



United States
Department of
Agriculture

Farm
Service
Agency

Kansas City Commodity Office
Post Office Box 419205
Kansas City, Missouri 64141

Date: August 9, 2007

FAX NO. (816) 926-6381 or (816) 926-6767

SOYBEAN/CORN EXCHANGE NO. 02 – AMENDMENT 01

The Commodity Credit Corporation (CCC) desires to exchange CCC-owned bulk soybeans and/or corn for packaged milled rice, pinto beans and vegetable oil under the McGovern Dole Food for Education Program.

CCC seeks the following quantities of packaged commodity:

Milled Rice	2,340 MT	50 KG Bags	Republic of Congo
Milled Rice	1,150 MT	50 KG Bags	Guinea-Bissau
Pinto Beans	1,470 MT	50 KG Bags	Republic of Congo
Pinto Beans	1,150 MT	50 KG Bags	Guinea-Bissau
Vegetable Oil	590 MT	20 Liter Pails	Republic of Congo
Vegetable Oil	1,900 MT	20 Liter Pails	Republic of Congo
Vegetable Oil	70 MT	6/4 Round	Benin

The contractor will receive CCC-owned bulk soybeans and/or corn in exchange for milled rice, pinto beans and vegetable oil produced and packaged in accordance with Commodity Requirements Documents MR19, DEB2 and VO10. The total quantities of the packaged commodities shall be evaluated and awarded on an “all or none” basis for each specific commodity.

Specific packaged commodity requirements:

Milled rice shall be #2/7, long grain, and well-milled.

Moisture for pinto beans shall not exceed 13.5%.

Vegetable oil packaged in 20 liter pails shall be 100% soybean oil.

For this exchange only, Section 2.2 Containers and Materials of MR19, DEB2 and VO10 is amended to read as follows:

2.2 CONTAINERS AND MATERIALS

- A. The contractor shall maintain records to verify that during the contract delivery period, at the point of packaging, the containers and packaging materials were in compliance with the Government’s requirements.
- B. The containers and packaging materials shall be constructed to meet the requirements of the FDA for safe contact with the packaged product.
- C. All markings and labels shall be in English.
- D. Neither the package nor container shall display country of origin labeling. Phrases similar to, but not inclusive of, “Made in (Name of Country.)” or “Product of (Name of Country.)” are strictly prohibited.

Shipment Period: September 1-15, 2007

Delivery points considered will only be those f.a.s. vessel and intermodal bridge (excluding Lakes "L") locations approved and listed on the KC-362.

http://www.fsa.usda.gov/Internet/FSA_File/kc0362.pdf

Offers and any modifications or withdrawals of offers must be received in the Kansas City Commodity Office (KCCO) by 2:00 p.m., CDT, August 13, 2007.

CCC will telephone contractor with notice of acceptance by 9:15 a.m., CDT, August 14, 2007.

Public release of award information will be after 1:30 p.m., CDT, August 15, 2007.

All CCC-owned bulk soybeans and corn are available for exchange. A list of Uniform Grain and Rice Storage Agreement (UGRSA) warehouse names and locations together with the quality and net quantity of CCC-owned bulk soybeans and corn is available at

http://www.fsa.usda.gov/Internet/FSA_File/soybeans_p.pdf and

http://www.fsa.usda.gov/Internet/FSA_File/corn_p.pdf, respectively. KCCO strongly urges prospective contractors to contact the storing warehouse operator to arrive at the terms and conditions applicable for delivery of the soybeans and/or corn prior to exchanging the commodities.

The contractor will bid for a quantity of CCC-owned bulk soybeans and/or corn listed on the CCC-owned bulk soybean and corn listings, designating a specific lot number(s) in exchange for the quantity of packaged commodities as requested on the attached offer form. In formulating the offer, the offeror should note that CCC-owned bulk soybeans and corn will be received by the contractor instore, at storage locations specified in the CCC-owned bulk soybean and corn listings.

Offers must be made on a lot by lot basis and not contingent on the acceptance of another lot. Only entire warehouse lot net quantities may be included in a bid, except that **one** warehouse lot may be split in order to arrive at the intended bid quantity. CCC may accept or reject any or all offers.

All costs for transportation/manufacturing/handling of packaged commodities from the contractor's plant to the f.a.s. vessel location are for the contractor's account.

- "F.a.s. vessel" means free of expense to the Government delivered alongside the ocean vessel and within reach of its loading tackle at the specified port of shipment, or on the floor of a USDA -approved warehouse/berth/terminal transload facility as designated by ocean carrier.
- Exception: The following f.a.s. delivery points shall be defined as free of expense to the Government delivered free on board the conveyance (truck or railcar) to the USDA - approved warehouse/berth/terminal transload facility as designated by ocean carrier:
 - f.a.s. Houston, TX (HOUS)
 - (The ocean carrier shall be responsible to pay all handling costs to unload the conveyance and all associated terminal/port charges.)

