



Lexington-Fayette Urban County Government

Lexington, Kentucky
Horse Capital of the World

Division of Central Purchasing

Date of Issue: June 12, 2017

INVITATION TO BID #88-2017 Treated Rock Salt

Bid Opening Date: June 26, 2017

Bid Opening Time: 2:00 PM

Address: 200 East Main Street, 3rd Floor, Room 338, Lexington, Kentucky 40507

Type of Bid: Price Contract

Pre Bid Meeting: N/A

Pre Bid Time: N/A

Address: N/A

Sealed bids will be received in the office of the Division of Central Purchasing, 200 East Main Street, Lexington, Kentucky, until **2:00 PM**, prevailing local time on **06/26/2017**. Bids must be received by the above-mentioned date and time. Mailed bids should be sent to:

**Division of Central Purchasing
200 East Main Street, Room 338
Lexington, KY 40507, (859) 258-3320**

The Lexington-Fayette Urban County Government assumes no responsibility for bids that are not addressed and delivered as indicated above. **Bids that are not delivered to the Division of Central Purchasing by the stated time and date will be rejected.** All bids must be signed and have the company name and address, bid invitation number, and the name of the bid on the outside of the envelope.

Bids are to include all shipping costs to the point of delivery located at: VARIOUS LOCATIONS, Lexington, KY

Bid Security Required: ___ Yes No *Cashier Check, Certified Check, Bid Bond (Personal checks and company checks will not be acceptable).*

Performance Bond Required: ___ Yes No

<input checked="" type="checkbox"/> Bid Specifications Met	Check One: ___ Exceptions to Bid Specifications. <i>Exceptions shall be itemized and attached to bid proposal submitted.</i>	Proposed Delivery: 1-5 ___ days after acceptance of bid.
Procurement Card Usage —The Lexington-Fayette Urban County Government may be using Procurement Cards to purchase goods and services and also to make payments. Will you accept Procurement Cards? <input checked="" type="checkbox"/> Yes ___ No		

Submitted by: Cargill, Incorporated-Deicing Technology business

Firm Name

24950 Country Club Blvd., Suite 450

Address

North Olmsted, OH 44070

City, State & Zip

Bid must be signed:
(original signature)

Deseree Caver -Customer Solutions Specialist
Signature of Authorized Company Representative – Title

Deseree Caver

Representative's Name (Typed or printed)

800-600-7258

888-739-8705

Area Code - Phone -- Extension

Fax #

deseree_caver@cargill.com

E-Mail Address

The Affidavit in this bid must be completed before your firm can be considered for award of this contract.

AFFIDAVIT

Comes the Affiant, Deseree Caver, and after being first duly sworn under penalty of perjury as follows:

1. His/her name is Deseree Caver and he/she is the individual submitting the bid or is the authorized representative of Cargill, Incorporated-Deicing Technology Business Unit, the entity submitting the bid (hereinafter referred to as "Bidder")
2. Bidder will pay all taxes and fees, which are owed to the Lexington-Fayette Urban County Government at the time the bid is submitted, prior to award of the contract and will maintain a "current" status in regard to those taxes and fees during the life of the contract.
3. Bidder will obtain a Lexington-Fayette Urban County Government business license, if applicable, prior to award of the contract.
4. Bidder has authorized the Division of Central Purchasing to verify the above-mentioned information with the Division of Revenue and to disclose to the Urban County Council that taxes and/or fees are delinquent or that a business license has not been obtained.
5. Bidder has not knowingly violated any provision of the campaign finance laws of the Commonwealth of Kentucky within the past five (5) years and the award of a contract to the Bidder will not violate any provision of the campaign finance laws of the Commonwealth.
6. Bidder has not knowingly violated any provision of Chapter 25 of the Lexington-Fayette Urban County Government Code of Ordinances, known as "Ethics Act."
7. Bidder acknowledges that "knowingly" for purposes of this Affidavit means, with respect to conduct or to circumstances described by a statute or ordinance defining an offense, that a person is aware or should have been aware that his conduct is of that nature or that the circumstance exists.

Further, Affiant sayeth naught. Deseree Caver
Deseree Caver/Customer Solutions Specialist

STATE OF Ohio

COUNTY OF Cuyahoga

The foregoing instrument was subscribed, sworn to and acknowledged before me
by Dawn Bekoscke on this the 22nd day
of June, 2017

My Commission expires: _____

Dawn N. Bekoscke

NOTARY PUBLIC, STATE AT LARGE

Please refer to Section II. Bid Conditions, Item 1.01 to



Dawn N. Bekoscke
~~DAWN BEKOSCKE~~ form.
Notary Public
In and for the State of Ohio
My Commission Expires
January 04, 2021

I. GREEN PROCUREMENT

A. ENERGY

The Lexington-Fayette Urban County Government is committed to protecting our environment and being fiscally responsible to our citizens.

The Lexington-Fayette Urban County Government mandates the use of Energy Star compliant products if they are available in the marketplace (go to www.Energystar.gov). If these products are available, but not submitted in your pricing, your bid will be rejected as non-compliant.

ENERGY STAR is a government program that offers businesses and consumers energy-efficient solutions, making it easy to save money while protecting the environment for future generations.

Key Benefits

- These products use 25 to 50% less energy
- Reduced energy costs without compromising quality or performance
- Reduced air pollution because fewer fossil fuels are burned
- Significant return on investment
- Extended product life and decreased maintenance

B. GREEN SEAL CERTIFIED PRODUCTS

The Lexington-Fayette Urban County Government is also committed to using other environmentally friendly products that do not negatively impact our environment. Green Seal is a non-profit organization devoted to environmental standard setting, product certification, and public education.

Go to www.Greenseal.org to find available certified products. These products will have a reduced impact on the environment and on human health. The products to be used must be pre-approved by the LFUCG prior to commencement of any work in any LFUCG facility. If a Green Seal product is not available, the LFUCG must provide a signed waiver to use an alternate product. Please provide information on the Green Seal products being used with your bid response.

C. GREEN COMMUNITY

The Lexington-Fayette Urban County Government (LFUCG) serves as a principal, along with the University of Kentucky and Fayette County Public Schools, in the Bluegrass Partnership for a Green Community. The Purchasing Team component of the Partnership collaborates on economy of scale purchasing that promotes and enhances environmental initiatives. Specifically, when applicable, each principal is interested in obtaining best value products and/or services which promote environment initiatives via solicitations and awards from the other principals.

If your company is the successful bidder on this Invitation For Bid, do you agree to extend the same product/service pricing to the other principals of the Bluegrass Partnership for a Green Community (i.e. University of Kentucky and Fayette County Schools) if requested?

Yes X No

II. Bid Conditions

- A. No bid may be withdrawn for a period of sixty (60) days after the date and time set for opening.
- B. No bid may be altered after the date and time set for opening. In the case of obvious errors, the Division of Central Purchasing may permit the withdrawal of a bid. The decision as to whether a bid may be withdrawn shall be that of the Division of Central Purchasing.
- C. Acceptance of this proposal shall be enactment of an Ordinance by the Urban County Council.
- D. The bidder agrees that the Urban County Government reserves the right to reject any and all bids for either fiscal or technical reasons, and to award each part of the bid separately or all parts to one vendor.
- E. Minor exceptions may not eliminate the bidder. The decision as to whether any exception is minor shall be entirely that of the head of the requisitioning Department or Division and the Director of the Division of Central Purchasing. The Urban County Government may waive technicalities and informalities where such waiver would best serve the interests of the Urban County Government.
- F. Manufacturer's catalogue numbers, trade names, etc., where shown herein are for descriptive purposes and are to guide the bidder in interpreting the standard of quality, design, and performance desired, and shall not be construed to exclude proposals based on furnishing other types of materials and/or services. However, any substitution or departure proposed by the bidder must be clearly noted and described; otherwise, it will be assumed that the bidder intends to supply items specifically mentioned in this Invitation for Bids.
- G. The Urban County Government may require demonstrations of the materials proposed herein prior to acceptance of this proposal.
- H. Bids must be submitted on this form and must be signed by the bidder or his authorized representative. Unsigned bids will not be considered.
- I. Bids must be submitted prior to the date and time indicated for opening. Bids submitted after this time will not be considered.
- J. All bids mailed must be marked on the face of the envelope:

"Bid on #88-2017 Treated Rock Salt"

and addressed to: Division of Central Purchasing
 200 East Main Street, Room 338
 Lexington, Kentucky 40507

The Lexington-Fayette Urban County Government assumes no responsibility for bids that are not addressed and delivered as indicated above. Bids that are not delivered to the Division of Central Purchasing by the stated time and date will be rejected.

- K. Bidder is requested to show both unit prices and lot prices. In the event of error, the unit price shall prevail.
- L. A certified check or Bid Bond in the amount of XX percent of the bid price must be attached hereto. This check must be made payable to the Lexington-Fayette Urban County Government, and will be returned when the material and/or services specified herein have been delivered in accordance with specifications. In the event of failure to perform within the time period set forth in this bid, it is agreed the certified check may be cashed and the funds retained by the Lexington-Fayette Urban County Government as liquidated damages. Checks of unsuccessful bidders will be returned when the bid has been awarded.
- M. The delivery dates specified by bidder may be a factor in the determination of the successful bidder.
- N. Tabulations of bids received may be mailed to bidders. Bidders requesting tabulations must enclose a stamped, self-addressed envelope with the bid.
- O. The Lexington-Fayette Urban County Government is exempt from Kentucky Sales Tax and Federal Excise Tax on materials purchased from this bid invitation. Materials purchased by the bidder for construction projects are not tax exempt and are the sole responsibility of the bidder.

- P. All material furnished hereunder must be in full compliance with OSHA regulations.
- Q. If more than one bid is offered by one party, or by any person or persons representing a party, all such bids shall be rejected.
- R. Signature on the face of this bid by the Bidder or his authorized representative shall be construed as acceptance of and compliance with all terms and conditions contained herein.
- S. The Entity (regardless of whether construction contractor, non-construction contractor or supplier) agrees to provide equal opportunity in employment for all qualified persons, to prohibit discrimination in employment because of race, color, creed, national origin, sex or age, and to promote equal employment through a positive, continuing program from itself and each of its sub-contracting agents. This program of equal employment opportunity shall apply to every aspect of its employment policies and practices.
- T. The Kentucky Equal Employment Opportunity Act of 1978 (KRS 45.560-45.640) requires that any county, city, town, school district, water district, hospital district, or other political subdivision of the state shall include in directly or indirectly publicly funded contracts for supplies, materials, services, or equipment hereinafter entered into the following provisions:

During the performance of this contract, the contractor agrees as follows:

- (1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, age or national origin;*
- (2) The contractor will state in all solicitations or advertisements for employees placed by or on behalf of the contractors that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age or national origin;*
- (3) The contractor will post notices in conspicuous places, available to employees and applicants for employment, setting forth the provisions of the non-discrimination clauses required by this section; and*
- (4) The contractor will send a notice to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding advising the labor union or workers' representative of the contractor's commitments under the nondiscrimination clauses.*

The Act further provides:

KRS 45.610. Hiring minorities - Information required

- (1) For the length of the contract, each contractor shall hire minorities from other sources within the drawing area, should the union with which he has collective bargaining agreements be unwilling to supply sufficient minorities to satisfy the agreed upon goals and timetable.*
- (2) Each contractor shall, for the length of the contract, furnish such information as required by KRS 45.560 to KRS 45.640 and by such rules, regulations and orders issued pursuant thereto and will permit access to all books and records pertaining to his employment practices and work sites by the contracting agency and the department for purposes of investigation to ascertain compliance with KRS 45.560 to 45.640 and such rules, regulations and orders issued pursuant thereto.*

KRS 45.620. Action against contractor - Hiring of minority contractor or subcontractor

- (1) If any contractor is found by the department to have engaged in an unlawful practice under this chapter during the course of performing under a contract or subcontract covered under KRS 45.560 to 45.640, the department shall so certify to the contracting agency and such certification shall be binding upon the contracting agency unless it is reversed in the course of judicial review.*
- (2) If the contractor is found to have committed an unlawful practice under KRS 45.560 to 45.640, the contracting agency may cancel or terminate the contract, conditioned upon a program for future compliance approved by the contracting agency and the department. The contracting agency may declare such a contractor ineligible to bid on further contracts with that agency until such time as the contractor complies in full with the requirements of KRS 45.560 to 45.640.*

- (3) *The equal employment provisions of KRS 45.560 to 45.640 may be met in part by a contractor by subcontracting to a minority contractor or subcontractor. For the provisions of KRS 45.560 to 45.640, a minority contractor or subcontractor shall mean a business that is owned and controlled by one or more persons disadvantaged by racial or ethnic circumstances.*

KRS 45.630 Termination of existing employee not required, when

Any provision of KRS 45.560 to 45.640 notwithstanding, no contractor shall be required to terminate an existing employee upon proof that that employee was employed prior to the date of the contract.

KRS 45.640 Minimum skills

Nothing in KRS 45.560 to 45.640 shall require a contractor to hire anyone who fails to demonstrate the minimum skills required to perform a particular job.

It is recommended that all of the provisions above quoted to be included as special conditions in each contract. In the case of a contract exceeding \$250,000, the contractor is required to furnish evidence that his work-force in Kentucky is representative of the available work-force in the area from which he draws employees, or to supply an Affirmative Action plan which will achieve such representation during the life of the contract.

- U. Any party, firm or individual submitting a proposal pursuant to this invitation must be in compliance with the requirements of the Lexington-Fayette Urban County Government regarding taxes and fees before they can be considered for award of this invitation and must maintain a "current" status with regard to those taxes and fees throughout the term of the contract. The contractor must be in compliance with Chapter 13 from the Code of Ordinances of the Lexington-Fayette Urban County Government. The contractor must be in compliance with Ordinance 35-2000 pursuant to contractor registration with the Division of Building Inspection. If applicable, said business must have a Fayette County business license.

Pursuant to KRS 45A.343 and KRS 45A.345, the contractor shall

- (1) *Reveal any final determination of a violation by the contractor within the previous five year period pursuant to KRS Chapters 136 (corporation and utility taxes), 139 (sales and use taxes), 141 (income taxes), 337 (wages and hours), 338 (occupational safety and health of employees), 341 (unemployment and compensation) and 342 (labor and human rights) that apply to the contractor; and*
- (2) *Be in continuous compliance with the above-mentioned KRS provisions that apply to the contractor for the duration of the contract.*

A contractor's failure to reveal the above or to comply with such provisions for the duration of the contract shall be grounds for cancellation of the contract and disqualification of the contractor from eligibility for future contracts for a period of two (2) years.

- V. Vendors who respond to this invitation have the right to file a notice of contention associated with the bid process or to file a notice of appeal of the recommendation made by the Director of Central Purchasing resulting from this invitation.

Notice of contention with the bid process must be filed within 3 business days of the bid/proposal opening by (1) sending a written notice, including sufficient documentation to support contention, to the Director of the Division of Central Purchasing or (2) submitting a written request for a meeting with the Director of Central Purchasing to explain his/her contention with the bid process. After consulting with the Commissioner of Finance the Chief Administrative Officer and reviewing the documentation and/or hearing the vendor, the Director of Central Purchasing shall promptly respond in writing findings as to the compliance with bid processes. If, based on this review, a bid process irregularity is deemed to have occurred the Director of Central Purchasing will consult with the Commissioner of Finance, the Chief Administrative Officer and the Department of Law as to the appropriate remedy.

Notice of appeal of a bid recommendation must be filed within 3 business days of the bid recommendation by (1) sending a written notice, including sufficient documentation to support appeal, to the Director, Division of Central Purchasing or (2) submitting a written request for a meeting with the Director of Central Purchasing to explain his appeal. After reviewing the documentation and/or hearing the vendor and consulting with the Commissioner of Finance and the Chief Administrative Officer, the Director of Central Purchasing shall in writing, affirm or withdraw the recommendation.

III. Procurement Contract Bid Conditions

- A. The terms of this agreement shall be for 1 year(s) from the date of acceptance of this contract by the Lexington-Fayette Urban County Government. This agreement may be automatically extended for an additional 2-1 year(s) renewal. This contract may be canceled by either party thirty (30) days after delivery by canceling party of written notice of intent to cancel to the other contracting party.
- B. Price Changes (**Space Checked Applies**)
 - (XXX) 1. Prices quoted in response to the Invitation shall be firm prices for the first 365 days of the Procurement Contract. After 365 days, prices may be subject to revision and such changes shall be based on general industry changes. Revision may be either increases or decreases and may be requested by either party. There will be no more than one (1) price adjustment per year. Requests for price changes shall be received in writing at least twenty (20) days prior to the effective date and are subject to written acceptance before becoming effective. Proof of the validity of a request for revision shall be responsibility of the requesting party. The Lexington-Fayette Urban County Government shall receive the benefit of any decline that the seller shall offer his other accounts.
 - () 2. No provision for price change is made herein. Prices are to be firm for the term of this contract.
 - () 3. Procurement Level Contract
- C. If any contract item is not available from the vendor, the Lexington-Fayette Urban County Government, at its option, may permit the item to be back-ordered or may procure the item on the open market.
- D. All invoices must bear reference to the Lexington-Fayette Urban County Government Purchasing document numbers which are being billed.
- E. This contract may be canceled by the Lexington-Fayette Urban County Government if it is determined that the Bidder has failed to perform under the terms of this agreement, such cancellation to be effective upon receipt of written notice of cancellation by the Bidder.
- F. No substitutions for articles specified herein may be made without prior approval of the Division of Central Purchasing.

EQUAL OPPORTUNITY AGREEMENT

The Law

- Title VII of the Civil Rights Act of 1964 (amended 1972) states that it is unlawful for an employer to discriminate in employment because of race, color, religion, sex, age (40-70 years) or national origin.
- Executive Order No. 11246 on Nondiscrimination under Federal contract prohibits employment discrimination by contractor and sub-contractor doing business with the Federal Government or recipients of Federal funds. This order was later amended by Executive Order No. 11375 to prohibit discrimination on the basis of sex.
- Section 503 of the Rehabilitation Act of 1973 states:

The Contractor will not discriminate against any employee or applicant for employment because of physical or mental disability.

- Section 2012 of the Vietnam Era Veterans Readjustment Act of 1973 requires Affirmative Action on behalf of disabled veterans and veterans of the Vietnam Era by contractors having Federal contracts.
- Section 206(A) of Executive Order 12086, Consolidation of Contract Compliance Functions for Equal Employment Opportunity, states:

The Secretary of Labor may investigate the employment practices of any Government contractor or sub-contractor to determine whether or not the contractual provisions specified in Section 202 of this order have been violated.

The Lexington-Fayette Urban County Government practices Equal Opportunity in recruiting, hiring and promoting. It is the Government's intent to affirmatively provide employment opportunities for those individuals who have previously not been allowed to enter into the mainstream of society. Because of its importance to the local Government, this policy carries the full endorsement of the Mayor, Commissioners, Directors and all supervisory personnel. In following this commitment to Equal Employment Opportunity and because the Government is the benefactor of the Federal funds, it is both against the Urban County Government policy and illegal for the Government to let contracts to companies which knowingly or unknowingly practice discrimination in their employment practices. Violation of the above mentioned ordinances may cause a contract to be canceled and the contractors may be declared ineligible for future consideration.

