

**ANNOUNCEMENT KCRSRP1, INVITATION NO. 2  
EXCHANGE OF COMMODITY CREDIT CORPORATION-OWNED SUGAR  
FOR LICENSE CREDITS UNDER THE REFINED SUGAR RE-EXPORT PROGRAM**

On June 18, 2013, the Commodity Credit Corporation (CCC) announced its intention to purchase sugar to exchange for Refined Sugar Re-export Program (RSRP) credits. CCC issued a Federal Register Notice on July 26, 2013, to coincide with this Invitation, regarding its intention to purchase raw cane sugar pledged as collateral for CCC loan and a same-day exchange for RSRP credits.

CCC invites offers, subject to the terms and conditions of this Announcement and Invitation, from licensed refiners to exchange license credits under RSRP (7 CFR Part1530) for sugar which CCC intends to purchase from processors. Validation and recognition of each U.S. refiner's re-export license and license credits will be at the sole discretion of CCC.

Quality of exchanged raw cane sugar will be based on the IntercontinentalExchange (ICE) Number 16 quality standard for polarity at 96 degrees. Raw cane sugar processors can reduce the quantity of raw cane sugar delivered if the polarity is greater than 96 degrees, with such adjustment based on the ICE Number 16 contract. Offerors (holders of the RSRP credits) are encouraged to contact raw cane sugar processors in advance of bidding to discuss the quality of sugar to be delivered, a delivery schedule, and to prearrange a schedule for premiums and discounts. CCC does not warrant any contract disputes and will not be responsible for the quantity or quality of sugar delivered out of the storage facility, nor will CCC be responsible for any storage or handling charges, including loadout.

A minimum bid of RSRP license credits representing 3.0 metric tons to 1 metric ton of bulk sugar is required. Offers may be submitted with a ratio up to five decimal places. CCC acceptance criteria will combine:

Raw sugar offers and RSRP license credit exchange offers for ranking using the following formula:  
Exchange ratio/standardized cost, where standardized cost = (offer/offer cap) x \$413.36674

A catalog listing with all offered quantities will be available by 7:30 p.m. Central Time (CT) on July 26, 2013, at:

<http://www.fsa.usda.gov/FSA/webapp?area=home&subject=coop&topic=landing>

CCC will not purchase sugar for which the price offer equals or exceeds the price offer cap. Participants are encouraged to make offers on all catalog items. CCC will only award up to the maximum credits each participant is willing to exchange for CCC-owned sugar. No offer on any one catalog item number will be contingent upon the acceptance of another catalog item number.

The licensed refiner agrees that any exchange resulting in a positive balance on their RSRP account shall be deemed an entry of raw cane sugar for the purposes of the provisions of 7 CFR Section 1530.105(a). If the RSRP license lacks sufficient capacity for the volume of sugar covered by that bid, CCC reserves the right to reduce the quantity of sugar awarded, in order to keep the license balance within program limits. CCC reserves the right to accept or reject any or all offers, or portions thereof.

Offers and any modifications or withdrawal of offers must be received in the Kansas City Commodity Office (KCCO) by 1:30 p.m., CT, July 29, 2013.

Successful Offerors will be notified of acceptance by telephone not later than 1:30 p.m., CT, July 30, 2013, followed by written confirmation. Title of sugar intended for exchange will transfer to the RSRP license holder immediately after CCC receives title. Following this action, the Foreign Agricultural Service (FAS) will notify successful bidders of the RSRP adjusted license credit balance.

The envelope containing offers must be plainly marked "DO NOT OPEN UNTIL PRESCRIBED TIME UNDER ANNOUNCEMENT KCRSRP1, INVITATION NO. 2. Offerors are responsible for the timely receipt of offers and any modifications, or withdrawal of offers.

## **SUBMISSION OF OFFERS**

### **A. How to Submit Offers**

- (1) Offers, modifications, withdrawals, and cancellations shall be submitted by one of the following methods. Submission via fax is at the Offeror's risk.
  - (a) Express or regular mail, and/or hand delivered. Place clearly the notation "Offer under Announcement Invitation KCRSRP1" on the envelope.
  - (b) Facsimile (FAX) to (816) 926-6795. Place in the subject line "Offer under Announcement Invitation KCRSRP1".
- (2) Offer forms must be signed. Reproductions of the offer form are acceptable.
- (3) CCC will not be responsible for any failure attributed to the transmission or receipt of faxes including, but not limited to, the following:
  - (a) Receipts garbled or incomplete;
  - (b) Availability or condition of the receiving fax equipment;
  - (c) Incompatibility between the sending and receiving equipment;
  - (d) Failure of the Offeror to properly identify the information;
  - (e) Illegibility of the information; and

