerns about either the solicitation or subsequent award should first submit their concern directly to the Contracting Officer, providing sufficient detail to allow the Contracting Officer to understand and assess the issue.

Process: The Contracting Officer will review the concern, seek clarification as needed, and engage with the interested party to attempt prompt resolution.

Review Timeline: The Contracting Officer will make every effort to provide a response or resolution within 10 business days of receiving the concern.

Effect on Award or Performance: Tier 1 engagement is not considered an official notification of filing an agency protest and does not pause solicitation deadlines, delay award decisions, or suspend contract performance.

Next Steps: If the matter cannot be resolved at Tier 1, the interested party may file a written agency protest under Tier 2. USDA encourages all parties to seek resolution with the Contracting Officer before filing an agency protest.

Tier 2: Agency Protest

If concerns cannot be resolved at Tier 1, an interested party may file a written agency protest with either the Contracting Officer or the USDA Independent Review Authority. The decision by the USDA Independent Review Authority is an alternative to a decision by the Contracting Officer. The USDA Independent Review Authority will not consider an appeal of the Contracting Officer's decision on an agency protest.
The protest must state whether the protester elects review by the Contracting Officer, by the UDSA Independent Review Authority. If no election is stated, the Contracting Officer will decide the protest.

Required Information: Protests shall include the information set forth in FAR 33.104-4 (a)(3). Failure to submit the required information may result in a delay or dismissal of the protest.

Submission: Agency protests should be submitted electronically to SPE.inquiry@usda.gov and the Contracting Officer.

Timeliness: Protests must be filed within the timeframes specified in FAR 33.104.

Effect on Award or Performance: Contract awards or performance will be suspended during the protest period unless justified in writing for urgent and compelling reasons or determined to be in the best interest of the Government.

Review Timeline: USDA strives to resolve agency-level protests within 35 business days of receipt.

Election of Forum: By filing a protest with USDA, the protesters agree not to file a protest on the same matter with the Government Accountability Office (GAO) or any other external forum while the agency protest is pending. If such a protest is filed externally, the USDA agency protest will be dismissed.

Questions: Questions regarding this notice or protest procedures should be directed to the Contracting Officer identified in this solicitation.