Please sign this statement in the appropriate space acknowledging that you have read and understand the provisions contained herein. Return this document as part of your application packet.

Bidders

I/We agree to comply with the Civil Rights Laws listed above that govern employment rights of minorities, women, veteran status, disability and age.



Signature
Deseree Caver/Customer Solutions Specialist

Cargill, Incorporated-Deicing Technology Business

Name of Business

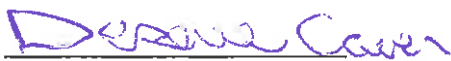
GENERAL PROVISIONS OF BID CONTRACT

By signing the below, bidder acknowledges that it understands and agrees with the following provisions related to its bid response and the provision of any goods or services to LFUCG upon selection by LFUCG pursuant to the bid request:

1. Bidder shall comply with all Federal, State & Local regulations concerning this type of service or good.
2. Failure to submit ALL forms and information required by LFUCG may be grounds for disqualification.
3. Addenda: All addenda and IonWave Q&A, if any, must be considered by the bidder in making its response, and such addenda shall be made a part of the requirements of the bid contract. Before submitting a bid response, it is incumbent upon bidder to be informed as to whether any addenda have been issued, and the failure of the bidder to cover any such addenda may result in disqualification of that response.
4. Bid Reservations: LFUCG reserves the right to reject any or all bid responses, to award in whole or part, and to waive minor immaterial defects in proposals. LFUCG may consider any alternative proposal that meets its basic needs.
5. Liability: LFUCG is not responsible for any cost incurred by bidder in the preparation of its response.
6. Changes/Alterations: Bidder may change or withdraw a proposal at any time prior to the opening; however, no oral modifications will be allowed. Only letters, or other formal written requests for modifications or corrections of a previously submitted proposal which is addressed in the same manner as the bid response, and received by LFUCG prior to the scheduled closing time for receipt of bids, will be accepted. The bid response when opened, will then be corrected in accordance with such written request(s), provided that the written request is contained in a sealed envelope which is plainly marked "modifications of bid response".
7. Clarification of Submittal: LFUCG reserves the right to obtain clarification of any point in a bid or to obtain additional information from any bidder.
8. Bribery Clause: By his/her signature on its response, bidder certifies that no employee of his/hers, any affiliate or subcontractor, has bribed or attempted to bribe an officer or employee of the LFUCG.
9. Additional Information: While not necessary, the bidder may include any product brochures, software documentation, sample reports, or other documentation that may assist LFUCG in better understanding and evaluating the bid response. Additional documentation shall not serve as a substitute for other documentation which is required by the LFUCG to be submitted with the bid response.
10. Ambiguity, Conflict or other Errors: If a bidder discovers any ambiguity, conflict, discrepancy, omission or other error in the bid request of LFUCG, it shall immediately notify LFUCG of such error in writing and request modification or clarification of the document if allowable by the LFUCG.
11. Agreement to Bid Terms: In submitting its bid response, the bidder agrees that it has carefully examined the specifications and all provisions relating to LFUCG's bid request, including but not limited to the bid contract. By submission of its bid response, bidder states that it understands the meaning, intent and requirements of LFUCG's bid request and agrees to the same. The successful bidder shall warrant that it is familiar with and understands all provisions herein and shall warrant that it can comply with them. No additional compensation to bidder shall be authorized for services, expenses, or goods reasonably covered under these provisions that the bidder omits from its bid response.
12. Cancellation: LFUCG may unilaterally terminate the bid contract with the selected bidder(s) at any time, with or without cause, by providing at least thirty (30) days advance written notice unless a different advance written notice period is negotiated prior to contract approval. Payment for services or goods received prior to termination shall be made by the LFUCG provided these goods or services were provided in a manner acceptable to the

LFUCG. Payment for those goods and services shall not be unreasonably withheld.

13. **Assignment of Contract:** The selected bidder(s) shall not assign or subcontract any portion of the bid contract with LFUCG without the express written consent of LFUCG. Any purported assignment or subcontract in violation hereof shall be void. It is expressly acknowledged that LFUCG shall never be required or obligated to consent to any request for assignment or subcontract; and further that such refusal to consent can be for any or no reason, fully within the sole discretion of LFUCG.
14. **No Waiver:** No failure or delay by LFUCG in exercising any right, remedy, power or privilege hereunder, nor any single or partial exercise thereof, nor the exercise of any other right, remedy, power or privilege shall operate as a waiver hereof or thereof. No failure or delay by LFUCG in exercising any right, remedy, power or privilege under or in respect of this bid proposal or bid contract shall affect the rights, remedies, powers or privileges of LFUCG hereunder or shall operate as a waiver thereof.
15. **Authority to do Business:** Each bidder must be authorized to do business under the laws of the Commonwealth of Kentucky and must be in good standing and have full legal capacity to provide the goods or services specified in the bid proposal. Each bidder must have all necessary right and lawful authority to submit the bid response and enter into the bid contract for the full term hereof including any necessary corporate or other action authorizing the bidder to submit the bid response and enter into this bid contract. If requested, the bidder will provide LFUCG with a copy of a corporate resolution authorizing this action and/or a letter from an attorney confirming that the proposer is authorized to do business in the Commonwealth of Kentucky. All bid responses must be signed by a duly authorized officer, agent or employee of the bidder.
16. **Governing Law:** This bid request and bid contract shall be governed by and construed in accordance with the laws of the Commonwealth of Kentucky. In the event of any proceedings regarding this matter, the bidder agrees that the venue shall be the Fayette County Circuit Court or the U.S. District Court for the Eastern District of Kentucky, Lexington Division and that the bidder expressly consents to personal jurisdiction and venue in such Court for the limited and sole purpose of proceedings relating to these matters or any rights or obligations arising thereunder.
17. **Ability to Meet Obligations:** Bidder affirmatively states that there are no actions, suits or proceedings of any kind pending against bidder or, to the knowledge of the bidder, threatened against the bidder before or by any court, governmental body or agency or other tribunal or authority which would, if adversely determined, have a materially adverse effect on the authority or ability of bidder to perform its obligations under this bid response or bid contract, or which question the legality, validity or enforceability hereof or thereof.
18. Bidder understands and agrees that its employees, agents, or subcontractors are not employees of LFUCG for any purpose whatsoever. Bidder is an independent contractor at all times related to the bid response or bid contract.
19. If any term or provision of this bid contract shall be found to be illegal or unenforceable, the remainder of the contract shall remain in full force and such term or provision shall be deemed stricken.



Signature
Deseree Caver/Customer Solutions Specialist

June 22, 2017

Date

WORKFORCE ANALYSIS FORM

Name of Organization: Cargill, Incorporated-Deicing Technology Business

PLEASE SEE ATTACHED EEO DATA FORM

Categories	Total	White (Not Hispanic or Latino)		Hispanic or Latino		Black or African-American (Not Hispanic or Latino)		Native Hawaiian and Other Pacific Islander (Not Hispanic or Latino)		Asian (Not Hispanic or Latino)		American Indian or Alaskan Native (not Hispanic or Latino)		Two or more races (Not Hispanic or Latino)		Total	
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Administrators																	
Professionals																	
Superintendents																	
Supervisors																	
Foremen																	
Technicians																	
Protective Service																	
Para-Professionals																	
Office/Clerical																	
Skilled Craft																	
Service/Maintenance																	
Total:																	

Prepared by: Deseree Caver/Customer Solutions Specialist Date: 6 / 22 / 2017

(Name and Title)

Revised 2015-Dec-15

Cargill Deicing Technology
EEO Data
As of 02/2017

EEO Job Category	Overall		Minority Men and Women*										Disab			
	Total	Male	Female	Males					Females							
				White	Black	Hispanic	Asian/ Pac Is.	Amer In/ Ala. Nat.	Unidentifi ed	White	Black	Hispanic		Asian/ Pac Is.	Amer In/ Ala. Nat.	
1 Officials/Manager	126	109	17	99	8	1	0	0	1	0	0	17	0	0	0	0
2 Professionals	66	44	22	42	1	0	1	0	0	0	0	18	4	0	0	0
3 Technicians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4 Sales Workers	11	6	5	6	0	0	0	0	0	0	0	3	1	0	1	0
5 Office/Clerical	33	9	24	5	4	0	0	0	0	0	0	18	6	0	0	0
6 Craftpersons (Skilled)	129	129	0	110	11	6	1	1	1	0	0	0	0	0	0	0
7 Operatives (Semi-skilled)	208	202	6	147	51	1	0	3	0	0	0	5	1	0	0	0
8 Laborers (unskilled)	110	107	3	87	16	2	1	1	1	0	0	3	0	0	0	0
9 Service Workers	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Unidentified	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Protective Services	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Para Professional	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Apprentices	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals	683	606	77	496	91	10	3	6	6	0	0	64	12	1	1	0
Percentages	686	88.73%	11.27%	72.62%	13.32%	1.46%	0.44%	0.88%	0.00%	9.37%	1.76%	0.00%	0.15%	0.00%	0.00%	1.0

**DIRECTOR, DIVISION OF CENTRAL PURCHASING
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
200 EAST MAIN STREET
LEXINGTON, KENTUCKY 40507**

**NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE
EQUAL EMPLOYMENT OPPORTUNITIES AND DBE CONTRACT PARTICIPATION**

The Lexington-Fayette Urban County Government has set a goal that not less than ten percent (10%) of the total value of this contract be subcontracted to MBE/WBE's. The goal for the utilization of certified MBE/WBE's as subcontractors are recommended goals. Contractors who fail to meet such goals will be expected to provide written explanations to the Director of the Division of Central Purchasing of efforts they have made to accomplish the recommended goals and the extent to which they are successful in accomplishing the recommended goals will be a consideration in the procurement process.

For assistance in locating MBE/WBE Subcontractors contact Sherita Miller at 859/258-3320 or by writing the address listed below:

Sherita Miller, Division of Central Purchasing
Lexington-Fayette Urban County Government
200 East Main Street – Room 338
Lexington, Kentucky 40507
smiller@lexingtonky.gov

Lexington-Fayette Urban County Government
MWDBE PARTICIPATION GOALS

A. GENERAL

- 1) The LFUCG request all potential contractors to make a concerted effort to include Minority-Owned (MBE), Woman-Owned (WBE) and Disadvantaged (DBE) Business Enterprises and Veteran-Owned Small Businesses (VOSB) as subcontractors or suppliers in their bids.
- 2) Toward that end, the LFUCG has established 10% of total procurement costs as a Goal for participation of Minority-Owned, Woman-Owned and Disadvantaged Businesses on this contract.
- 3) **It is therefore a request of each Bidder to include in its bid, the same goal (10%) for MWDBE participation and other requirements as outlined in this section.**
- 4) The LFUCG has also established a 3% of total procurement costs as a Goal for participation for of Veteran-Owned Businesses.
- 5) **It is therefore a request of each Bidder to include in its bid, the same goal (3%) for Veteran-Owned participation and other requirements as outlined in this section.**

B. PROCEDURES

- 1) The successful bidder will be required to report to the LFUCG, the dollar amounts of all payments submitted to Minority-Owned or Woman-Owned subcontractors and suppliers for work done or materials purchased for this contract. (See Subcontractor Monthly Payment Report)
- 2) Replacement of a Minority-Owned, Woman-Owned or Veteran-Owned subcontractor or supplier listed in the original submittal must be requested in writing and must be accompanied by documentation of Good Faith Efforts to replace the subcontractor / supplier with another MWDBE Firm; this is subject to approval by the LFUCG. (See LFUCG MWDBE Substitution Form)
- 3) For assistance in identifying qualified, certified businesses to solicit for potential contracting opportunities, bidders may contact:
 - a) The Lexington-Fayette Urban County Government, Division of Central Purchasing (859-258-3320)
- 4) The LFUCG will make every effort to notify interested MWDBE and Veteran-Owned subcontractors and suppliers of each Bid Package, including information on the scope of work, the pre-bid meeting time and location, the bid date, and all other pertinent information regarding the project.

C. DEFINITIONS

- 1) A Minority-Owned Business Enterprise (MBE) is defined as a business which is certified as being at least 51% owned and operated by persons of African American, Hispanic, Asian, Pacific Islander, American Indian or Alaskan Native Heritage.
- 2) A Woman-Owned Business Enterprise (WBE) is defined as a business which is certified as being at least 51% owned and operated by one or more Non-Minority Females.
- 3) A Disadvantaged Business (DBE) is defined as a business which is certified as being at least

51% owned and operated by a person(s) that are economically and socially disadvantaged.

- 4) A Veteran-Owned Small Business (VOSB) is defined as a business which is certified as being at least 51% owned and operated by a veteran and/or a service disabled veteran.
- 5) Good Faith Efforts are efforts that, given all relevant circumstances, a bidder or proposer actively and aggressively seeking to meet the goals, can reasonably be expected to make. In evaluating good faith efforts made toward achieving the goals, whether the bidder or proposer has performed the efforts outlined in the Obligations of Bidder for Good Faith Efforts outlined in this document will be considered, along with any other relevant factors.

D. OBLIGATION OF BIDDER FOR GOOD FAITH EFFORTS

- 1) **The bidder shall make a Good Faith Effort to achieve the Participation Goal for MWDBE subcontractors/suppliers. The failure to meet the goal shall not necessarily be cause for disqualification of the bidder; however, bidders not meeting the goal are required to furnish with their bids written documentation of their Good Faith Efforts to do so.**
- 2) Award of Contract shall be conditioned upon satisfaction of the requirements set forth herein.
- 3) The Form of Proposal includes a section entitled "MWDBE Participation Form". The applicable information must be completed and submitted as outlined below.
- 4) **Failure to submit this information as requested may be cause for rejection of bid or delay in contract award.**

E. DOCUMENTATION REQUIRED FOR GOOD FAITH EFFORTS

- 1) Bidders reaching the Goal are required to submit only the MWDBE Participation Form." The form must be fully completed including names and telephone number of participating MWDBE firm(s); type of work to be performed; estimated value of the contract and value expressed as a percentage of the total Lump Sum Bid Price. The form must be signed and dated, and is to be submitted with the bid.
- 2) Bidders not reaching the Goal must submit the "MWDBE Participation Form", the "Quote Summary Form" and a written statement documenting their Good Faith Effort to do so. If bid includes no MWDBE and/or Veteran participation, bidder shall enter "None" on the subcontractor / supplier form). In addition, the bidder must submit written proof of their Good Faith Efforts to meet the Participation Goal:
 - a. Advertised opportunities to participate in the contract in at least two (2) publications of general circulation media; trade and professional association publications; small and minority business or trade publications; and publications or trades targeting minority, women and disadvantaged businesses not less than fifteen (15) days prior to the deadline for submission of bids to allow MWDBE firms and Veteran-Owned businesses to participate.
 - b. Included documentation of advertising in the above publications with the bidders good faith efforts package
 - c. Attended LFUCG Central Purchasing Economic Inclusion Outreach event

- d. Attended pre-bid meetings that were scheduled by LFUCG to inform MWDBEs and/or Veteran-Owned businesses of subcontracting opportunities
- e. Sponsored Economic Inclusion event to provide networking opportunities for prime contractors and MWDBE firms and Veteran-Owned businesses
- f. Requested a list of MWDBE and/or Veteran subcontractors or suppliers from LFUCG and showed evidence of contacting the companies on the list(s).
- g. Contacted organizations that work with MWDBE companies for assistance in finding certified MWDBE firms and Veteran-Owned businesses to work on this project. Those contacted and their responses should be a part of the bidder's good faith efforts documentation.
- h. Sent written notices, by certified mail, email or facsimile, to qualified, certified MWDBEs soliciting their participation in the contract not less than seven (7) days prior to the deadline for submission of bids to allow them to participate effectively.
- i. Followed up initial solicitations by contacting MWDBEs and Veteran-Owned businesses to determine their level of interest.
- j. Provided the interested MWDBE firm and/or Veteran-Owned business with adequate and timely information about the plans, specifications, and requirements of the contract.
- k. Selected portions of the work to be performed by MWDBE firms and/or Veteran-Owned businesses in order to increase the likelihood of meeting the contract goals. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate MWDBE and Veteran participation, even when the prime contractor may otherwise perform these work items with its own workforce.
- l. Negotiated in good faith with interested MWDBE firms and Veteran-Owned businesses not rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities. Any rejection should be so noted in writing with a description as to why an agreement could not be reached.
- m. Included documentation of quotations received from interested MWDBE firms and Veteran-Owned businesses which were not used due to uncompetitive pricing or were rejected as unacceptable and/or copies of responses from firms indicating that they would not be submitting a bid.
- n. Bidder has to submit sound reasons why the quotations were considered unacceptable. The fact that the bidder has the ability and/or desire to perform the contract work with its own forces will not be considered a sound reason for rejecting a MWDBE and/or Veteran-Owned business's quote. Nothing in this provision shall be construed to require the bidder to accept unreasonable quotes in order to satisfy MWDBE and Veteran goals.

- o. Made an effort to offer assistance to or refer interested MWDBE firms and Veteran-Owned businesses to obtain the necessary equipment, supplies, materials, insurance and/or bonding to satisfy the work requirements of the bid proposal.
- p. Made efforts to expand the search for MWBE firms and Veteran-Owned businesses beyond the usual geographic boundaries.
- q. Other--any other evidence that the bidder submits which may show that the bidder has made reasonable good faith efforts to include MWDBE and Veteran participation.

Note: Failure to submit any of the documentation requested in this section may be cause for rejection of bid. Bidders may include any other documentation deemed relevant to this requirement which is subject to review by the MBE Liaison. Documentation of Good Faith Efforts must be submitted with the Bid, if the participation Goal is not met.



MINORITY BUSINESS ENTERPRISE PROGRAM

Sherita Miller, MPA
Minority Business Enterprise Liaison
Division of Central Purchasing
Lexington-Fayette Urban County Government
200 East Main Street
Lexington, KY 40507
smiller@lexingtonky.gov
859-258-3323

OUR MISSION: The mission of the Minority Business Enterprise Program is to facilitate the full participation of minority and women owned businesses in the procurement process and to promote economic inclusion as a business imperative essential to the long term economic viability of Lexington-Fayette Urban County Government.

To that end the city council adopted and implemented resolution 167-91—Disadvantaged Business Enterprise (DBE) 10% Goal Plan in July of 1991. The resolution states in part (a full copy is available in Central Purchasing):

“A Resolution supporting adoption of the administrative plan for a ten percent (10%) Minimum goal for disadvantaged business enterprise participation in Lexington-Fayette Urban County Government construction and professional services contracts; Providing that as part of their bids on LFUCG construction contracts, general Contractors shall make a good faith effort to award at least ten percent (10%) of All subcontracts to disadvantaged business enterprises; providing that divisions of LFUCG shall make a good faith effort to award at least ten percent of their Professional services and other contracts to disadvantaged business enterprises...”