- (f) Security of data.
- (4) Envelopes containing the offers are to be sealed and marked with the name and address of the offeror in the upper left corner. Offers submitted by express mail must be sealed inside a second envelope. All envelopes must be plainly marked with the following statement, **“DO NOT OPEN UNTIL PRESCRIBED TIME UNDER ANNOUNCEMENT KCRSRP1, INVITATION (Enter Appropriate Invitation Number).”** If overnight/express service is utilized, this statement must be printed clearly on the outer express envelope, not on the mailing label.
- (5) Changes by facsimile must contain the required signatures.

**B. Where to Submit Offers**

- (1) Offers, modifications, withdrawals, and cancellations of offers shall be submitted to KCCO and must be received by the date and local time specified in the invitation for receipt of offers.

By Mail:                   USDA-FSA-DACO-KCCO  
Beacon Facility – Mailstop 8698  
P. O. Box 419205  
Kansas City, MO 64141-6205

Hand delivered:        Kansas City Commodity Office  
USDA-CCC-FSA – Mailstop 8698  
6501 Beacon Drive  
Kansas City, MO 64133-4676

By Fax:                   816-926-6795

- (2) If an offer is sent by fax, the recorded date and time per incoming facsimile will serve as proof of receipt for CCC. OFFERORS ARE RESPONSIBLE FOR THE TIMELY RECEIPT OF OFFERS AND AMENDMENTS. No offers, modifications, or withdrawals will be accepted by telephone.
- (3) If an offer is sent by express or regular mail and/or hand delivered, the date and time of receipt will be recorded by the Kansas City Administrative Office’s date and time stamp.

**C. What to submit**

Each Offeror shall submit a completed CCC-331B, Offer Form (attached) of the Announcement/Invitation. Reproduction of the form is permissible.

#### D. Basis of Offer

The content of an offer will include:

- (1) Announcement KCRSRP1, Invitation 2;
- (2) Company name, address, RSRP license number, contact name, telephone and facsimile numbers, email address;
- (3) The offeror's maximum quantity of credits to be considered for this Invitation;
- (4) A bid ratio for each applicable catalog item number, with the metric tons of credits offered at least 3.0 metric tons to 1 metric ton of CCC-owned sugar (3.0:1 ratio or higher); and

#### **PROVISIONS OF CONTRACT**

The contract will consist of:

- (1) Licensee's offer;
- (2) CCC's Acceptance of Offer; and
- (3) This Announcement/Invitation.

#### **TRANSFER OF TITLE**

Transfer of title to successful offeror will occur upon CCC's receipt of title for sugar procured under Announcement KCPBS2.

#### **LICENSE CREDIT ADJUSTMENT**

If CCC accepts your bid, your license credit will be adjusted accordingly. FAS will notify successful bidders of the RSRP adjusted license credit balance. The licensed refiner agrees that any exchange resulting in a positive balance on its RSRP account shall be deemed an entry of raw cane sugar for the purposes of the provisions of 7 CFR Section 1530.105(a). If the re-export license lacks sufficient capacity for the volume of sugar covered by that bid, CCC reserves the right to reduce the quantity of sugar awarded, in order to keep the license balance within program limits.

Further information on this announcement/invitation for offers may be obtained by contacting:

Kansas City Commodity Office  
Commodity Management Division  
Telephone (816) 926-3816  
Emails: [martha.mitchell@kcc.usda.gov](mailto:martha.mitchell@kcc.usda.gov)  
[kenneth.knosp@kcc.usda.gov](mailto:kenneth.knosp@kcc.usda.gov)

Martha Mitchell  
Kansas City Commodity Office

Attachment

<b>CCC-331B (Sugar)</b> (06-17-13)	<b>U.S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency	1. ANNOUNCEMENT: <b>KCRSRP1</b>  INVITATION NO. _____  If amended, Amendment No. ____
<b>REFINED SUGAR RE-EXPORT PROGRAM CREDIT OFFER FORM</b>		

In accordance with **Announcement KCRSRP1, Invitation No. \_\_\_\_\_, Dated \_\_\_\_\_**, the undersigned offers to exchange Refined Sugar Re-Export Program (RSRP) Credits for the following quantities of bulk sugar.