- “Intermodal bridge” means delivered free of expense to the Government delivered in transportation conveyance obtained by the vendor to locations where steamship lines have established and published intermodal rates from a U.S. point to a U.S. port and a foreign destination.

CCC will transfer title to the CCC-owned bulk soybeans and/or corn within 2 business days of receipt of the following documents which are to be provided to CCC at no additional cost:

1. Certificate of Analysis (COA) - a COA must be submitted for each lot,
2. KC-366 Shipment Log (used as Proof of Delivery), and
3. Statement certifying commodity conforms to the provisions of the Federal Food, Drug, and Cosmetic Act and all parts of MR19, DEB2, and VO10 with the exceptions as indicated on Page 1 of this “Exchange for Offers”.

CCC will pay for storage charges through the date the title is transferred. The stop storage date on lots released to the contractor will be shown on the transfer of title notification. Warehouse receipts will be mailed to the storing warehouse operator using overnight mail. CCC will instruct the storing warehouse operator to cancel the warehouse receipts and hold the soybeans and/or corn in open storage for the contractor’s account. If interested, the contractor may request that the storing warehouse operator issue new warehouse receipts to the contractor.

Contractor is responsible for paying load out charges, plus any storage charges incurred after CCC transfers title to the CCC-owned bulk soybeans and/or corn instore. The storage and handling rates contained in the CCC Schedule of Rates will apply to the soybeans and/or corn until loaded out, provided the transferee, in writing, orders the soybeans and/or corn loaded out for immediate shipment within 30 days after the date title is transferred. If the transferee does not request, in writing, load out within 30 days after the date title is transferred, the storage and handling rates applicable to the transferee for the soybeans and/or corn shall not exceed CCC’s Schedule of Rates in effect at the time of title transfer until the earlier of: 1) 60 days, or 2) title to the soybeans and/or corn is transferred by the transferee to another party, or 3) the transferee loads the soybeans and/or corn out of the warehouse.

Any differences between quantity and quality of CCC-owned bulk soybeans and/or corn received by the contractor are to be settled between the storing warehouse operator and the contractor. CCC will not facilitate this settlement.

Any actual damages suffered by CCC resulting from any failure or refusal of contractor to perform shall be for the account of the contractor. Such actual damages shall include, but not be limited to: the fair market value of the packaged commodity, as determined by CCC, vessel demurrage, handling, wharfage charges, storage, fumigation costs, and excess replacement costs.

The packaged commodities delivered must be entirely produced in the United States from commodities produced in the United States. Produced in the United States means manufactured, processed, mined, harvested, or otherwise prepared for sale or distribution, from components originating in the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the Trust Territories of the Pacific Islands (hereinafter referred to as the United States). Components originating in the United States that have been exported, and subsequently imported back into the United States, will not be considered as having been produced in the United States. The contractor will maintain records evidencing product origin and will make such records

available for review by the Government.

SUBMISSION OF OFFERS

CCC reserves the right to refuse to consider an offer if KCCO does not have adequate information to determine the responsibility of offeror, financially or otherwise. First time CCC offerors, for packaged commodity contracts, should notify CCC prior to submission of an offer.

Offeror must submit a separate bid for either milled rice, pinto beans, or vegetable oil. Offeror may bid for delivery to alternate delivery locations for the specific packaged commodity; however, the entire quantity of each specific commodity must be delivered to one location. Offerors are encouraged to submit multiple offers with different combinations of lots for exchange with the total quantity of a specific commodity delivered to an approved location.

Bids must be submitted by facsimile. In all cases, bids shall be addressed to: **Kansas City Commodity Office, International Procurement Division Bid Box: Soybean/Corn Exchange 02**

- Facsimile Numbers are 816-926-6381 or 816-926-6767. For facsimile submission assistance, please
- KC Administrative Office Communications Center at 816-823-1012.

The time recorded by the facsimile as offeror's transmission time will be used to determine the time of receipt by CCC. OFFERORS ARE RESPONSIBLE FOR THE TIMELY RECEIPT OF OFFERS AND ANY AMENDED OFFERS. No offers, modifications, or withdrawals will be accepted by telephone.

EVALUATION OF OFFERS

Offers will be evaluated based on metric tons of milled rice, pinto beans and vegetable oil offered in relation to the value of CCC-owned bulk soybeans and/or corn to be acquired by the offeror in this exchange, as determined by CCC. The lowest-landed cost to the Government to deliver the products to overseas destination shall be used as a factor to evaluate offers. Offers for which the Government has not received matching ocean freight offers/indications shall not be considered. CCC reserves the right to accept offers most advantageous to the Government, which may not necessarily reflect the lowest exchange ratio or the lowest-landed cost. Offers will be evaluated on an "all-or-none" basis for the quantity of each specific packaged commodity. Offers are lot specific and if a particular lot has been selected for award to another offeror, subsequent offers containing that lot will not be considered. The entire quantity of each commodity will not be split between multiple delivery locations.