A Disadvantaged Business Enterprise is defined as a business that has been certified as being at least 51% owned, operated and managed by a U.S. Citizen of the following groups:

- African-American
- Hispanic-American
- Asian/Pacific Islander
- Native American/Native Alaskan
- Non-Minority Female
- Economically and Socially Disadvantaged

In addition, to that end the city council also adopted and implemented resolution 167-91—Veteran-owned Businesses, 3% Goal Plan in July of 2015. The resolution states in part (a full copy is available in Central Purchasing):

“A resolution adopting a three percent (3%) minimum goal for certified veteran-owned small businesses and service disabled veteran-owned businesses for certain of those Lexington-Fayette Urban County contracts related to construction for professional services, and authorizing the Division of Purchasing to adopt and implement guidelines and/or policies consistent with the provisions and intent of this resolution by no later than July 1, 2015.”

We have compiled the list below to help you locate certified MBE, WBE and DBE certified businesses. Below is a listing of contacts for LFUCG Certified MWDBEs and Veteran-Owned Small Businesses in (<https://lexingtonky.ionwave.net>)

Business	Contact	Email Address	Phone
LFUCG	Sherita Miller	smiller@lexingtonky.gov	859-258-3323
Commerce Lexington – Minority Business Development	Tyrone Tyra	ttyra@commercelexington.com	859-226-1625
Tri-State Minority Supplier Diversity Council	Susan Marston	smarston@tsmsdc.com	502-365-9762
Small Business Development Council	Shirie Hawkins UK SBDC	smack@uky.edu	859-257-7666
Community Ventures Corporation	Phyllis Alcorn	palcorn@cvky.org	859-231-0054
KY Transportation Cabinet (KYTC)	Melvin Bynes	Melvin.bynes2@kv.gov	502-564-3601
KYTC Pre-Qualification	Shella Eagle	Shella.Eagle@ky.gov	502-782-4815
Ohio River Valley Women’s Business Council (WBENC)	Sheila Mixon	smixon@orvwbc.org	513-487-6537
Kentucky MWBE Certification Program	Yvette Smith, Kentucky Finance Cabinet	Yvette.Smith@ky.gov	502-564-8099
National Women Business Owner’s Council (NWBOC)	Janet Harris-Lange	janet@nwbo.org	800-675-5066
Small Business Administration	Robert Coffey	robertcoffey@sba.gov	502-582-5971
LaVoz de Kentucky	Andres Cruz	lavozydeky@yahoo.com	859-621-2106
The Key News Journal	Patrice Muhammad	paatricem@keynewsjournal.com	859-373-9428



LFUCG MWDBE PARTICIPATION FORM
 Bid/RFP/Quote Reference # 88-2017

The MWDBE and/or veteran subcontractors listed have agreed to participate on this Bid/RFP/Quote. If any substitution is made or the total value of the work is changed prior to or after the job is in progress, it is understood that those substitutions must be submitted to Central Purchasing for approval immediately. **Failure to submit a completed form may cause rejection of the bid.**

MWDBE Company, Name, Address, Phone, Email	MBE WBE or DBE	Work to be Performed	Total Dollar Value of the Work	% Value of Total Contract
1. Woodford & Woodford Truck, LLC 2022 Buechel Bank Rd. Louisville, KY 40218 502-553-5437		Deliver road salt		10%
2.				
3.				
4.				

The undersigned company representative submits the above list of MWDBE firms to be used in accomplishing the work contained in this Bid/RFP/Quote. Any misrepresentation may result in the termination of the contract and/or be subject to applicable Federal and State laws concerning false statements and false claims.

Cargill, Incorporated-Deicing Technology Business
 Company

June 22, 2017
 Date

Deseree Caver *Deseree Caver*
 Company Representative

Customer Solutions Specialist
 Title



LFUCG MWDBE SUBSTITUTION FORM

Bid/RFP/Quote Reference # _____

The substituted MWDBE and/or veteran subcontractors listed below have agreed to participate on this Bid/RFP/Quote. These substitutions were made prior to or after the job was in progress. These substitutions were made for reasons stated below and are now being submitted to Central Purchasing for approval. By the authorized signature of a representative of our company, we understand that this information will be entered into our file for this project. **Failure to submit this form may cause rejection of the bid.**

SUBSTITUTED MWDBE Company Name, Address, Phone, Email	MWDBE Formally Contracted/ Name, Address, Phone, Email	Work to Be Performed	Reason for the Substitution	Total Dollar Value of the Work	% Value of Total Contract
1.					
2.					
3.					
4.					

The undersigned acknowledges that any misrepresentation may result in termination of the contract and/or be subject to applicable Federal and State laws concerning false statements and false claims.

Company

Company Representative

Date

Title



MWDBE QUOTE SUMMARY FORM

Bid/RFP/Quote Reference # _____

The undersigned acknowledges that the minority and/or veteran subcontractors listed on this form did submit a quote to participate on this project. Failure to submit this form may cause rejection of the bid.

Company Name	Contact Person
Address/Phone/Email	Bid Package / Bid Date

MWDBE Company Address	Contact Person	Contact Information (work phone, Email, cell)	Date Contacted	Services to be performed	Method of Communication (email, phone meeting, ad, event etc)	Total dollars \$\$ Do Not Leave Blank (Attach Documentation)	MBE * AA HA AS NA Female	Veteran

(MBE designation / AA=African American / HA= Hispanic American/AS = Asian American/Pacific Islander/ NA= Native American)

The undersigned acknowledges that all information is accurate. Any misrepresentation may result in termination of the contract and/or be subject to applicable Federal and State laws concerning false statements and claims.

Company

Company Representative

Date

Title



LFUCG SUBCONTRACTOR MONTHLY PAYMENT REPORT

The LFUCG has a 10% goal plan adopted by city council to increase the participation of minority and women owned businesses in the procurement process. The LFUCG also has a 3% goal plan adopted by cited council to increase the participation of veteran owned businesses in the procurement process. In order to measure that goal LFUCG will track spending with MWDBE and Veteran contractors on a monthly basis. By the signature below of an authorized company representative, you certify that the information is correct, and that each of the representations set forth below is true. Any misrepresentation may result in termination of the contract and/or prosecution under applicable Federal and State laws concerning false statements and false claims. Please submit this form monthly to the Division of Central Purchasing/ 200 East Main Street / Room 338 / Lexington, KY 40507.

Bid/RFP/Quote # _____
 Total Contract Amount Awarded to Prime Contractor for this Project _____

Project Name/ Contract #	Work Period/ From: _____ To: _____
Company Name:	Address: _____
Federal Tax ID:	Contact Person: _____

Subcontractor Vendor ID (name, address, phone, email)	Description of Work	Total Subcontract Amount	% of Total Contract Awarded to Prime for this Project	Total Amount Paid for this Period	Purchase Order number for subcontractor work (please attach PO)	Scheduled Project Start Date	Scheduled Project End Date

By the signature below of an authorized company representative, you certify that the information is correct, and that each of the representations set forth below is true. Any misrepresentations may result in the termination of the contract and/or prosecution under applicable Federal and State laws concerning false statements and false claims.

 Company

 Company Representative

 Date

 Title

LFUCG STATEMENT OF GOOD FAITH EFFORTS

Bid/RFP/Quote # 88-2017

By the signature below of an authorized company representative, we certify that we have utilized the following Good Faith Efforts to obtain the maximum participation by MWDBE and Veteran-Owned business enterprises on the project and can supply the appropriate documentation.

_____ Advertised opportunities to participate in the contract in at least two (2) publications of general circulation media; trade and professional association publications; small and minority business or trade publications; and publications or trades targeting minority, women and disadvantaged businesses not less than fifteen (15) days prior to the deadline for submission of bids to allow MWDBE firms and Veteran-Owned businesses firms to participate.

_____ Included documentation of advertising in the above publications with the bidders good faith efforts package

_____ Attended LFUCG Central Purchasing Economic Inclusion Outreach event

_____ Attended pre-bid meetings that were scheduled by LFUCG to inform MWDBEs and/or Veteran-Owned Businesses of subcontracting opportunities

_____ Sponsored Economic Inclusion event to provide networking opportunities for prime contractors and MWDBE firms and Veteran-Owned businesses

_____ requested a list of MWDBE and/or Veteran subcontractors or suppliers from LFUCG and showed evidence of contacting the companies on the list(s).

_____ Contacted organizations that work with MWDBE companies for assistance in finding certified MWDBE firms and Veteran-Owned businesses to work on this project. Those contacted and their responses should be a part of the bidder's good faith efforts documentation.

_____ Sent written notices, by certified mail, email or facsimile, to qualified, certified MWDBEs soliciting their participation in the contract not less than seven (7) days prior to the deadline for submission of bids to allow them to participate effectively.

_____ Followed up initial solicitations by contacting MWDBEs and Veteran-Owned businesses to determine their level of interest.

_____ Provided the interested MWDBE firm and/or Veteran-Owned business with adequate and timely information about the plans, specifications, and requirements of the contract.

_____ Selected portions of the work to be performed by MWDBE firms and/or Veteran-Owned businesses in order to increase the likelihood of meeting the contract goals. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate MWDBE and Veteran participation, even when the prime contractor may otherwise perform these work items with its own workforce

_____ Negotiated in good faith with interested MWDBE firms and Veteran-Owned businesses not rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities. Any rejection should be so noted in writing with a description as to why an

agreement could not be reached.

_____ Included documentation of quotations received from interested MWDBE firms and Veteran-Owned businesses which were not used due to uncompetitive pricing or were rejected as unacceptable and/or copies of responses from firms indicating that they would not be submitting a bid.

_____ Bidder has to submit sound reasons why the quotations were considered unacceptable. The fact that the bidder has the ability and/or desire to perform the contract work with its own forces will not be considered a sound reason for rejecting a MWDBE and/or Veteran-Owned business's quote. Nothing in this provision shall be construed to require the bidder to accept unreasonable quotes in order to satisfy MWDBE and Veteran goals.

_____ Made an effort to offer assistance to or refer interested MWDBE firms and Veteran-Owned businesses to obtain the necessary equipment, supplies, materials, insurance and/or bonding to satisfy the work requirements of the bid proposal

_____ Made efforts to expand the search for MWBE firms and Veteran-Owned businesses beyond the usual geographic boundaries.

 X Other--any other evidence that the bidder submits which may show that the bidder has made reasonable good faith efforts to include MWDBE and Veteran participation. * See Below

NOTE: Failure to submit any of the documentation requested in this section may be cause for rejection of bid. Bidders may include any other documentation deemed relevant to this requirement which is subject to approval by the MBE Liaison. Documentation of Good Faith Efforts must be submitted with the Bid, if the participation Goal is not met.

The undersigned acknowledges that all information is accurate. Any misrepresentations may result in termination of the contract and/or be subject to applicable Federal and State laws concerning false statements and claims.

Cargill, Incorporated-Deicing Technology Business

Deseree Caver



Company

Company Representative

June 22, 2017

Customer Solutions Specialist

Date

Title

* Cargill Deicing Technology is currently working with Westco Trucking who plans on brokering to Woodford & Woodford Truck LLC to deliver salt to Lexington Fayette Urban Government. Cargill Deicing Technology and Wesco Trucking are relying on their representation about being up-to-date on all their WBE requirements

**RISK MANAGEMENT PROVISIONS
INSURANCE AND INDEMNIFICATION
Bid #29-2017 Installation of LED Lighting Retrofit**

INDEMNIFICATION AND HOLD HARMLESS PROVISION

- (1) It is understood and agreed by the parties that Contractor hereby assumes the entire responsibility and liability for any and all damages to persons or property caused by or resulting from or arising out of any act or omission on the part of Contractor or its employees, agents, servants, owners, principals, licensees, assigns or subcontractors of any tier (hereinafter "CONTRACTOR") under or in connection with this agreement and/or the provision of goods or services and the performance or failure to perform any work required thereby.
- (2) CONTRACTOR shall indemnify, save, hold harmless and defend the Lexington-Fayette Urban County Government and its elected and appointed officials, employees, agents, volunteers, and successors in interest (hereinafter "LFUCG") from and against all liability, damages, and losses, including but not limited to, demands, claims, obligations, causes of action, judgments, penalties, fines, liens, costs, expenses, interest, defense costs and reasonable attorney's fees that are in any way incidental to or connected with, or that arise or are alleged to have arisen, directly or indirectly, from or by CONTRACTOR's performance or breach of the agreement and/or the provision of goods or services provided that: (a) it is attributable to personal injury, bodily injury, sickness, or death, or to injury to or destruction of property (including the loss of use resulting therefrom), or to or from the negligent acts, errors or omissions or willful misconduct of the CONTRACTOR; and (b) not caused solely by the active negligence or willful misconduct of LFUCG.
- (3) In the event LFUCG is alleged to be liable based upon the above, CONTRACTOR shall defend such allegations and shall bear all costs, fees and expenses of such defense, including but not limited to, all reasonable attorneys' fees and expenses, court costs, and expert witness fees and expenses, using attorneys approved in writing by LFUCG, which approval shall not be unreasonably withheld.
- (4) These provisions shall in no way be limited by any financial responsibility or insurance requirements, and shall survive the termination of this agreement.
- (5) LFUCG is a political subdivision of the Commonwealth of Kentucky. CONTRACTOR acknowledges and agrees that LFUCG is unable to provide indemnity or otherwise save, hold harmless, or defend the CONTRACTOR in any manner.

FINANCIAL RESPONSIBILITY

BIDDER/CONTRACTOR understands and agrees that it shall, prior to final acceptance of its bid and the commencement of any work, demonstrate the ability to assure compliance with the above Indemnity provisions and these other risk management provisions.

INSURANCE REQUIREMENTS

YOUR ATTENTION IS DIRECTED TO THE INSURANCE REQUIREMENTS BELOW, AAND YOU MAY NEED TO CONFER WITH YOUR INSURANCE AGENTS, BROKERS, OR CARRIERS TO DETERMINE IN ADVANCE OF SUBMISSION OF A RESPONSE THE AVAILABILITY OF THE INSURANCE COVERAGES AND ENDORSEMENTS REQUIRED

HEREIN. IF YOU FAIL TO COMPLY WITH THE INSURANCE REQUIREMENTS BELOW, YOU MAY BE DISQUALIFIED FROM AWARD OF THE CONTRACT.

Required Insurance Coverage

BIDDER/CONTRACTOR shall procure and maintain for the duration of this contract the following or equivalent insurance policies at no less than the limits shown below and cause its subcontractors to maintain similar insurance with limits acceptable to LFUCG in order to protect LFUCG against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by CONTRACTOR. The cost of such insurance shall be included in any bid:

<u>Coverage</u>	<u>Limits</u>
General Liability (Insurance Services Office Form CG 00 01)	\$1 million per occurrence, \$2 million aggregate or \$2 million combined single limit
Commercial Automobile Liability (Insurance Services Office Form CA 0001)	combined single, \$1 million per occurrence
Environmental Liability	\$1 million
Worker's Compensation	Statutory
Employer's Liability	\$500,000.00

The policies above shall contain the following conditions:

- a. All Certificates of Insurance forms used by the insurance carrier shall be properly filed and approved by the Department of Insurance for the Commonwealth of Kentucky (DOI). LFUCG shall be named as an additional insured in the General Liability Policy and Commercial Automobile Liability Policy using the Kentucky DOI approved forms.
- b. The General Liability Policy shall be primary to any insurance or self-insurance retained by LFUCG.
- c. The General Liability Policy shall include a Products and Completed Operations endorsement or Premises and Operations Liability endorsement unless deemed not to apply by LFUCG.
- d. LFUCG shall be provided at least 30 days advance written notice via certified mail, return receipt requested, in the event any of the required policies are canceled or non-renewed.
- e. Said coverage shall be written by insurers acceptable to LFUCG and shall be in a form acceptable to LFUCG. Insurance placed with insurers with a rating classification of no less than Excellent (A or A-) and a financial size category of no less than VIII, as defined by the most current Best's Key Rating Guide shall be deemed automatically acceptable.

Renewals

After insurance has been approved by LFUCG, evidence of renewal of an expiring policy must be submitted to LFUCG, and may be submitted on a manually signed renewal endorsement form. If

the policy or carrier has changed, however, new evidence of coverage must be submitted in accordance with these Insurance Requirements.

Deductibles and Self-Insured Programs

IF YOU INTEND TO SUBMIT A SELF-INSURANCE PLAN IT MUST BE FORWARDED TO LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, DIVISION OF RISK MANAGEMENT, 200 EAST MAIN STREET, LEXINGTON, KENTUCKY 40507 NO LATER THAN A MINIMUM OF FIVE (5) WORKING DAYS PRIOR TO THE RESPONSE DATE. Self-insurance programs, deductibles, and self-insured retentions in insurance policies are subject to separate approval by Lexington-Fayette Urban County Government's Division of Risk Management, upon review of evidence of BIDDER/CONTRACTOR's financial capacity to respond to claims. Any such programs or retentions must provide LFUCG with at least the same protection from liability and defense of suits as would be afforded by first-dollar insurance coverage. If BIDDER/CONTRACTOR satisfies any portion of the insurance requirements through deductibles, self-insurance programs, or self-insured retentions, BIDDER/CONTRACTOR agrees to provide Lexington-Fayette Urban County Government, Division of Risk Management, the following data prior to the final acceptance of bid and the commencement of any work:

- a. Latest audited financial statement, including auditor's notes.
- b. Any records of any self-insured trust fund plan or policy and related accounting statements.
- c. Actuarial funding reports or retained losses.
- d. Risk Management Manual or a description of the self-insurance and risk management program.
- e. A claim loss run summary for the previous five (5) years.
- f. Self-Insured Associations will be considered.

Safety and Loss Control

CONTRACTOR shall comply with all applicable federal, state, and local safety standards related to the performance of its works or services under this Agreement and take necessary action to protect the life, health and safety and property of all of its personnel on the job site, the public, and LFUCG.

Verification of Coverage

BIDDER/CONTRACTOR agrees to furnish LFUCG with all applicable Certificates of Insurance signed by a person authorized by the insurer to bind coverage on its behalf prior to final award, and if requested, shall provide LFUCG copies of all insurance policies, including all endorsements.

Right to Review, Audit and Inspect

CONTRACTOR understands and agrees that LFUCG may review, audit and inspect any and all of its records and operations to insure compliance with these Insurance Requirements.

DEFAULT

BIDDER/CONTRACTOR understands and agrees that the failure to comply with any of these insurance, safety, or loss control provisions shall constitute default and that LFUCG may elect at its option any single remedy or penalty or any combination of remedies and penalties, as available, including but not limited to purchasing insurance and charging BIDDER/CONTRACTOR for any such insurance premiums purchased, or suspending or terminating the work.

00470806

LFUCG
Division of Streets & Roads

SPECIFICATIONS FOR TREATED ROCK SALT

The Lexington Fayette Urban County Government Division of Streets & Roads is accepting bids to establish a price contract for Treated Rock Salt.

Scope of Work

The work to be performed consists of furnishing and delivering and/or pick up of treated rock salt for the Lexington-Fayette Urban County Government Division of Streets, Roads and Forestry for use in winter maintenance operations. The Lexington-Fayette Urban County Government uses approximately **15,000 tons** of salt annually. This is only an estimate and is not to be implied or inferred as being a guarantee. The Lexington-Fayette Urban County Government is obligated to buy only the quantity that is needed during the term of the contract.