2A. FIRM NAME/RSRP LICENSE NO.	2B. ADDRESS	
2C. CONTACT NAME	2D. TELEPHONE NO. <i>(Include Area Code)</i>	2E. FAX NO. <i>(Include Area Code)</i>
2F. EMAIL ADDRESS	2G. Employer Identification Number <i>(EIN)</i>	

3. MAXIMUM CREDITS WILLING TO EXCHANGE FOR COMMODITY CREDIT CORPORATION (CCC) SUGAR *(Metric Tons)*:

4A. CATALOG ITEM NO.	4B. STORAGE LOCATION <i>(City, State)</i>	4C. CREDITS OFFERED <i>Metric Tons</i>	4D. INSTORE BID QUANTITY <i>(Metric Tons)</i>	4E. RATIO <i>(Item 4C divided by Item 4D)</i>

5A. SIGNATURE OF OFFICER/EMPLOYEE RESPONSIBLE FOR THE OFFER	5B. NAME OF OFFICER/EMPLOYEE RESPONSIBLE FOR THE OFFER	5C. DATE SIGNED <i>(MM-DD-YYYY)</i>
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**NOTE:** *The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 1402, 7 CFR Part 1435, and the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.). The information will be used to evaluate offers submitted by an offeror to exchange Refined Sugar Re-export Program Credits for bulk sugar. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-3, Consultants File. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination that the offer to exchange Refined Sugar Re-export Program Credits for bulk sugar cannot be accepted/processed.*

*The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO THE USDA-FSA-DACO-KCCO, Beacon Facility - MAILSTOP 8698, P.O. BOX 419205, KANSAS CITY, MO 64141-6205.*

*As specified in the Paperwork Reduction Act (5 CFR 1320.3), the information collection for the Sugar Program, including the Feedstock Flexibility Program, does not require OMB approval, because FSA estimates that fewer than 10 participants will participate by exchanging Refined Sugar Re-export Program Credits for bulk sugar owned by CCC.*

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or e-mail at [program.intake@usda.gov](mailto:program.intake@usda.gov).

Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish). Persons with disabilities, who wish to file a program complaint, please see information above on how to contact us by mail directly or by email. If you require alternative means of communication for program information (e.g., Braille, large print, audiotope, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).



## Instructions For CCC-331B (Sugar)

### ***REFINED SUGAR RE-EXPORT PROGRAM CREDIT OFFER FORM***

This form is used by participants offering to exchange Refined Sugar Re-export Program Credits for CCC-owned sugar, and the information gathered is used to evaluate bids offered to CCC for the exchange of Refined Sugar Re-export Program Credits for CCC-owned sugar.

Submit this completed form to the USDA-FSA-DACO-KCCO, Beacon Facility – Mailstop 8698, P.O. Box 419205, Kansas City, MO 64141-6205.

***Participants offering to exchange Refined Sugar Re-export Program Credits for CCC-owned sugar must complete Items 1 through 5C of this form.***

#### *Items 1 - 5C*

<b>Fld Name / Item No.</b>	<b>Instructions</b>
1 Invitation No.	Please enter Invitation No. under Announcement KCRSRP1. Acknowledge any amendment(s) by entering the Amendment No. In the block directly below, re-enter Invitation No. and date of Invitation.
2A Firm Name/ RSRP License No.	Enter offering firm's name and RSRP license number.
2B Address	Enter address of offering firm.
2C Contact Name	Enter appropriate contact name.
2D Phone No.	Enter phone number of offering firm (including area code).
2E FAX No.	Enter fax number of offering firm (including area code).
2F Email Address	Enter email address of offering firm.
3 Maximum Credits Willing to Exchange for CCC Sugar	Enter the maximum credits that you are willing to exchange for CCC-owned sugar in metric tons.
4A Catalog Item No.	Enter Catalog Item No. or Nos. from the catalog listing of CCC-owned sugar that you are interested exchanging for Refined Sugar Re-export Program Credits.



<b>Fld Name / Item No.</b>	<b>Instructions</b>
4B Storage Location	Enter the storage location shown in the Catalog Listing of sugar (City/State).
4C Credits Offered	Enter the quantity of Refined Sugar Re-export Program Credits being offered in metric tons.
4D Instore Bid Quantity	Enter the quantity in metric tons of in-store sugar shown in the Catalog Listing.
4E Ratio	Calculate and enter the ratio of Refined Sugar Re-export Program Credits to Sugar by dividing Item 4C by Item 4D.
5A Signature of Officer/ Employee Responsible for the Offer	Person signing as officer or employee responsible for the offer shall sign.
5B Name of Officer/ Employee Responsible for the Offer	Enter the printed name of the Officer/Employee responsible for the offer.
5C Date Signed	Enter the date (MM-DD-YYYY) that Offer Form is signed.