# 29823 – Fresh Fruit & Vegetables

Frequently Asked Questions (FAQ)

Contract FAQs

**Purchaser Related**

1. **Can I choose any awarded contractor to purchase from this contract?**

This contract has multiple awarded contractors to provide Fresh Fruit and Vegetables, but each is awarded for a particular region. Purchasers must select the awarded contractor from the relevant region. Purchasers may not use a contractor to obtain Fresh Dairy Products from a region that was not awarded to that contractor. All contractors went through the competitive solicitation process and were selected to be awarded on this contract as the highest scoring bidders for the specified region. State of Washington Agency customers are not required to conduct further competition to choose an awarded contractor. Other customers should follow their applicable rules regarding contractor selection.

1. **How can I determine the best awarded contractor to use?**

Enterprise Services recommends reviewing the contract summary page for information about the winning bids, including contractual information, pricing, and any special provisions. In addition, at least the top three winning bids per category are available, along with the bid tabulation summarizing Enterprise Services’ evaluation and scores for each contractor.

Purchasers are encouraged to engage the awarded contractor(s) who best meet their requirements to obtain and review specific quotation(s) for their business need. Note that the pricing stated in these contracts is the **maximum** that contractors may charge purchasers. Purchasers are able to request and possibly negotiate deeper discounts, such as for bulk orders or large projects.

1. **What does it mean if the contractor is the main award vs reserved award?**

The contractors designated as main awards are businesses that participated in the competitive solicitation and were determined to be the highest scored, responsive, responsible bidders with no preference.

Reserved awards are set aside contracts awarded only to the next highest scored, responsive, responsible bidders certified as Washington Small and/or Veteran-owned businesses that participated in the competitive solicitation but did not achieve the highest overall scores to be designated as main awards.

All contract awards are the result of the competitive solicitation with the specified best value evaluation criteria in compliance with RCW 39.26 and state procurement policies. Per the guidance DES received from the Attorney General’s Office, since the competitive solicitation separated main and reserved award structures, purchasers that utilize federal funds can utilize main awards that achieved highest overall scores without preferences but might not be able to utilize contractors that were awarded only as reserved awards, since these awards are based on a preference. For questions related to a specific federal grant or funding source and how it might impact the purchasers’ ability to utilize the awards on this contract, please check with your Legal and/or Attorney General’s Office.

1. **Who can (or cannot) use this contract?**

Eligible purchasers include:

**Washington State Agencies**. All Washington state agencies, departments, offices, divisions, boards, and commissions.

**Washington State Institutions of Higher Education (Colleges).** Any the following institutions of higher education in Washington: State universities – i.e., University of Washington & Washington State University; Regional universities – i.e., Central Washington University, Eastern Washington University, & Western Washington University; Evergreen State College; Community colleges; and Technical colleges.

**CUA Parties**. Any of the following types of entities that have executed a [Contract Usage Agreement](https://apps.des.wa.gov/DESContracts/Home/MCUAListing) with Enterprise Services: Political subdivisions (e.g., counties, cities, school districts, public utility districts, ports) in the State of Washington; Federal governmental agencies or entities; Public-benefit nonprofit corporations (i.e., public benefit nonprofit corporations as defined in RCW 24.03A.245 who receive federal, state, or local funding); and Federally-recognized Indian Tribes located in the State of Washington.

Enterprise Services maintains a list of eligible Contract Usage Agreement parties on the [CUA Listing website.](https://apps.des.wa.gov/DESContracts/Home/MCUAListing)

1. **What is the pricing model?**

This is an adjustable price contract, with pricing permitted to change on a weekly basis. Pricing will be made available to the Purchaser of this Contract once an account is established with the Contractor. The posted Pricing Lists include Vendor’s Product offerings, their fixed price, and the availability of Washington Grown produce. The unit price is determined by adding the fixed fee with a landed cost. The landed cost must be consistent to the submitted bid prices in in proportion to the [USDA Market report for the San Francisco location for the Terminal Market](https://www.marketnews.usda.gov/mnp/fv-report-top-filters?startIndex=1&dr=1&rowDisplayMax=25&type=termPrice&repType=termPriceDaily&navType=termNav&termNav=1&dr=1&locAbr=SX&locName=San%20Francisco&termNavClass=AFV). Example: [USDA](https://www.marketnews.usda.gov/mnp/fv-report-top-filters?startIndex=1&dr=1&rowDisplayMax=25&type=termPrice&repType=termPriceDaily&navType=termNav&termNav=1&dr=1&locAbr=SX&locName=San%20Francisco&termNavClass=AFV) (Landed) + Fixed Fee = Unit Price. This will fluctuate weekly.