Specifications

Rock salt shall conform to the requirements of AASHTO M 143, Type I Grade I, with a moisture content not exceeding 2 percent. All material furnished shall be chemically treated to prevent caking and shall be free of foreign matter, lumps and water free.

Inspection

All rock salt delivered will be visually inspected at time of delivery.

Rejection

Any rock salt delivered which contains lumps, foreign matter, or water shall be rejected. In the event the rock salt has been loaded or dumped prior to rejection it shall be immediately reloaded or removed by the vendor at the vendor's expense within 48 hours of notification of rejection. *Failure to remove the material will result in liquidated damages in the amount of \$10.00 per ton for each day the salt remains on the Lexington-Fayette Urban County Government properties.*

Delivery

Vendor shall make delivery in trucks with solid or waterproof tarps to stock pile locations. Orders shall be placed by telephone during regular working hours to the office specified by the vendor. The vendor should provide a single telephone number for all orders placed. Deliveries shall be made during regular working hours when possible, and will be accepted at other times only when prior arrangements have been approved by the Lexington-Fayette Urban County Government. No payments will be made for any load for which a delivery ticket cannot be produced.

Non-Performance Penalties

Failure to deliver salt as requested and required under this contract will result in \$200 per day (after notice to the Vendor of requirement) charge to the vendor after 5 days without delivery. This charge will pay for the Lexington-Fayette Urban County Government's public safety requirements during snow events.

Prices

Prices shall be bid for a minimum of 20 tons per load delivered to any location in Lexington, Kentucky via instructions from the Lexington-Fayette Urban County Government Division of Streets and Roads; Department of Environmental Quality and Public Works, or the Division of Central Purchasing. This bid should also include a price for the Lexington-Fayette Urban County Government to pick up the product.

Prices bid must be exact and held firm through the first year of the agreement. There shall be no additional charges for delivery, handling, or any other miscellaneous fees.

A blanket purchase order will be issued at the start of the winter season in the amount we expect to purchase during the season. Orders will be placed as salt is needed to replenish our stock.

If the vendor is unable to meet its agreement obligations as set out in this invitation, then the Lexington-Fayette Urban County Government, at their option, may purchase materials from any other available source on the open market, may cancel the agreement or applicable portions thereof, and may award the portions so cancelled to another supplier. In the event the Lexington-Fayette Urban County Government must resort to any of the above procedures, the vendor shall be required to reimburse the Lexington-Fayette Urban County Government for any expense incurred in excess of the agreement price.

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
PRICING SHEET**

Estimated Quantities:

15,000 tons per winter season

Prices:

Pickup at your plant or stockpile location \$ 56.00 per ton(A)

Stockpile is located
at: Louisville, KY

Delivered to: 1799 Old Frankfort Pike Lexington, KY \$ 58.32 per ton(B)

Delivered to: 401 Blue Sky Parkway Lexington, KY \$ 58.32 per ton(B)

- A) Represents price per ton for the material loaded in Lexington-Fayette Urban County Government trucks at the bidder's plant or stockpile.
- B) Represents price per ton for material hauled on bidder's trucks, price per ton, delivered in a minimum of twenty (20) ton loads, and delivered to the locations listed above.

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That Cargill, Incorporated, a Corporation duly organized and existing under the laws of the State of Delaware, and having its Home Office in the City of Minneapolis, Minnesota, has made, constituted and appointed, and does by these presents, constitute and appoint:

Hannah Akers	Chris Gampfer	Lisa O'Neal
Jim Anderson	Nadine Gilbert	Aileen Orlando
Dawn Bekoscke	Jim Hart	Angele Peterson
Thomas Bowling	Kenneth G. Howe	Stewart Petrick
Stacey Bruzda	Gail Hubbell	John Petryszyn
Pamela S. Burcewicz	Brittney Ingold	Sean M. Riley
Deseree Caver	Rebekah Irish	Tameka Roby
Jean Davis	Robin Kiewatt	Christine M. Rupert
Elaine Dembinski	Mary Kleiner	Anna Sarley
Tony DiPietro	Amanda Knaus	Ashley Sliffe
Adam Donegan	Denise A. Koch	George Varga
Ken Ellen	Sarah Liederbach	Ryann Walsh
Ron Erjavec	Alison Marincek	Danielle Wilford
Joshua D. Evcic	Richard Maxfield	Roger Wilson
Courtney Fugate	Bill Miller	Chet Womack

each its true and lawful Attorneys-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver bids, bid bonds, contracts, performance bonds, and such other documents as may be necessary or required in connection with the bid, sale or delivery of mineral rock salt, solar salt, salt chemical mixtures, evaporated salt, and/or road deicing salt, to any state, county, city, municipality, or corporate body with which the Company may do business and to bind the Corporation thereby as fully and to the same extent as if such documents were signed by an officer of Salt, sealed with the Corporate Seal of the Corporation and duly attested by its Assistant Corporate Secretary, hereby ratifying and confirming all the said Attorney(s)-in-Fact may do in the premises.

IN WITNESS WHEREOF, Cargill, Incorporated has caused these presents to be signed by its President, Cargill Deicing Technology, and its Assistant Corporate Secretary, and its Corporate Seal to be hereunto affixed this 6th day of March, 2017.

Cargill, Incorporated

By: 

Richard Maxfield, President, Cargill Deicing Technology

Attest: 

Lakeeta M. Hill, Assistant Corporate Secretary

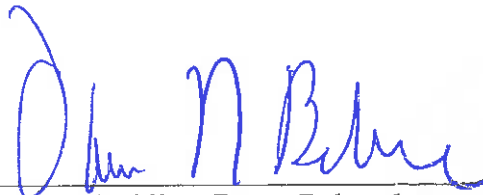
STATE OF OHIO

) ss

COUNTY OF CUYAHOGA

On June 22, 2017, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Deseree Caver known to me to Attorney-in-Fact of CARGILL, INCORPORATED, the Corporation described in and that executed the within and fore-going instrument, and known to me to be the person who executed the said instrument in behalf of the said corporation; and he duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in the certificate above.



Notary Public – Dawn Bekoscke



DAWN N BEKOSCKE
Notary Public
In and for the State of Ohio
My Commission Expires
January 04, 2021

EVIDENCE OF CASUALTY INSURANCE

POLICY YEAR
06/01/17-06/01/18

PRODUCER
Hays Companies
IDS Center, Suite 700
80 South 8th Street
Minneapolis, MN 55402

THIS DOCUMENT IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE DOCUMENT HOLDER. THIS DOCUMENT DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

INSURER A: Old Republic Insurance Company

PHONE NO. 612-333-3323

FAX NO. 612-373-7270

INSURER B:

INSURED

CARGILL, INCORPORATED,
ITS SUBSIDIARIES, AND BUSINESSES
PO BOX 5612, MS-12
MINNEAPOLIS, MN 55440-5612

INSURER C:

INSURER D:

INSURER E:

INSURER F:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS DOCUMENT MAY BE DISPENSED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

DISR LTR	ADD L DISR D	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY	MWZY310323	06/01/17	06/01/18	EACH OCCURRENCE	\$15,000,000
		<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	\$1,000,000
		<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person)	\$10,000
						PERSONAL & ADV INJURY	\$15,000,000
						GENERAL AGGREGATE	\$50,000,000
						PRODUCTS-COMP/OP AGG	\$50,000,000
		GEN'L AGGREGATE LIMIT APPLIES PER.					
		<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC					
A		AUTOMOBILE LIABILITY	MWTB310326 (AOS)	06/01/17	06/01/18	COMBINED SINGLE LIMIT (Ea Accident)	\$10,000,000
		<input checked="" type="checkbox"/> ANY AUTO				BODILY INJURY (Per Person)	
		<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per Accident)	
		<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per Accident)	
		<input checked="" type="checkbox"/> NON-OWNED AUTOS					
		<input type="checkbox"/> CARGO LEGAL LIABILITY AND CONTINGENT CARGO LEGAL LIABILITY					
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	
		<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE	
		<input type="checkbox"/> DEDUCTIBLE					
		<input type="checkbox"/> RETENTION					
A		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	MWC31032400 (AOS)	06/01/17	06/01/18	<input checked="" type="checkbox"/> WC STATUTORY LIMITS	<input type="checkbox"/> OTHER
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? NO				E.L. EACH ACCIDENT	\$15,000,000
		If yes, describe under SPECIAL PROVISION BELOW				E.L. DISEASE - EA EMPLOYEE	\$15,000,000
						E.L. DISEASE - POLICY LIMIT	\$15,000,000
A		OTHER	MWXS310322 (OH, USLH)	06/01/17	06/01/18	Statutory Excess \$1,000,000 SIR	
		EXCESS WORKERS COMPENSATION					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

SEE ATTACHED ADDENDUM

AUTHORIZED SIGNATURE



The Named Insured under the General Liability and Automobile Liability policies includes Cargill, Incorporated and any subsidiary, affiliate, or business where Cargill, Incorporated (Cargill) owns an interest of more than 50% or exercises active management control.

A Partial Listing of U.S. Subsidiaries and Businesses insured by the General and Automobile Liability policies includes (but is not limited to):

Cargill AgHorizons
 Cargill Animal Nutrition (Cargill Feed & Nutrition, Cargill Premix & Nutrition and Cargill Aqua Nutrition)
 Cargill Case Ready
 Cargill Cocoa and Chocolate Inc.
 Cargill Corn Milling North America
 Cargill Deicing Technology
 Cargill Dressings, Sauces & Oils
 Cargill Dry Corn Ingredients, Inc.
 Cargill Financial Services Corporation
 Cargill Food Distribution
 Cargill Grain and Oilseed Supply Chain North America
 Cargill Kitchen Solutions, Inc.
 Cargill Malt
 Cargill Meat Logistics Solutions, Inc.
 Cargill Meat Solutions Corporation
 Cargill Beef
 Cargill Salt
 Cargill Specialty Seeds & Oils
 Cargill Texturizing Solutions
 Cargill Turkey Production, LLC
 Cargill Value Added Protein
 Cargill Turkey & Cooked Meats
 G & M Stevedoring Co., Inc.
 Black River Asset Management LLC
 Provimi North America, Inc.
 Toshoku America, Inc.
 Five Star Custom Foods LTD
 Cargill, Incorporated dba Truvia Company LLC

PLEASE NOTE: Cargill Inc. and certain U.S. subsidiaries are self-insured for Workers' Compensation under the Federal Longshore and Harbor Workers' Compensation Act. Cargill and certain U.S. subsidiaries are self-insured for Workers' Compensation through the Department of Labor in the State of Ohio. Policy number MWXS310322 provides Workers' Compensation coverage excess of the authorized self-insured limit in jurisdictions where Cargill or a Cargill subsidiary is self-insured. Cargill operations in North Dakota, Washington and Wyoming are insured for Workers' Compensation under the monopolistic state fund of each state. The Workers' Compensation policy listed in the preceding page insures Cargill and non-self-insured U.S. subsidiaries in the remaining states where Cargill has operations or employees.

- Under the General Liability policy, Additional Insured—Vendors (CG 20 15 04 13) is provided to vendors of products of the Named Insured as described above, if required in a written contract with such Named Insured.
- Under the General Liability policy, Additional Insured status for persons or organizations, other than vendors, is provided under ISO Additional Insured endorsements, if required in a written contract with the Named Insured as described above, with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by any Named Insured's acts or omissions or the acts or omissions of those acting on any Named Insured's behalf in the performance of any Named Insured's ongoing operations, or in connection with any Named Insured's completed operations, equipment leased to any Named Insured.
- Under the General Liability policy, Additional Insured - Managers or Lessors of Premises (CG 20 11 04 13) is provided if required in a written contract with the Named insured as described above.
- Under the Automobile Liability policies, Additional Insured status is provided if required in a written contract with the Named Insured as described above.
- Under the General Liability, Automobile Liability and Workers Compensation policies, a Waiver of Subrogation is provided if required in a written contract with the Named Insured as described above.
- Contractual Liability (tort liability assumed in an "insured contract") is included under the Commercial General Liability and Automobile Liability policies.



Date: January 1, 2017

To: Deicing Technology Employees & Applicants

From: Richard Maxfield
Deicing Technology Business Unit Leader

RE: Equal Employment Opportunity, Affirmative Action and Anti-Harassment Policy

Deicing Technology fully endorses and supports the principles of Equal Employment Opportunity as expressed in Cargill's attached Corporate Equal Employment Opportunity, Affirmative Action and Anti-Harassment Policy. As the policy states, our employment decisions are made without regard to race, ethnicity, color, religion, national origin, gender, gender identity or expression, sexual orientation, age, disability, genetic information, marital status, family status, citizenship status, veteran status, active military status, union affiliation or any other status protected by law.

All Deicing Technology employees will take affirmative action to ensure equal employment opportunities in all aspects of the employment relationship including recruiting, hiring, training and promotion as well as compensation, benefits, performance appraisal, transfer, layoff, recall from layoff, and company-sponsored training, education, social and recreation programs. These practices are fairly administered and available to employees in strict accordance with all federal, state and local laws in the communities where we do business.

As managers of this facility, we are personally committed to a firm and just policy of Equal Employment Opportunity, Affirmative Action and Anti-Harassment. We expect full cooperation of every employee of this facility. Any violation of this policy will result in appropriate disciplinary action, up to and including termination of employment.

The following representatives serves as our location's Equal Employment Opportunity contact with full authority for the administration of this policy.

Avery Island, Louisiana
Cleveland, Ohio
Lansing, New York
North Olmsted, Ohio

Maria Vaughn
Karla Clark
Toni Adams
Krista Espenschied

Please direct any questions you may have to the above representatives or me. All policies and procedures of this facility will be reviewed on a continuing basis to ensure that the full spirit and intent of our corporate stated policy is being adhered to in every respect.

**Cargill, Incorporated
Equal Employment Opportunity
Affirmative Action Program**

Business: Deicing Technology

Location Address: 24950 COUNTRY CLUB BOULEVARD, STE 450
NORTH OLMSTED, Ohio 44070

Mailing Address:
(if different)

Corporate Identification No.: B-129921

AAP Effective Dates: August 1, 2016 to July 31, 2017

Program Completed by: Elaine Tromblay **Title:** Client HR Manager

Corporate Headquarters: Cargill, Incorporated
15407 McGinty Rd W, Wayzata, MN 55391

Chairman and Chief Executive Officer:
Corporate Vice President of Human Resources:
HR Business Leader:
Business Leader:

David MacLennan
LeighAnne Baker
Krista Espenschied
Richard Maxfield

Confidentiality Statement

Detailed information about Cargill's personnel policies, practices and procedures, recruitment and outreach programs and information on other affirmative action programs and initiatives contained in the Affirmative Action Program is confidential.

In addition, all statistical components of this program, including all data pertaining to employee compensation, workforce structure, final availability, placement goals, job group analysis, identification of problem areas and supporting information pertaining to employment activity, determinations of adverse impact, determinations of problem areas in workforce distribution and employment policies and practices, and any analyses of the above are deemed to constitute trade secrets, operations information, confidential statistical data and other confidential commercial and financial data within the meaning of the Freedom of Information Act (FOIA), 5 U.S.C. Section 552 et seq., Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e et seq., the Trade Secrets Act, 18 U.S.C. Section 1905, and 44 U.S.C. Section 3508. This material has not been disclosed to the public, and should not be, since such disclosure could cause substantial competitive harm to Cargill.

Information contained in this plan is submitted to the Office of Federal Contract Compliance Programs in compliance with Executive Order 11246 and is confidential and not subject to public disclosure without prior written notification to and the express written consent of Cargill except as otherwise applicable to federal law.

**Affirmative Action Program
Table of Contents**

Affirmative Action Program for Women and Minorities

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 - Program Overview

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- 3. Job Groups** *(41 C.F.R. 60-2.12-13)*
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 - Placement of Incumbents in Job Groups

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- 10. Support Data**

Section 1 Introduction

Introduction

This document is the Affirmative Action Program for Cargill's facility located at 24950 COUNTRY CLUB BOULEVARD, STE 450, NORTH OLMSTED, Ohio 44070 ("Cargill").

In order to understand the administration of Cargill's Affirmative Action Program, the following describes Cargill's business:

- Cargill is an international marketer, processor and distributor of agricultural, food, risk management, financial and industrial products and services.

This Affirmative Action Program (AAP) covers the period from August 1, 2016 to July 31, 2017. Cargill's success depends on the talent and dedication of our employees. Cargill's desire is to recruit, hire, promote and retain the best talent. Our overall goal is to create a workforce that reflects the diverse communities in which we do business.

Cargill's Vision Statement

- **Our Purpose** is to be the global leader in nourishing people.
- **Our Mission** is to create distinctive value.
- **Our Approach** is to be trustworthy, creative and enterprising.
- **Our Performance Measures** are engaged employees, satisfied customers, enriched communities and profitable growth.

Our employees feel proud to be part of an organization with integrity and a strong sense of purpose. Customers want to do business with a company that follows through on its promises. Communities appreciate the contributions we make to their quality of life.

Section 2 Workforce Analysis

Workforce Analysis

The workforce analysis profiles the composition of our workforce by department or other similar organizational units. The workforce analysis covers all exempt and non- exempt employees working at this facility.

The workforce analysis provides a listing of all individual job titles ranked from the highest paid to the lowest paid within each department or other organizational unit. It also lists the salary class for the job as well as the total number of incumbents in each job title. Moreover, it provides a gender and racial/ethnicity breakdown of those employees.

Corporate Initiative

There is a special "corporate initiative" job group report that reflects employees who are "resident" in this AAP but "included" in some other AAP. The report lists the business and location involved, the "corporate initiative" job title, the AAP in which the title is "included" and the number of employees in the title.