Further information on this "Exchange for Offers" may be obtained by contacting:

Kansas City Commodity Office
International Procurement Division
P.O. Box 419205, Stop 8738
Kansas City, Missouri 64141-6205
Cita D. Trice - Telephone (816) 926-1438
Cita.Trice@kcc.usda.gov

Daniel Webber - Telephone (816) 926-2847

Dan.Webber@kcc.usda.gov

Deborah Martinek - Telephone (816) 926-6088

Deborah.Martinek@kcc.usda.gov

Questions regarding storage rates and/or specific warehouse contact information may be obtained by contacting Verna Garrett - Telephone (816) 926-6198.

/s/ Timothy Reaman, Acting Chief
International Procurement Division

Attachment

Soybean/Corn Exchange No. 02

In accordance with Soybean/Corn Exchange No. 2, dated August 2, 2007, the undersigned offers the following:

Seller certifies that the packaged commodity to be delivered is or will be manufactured in the United States.

Firm Name _____

Address _____

Plant Location _____

Contact Name _____

Phone No. _____ Fax No. _____

Part One - Milled Rice

CCC Receives From Offeror:

Total quantity CCC is to receive: 3,490 Metric Tons
Commodity and pack size: Milled Rice (No 2/7 long grain, well-milled) packaged in 50 kg bags
Shipped to CCC approved location: Location A: _____

or

Location B: _____

or

Location C: _____

If Offeror requires more delivery locations, please submit an additional offer form.

Shipment period: September 1-15, 2007

CCC Delivers Instore To Offeror:

Lot No. _____ Net Bushels _____

Location _____
(City) (State) (UGRSA Warehouse Code)

Lot No. _____ Net Bushels _____

Location _____

Lot No. _____ Net Bushels _____

Location _____

Lot No. _____ Net Bushels _____

Location _____

Split Lot No. _____ Net Bushels _____

Location _____

Total Net Bushels Offered _____

Part Two – Pinto Beans

CCC Receives From Offeror:

Total quantity CCC is to receive: 2,620 Metric Tons
 Commodity and pack size: Pinto Beans packaged in 50 kg bags
 Shipped to CCC approved location: Location A: _____
 or
 Location B: _____
 or
 Location C: _____
If Offeror requires more delivery locations, please submit an additional offer form.

Shipment period: September 1-15, 2007

CCC Delivers Instore To Offeror:

Lot No. _____ Net Bushels _____
 Location _____
 (City) (State) (UGRSA Warehouse Code)

Lot No. _____ Net Bushels _____
 Location _____

Lot No. _____ Net Bushels _____
 Location _____

Lot No. _____ Net Bushels _____
 Location _____

Split Lot No. _____ Net Bushels _____
 Location _____

Total Net Bushels Offered _____

Part Three – Vegetable Oil

CCC Receives From Offeror:

Total quantity CCC is to receive:	2,490 Metric Tons
Commodity and pack size:	Refined Vegetable Oil packaged in 20 liter pails
Shipped to CCC approved location:	Location A: _____
	or
	Location B: _____
	or
	Location C: _____
	If Offeror requires more delivery locations, please submit an additional offer form.
Shipment period:	September 1-15, 2007

CCC Delivers Instore To Offeror:

Lot No. _____ Net Bushels _____

Location _____
 (City) (State) (UGRSA Warehouse Code)

Lot No. _____ Net Bushels _____

Location _____

Lot No. _____ Net Bushels _____

Location _____

Lot No. _____ Net Bushels _____

Location _____

Split Lot No. _____ Net Bushels _____

Location _____

Total Net Bushels Offered _____

Part Four – Vegetable Oil

CCC Receives From Offeror:

Total quantity CCC is to receive: 70 Metric Tons
Commodity and pack size: Refined Vegetable Oil packaged in 6/4 liter tins
Shipped to CCC approved location: Location A: _____
or
Location B: _____
or
Location C: _____
If Offeror requires more delivery locations, please submit an additional offer form.

Shipment period: September 1-15, 2007

CCC Delivers Instore To Offeror:

Lot No. _____ Net Bushels _____
Location _____
(City) (State) (UGRSA Warehouse Code)

Lot No. _____ Net Bushels _____
Location _____

Lot No. _____ Net Bushels _____
Location _____

Lot No. _____ Net Bushels _____
Location _____

Split Lot No. _____ Net Bushels _____
Location _____

Total Net Bushels Offered _____

SIGNATURE _____

TITLE _____

PRINTED NAME _____

The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. Furnishing the requested information is required to be a responsive offer. Failure to furnish the requested information will result in a non-responsive offer. This information may be provided to other agencies, IRS, Department of Justice, or other State and Federal Law enforcement agencies, and in response to a court magistrate or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 641, 651, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to the information provided.

Federal agencies may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U. S. Department of Agriculture, Clearance Officer, OIRM (OMB No. 0560-0177), Stop 7630, Washington, D.C. 20250-7630.

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