1. **What are key performance commitments from contractors?**

Contractor mush comply with all product specifications as outlined in the contract, provide traceability , fill rate and substitution reports as requested, support Washington Grown and Healthy Eating initiatives, and follow all general requirements of the contract.

1. **How do I get involved with or participate in developing the solicitation that will replace this contract?**

Enterprise Services generally makes a determination on developing a new contract that replaces expiring contracts one year before the current contract expires. The solicitations that are currently in development appear on the [planned procurement](https://apps.des.wa.gov/DESContracts/Home/PlannedProcurement) page. If you are interested in participating, please contact the contract administrator listed on that page.

1. **What should a purchaser do if a contractor is not performing?  Who should a purchaser contact at Enterprise Services or how to escalate a performance issue with the contractor?**

If there is a contractor that is not preforming, the purchaser should first seek to resolve the issue directly with the contractor. If the performance issue is unresolved, reoccurring, or in need of escalation, please contact the Enterprise Services Contract Administrator listed on the contract page. Enterprise Services relies on purchasers that are working with the contractors to notify us of any issues. Enterprise Services staff can aggregate any contractor performance issues across purchasers to ensure good performance for all. Please send relevant information on the performance issue so that Enterprise Services staff can assist.

1. **How can I purchase greener products? How do I know a product is toxics free? Where did the environmental certifications/factors come from?**

Please refer to the Enterprise Services [environmentally preferred purchasing page](https://des.wa.gov/services/contracting-purchasing/policies-training/resources/environmentally-preferred-purchasing) for more information.

**Contractor Related**

1. **When can I get added to the contract?**

Contracts can only be awarded to contractors that submit a bid on the opportunity when it is posted to WEBS.

Contracts for the state are awarded through a competitive solicitation process via our [online solicitation system WEBS.](https://pr-webs-vendor.des.wa.gov/) Enterprise Services has a [registration page](https://des.wa.gov/sell/how-work-state/register-bid-opportunities) that explains the registration process. If you have questions on the registration process, please contract WEBS customer service, (360) 902-7400.

Enterprise Services also has information on [doing business with the state](https://des.wa.gov/sell/how-work-state) for you to review. There is also a page on [bid opportunities](https://des.wa.gov/sell/bid-opportunities) with Enterprise Services, though all official opportunities are posted through WEBS.

1. **Who do I contact if I have invoice or vendor management fee questions?**

Please contact the contract administrator listed on the contract summary page.

1. **When are quarterly sales reporting due?**

Quarterly sales reports are due and past due based on the following timeframes:

|  |  |  |
| --- | --- | --- |
| **Sales Made**  | **Report Due By**  | **Report Past Due**  |
| 1 January – 31 March  | April 30  | May 1  |
| 1 April – June 30  | July 31  | August 1  |
| 1 July – September 30  | October 31  | November 1  |
| 1 October – December 30  | January 31  | February 1  |

Please check the [sales reporting website](https://apps.des.wa.gov/CSR/login.aspx) which has the following general [reporting instructions](https://apps.des.wa.gov/CSR/Vendor_Qtrly_Sales_Rpt.pdf).

1. **When are vendor management fee invoices due?**

After sales have been reported, contractors will receive an invoice to remit to Enterprise Services the vendor management fee payment. Please wait to receive an invoice from Enterprise Services before sending payment. This is to ensure your payment can be identified, accepted, and applied correctly. Contractor must pay the vendor management fee invoice within thirty (30) calendar days.

1. **Who do I contact for contact updates?**

Please contact the contract administrator listed on the contract summary page.

1. **How do I check for authorized purchasers?**

Please check the [Contracts Usage Agreement (CUA) signed agreement list](https://apps.des.wa.gov/DESContracts/Home/MCUAListing) to see the list of authorized purchasers for Enterprise Services contracts. The [[Washington State website](https://wa.gov/)](https://wa.gov/) can help navigate to the governmental entities on the list.

1. **How do I report EPP purchases? How do I submit products with green certifications?**

Please refer to the Enterprise Services [environmentally preferred purchasing page](https://des.wa.gov/services/contracting-purchasing/policies-training/resources/environmentally-preferred-purchasing) for more information.