2016-17 Affirmative Action Plan

Workforce Analysis as of 7/31/2016



CDT - DEICING TECHNOLOGY

SLTD GO

Job Title	JG	Band	Total		Men				Women				
			Male	Female	Minority	Black	Hisp.	Asian	Aml	White	NHOPI	Two+	
Avery Island Ops Mgmt													
Mine Mgr (Resident in SLTD-AVE)													
S1		MG1	1	1							1		
Totals:			1	1							1		

Cleveland Operations Mgmt													
Mine Mgr (Resident in SLTD-CLE)													
S1		MG1	1	1							1		
Totals:			1	1							1		

Cleveland Ops Mine Maint Mgt													
Mine Mgr (Resident in SLTD-CLE)													
S1		MG1	1	1							1		
Totals:			1	1							1		

Lansing Operations Mgmt													
Mine Mgr (Resident in SLTD-LAN)													
S1		MG1	1	1							1		
Totals:			1	1							1		

North Olmsted Administration													
Operations Leader (Included in HOPK)													
E1		SM1	1	1							1		
Business Development Manager													
Q1		MG2	1	1								1	
Reliability Mgr													
S1		MG1	1	1							1		

2016-17 Affirmative Action Plan



Workforce Analysis as of 7/31/2016

CDT - DEICING TECHNOLOGY

SLTD/GO

Job Title	JG	Band	Total		Men			Women			
			Total	Male	Female	Minority	Black	Hisp.	Asian	Aml	White
North Olmsted Finance Support											
Accountant Assoc		Y4	AP1	1	1						
Accounting Assist Sr		O5		1	1						
Dispute-Invoice Coord		O5		2		2					
Payable Specialist		O5		2		2					2
Totals:				10	4	6	1	1		1	5

North Olmsted HR

BU HR Leader	H1	MG1	Total		Men			Women			
			Total	Male	Female	Minority	Black	Hisp.	Asian	Aml	White
SR ADMINISTRATIVE ASSISTANT											
	O5		1	1		1					
Totals:			2	2		1					1

North Olmsted Sales

Pricing Analyst	Q3	SP1	Total		Men			Women			
			Total	Male	Female	Minority	Black	Hisp.	Asian	Aml	White
Sr Marketing Project Coord											
	Q4	PF1	1	1		1					
MARKETING COMM SPECIALIST I											
	Q4	AP1	1	1		1					
Marketing Admin	O5		1	1		1					
Totals:			4	4		2			1	1	2

2016-17 Affirmative Action Plan

Workforce Analysis as of 7/31/2016



SLID.G0

CDT - DEICING TECHNOLOGY

Job Title	Total			Men				Women					
	JG	Band	Total	Male	Female	Minority	Black	Hisp.	Asian	Aml	White	NHOPI	Two+
North Olmsted Sales Inside													
Sales Account Manager													
Q4	PF1	4	1	3							1		3
Totals:		4	1	3							1		3

North Olmsted Sales Outside

North Olmsted Sales Outside													
Bid Sales Lead													
Regional Sales Mgr I													
Q1	MG1	1	1										1
Totals:		1	1	1									1
Sales Lead													
Technical Product Manager													
Q1	MG1	1	1								1		
Totals:		1	1	1							1		
Product Sales Mgr													
Q3	SP1	1	1								1		
Totals:		1	1	1							1		
Technical Sales Mgr													
Q3	SP1	2	2								2		
Totals:		2	2	2							2		
Territory Mgr													
Q3	SP1	5	5								5		
Totals:		12	10	2							10		2

North Olmsted Sales Sr Mgt

North Olmsted Sales Sr Mgt													
Sales Mgr II													
Q1	MG2	1	1								1		
Totals:		1	1	1							1		

North Olmsted SC Central

North Olmsted SC Central													
---------------------------------	--	--	--	--	--	--	--	--	--	--	--	--	--

2016-17 Affirmative Action Plan



Workforce Analysis as of 7/31/2016

CDT - DEICING TECHNOLOGY

SLTD-GO

Job Title	JG	Band	Total		Men				Women			
			Male	Female	Minority	Black	Hisp.	Asian	Aml	White	NHOPI	Two+

(SLTD-GO) CDT - DEICING TECHNOLOGY Totals:

Totals		Males	Females
Total Employees:	69	Black Males:	Black Females: 5
Total Males:	31	Hispanic Males:	Hispanic Females:
Total Females:	38	Asian Males:	Asian Females: 1
Total Minorities:	6	Amer. Indian Males:	Amer. Indian Females:
		NHOPI Males:	NHOPI Females:
		Two+ Males:	Two+ Females:
		White Males: 31	White Females: 32

2016-17 Affirmative Action Plan

Corp Init Job Groups and Titles

CDT - DEICING TECHNOLOGY

HOPK

BU / Location	Job Title	Corp Init to	Employees
E1 Executive Management			
480US / NORTH OLMSTED	Operations Leader	HOPK	1

Section 3
Job Group Analysis &
Placement of Incumbents in Job Groups

Job Group Analysis

We prepared a job group analysis report for all employees covered in this Affirmative Action Program (AAP). The job group analysis lists all job titles that comprise each job group.

For the purposes of this affirmative action program, we combined job titles requiring similar skills or having similar job content, wages, and promotional opportunities regardless of the location or department. This analysis lists all job titles for all positions identified in this AAP. This report is annotated where jobs located at other facilities are included in this AAP.

Placement of Incumbents in Job Groups

We separately state the percentage of minorities and the percentage of women employed in each job group. These percentages are stated in the job group analysis report.

2016-17 Affirmative Action Plan



Job Group Analysis

CDT - DEICING TECHNOLOGY

SUTD-GO

BU	Location	Department	Grade	Job Title	Census Data Sources		
					GEO	OCC	Empls.
480US	NORTH OLMSTED	North Olmsted Finance Support	SV1	Buyer Team Lead	US	0510	1
P2 Totals:							
					US	0740	1
					Women: 1	100.0%	Count: 1
P3							
480US	NORTH OLMSTED	North Olmsted Administration	SP1	L-D Project Lead	US	0740	1
P3 Totals:							
					US	0120	1
					Women: 0	0.0%	Count: 1
480US	NORTH OLMSTED	North Olmsted Finance Mgt	MG1	Accounting Mgr I	US	0120	1
Y1 Totals:							
480US	NORTH OLMSTED	North Olmsted Finance Support	SV2	PLTFM/BU ACCTG/FIN SUPERV II	US	0120	1
480US	NORTH OLMSTED	North Olmsted Finance Mgt	SV2	PLTFM/BU ACCTG/FIN SUPERV II	US	0120	1
Y2 Totals:							
480US	NORTH OLMSTED	North Olmsted Finance Mgt	SP1	Accountant Sr	US	0800	2
Y3 Totals:							
480US	NORTH OLMSTED	North Olmsted Finance Support	PF1	Accountant	US	0800	1
480US	NORTH OLMSTED	North Olmsted Finance Support	AP1	Accountant Assoc	US	0800	1
Y4 Totals:							
480US	NORTH OLMSTED	North Olmsted HR	MG1	BU HR Leader	US	0136	1
H1 Totals:							

2016-17 Affirmative Action Plan

Job Group Analysis



CDT - DEICING TECHNOLOGY

SLTD:GD

		Census Data Sources					
BU	Location	Department	Grade	Job Title	GEO	OCC	Emps.
H1 Human Resources Management							
					Women:	1	100.0%
					Minorities:	0	0.0%
H1 Totals:					Count:	1	1
U2 Merchandising Supervisors							
480US	NORTH OLMSTED	North Olmsted Supply Chain	SV2	CUSTOMER SERVICE SUPERV II	US	0060	1
					Women:	1	100.0%
					Minorities:	0	0.0%
U2 Totals:					Count:	1	1
U3 Merchandising Advisors							
480US	NORTH OLMSTED	North Olmsted Supply Chain Mgt	AD1	Supply Chain Advisor	US	0700	1
					Women:	0	0.0%
					Minorities:	0	0.0%
U3 Totals:					Count:	1	1
U4 Merchandising Professionals							
480US	NORTH OLMSTED	North Olmsted SC Eastern	AP1	CUSTOMER SERVICE REP I	US	5240	3
480US	NORTH OLMSTED	North Olmsted SC Western	AP1	CUSTOMER SERVICE REP I	US	5240	3
480US	NORTH OLMSTED	North Olmsted SC Central	AP1	CUSTOMER SERVICE REP I	US	5240	2
					Women:	8	100.0%
					Minorities:	2	25.0%
U4 Totals:					Count:	8	8
S1 Production Management							
480US	VERY ISLAND	Avery Island Ops Mgmt	MG1	Mine Mgr (Res: SLTD-AVE)	US	0140	1
480US	CLEVELAND	Cleveland Operations Mgmt	MG1	Mine Mgr (Res: SLTD-CLE)	US	0140	1
480US	CLEVELAND	Cleveland Ops Mine Maint Mgt	MG1	Mine Mgr (Res: SLTD-CLE)	US	0140	1
480US	LANSING	Lansing Operations Mgmt	MG1	Mine Mgr (Res: SLTD-LAN)	US	0140	1
480US	NORTH OLMSTED	North Olmsted Administration	MG1	Reliability Mgr	US	0140	1
480US	NORTH OLMSTED	North Olmsted Administration	MG1	Sr Project Manager	US	0020	1
					Women:	0	0.0%
					Minorities:	0	0.0%
S1 Totals:					Count:	6	6
S3 Production Advisors							
480US	NORTH OLMSTED	North Olmsted Administration	AD1	EHS Advisor	US	1430	1

2016-17 Affirmative Action Plan



Job Group Analysis

CDT - DEICING TECHNOLOGY

SLTD.CO

BU	Location	Department	Grade	Job Title	Census Data Sources	GEO	OCC	Empls.
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S3 Production Advisors

S3 Totals:	Women: 1	100.0%	Minorities: 0	0.0%	Count: 1
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Q1 Sales Management

BU	Location	Department	Grade	Job Title	Census Data Sources	GEO	OCC	Empls.	
480US	NORTH OLMSTED	North Olmsted Sales Outside	MG1	Bid Sales Lead		US	0050	1	
480US	NORTH OLMSTED	North Olmsted Administration	MG2	Business Development Manager		US	0050	1	
480US	NORTH OLMSTED	North Olmsted Sales Outside	MG1	Regional Sales Mgr I		US	0050	1	
480US	NORTH OLMSTED	North Olmsted Sales Outside	MG1	Sales Lead		US	0050	1	
480US	NORTH OLMSTED	North Olmsted Sales Sr Mgt	MG2	Sales Mgr II		US	0050	1	
480US	NORTH OLMSTED	North Olmsted Sales Outside	MG1	Technical Product Manager		US	0140	1	
Q1 Totals:					Women: 3	50.0%	Minorities: 0	0.0%	Count: 6

Q3 Sales Advisors

BU	Location	Department	Grade	Job Title	Census Data Sources	GEO	OCC	Empls.	
480US	NORTH OLMSTED	North Olmsted Sales	SP1	Pricing Analyst		US	0735	1	
480US	NORTH OLMSTED	North Olmsted Finance Support	SP1	Pricing Analyst		US	0735	1	
480US	NORTH OLMSTED	North Olmsted Sales Outside	SP1	Product Sales Mgr		US	4850	1	
480US	NORTH OLMSTED	North Olmsted Sales Outside	SP1	Technical Sales Mgr		US	4850	2	
480US	NORTH OLMSTED	North Olmsted Sales Outside	SP1	Territory Mgr		US	4850	5	
Q3 Totals:					Women: 2	20.0%	Minorities: 1	10.0%	Count: 10

Q4 Sales Professionals

BU	Location	Department	Grade	Job Title	Census Data Sources	GEO	OCC	Empls.	
480US	NORTH OLMSTED	North Olmsted Sales	AP1	MARKETING COMM SPECIALIST I		OH-CLE	0735	1	
480US	NORTH OLMSTED	North Olmsted Sales Inside	PF1	Sales Account Manager		OH-CLE	4850	4	
480US	NORTH OLMSTED	North Olmsted Sales	PF1	Sr Marketing Project Coord		OH-CLE	0735	1	
Q4 Totals:					Women: 5	83.3%	Minorities: 1	16.7%	Count: 6

B1 Trans and Logistics Management

BU	Location	Department	Grade	Job Title	Census Data Sources	GEO	OCC	Empls.
480US	NORTH OLMSTED	North Olmsted Supply Chain Mgt	MG1	Dist Mgr		US	0180	3
480US	NORTH OLMSTED	North Olmsted Supply Chain Mgt	MG2	Supply Chain Mgr II		US	0180	1

2016-17 Affirmative Action Plan



Job Group Analysis

CDT - DEIGING TECHNOLOGY

SLTD-GO

BU		Location	Department	Grade	Job Title	Census Data Sources		GEO	OCC	Empls.	
B1 Trans and Logistics Management											
						B1 Totals:	3	75.0%	0	0.0%	Count: 4
B2 Trans and Logistics Supervisors											
480US	NORTH OLMSTED		North Olmsted SC Western	SV1	CS Team Leader			US	0160	1	
480US	NORTH OLMSTED		North Olmsted SC Eastern	SV1	CS Team Leader			US	0160	1	
480US	NORTH OLMSTED		North Olmsted SC Central	SV1	CS Team Leader			US	0160	1	
480US	NORTH OLMSTED		North Olmsted Supply Chain	SV1	Rail Supv			US	0160	1	
						B2 Totals:	2	50.0%	0	0.0%	Count: 4
B4 Trans and Logistics Professionals											
480US	NORTH OLMSTED		North Olmsted SC Rail Support	AP1	TAL OPERATIONS COORD HRLY			OH-CLE	0700	2	
						B4 Totals:	2	100.0%	0	0.0%	Count: 2
05 Office & Clerical											
480US	NORTH OLMSTED		North Olmsted Finance Support		Accounting Asslet Sr			OH-CLE	5120	1	
480US	NORTH OLMSTED		North Olmsted SC Western		Customer Service Rep Sr			OH-CLE	5240	1	
480US	NORTH OLMSTED		North Olmsted SC Eastern		Customer Service Rep Sr			OH-CLE	5240	1	
480US	NORTH OLMSTED		North Olmsted Finance Support		Dispute-Invoice Coord			OH-CLE	5120	2	
480US	NORTH OLMSTED		North Olmsted Sales		Marketing Admin			OH-CLE	5420	1	
480US	NORTH OLMSTED		North Olmsted Finance Support		Payable Specialist			OH-CLE	5120	2	
480US	NORTH OLMSTED		North Olmsted HR		SR ADMINISTRATIVE ASSISTANT			OH-CLE	5700	1	
						05 Totals:	8	88.9%	2	22.2%	Count: 9

Section 4

Availability Estimates

Cargill performed an availability analysis to determine how many minorities and females are theoretically qualified for, and interested in, employment in the established job groups. A separate analysis has been performed for minorities and females, and has taken into account how many persons are available from the outside labor market and how many individuals can be promoted or transferred from within the company. Cargill uses the most current and discreet statistical information readily available.

Consideration of Factors

The regulations require that we consider two factors.

1. Requisite skills in the reasonable recruitment area.
 - o We have identified reasonable recruitment areas for each job group.

2. Employees who are promotable, transferable and trainable within Cargill.
 - o For each job group, we have identified the job groups and/or job titles from which employees historically have been promoted or transferred. In addition, Cargill has considered those employees within the organization, who with appropriate training that the company can reasonably provide, can be promoted or transferred during the Affirmative Action Program year.

Determining Appropriate Geographic Areas/Feeder Pools

Cargill has identified the reasonable recruitment areas for all job groups.

Cargill has also determined the pool of promotable, transferable and trainable employees ("feeder pools") for each job group.

Census Data

Data from the 2010 United States census were used to determine external availability.

Requisite Skills Data & Determining Composite Availability

We have calculated availability for minorities and women in such a way as to allow for a determination as to whether separate job titles within each job group had availability rates different enough to warrant calculation of a composite availability figure.

- **External Availability:** Each job group's external availability was calculated with consideration of the specific job titles comprising each job group.
- **Internal Availability:** Each job group's internal availability was calculated by reviewing historical hiring and internal placement activities and reviewing demographic data for those employees who could, with appropriate training, which the company can reasonably provide, be promoted or transferred during the Affirmative Action Program year.
- **Composite Availability:** Where a job group was comprised of job titles with rates of availability different enough to warrant a composite availability calculation, the company calculated such a composite availability by:
 - 1) determining the availability for each job title,
 - 2) determining the proportion of job group incumbents in each job title,
 - 3) weighting the availability for each job title by the proportion of job group incumbents in each job title within that group, and
 - 4) adding the weighted availability estimates for all job titles within the job group.

Calculating Final Availability

We have separately determined final availability rates for minorities and women.

2016-17 Affirmative Action Plan

External Availabilities



CDT - DEICING TECHNOLOGY

SLID:60

Census	Geography	Census Occupation Code	OCC/GEO Count and Weight	Availabilities		Wtd. Avalls.	
				Fem	Mln	Fem	Mln
P2 Administrative and Other Supervisors							
US	United States	0510 Buyers and purchasing agents, farm products	1 100.0%	25.9%	21.7%	25.9%	21.7%
			1 100.0%			25.9%	21.7%
P3 Administrative and Other Advisors							
US	United States	0740 Business operations specialists, all other	1 100.0%	62.4%	31.5%	62.4%	31.5%
			1 100.0%			62.4%	31.5%
Y1 Finance and Accounting Management							
US	United States	0120 Financial managers	1 100.0%	53.8%	24.0%	53.8%	24.0%
			1 100.0%			53.8%	24.0%
Y2 Finance and Accounting Supervisors							
US	United States	0120 Financial managers	2 100.0%	53.8%	24.0%	53.8%	24.0%
			2 100.0%			53.8%	24.0%
Y3 Finance and Accounting Advisors							
US	United States	0800 Accountants and auditors	2 100.0%	60.0%	26.8%	60.0%	26.8%
			2 100.0%			60.0%	26.8%
Y4 Finance and Accounting Professionals							
US	United States	0800 Accountants and auditors	2 100.0%	60.0%	26.8%	60.0%	26.8%
			2 100.0%			60.0%	26.8%

2016-17 Affirmative Action Plan

External Availabilities



CDT - DEICING TECHNOLOGY

SLID/GO

Census	Geography	Census Occupation Code	OCC/GEO Count and Weight	Availabilities		Wtd. Avails.	
				Fem	Min	Fem	Min
H1 Human Resources Management							
US	United States	0136 Human resources managers	1 100.0%	69.4%	27.8%	59.4%	27.8%
			1 100.0%			59.4%	27.8%
U2 Merchandising Supervisors							
US	United States	0050 Marketing and sales managers	1 100.0%	44.0%	17.9%	44.0%	17.9%
			1 100.0%			44.0%	17.9%
U3 Merchandising Advisors							
US	United States	0700 Logisticians	1 100.0%	35.1%	31.9%	35.1%	31.9%
			1 100.0%			35.1%	31.9%
U4 Merchandising Professionals							
US	United States	5240 Customer service representatives	8 100.0%	67.9%	38.4%	67.9%	38.4%
			8 100.0%			67.9%	38.4%
S1 Production Management							
US	United States	0020 General and operations managers	1 16.7%	29.2%	19.0%	4.9%	3.2%
US	United States	0140 Industrial production managers	5 83.3%	18.2%	18.1%	15.2%	15.1%
			6 100.0%			20.0%	19.2%
S3 Production Advisors							
US	United States	1430 Industrial engineers, incl health and safety	1 100.0%	18.7%	21.0%	18.7%	21.0%
			1 100.0%			18.7%	21.0%

2016-17 Affirmative Action Plan

External Availabilities



CDT - DEICING TECHNOLOGY

SLID:GD

Census	Geography	Census Occupation Code	OCC/GEO Count and Weight	Availabilities		Wtd. Avails.		
				Fem	MIn	Fem	MIn	
Q1 Sales Management								
US	United States	0050 Marketing and sales managers	5	83.3%	44.0%	17.9%	36.0%	14.9%
US	United States	0140 Industrial production managers	1	16.7%	18.2%	18.1%	3.0%	3.0%
			6	100.0%			39.7%	17.9%
Q3 Sales Advisors								
US	United States	0735 Market research analysts and marketing specialists	2	20.0%	55.1%	22.1%	11.0%	4.4%
US	United States	4850 Sales representatives, wholesale and manufacturing	8	80.0%	27.2%	16.7%	21.8%	13.4%
			10	100.0%			32.8%	17.8%
Q4 Sales Professionals								
OH-CLE	Cleveland-Elyria-Mentor, OH MSA	0735 Market research analysts and marketing specialists	2	33.3%	53.3%	10.2%	17.8%	3.4%
OH-CLE	Cleveland-Elyria-Mentor, OH MSA	4850 Sales representatives, wholesale and manufacturing	4	66.7%	24.4%	7.3%	16.2%	4.9%
			6	100.0%			34.0%	8.3%
B1 Trans and Logistics Management								
US	United States	0180 Transportation, storage, and distribution managers	4	100.0%	18.1%	25.7%	18.1%	25.7%
			4	100.0%			18.1%	25.7%
B2 Trans and Logistics Supervisors								
US	United States	0180 Transportation, storage, and distribution managers	4	100.0%	18.1%	25.7%	18.1%	25.7%
			4	100.0%			18.1%	25.7%

2016-17 Affirmative Action Plan



Internal Availabilities

CDT - DEICING TECHNOLOGY

Feeder Job Group	Moves	Weights	Fdr Type	Business Unit(s)	Fdr Total	Female %	Minority%	Fem Wtd%	Minor Wtd%
No Internal Availability for this plan									

Weighted totals:

Section 5

Affirmative Action Placement Goals

Comparing Incumbency to Availability

We have compared the percentage of minorities and women in each job group with the rates of availability for those job groups. Where the percentage of minorities or women was less than would reasonably be expected given their availability, we established a goal.

We set an affirmative action placement rate goal whenever incumbency is less than availability to a statistically significant degree.

Placement Goals

Cargill has established percentage annual placement goals for minorities and/or women in those job groups where the percentage of minorities and/or women employed was less than would reasonably be expected given their availability.

The placement rate goals are always at least equal to the availability rate for minorities and/or women in that particular job group. Cargill, where required, established a single goal for all minorities.

We have adhered to the following principles when establishing our placement rate goals:

1. The company has established these goals as objectives or targets reasonably attainable by means of applying good faith efforts to make all aspects of the affirmative action program work.
2. These goals are not quotas which must be met. They are not considered as either a ceiling or a floor for the employment of particular groups.
3. Cargill policy requires that selection decisions be made in a non-discriminatory manner. Goals will not be used as a justification to extend a preference to any individual, select an individual, or adversely affect an individual's employment status, on the basis of any protected class as identified in our EEO/AA/Anti-Harassment Policy.

4. Cargill does not use placement goals to establish set-asides for specific groups, nor are they used to achieve proportional representation or equal results.
5. Our policy does not permit these goals to supersede merit selection principles.

2016-17 Affirmative Action Plan



Goal Progress

CDT - DEICING TECHNOLOGY

SUTD 60

Job Group	Previous Totals		Eligible Placements		Female		Minority		Plcmt Rate			
	Total	Women	Hires	Moves	Goal	Hires	Moves	Goal		Hires	Moves	Total
No goals from previous plan year												

* There were no opportunities or the difference between the goal rate and the minority/female rate is less than 1 whole person.

† Placement rate is less than the goal rate and the extent of the difference equals or is greater than 1 whole person.

% Bold placement rate means goal rate was met or exceeded.

2016-17 Affirmative Action Plan



Incumbency vs Availability

CDT - DEICING TECHNOLOGY

Job Group	Total		Incumbency		Factor	Weight	Factor Availability		Final Availability		Goal*	
			Female	Minority			Female	Minority	Female	Minority	Female	Minority
P2 Administrative and Other Supervisors	1	0	0.0%	0.0%	External Internal	100% 0%	25.9% 0.0%	21.7% 0.0%	25.9% 21.7%	21.7% 0.0%	None	None
P3 Administrative and Other Advisors	1	1	100.0%	0.0%	External Internal	100% 0%	62.4% 0.0%	31.5% 0.0%	62.4% 31.5%	31.5% 0.0%	None	None
Y1 Finance and Accounting Management	1	0	0.0%	0.0%	External Internal	100% 0%	53.8% 0.0%	24.0% 0.0%	53.8% 24.0%	24.0% 0.0%	None	None
Y2 Finance and Accounting Supervisors	2	1	50.0%	0.0%	External Internal	100% 0%	53.8% 0.0%	24.0% 0.0%	53.8% 24.0%	24.0% 0.0%	None	None
Y3 Finance and Accounting Advisors	2	0	0.0%	0.0%	External Internal	100% 0%	60.0% 0.0%	26.8% 0.0%	60.0% 26.8%	26.8% 0.0%	None	None
Y4 Finance and Accounting Professionals	2	0	0.0%	0.0%	External Internal	100% 0%	60.0% 0.0%	26.8% 0.0%	60.0% 26.8%	26.8% 0.0%	None	None
H1 Human Resources Management	1	1	100.0%	0.0%	External Internal	100% 0%	59.4% 0.0%	27.8% 0.0%	59.4% 27.8%	27.8% 0.0%	None	None
U2 Merchandising Supervisors	1	1	100.0%	0.0%	External Internal	100% 0%	44.0% 0.0%	17.9% 0.0%	44.0% 17.9%	17.9% 0.0%	None	None
U3 Merchandising Advisors	1	0	0.0%	0.0%	External Internal	100% 0%	35.1% 0.0%	31.9% 0.0%	35.1% 31.9%	31.9% 0.0%	None	None
U4 Merchandising Professionals	8	8	100.0%	25.0%	External Internal	100% 0%	67.9% 0.0%	38.4% 0.0%	67.9% 38.4%	38.4% 0.0%	None	None
S1 Production Management	6	0	0.0%	0.0%	External Internal	100% 0%	20.0% 0.0%	18.2% 0.0%	20.0% 18.2%	18.2% 0.0%	None	None
S3 Production Advisors	1	1	100.0%	0.0%	External Internal	100% 0%	18.7% 0.0%	21.0% 0.0%	18.7% 21.0%	21.0% 0.0%	None	None
Q1 Sales Management	6	3	50.0%	0.0%	External Internal	100% 0%	39.7% 33.0%	17.9% 14.1%	39.7% 33.0%	17.9% 14.1%	None	None
Q3 Sales Advisors	10	2	20.0%	10.0%	External Internal	100% 0%	32.8% 0.0%	17.8% 0.0%	32.8% 17.8%	17.8% 0.0%	None	None

* Goals are calculated using the statistical significance method

2016-17 Affirmative Action Plan



Incumbency vs Availability

CDT - DEICING TECHNOLOGY

Job Group	Total		Incumbency		Factor	Weight	Factor Availability		Final Availability		Goal*	
	Female	Minority	Female	Minority			Female	Minority	Female	Minority	Female	Minority
Q4 Sales Professionals	6	1	5	1	External	100%	34.0%	8.3%	34.0%	8.3%	None	None
			83.3%	16.7%	Internal	0%	0.0%	0.0%	0.0%	0.0%	None	None
B1 Trans and Logistics Management	4	0	3	0	External	100%	18.1%	25.7%	18.1%	25.7%	None	None
			75.0%	0.0%	Internal	0%	0.0%	0.0%	0.0%	0.0%	None	None
B2 Trans and Logistics Supervisors	4	0	2	0	External	100%	18.1%	25.7%	18.1%	25.7%	None	None
			50.0%	0.0%	Internal	0%	80.1%	20.1%	18.1%	25.7%	None	None
B4 Trans and Logistics Professionals	2	0	2	0	External	100%	24.6%	12.3%	24.6%	12.3%	None	None
			100.0%	0.0%	Internal	0%	0.0%	0.0%	0.0%	0.0%	None	None
05 Office & Clerical	9	2	8	2	External	100%	85.2%	21.3%	85.2%	21.3%	None	None
			88.9%	22.2%	Internal	0%	0.0%	0.0%	0.0%	0.0%	None	None

* Goals are calculated using the statistical significance method

2016-17 Affirmative Action Plan



Summary of Goals

CDT - DEICING TECHNOLOGY

SLTD-00

Job Group	Placement Rate Goals	
	Women	Minority
P2 Administrative and Other Supervisors		
P3 Administrative and Other Advisors		
Y1 Finance and Accounting Management		
Y2 Finance and Accounting Supervisors		
Y3 Finance and Accounting Advisors		
Y4 Finance and Accounting Professionals		
H1 Human Resources Management		
U2 Merchandising Supervisors		
U3 Merchandising Advisors		
U4 Merchandising Professionals		
S1 Production Management		
S3 Production Advisors		
Q1 Sales Management		
Q3 Sales Advisors		
Q4 Sales Professionals		
B1 Trans and Logistics Management		
B2 Trans and Logistics Supervisors		
B4 Trans and Logistics Professionals		
O5 Office & Clerical		

2016-17 Affirmative Action Plan



Goal Summary

CDT - DEICING TECHNOLOGY

S, TD-GO

Job Group	Counts / Pcts					Goals	
	Total	Women		Minor		Women	Minor
P2 Administrative and Other Supervisors	1	0	0.0%	0	0.0%		
P3 Administrative and Other Advisors	1	1	100.0%	0	0.0%		
Y1 Finance and Accounting Management	1	0	0.0%	0	0.0%		
Y2 Finance and Accounting Supervisors	2	1	50.0%	0	0.0%		
Y3 Finance and Accounting Advisors	2	0	0.0%	0	0.0%		
Y4 Finance and Accounting Professionals	2	0	0.0%	0	0.0%		
H1 Human Resources Management	1	1	100.0%	0	0.0%		
U2 Merchandising Supervisors	1	1	100.0%	0	0.0%		
U3 Merchandising Advisors	1	0	0.0%	0	0.0%		
U4 Merchandising Professionals	8	8	100.0%	2	25.0%		
S1 Production Management	6	0	0.0%	0	0.0%		
S3 Production Advisors	1	1	100.0%	0	0.0%		
Q1 Sales Management	6	3	50.0%	0	0.0%		
Q3 Sales Advisors	10	2	20.0%	1	10.0%		
Q4 Sales Professionals	6	5	83.3%	1	16.7%		
B1 Trans and Logistics Management	4	3	75.0%	0	0.0%		
B2 Trans and Logistics Supervisors	4	2	50.0%	0	0.0%		
B4 Trans and Logistics Professionals	2	2	100.0%	0	0.0%		
O5 Office & Clerical	9	8	88.9%	2	22.2%		

2016-17 Affirmative Action Plan



Summary of Goals

CDT - DEICING TECHNOLOGY

S.L.T.D./GO

Job Group	Total	Females				Minorities			
		Representation	Avail	Goal	Statistics	Representation	Avail	Goal	Statistics
P2 Administrative and Other Supervisors	1	0	0.0%	25.9%	0.741 - Ex Bin	0	0.0%	21.7%	0.783 - Ex Bin
P3 Administrative and Other Advisors	1	1	100.0%	62.4%	No Shortfall	0	0.0%	31.5%	0.685 - Ex Bin
Y1 Finance and Accounting Management	1	0	0.0%	53.8%	0.462 - Ex Bin	0	0.0%	24.0%	0.760 - Ex Bin
Y2 Finance and Accounting Supervisors	2	1	50.0%	53.8%	0.711 - Ex Bin	0	0.0%	24.0%	0.577 - Ex Bin
Y3 Finance and Accounting Advisors	2	0	0.0%	60.0%	0.160 - Ex Bin	0	0.0%	26.8%	0.536 - Ex Bin
Y4 Finance and Accounting Professionals	2	0	0.0%	60.0%	0.160 - Ex Bin	0	0.0%	26.8%	0.536 - Ex Bin
H1 Human Resources Management	1	1	100.0%	59.4%	No Shortfall	0	0.0%	27.8%	0.722 - Ex Bin
U2 Merchandising Supervisors	1	1	100.0%	44.0%	No Shortfall	0	0.0%	17.9%	0.821 - Ex Bin
U3 Merchandising Advisors	1	0	0.0%	35.1%	0.649 - Ex Bin	0	0.0%	31.9%	0.681 - Ex Bin
U4 Merchandising Professionals	8	8	100.0%	67.9%	No Shortfall	2	25.0%	38.4%	0.349 - Ex Bin
S1 Production Management	6	0	0.0%	20.0%	0.262 - Ex Bin	0	0.0%	18.2%	0.299 - Ex Bin
S3 Production Advisors	1	1	100.0%	18.7%	No Shortfall	0	0.0%	21.0%	0.790 - Ex Bin
Q1 Sales Management	6	3	50.0%	39.7%	No Shortfall	0	0.0%	17.9%	0.305 - Ex Bin
Q3 Sales Advisors	10	2	20.0%	32.8%	0.312 - Ex Bin	1	10.0%	17.8%	0.445 - Ex Bin
Q4 Sales Professionals	6	5	83.3%	34.0%	No Shortfall	1	16.7%	8.3%	No Shortfall
B1 Trans and Logistics Management	4	3	75.0%	18.1%	No Shortfall	0	0.0%	25.7%	0.305 - Ex Bin
B2 Trans and Logistics Supervisors	4	2	50.0%	18.1%	No Shortfall	0	0.0%	25.7%	0.305 - Ex Bin
B4 Trans and Logistics Professionals	2	2	100.0%	24.6%	No Shortfall	0	0.0%	12.3%	0.789 - Ex Bin

Placement goals are established when the difference between incumbency and availability is statistically significant
 Exact Binomial (Ex Bin) indicates statistical significance at .025 or less
 Z-Test, used for larger populations, indicates statistical significance at 1.96 or greater

2016-17 Affirmative Action Plan



Summary of Goals

CDT - DEICING TECHNOLOGY

Job Group	Total	Females			Minorities			Statistics
		Representation	Avail	Goal	Representation	Avail	Goal	
05 Office & Clerical	9	8	88.9%	85.2%	2	22.2%	21.3%	No Shortfall

Placement goals are established when the difference between incumbency and availability is statistically significant
 Exact Binomial (Ex Bin) indicates statistical significance at .025 or less
 Z-Test, used for larger populations, indicates statistical significance at 1.96 or greater

Action-Oriented Programs

NO PLACEMENT RATE GOALS ESTABLISHED FOR THE PLAN YEAR

Placement Goal(s)	Action Oriented Program(s)
Select Job Group Placement goal of Enter Placement Goal for Select Females/Minorities.	Click here to enter text.
Select Job Group Placement goal of Enter Placement Goal for Select Females/Minorities.	Click here to enter text.
Select Job Group Placement goal of Enter Placement Goal for Select Females/Minorities.	Click here to enter text.
Select Job Group Placement goal of Enter Placement Goal for Select Females/Minorities.	Click here to enter text.
Select Job Group Placement goal of Enter Placement Goal for Select Females/Minorities.	Click here to enter text.
Select Job Group Placement goal of Enter Placement Goal for Select Females/Minorities.	Click here to enter text.
Select Job Group Placement goal of Enter Placement Goal for Select Females/Minorities.	Click here to enter text.

Additional Outreach & Good Faith Efforts (Internal & External Focused)

Action-Oriented Programs include Agency Partnerships, such as Diversity Center of Northeast Ohio, YWCA, and others, applicant referrals, and mine/location tours. We have current memberships with Hire for Heroes and Recruit Military, in conjunction with our Cleveland location. We have attended several career fairs and conferences specific to minorities and females such as SWE, and NSBE. We will continue to focus on the recruitment of females and minorities as well as promotional opportunities. We will continue to partner with Talent Recruiting to ensure goal awareness and areas of opportunity. Our partnership will include targeted online recruitment using several diverse websites and posting options. In addition, we

will continue to request seeing a diverse and qualified candidate pool for every open position. We will continue to work with our female and minority engineers on their personal development plan to ensure there is alignment with their career goals. We will continue to participate in our internal groups that focus on women such as SWON – Salt Women in Operations network). We are sponsoring 4 women across the Business to participate in Bridge, a yearlong Cargill female leadership development program, which kicked off in September of 2016. We are also sponsoring 6 women across the business to attend the Global Cargill Protein and Salt Women’s Forum in October 2016. We have sponsored the humanitarian dinner with the Diversity Center of Northeast Ohio and have also sponsored 2 leaders to attend their 9 month LeadDiversity program. Additionally, we have had 10 employees attend a day long YWCA It’s Time to Talk and an all-day session on Addressing Bias in the Workplace hosted by the Commission for Economic Inclusion. These 10 employees are also serving on the Inclusion and Diversity Committee for our North Olmsted office.

Identification of Problem Areas

NO PROBLEM AREAS IDENTIFIED FOR THE PLAN YEAR

Area(s) of Concern	Corrective Action(s)
Select Race/Gender in Select Job Group appear to be Enter Type of Problem Area at a lower rate than Select Race/Gender.	Click here to enter text.
Select Race/Gender in Select Job Group appear to be Enter Type of Problem Area at a lower rate than Select Race/Gender.	Click here to enter text.
Select Race/Gender in Select Job Group appear to be Enter Type of Problem Area at a lower rate than Select Race/Gender.	Click here to enter text.
Select Race/Gender in Select Job Group appear to be Enter Type of Problem Area at a lower rate than Select Race/Gender.	Click here to enter text.

Section 7
Equal Employment Opportunity &
Affirmative Action Responsibilities at Cargill

Cargill has assigned LeighAnne Baker, Corporate Vice President of Human Resources, as the official with overall responsibility for the implementation of equal opportunity and affirmative action at Cargill. Her designees are the NA Regional HR Lead, the Enterprise HR Leads, and the HR Solutions Market Leads. Each of these persons has the authority, resources, support of and access to Cargill's senior operational executives.

Although the above-named persons have overall corporate responsibility for equal employment and affirmative action it is the Business Leader, with the assistance of the HR Business Leader, who is responsible for the implementation of EEO and AA within their business. The Business Leader holds their individual facilities and functional leaders responsible for equal opportunity and affirmative action results.

Their responsibilities include oversight for the following duties, among others:

- Conducting or participating in in-depth analyses of the facility's total employment process to determine whether and where impediments to equal employment opportunity exist.
- Designing and implementing auditing systems to ensure implementation of the affirmative action program.
- Developing and implementing action-oriented programs designed to correct problem areas identified and to make good faith efforts to attain established goals.
- Reviewing internal EEO and affirmative action reports with all levels of the management team on a periodic basis.
- Advising top management of the program's effectiveness and providing recommendations to improve unsatisfactory performance.
- Ensuring that each facility properly displays EEO/AA posters and EEO/AA policy statements.

In addition, the Employee Relations Department, by delegation of the Vice President of Human Resources, has responsibilities that include but are not limited to:

- Developing policy statements, program formats and communication techniques for affirmative action programs.
- Assisting business HR Representatives in developing their affirmative action program
- Serving as liaison between the company and EEO/AA compliance agencies.

Section 8
Internal Audit & Reporting System

This establishment has developed and implemented a system that periodically measures the effectiveness of its affirmative action program. This system includes the following:

- Periodically monitoring progress toward affirmative action goals.
- Periodically monitoring records pertaining to hiring, promotions and terminations.
- Periodically monitoring records pertaining to other selection procedures, including referrals, placements and transfers.
- Periodically monitoring records pertaining to compensation.
- Reviewing reports with all levels of management at this establishment.
- Advising top management at the establishment of the affirmative action program's effectiveness.
- Recommending to top management at the establishment methods to improve unsatisfactory affirmative action performance.

2016-17 Affirmative Action Plan



Beginning of Plan Year - 8/1/2015

CDT - DEICING TECHNOLOGY

SHD:GO

Job Group	Total	Male	Female	Total Minority	Asian	Black	Hisp	Am Ind	NHOPI	Mult	White
E1 Executive Management	1	1	0	0	0	0	0	0	0	0	1
E2 General Management/Advisors	1	0	1	0	0	0	0	0	0	0	1
P2 Administrative and Other Supervisor	1	1	0	0	0	0	0	0	0	0	1
P3 Administrative and Other Advisors	2	1	1	0	0	0	0	0	0	0	2
Y1 Finance and Accounting Manageme	2	2	0	0	0	0	0	0	0	0	2
Y2 Finance and Accounting Supervisors	1	0	1	0	0	0	0	0	0	0	1
Y3 Finance and Accounting Advisors	2	2	0	0	0	0	0	0	0	0	2
Y4 Finance and Accounting Professiona	4	2	2	1	0	0	0	1	0	0	3
H1 Human Resources Management	1	0	1	0	0	0	0	0	0	0	1
H3 Human Resources Advisors	1	0	1	1	0	1	0	0	0	0	0
H4 Human Resources Professionals	1	1	0	1	0	1	0	0	0	0	0
W4 Info Systems Professionals	1	0	1	0	0	0	0	0	0	0	1
U3 Merchandising Advisors	1	1	0	0	0	0	0	0	0	0	1
S1 Production Management	5	5	0	0	0	0	0	0	0	0	5
S3 Production Advisors	1	0	1	0	0	0	0	0	0	0	1
Q1 Sales Management	6	4	2	0	0	0	0	0	0	0	6
Q3 Sales Advisors	10	8	2	1	1	0	0	0	0	0	9
Q4 Sales Professionals	6	1	5	1	0	1	0	0	0	0	5
B1 Trans and Logistics Management	4	1	3	0	0	0	0	0	0	0	4
B2 Trans and Logistics Supervisors	5	2	3	0	0	0	0	0	0	0	5
B3 Trans and Logistics Advisors	1	1	0	0	0	0	0	0	0	0	1

Red Means the racial subgroup comprises < 2 percent of the total and will be excluded from adverse impact analyses

2016-17 Affirmative Action Plan



Beginning of Plan Year - 8/1/2015

CDI - DEICING TECHNOLOGY

SLID GO

Job Group	Total	Male	Female	Total Minority	Asian	Black	Hisp	Am Ind	NHOPI	Mult	White
05 Office & Clerical	20	1	19	5	0	4	1	0	0	0	15

Red Means the racial subgroup comprises < 2 percent of the total and will be excluded from adverse impact analyses

2016-17 Affirmative Action Plan



Transaction Summary

CDT - DEICING TECHNOLOGY

SLIDGO

TRANSACTION TYPE	Total	Male	Female	Total Minority	Asian	Black	Hisp	Am Ind	NHOPH	Mult	White	
Y4 Finance and Accounting Professionals												
Promotion	2	1	1	0	0	0	0	0	0	0	2	
Termination	1	0	1	1	0	0	0	1	0	0	0	
H4 Human Resources Professionals												
Termination	1	1	0	1	0	1	0	0	0	0	0	
W4 Info Systems Professionals												
Termination	1	0	1	0	0	0	0	0	0	0	1	
U2 Merchandising Supervisors												
Promotion	1	0	1	0	0	0	0	0	0	0	1	
Q1 Sales Management												
Termination	1	1	0	0	0	0	0	0	0	0	1	
B1 Trans and Logistics Management												
Termination	1	1	0	0	0	0	0	0	0	0	1	
B3 Trans and Logistics Advisors												
Termination	1	1	0	0	0	0	0	0	0	0	1	
O5 Office & Clerical												
Hire	3	0	3	0	0	0	0	0	0	0	3	
Promotion	1	0	1	0	0	0	0	0	0	0	1	
Termination	3	0	3	1	0	0	1	0	0	0	2	

2016-17 Affirmative Action Plan



Applicant Flow Summary

CDT - DEICING TECHNOLOGY

S.I.T.D.60

Job Group	Total	Male	Female	No Gndr	TU Min	Asian	Black	Hisp	Am Ind	NHOPI	Multiple	White	No Race
05 Office & Clerical	57	23	34	0	11	4	4	1	0	0	2	44	2
Totals	57	23	34	0	11	4	4	1	0	0	2	44	2

Red Means the racial subgroup comprises < 2 percent of the total and will be excluded from adverse impact analyses

2016-17 Affirmative Action Plan



Applicant Flow Summary

CDT - DEICING TECHNOLOGY

SLTD-GO

Job Group	Total	Male	Female	No Gndr	T/1 Min	Asian	Black	Hisp	Am Ind	NHOPI	Multiple	White	No Race
05 Office & Clerical	50	20	30	0	8	2	3	1	0	0	2	40	2
Totals	50	20	30	0	8	2	3	1	0	0	2	40	2

Red Means the racial subgroup comprises < 2 percent of the total and will be excluded from adverse impact analyses

Section 9

Cargill, Incorporated

AFFIRMATIVE ACTION PROGRAM

FOR

**INDIVIDUALS WITH DISABILITIES
& PROTECTED VETERANS**

UNDER

**SECTION 503, REHABILITATION ACT OF 1973
38 USC § 4212**

2016-2017

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- **Veteran Hiring Benchmark**
(41 CFR § 60-300.45)
- **Disability Utilization Goals**
(41 CFR § 60-741.45)
- **EEO/AA/Anti-Harassment Policy**

Introduction

This affirmative action program (AAP) pertains to individuals with disabilities and protected veterans:

Individual with a disability – means any person who (1) has a physical or mental impairment which substantially limits one or more of such person's major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment.

Protected veteran – means:

- **Disabled Veteran:** A veteran who served on active duty in the U.S. military and is entitled to disability compensation (or who but for the receipt of military retired pay would be entitled to disability compensation) under laws administered by the Secretary of Veterans Affairs, or was discharged or released from active duty because of a service-connected disability.
- **Active Duty Wartime or Campaign Badge Veteran:** A veteran who served on active duty in the U.S. military during a war, or in a campaign or expedition for which a campaign badge was authorized under the laws administered by the Department of Defense.
- **Recently Separated Veteran:** A veteran separated during the three-year period beginning on the date of the veteran's discharge or release from active duty in the U.S. military.
- **Armed Forces Service Medal Veteran:** A veteran who, while serving on active duty in the U.S. military, participated in a U.S. military operation that received an Armed Forces service medal.

We refer collectively to veterans in these categories as "protected veterans."

Affirmative Action Policy
(41 CFR §§ 60-300.44(a) and 60-741.44(a))

Cargill's Equal Employment Opportunity, Affirmative Action, and Anti-Harassment Policy is attached herein.

Inspection of the AAP
(41 CFR §§ 60-300.41 & 60-741.41)

This affirmative action program, absent the data metrics required by § 60-300.44(k), shall be made available for inspection by applicants and employees of the Business or establishment during normal business hours. Individuals interested in inspecting this AAP should contact the local or Business HR manager.

Dissemination of Policy, Outreach & Positive Recruitment (and Responsibilities Assigned)

(41 CFR §§ 60-300.44(f), (g) & (i) and 60-741.44(f), (g) & (i))

Our EEO, Affirmative Action and Anti-Retaliation policy is disseminated to a variety of constituencies to assure their awareness of our commitment to equal employment opportunity.

Internal Policy Dissemination

- A. The current EEO Policy is included in the Cargill Salaried Employee Handbook, Cargill's intranet, and in some cases locally prepared policy manuals. (Responsibility: Employee Relations, Local Human Resources)
- B. The EEO Policy and Affirmative Action Program will be discussed in appropriate management and supervisory training programs conducted on-site. (Responsibility: Human Resources)
- C. Non-discrimination clauses are included in all union agreements. All contractual provisions will be reviewed to ensure they are non-discriminatory. (Responsibility: Labor & Employment Law Team)
- D. The Corporate EEO Policy Statement will be posted on employee bulletin boards along with all other EEO posters required by law. (Responsibility: Facility Management and Business HR)
- E. The Policy Against Harassment (including a procedure for handling and processing allegations of harassment) is posted at all U.S. locations and included in the Cargill Salaried Employee Handbook and on Cargill's intranet. (Responsibility: Employee Relations and Facility Management)

- F. The Cargill EEO Internal Grievance Resolution Procedure is included in the Cargill Salaried Employee Handbook and on Cargill's intranet. (Responsibility: Employee Relations)
- G. Inclusion is inherent in Cargill's Leadership Model which guides Cargill's Performance Management. (Responsibility: Managers with Human Resources responsibilities)

External Policy Dissemination

- A. Minority, women, disabled and veteran organizations, community agencies, employment agencies, public and private colleges and universities, secondary schools, training institutions, and any other referral sources will be notified verbally and in writing of the Company EEO Policy and invited actively to recruit and refer minorities, women, veterans and individuals with disabilities. (Responsibility: Facility Management with Hiring Responsibilities)
- B. The EEO clause will be incorporated in all purchase orders, leases, and contracts where required by Executive Order 11246, as amended, Section 503 of the Rehabilitation Act, as amended, and by 38 USC § 4212, as well as by their implementing regulations. (Responsibility: Strategic Sourcing, Law and the Businesses)
- C. We will provide written notice of our EEO/AA/Anti-Harassment policy to Vendors/Subcontractors/Suppliers and request requesting appropriate action on their part.
- D. We will notify union officials of EEO/AA/Anti-Harassment policy and request their cooperation.

Outreach and Positive Recruitment

- A. Cargill will undertake appropriate outreach and positive recruitment and external dissemination activities to seek out qualified applicants or employees who are individuals with disabilities or protected veterans when job openings or advancement opportunities occur.
- B. Cargill will list "all suitable employment openings" which exist at the time of contract execution or those occurring during contract performance with our local state employment service office or with the job listing delivery system of the state in which the position is to be located. "All suitable employment openings" include full-time, part-time and temporary jobs of more than 3 days duration, except executive and top management positions, which occur and are filled within the 50 states, the District of Columbia, Puerto Rico, Guam and the Virgin Islands. If the opening is to be filled internally, i.e., if no consideration will be given to persons outside of Cargill and its subsidiaries and affiliates or if the position is an executive or top management position, no listing is required. Any required listing shall be done concurrently with the use of any other recruitment source or effort.

Assessment of Outreach and Recruitment Activities for Protected Veterans

(41 C.F.R. § 60-300.44(f))

Outreach/ Recruitment Activity	Date of Activity	Description	Evaluation Activity
Meeting with Ohio Department of Job & Family services (Veterans Workforce Specialist)	12/01/2015	Met with 2 representatives from Dept. of Job & Family Services (Veterans workforce) to discuss staffing needs. They received a surface tour and are tentatively scheduled for tour underground. To help with Cleveland's staffing needs specifically with mechanics and electricians, they offered to host a mini job fair at their location in Parma. They did send applicants to the open requisitions.	The activity attracted applicants to our mechanic and electrical positions that are generally hard to fill and expanded our outreach into our veteran's population. We will continue this relationship. Since our jobs do not usually align with their job fairs we evaluate them each year, but they specifically post our positions when they are open.
Ohio Means Jobs	November 2015	Additional partnership to reach out to all Veterans.	This will be an ongoing partnership. We will continue to evaluate the progress based applicants to open positions.
Military Development Program Visit	July 28-30, 2016	We hosted United States Military Academy (West Point) cadets at our location as a part of their leadership development program to impact in developing military leaders, be a presence in the military community, and facilitate long-term talent opportunities	This program is an ongoing program and through their completed presentations they gave other cadets a view of Cargill and what we have to offer.

Outreach/ Recruitment Activity	Date of Activity	Description	Evaluation Activity
Military Sourcer used through Talent Recruiting to access Veterans for a technical specialist role	March-May 2016	We utilized specialized military recruitment and sourcing through our Talent Recruiting Team.	We did make an offer to a USMC veteran. He was unable to satisfactorily meet the pre-employment processes. The activity did expand Cargill's outreach to protected veterans.
YWCA	Ongoing	Partnered with the YWCA whose mission is to eliminate racism and empower women to create and facilitate programs that are beneficial to our company in the areas of diversity and inclusion.	This is an ongoing effort and we will continue to monitor the success of this partnership.

Criteria for Evaluation:

1. Did the activity attract qualified applicants who are protected veterans?
2. Did the activity result in the hiring of protected veterans?
3. Did the activity expand Cargill's outreach to protected veterans in the community?

Future Outreach and Positive Recruitment Activities

Cargill will continue to develop our current partnerships and to seek out additional activities and this will increase our visibility and, over time, increase the representation of qualified protected veterans in our employee population. Cargill will also continue ongoing outreach and positive recruitment activities, as well as internal activities, including:

- Ohio Means Jobs for Military and Disabled Groups
- Ohio Department of Job & Family Services
- Urban League of Greater Cleveland
- HR employee/ Officer on the Cargill VSM Network for veterans and military family
- Continued use of military sourcers and recruitment resources

Assessment of Outreach and Recruitment for Individuals with a Disability

(41 C.F.R. § 60-741.44(f))

Outreach/ Recruitment	Date of Activity	Description	Evaluation
Commission on Economic Inclusion	August 16, 2016	Session on Implicit Bias and the impact on employment. Session on EY best practices for addressing Bias in the Workplace. Afternoon break-out sessions on Supplier Diversity, Hiring and Promotion, and Culture.	We had 10 employees attend the meeting. The session was informative and we made new connections in the Cleveland community for outreach efforts. Our next step is to schedule tours for the Cuyahoga County Board of Development Disabilities and UCP of Greater Cleveland to potentially form new partnerships. The activity increased our capacity to include individuals with disabilities in our workforce.
Diversity Center of Northeast Ohio	Ongoing	Throughout the year we worked with the Diversity Center whose mission is to eliminate bias, bigotry and racism. We had an employee participate in their LeadDiversity program. We contributed to several programs that offer funding for their in house programs. We continue to find ways to partner with them to help them move forward with their mission and in turn they help us move forward with ours.	This is an ongoing partnership and we will continue to monitor the success of our partnership. The past two LeadDiversity programs have included disability advocates on a very personal level. This activity has increased our capacity to include individuals with disabilities in our workforce.
Click here to enter text.	Enter mm/dd/yy	Click here to enter text.	Click here to enter text.

Outreach/ Recruitment	Date of Activity	Description	Evaluation Quality
<p>Criteria for Evaluation:</p> <ol style="list-style-type: none"> 1. Did the activity attract qualified applicants with disabilities? 2. Did the activity result in the hiring of qualified individuals with disabilities? 3. Did the activity expand Cargill's outreach to individuals with disabilities in the community? 4. Did the activity increase Cargill's capacity/capability to include individuals with disabilities in its workforce? 			

Future Outreach and Positive Recruitment Activities

Cargill will continue to develop our current partnerships and seek out additional activities and this will increase our visibility and, over time, increase the representation of qualified individuals with disabilities in our employee population. Cargill will also continue ongoing outreach and positive recruitment activities, as well as internal activities, including:

- Tours and partnership exploration with UCP of Greater Cleveland and the Cuyahoga County Board of Development Disabilities
- [Click here to enter text.](#)
- [Click here to enter text.](#)
- [Click here to enter text.](#)

Internal Audit & Reporting System
(41 CFR §§ 60-300.44(h) & 60-741.44(h))

Cargill implemented procedures to gather data to enable us to evaluate the success of our AAP and to comply with the OFCCP regulations. This included a survey to employees to invite them to self-identify as an individual with disabilities, invitations to self-identify for applicants for employment and record gathering of the results of our outreach efforts.

Review of Personnel Practices
(41 CFR §§ 60-300.44(b) & 60-741.44(b))

Cargill periodically reviews the company's personnel practices and procedures to ensure that its personnel processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees who are known individuals with disabilities and protected veterans for job vacancies filled either by hiring or promotion, and for training opportunities offered or available. Our next review of personnel practices is anticipated to be conducted on or before 5/31/2017

Managers and supervisors involved in the recruitment, consideration and selection of applicants and candidates for open positions are expected to ensure that consideration is given to known individuals with a disability and protected veterans on the basis of their qualifications for the position in question, not their disability or veteran's status. In addition, in considering employees with regard to any other aspect of employment, managers and supervisors are expected to consider individuals with a disability or protected veterans on the same basis as they consider other individuals. This requirement extends to human resources personnel involved in the process.

In this respect, Cargill will consider only that portion of the military record, including discharge papers, relevant to the specific job qualifications for which the veteran is being considered. Furthermore, Cargill will not reduce the rate of pay of any individual with a disability or protected veteran because the individual receives disability income, pension, or other benefit from any source.

With respect to the company's review of personnel practices and procedures, the Cargill Salaried Employee Handbook was revised and re-released in June 2016. Prior to its redistribution, several updates were made to policies included in the Salaried Employee Handbook, including updates to Cargill's Equal Employment Opportunity, Affirmative Action and Anti-Harassment Policy. Cargill regularly reviews the Salaried Employee Handbook to assess any changes that are needed.

Physical & Mental Qualifications
(41 CFR §§ 60-300.44(c) & 741.44(c))

Cargill periodically reviews the physical and mental qualification requirements for its jobs to ensure that the requirements used in making employment-related decisions are job related and consistent with business necessity and the safe performance of the job. Requirements for existing positions are modified, if appropriate, when there is a change in job content.

Invitation to Self-Identify
(41 CFR §§ 60-300.42 & 60-741.42)

Cargill will invite applicants for employment to self-identify on a voluntary basis with regard to their status as a protected veteran and as an individual with a disability both pre and post-employment offer.

Cargill will invite all employees to self-identify on a voluntary basis with regard to their status as an individual with a disability at five year intervals and remind employees that they may update their disability at any time.

Reasonable Accommodation
(41 CFR §§ 60-300.44(d) & 60-741.44(d))

Cargill will reasonably accommodate the physical and mental limitations of its employees and applicants for employment where such accommodation would not impose undue hardship on the conduct of Cargill's business.

Cargill complies with the Americans with Disabilities Act. Employees seeking workplace accommodations due to a medical condition or disability are requested to notify their manager or Human Resources. Cargill is committed to working with its Employees to determine if a reasonable accommodation exists that will allow its Employees to perform the essential functions of their positions.

Listing of Employment Openings
(41 CFR § 60-300.5)

Cargill will list "all suitable employment openings" which exist at the time of contract execution or those occurring during contract performance with our local state employment service office or with the delivery system of the state job service in the state where the job is to be performed. "All suitable employment openings" include full-time, part-time and temporary jobs of more than 3 days duration, except executive and top management positions, which occur and are filled within the 50 states, the District of Columbia, Puerto Rico, Guam and the Virgin Islands. If the opening is to be filled internally, i.e., if no consideration will be given to persons outside of Cargill and its subsidiaries and affiliates or if the position is an executive or top management position, no listing is required. Any required listing shall be done concurrently with the use of any other recruitment source or effort.

Harassment
(41 CFR §§ 60-300.44(e) & 60-741.44(e))

Cargill's Equal Employment Opportunity, Affirmative Action, and Anti-Harassment Policy against harassment, attached herein, can be found on bulletin boards, the Salaried Employee Handbook and on the North American Human Resource Home Page under Employee Relations. It is designed to maintain a work environment free of unlawful discrimination. The policy covers individuals with disabilities and protected veterans, as well as other legally protected individuals, and explains disciplinary consequences of harassment and/or retaliatory actions.

Additionally, employees and applicants will not be subjected to harassment or intimidation for filing a complaint, assisting/participating in an investigation; opposing any unlawful practice; or exercising any other right protected by Section 503 of the Rehabilitation Act of 1973 or 38 USC § 4212. If an employee feels that he or she has suffered from harassment or discrimination connected to disability or protected veteran's status, he or she should report the incident to the Human Resources Manager or Employee Relations in Minneapolis at (888) 533-3040.

Training
(41 CFR §§ 60-300.44(j) & 60-741.44(j))

Cargill will train personnel involved in the recruitment, screening, selection, promotion, disciplinary, and related processes to ensure the effective implementation of Cargill's Affirmative Action Program.

Data Collection Analysis
(41 CFR §§ 60-300.44(k) & 60-741.44(k))

Cargill documents the following tabulations pertaining to applicants and hires on an annual basis to assist us in evaluating the effectiveness of our external outreach and recruiting efforts for individuals with disabilities and protected veterans:

1. The total number of job openings at each AAP establishment during the prior AAP cycle.
2. The total number of jobs filled.
3. The total number of applicants for all jobs.
4. The total number of applicants who self-identified as an individual with a disability.
5. The total number of applicants who self-identifies as a protected veteran.
6. The total number of applicants hired.
7. The total number of disabled applicants hired.
8. The total number of veteran applicants hired.

These computations are collected and maintained for internal purposes only and, in accordance with federal regulations, are not made available to the public.

Veteran Hiring Benchmark
(41 CFR § 60-300.45)

Cargill has established a veteran hiring benchmark equal to the national percentage of veterans in the civilian labor force as published on the OFCCP website at <http://www.dol-esa.gov/errd/vevraa.jsp>. The establishment's veteran hiring benchmark for the 2016-2017 AAP cycle is 6.9%.

Disability Utilization Goals
(41 CFR § 60-741.45)

Cargill has set a disability utilization goal in each AAP job group of 7%. Cargill will evaluate the utilization of individuals with disabilities, determine whether and where impediments to equal employment opportunity exist, and develop action-oriented programs, as appropriate.



Cargill Incorporated Equal Employment Opportunity, Affirmative Action, and Anti- Harassment Policy

Policy Statement

Cargill is committed to creating and sustaining an inclusive and diverse work environment where all employees are treated with dignity and respect. It is further committed to the principles of equal employment opportunity, complying with affirmative action obligations, and providing employees with a professional work environment free from discrimination and harassment. In support of these commitments, Cargill has adopted this Equal Employment Opportunity, Affirmative Action, and Anti-Harassment Policy.

This policy applies whenever and wherever a company employee is performing a function of his or her job, including all Cargill locations, client worksites, and company-sponsored or client-sponsored business and social functions.

The company's Equal Opportunity, Affirmative Action, and Anti-Harassment Policy requires that employment decisions be based only on valid job requirements, and extends to all terms, conditions, and privileges of employment including, but not limited to, recruitment, selection, compensation, benefits, training and development, promotion, demotion, transfer, termination or layoff, and disciplinary actions. It is designed to maintain a work environment free of unlawful discrimination.

Cargill's Chief Executive Officer, David MacLennan, is committed to the principles of equal employment opportunity and to fulfilling Cargill's affirmative action obligations. He has designated LeighAnne Baker, Corporate Vice President of Human Resources, as having ultimate responsibility for ensuring that equal employment and affirmative action are implemented at Cargill. Managers, supervisors and human resources representatives within the business and functions make individual employment decisions and are expected to uphold Cargill's Equal Employment Opportunity, Affirmative Action, and Anti-Harassment Policy as well as to develop, support, and achieve Cargill's affirmative action plan objectives. In addition, equal opportunity can be provided only when all employees cooperate; therefore, every employee has the responsibility to contribute to a work environment that reflects the spirit of equal employment opportunity.

This policy can be found on bulletin boards and on the U.S. Human Resources Home Page under Employee Relations.

Equal Employment Opportunity

Cargill is an Equal Opportunity Employer. As such, Cargill's long-standing equal employment opportunity policy prohibits discrimination and harassment against any employee or applicant based on race, ethnicity, color, religion, national origin, ancestry, sex, gender, gender identity, gender expression, sexual orientation, age, disability, pregnancy, genetic information, marital status, family status, citizenship status, veteran status, military status, union affiliation, or any other status protected by law.

Affirmative Action

Cargill is also a federal contractor subject to Executive Order 11246, Section 4212 of the Vietnam Era Veterans Readjustment Act of 1974, as amended ("Section 4212") and Section 503 of the Rehabilitation Act of 1973, as amended ("Section 503"). As such, Cargill is committed to taking positive steps to implement the employment-related aspects of the company's equal opportunity policy. Accordingly, it is Cargill's policy to take affirmative action to employ, advance in employment, and otherwise treat qualified minorities, women, protected veterans, and individuals with disabilities without regard to their race/ethnicity, sex/sexual orientation/gender identity, veteran status or physical or mental disability. Under this policy, Cargill also will provide reasonable accommodation to the known physical or mental limitations of an otherwise qualified employee or applicant for employment, unless such accommodation would impose undue hardship on the operation of the company's business.

The Affirmative Action section of this policy also prohibits employees and applicants from being subjected to harassment, intimidation, threats, coercion, or discrimination because they have engaged in or may engage in (1) filing a complaint; (2) assisting or participating in an investigation, compliance review, hearing, or any other activity related to the administration of Section 503, Section 4212 or any other Federal, state or local law requiring equal opportunity for disabled persons or covered veterans; (3) opposing any act or practice made unlawful by Section 503 or Section 4212 and their implementing regulations, or any other Federal, state or local law requiring equal opportunity for disabled persons or protected veterans; or (4) exercising any other right protected by Section 503 or Section 4212 or their implementing regulations.

The non-confidential portions of the affirmative action program for individuals with disabilities and protected veterans shall be available for inspection, during normal business hours, upon request by any employee or applicant for employment by contacting the location Human Resources Representative.

Cargill will train personnel involved in the recruitment, selection, promotion, demotion, transfer, termination or layoff, disciplinary, and related processes to ensure the effective implementation of Cargill's Affirmative Action Program. Cargill has instituted appropriate audit and reporting systems to affect these goals. Business leaders, with the assistance of Business Human Resources Representatives, are responsible for the implementation of Cargill's Affirmative Action Program.

Pay Transparency

The contractor will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or actions, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information.

Anti-Harassment

Cargill prohibits harassment based upon race, ethnicity, color, religion, national origin, sex, gender identity or expression, sexual orientation, age, disability, pregnancy, genetic information, marital status, family status, citizenship status, veteran status, active military status, union affiliation, or any other status protected by law. Harassment is verbal, visual or physical conduct that denigrates or shows hostility toward an individual based upon any of these protected characteristics. Harassment

can occur between or among co-workers or between or among supervisors and subordinates. Actions by non-Cargill employees may also constitute harassment. Cargill does not tolerate harassment by employees or any other individuals interacting with its employees.

Some examples of conduct that might constitute harassment include, but are not limited to:

- Racial epithets, slurs or derogatory comments;
- Threatening, intimidating or hostile acts;
- Jokes, insults and/or other inappropriate comments;
- Making, posting, e-mailing, or circulating demeaning or offensive pictures, cartoons or other materials.

Sexual harassment in particular is a form of workplace harassment. It is not possible to identify each and every act that constitutes or may constitute sexual harassment. However, examples of sexual harassment may include, but are not limited, to:

- Unwelcome sexually oriented jokes or comments;
- Unwelcome sexual advances or physical contact, including but not limited to touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, or sexual assault;
- Making, posting, e-mailing, or circulating sexually suggestive or demeaning pictures, cartoons or other materials.

Cargill will investigate all claims of discrimination, harassment and retaliation promptly and, to the extent reasonably possible, on a confidential basis, consistent with the needs of the investigation.

Responsibility

It is the responsibility of all employees, supervisors and managers to conduct themselves in a manner consistent with this policy by treating each other with dignity, respect and professionalism. In addition, it is a requirement for supervisors and managers to maintain a work environment free of discrimination and harassment. Any member of management who receives a complaint or becomes aware of discrimination or harassment must immediately report the complaint to a Human Resources manager or the Employee Relations department, even if the complaining employee asks that no action be taken.

Complaint Procedures

Any employee who witnesses or believes he or she has been subjected to harassment, discrimination, retaliation, or other inappropriate conduct is strongly encouraged to promptly address the situation by following these steps:

1. If the employee feels comfortable, he or she may clearly inform the offender that his/her behavior is offensive and unwelcome and to stop such behavior. However, the employee is not required to do so.
2. If this does not resolve the issue or if the employee is not comfortable talking to the offender, he or she is strongly encouraged to inform a Human Resources manager, a Business Human Resources manager or the Employee Relations department.
 - **To contact a Business Human Resources manager:**
<http://internal.cargill.com/sites/hr/UnitedStates-en/Pages/contacts-hr-manager.aspx>

- **To contact Employee Relations:**

Phone: (888)-533-3040.

Writing: Cargill Incorporated, P.O. Box 9300, MS #84-3-9320, Minneapolis, MN 55440

Email: Employee_relations_NAHR@cargill.com

Retaliation is Prohibited

Every employee is encouraged to come forward without fear of retaliation, as this policy prohibits any and all forms of retaliation against anyone who in good faith complains that this policy is not being followed, or who otherwise participates in a company or agency investigation into such complaints, even if sufficient evidence is not found to substantiate the complaint. If an employee believes that he or she has been or may be subjected to retaliation, the employee may report a complaint to a Human Resources manager or Employee Relations. For more information on retaliation, please refer to Cargill's [Anti-Retaliation Policy](#) or request a copy from your Human Resources Representative.

Discipline

Cargill takes all complaints of discrimination, harassment and/or retaliation seriously. Any Cargill employee, who is found to have engaged in inappropriate conduct, including violation of this policy or applicable law, will be subject to appropriate disciplinary action, up to and including termination of employment.

Questions

Any questions regarding Cargill's Equal Employment Opportunity, Affirmative Action, and Anti-Harassment Policy, or general questions regarding affirmative action, should be directed to your Business Human Resources manager or the Employee Relations department in Minneapolis at (888) 533-3040. You may also write to Cargill Incorporated, P.O. Box 9300, MS #84-3-9320, Minneapolis, MN 55440 or email to: Employee_Relations_NAHR@cargill.com.

This policy can be found on:

<http://internal.cargill.com/sites/Manager/UnitedStates-en/Pages/employee-relations-posters.aspx>.

Section 9

Cargill, Incorporated

AFFIRMATIVE ACTION PROGRAM

FOR

**INDIVIDUALS WITH DISABILITIES
& PROTECTED VETERANS**

UNDER

**SECTION 503, REHABILITATION ACT OF 1973
38 USC § 4212**

2016-2017

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- **Data Collection Analysis**
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- **Veteran Hiring Benchmark**
(41 CFR § 60-300.45)
- **Disability Utilization Goals**
(41 CFR § 60-741.45)
- **EEO/AA/Anti-Harassment Policy**

Introduction

This affirmative action program (AAP) pertains to individuals with disabilities and protected veterans:

Individual with a disability – means any person who (1) has a physical or mental impairment which substantially limits one or more of such person's major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment.

Protected veteran – means:

- **Disabled Veteran:** A veteran who served on active duty in the U.S. military and is entitled to disability compensation (or who but for the receipt of military retired pay would be entitled to disability compensation) under laws administered by the Secretary of Veterans Affairs, or was discharged or released from active duty because of a service-connected disability.
- **Active Duty Wartime or Campaign Badge Veteran:** A veteran who served on active duty in the U.S. military during a war, or in a campaign or expedition for which a campaign badge was authorized under the laws administered by the Department of Defense.
- **Recently Separated Veteran:** A veteran separated during the three-year period beginning on the date of the veteran's discharge or release from active duty in the U.S. military.
- **Armed Forces Service Medal Veteran:** A veteran who, while serving on active duty in the U.S. military, participated in a U.S. military operation that received an Armed Forces service medal.

We refer collectively to veterans in these categories as "protected veterans."

Affirmative Action Policy
(41 CFR §§ 60-300.44(a) and 60-741.44(a))

Cargill's Equal Employment Opportunity, Affirmative Action, and Anti-Harassment Policy is attached herein.

Inspection of the AAP
(41 CFR §§ 60-300.41 & 60-741.41)

This affirmative action program, absent the data metrics required by § 60-300.44(k), shall be made available for inspection by applicants and employees of the Business or establishment during normal business hours. Individuals interested in inspecting this AAP should contact the local or Business HR manager.

Dissemination of Policy, Outreach & Positive Recruitment (and Responsibilities Assigned)

(41 CFR §§ 60-300.44(f), (g) & (i) and 60-741.44(f), (g) & (i))

Our EEO, Affirmative Action and Anti-Retaliation policy is disseminated to a variety of constituencies to assure their awareness of our commitment to equal employment opportunity.

Internal Policy Dissemination

- A. The current EEO Policy is included in the Cargill Salaried Employee Handbook, Cargill's intranet, and in some cases locally prepared policy manuals. (Responsibility: Employee Relations, Local Human Resources)
- B. The EEO Policy and Affirmative Action Program will be discussed in appropriate management and supervisory training programs conducted on-site. (Responsibility: Human Resources)
- C. Non-discrimination clauses are included in all union agreements. All contractual provisions will be reviewed to ensure they are non-discriminatory. (Responsibility: Labor & Employment Law Team)
- D. The Corporate EEO Policy Statement will be posted on employee bulletin boards along with all other EEO posters required by law. (Responsibility: Facility Management and Business HR)
- E. The Policy Against Harassment (including a procedure for handling and processing allegations of harassment) is posted at all U.S. locations and included in the Cargill Salaried Employee Handbook and on Cargill's intranet. (Responsibility: Employee Relations and Facility Management)

- F. The Cargill EEO Internal Grievance Resolution Procedure is included in the Cargill Salaried Employee Handbook and on Cargill's intranet. (Responsibility: Employee Relations)
- G. Inclusion is inherent in Cargill's Leadership Model which guides Cargill's Performance Management. (Responsibility: Managers with Human Resources responsibilities)

External Policy Dissemination

- A. Minority, women, disabled and veteran organizations, community agencies, employment agencies, public and private colleges and universities, secondary schools, training institutions, and any other referral sources will be notified verbally and in writing of the Company EEO Policy and invited actively to recruit and refer minorities, women, veterans and individuals with disabilities. (Responsibility: Facility Management with Hiring Responsibilities)
- B. The EEO clause will be incorporated in all purchase orders, leases, and contracts where required by Executive Order 11246, as amended, Section 503 of the Rehabilitation Act, as amended, and by 38 USC § 4212, as well as by their implementing regulations. (Responsibility: Strategic Sourcing, Law and the Businesses)
- C. We will provide written notice of our EEO/AA/Anti-Harassment policy to Vendors/Subcontractors/Suppliers and request requesting appropriate action on their part.
- D. We will notify union officials of EEO/AA/Anti-Harassment policy and request their cooperation.

Outreach and Positive Recruitment

- A. Cargill will undertake appropriate outreach and positive recruitment and external dissemination activities to seek out qualified applicants or employees who are individuals with disabilities or protected veterans when job openings or advancement opportunities occur.
- B. Cargill will list "all suitable employment openings" which exist at the time of contract execution or those occurring during contract performance with our local state employment service office or with the job listing delivery system of the state in which the position is to be located. "All suitable employment openings" include full-time, part-time and temporary jobs of more than 3 days duration, except executive and top management positions, which occur and are filled within the 50 states, the District of Columbia, Puerto Rico, Guam and the Virgin Islands. If the opening is to be filled internally, i.e., if no consideration will be given to persons outside of Cargill and its subsidiaries and affiliates or if the position is an executive or top management position, no listing is required. Any required listing shall be done concurrently with the use of any other recruitment source or effort.

Assessment of Outreach and Recruitment Activities for Protected Veterans

(41 C.F.R. § 60-300.44(f))

Outreach/ Recruitment Activity	Date of Activity	Description	Evaluation Activity
Meeting with Ohio Department of Job & Family services (Veterans Workforce Specialist)	12/01/2015	Met with 2 representatives from Dept. of Job & Family Services (Veterans workforce) to discuss staffing needs. They received a surface tour and are tentatively scheduled for tour underground. To help with Cleveland's staffing needs specifically with mechanics and electricians, they offered to host a mini job fair at their location in Parma. They did send applicants to the open requisitions.	The activity attracted applicants to our mechanic and electrical positions that are generally hard to fill and expanded our outreach into our Veteran's population. We will continue this relationship since our jobs do not usually align with their job fairs we evaluate them each year but they specifically post our positions when they are open.
Ohio Means Jobs	November 2015	Additional partnership to reach out to all Veterans.	This will be an ongoing partnership. We will continue to evaluate the progress based applicants to open positions.
Military Development Program Visit	July 28-30, 2016	We hosted United States Military Academy (West Point) cadets at our location as a part of their leadership development program to impact in developing military leaders, be a presence in the military community, and facilitate long-term talent opportunities	This program is an ongoing program and through their completed presentations they gave other cadets a view of Cargill and what we have to offer.

Outreach/ Recruitment Activity	Date of Activity	Description	Evaluation Activity
Military Sourcer used through Talent Recruiting to access Veterans for a technical specialist role	March-May 2016	We utilized specialized military recruitment and sourcing through our Talent Recruiting Team.	We did make an offer to a USMC veteran. He was unable to satisfactorily meet the pre-employment processes. The activity did expand Cargill's outreach to protected veterans.
YWCA	Ongoing	Partnered with the YWCA whose mission is to eliminate racism and empower women to create and facilitate programs that are beneficial to our company in the areas of diversity and inclusion.	This is an ongoing effort and we will continue to monitor the success of this partnership.

Criteria for Evaluation:

1. Did the activity attract qualified applicants who are protected veterans?
2. Did the activity result in the hiring of protected veterans?
3. Did the activity expand Cargill's outreach to protected veterans in the community?

Future Outreach and Positive Recruitment Activities

Cargill will continue to develop our current partnerships and to seek out additional activities and this will increase our visibility and, over time, increase the representation of qualified protected veterans in our employee population. Cargill will also continue ongoing outreach and positive recruitment activities, as well as internal activities, including:

- Ohio Means Jobs for Military and Disabled Groups
- Ohio Department of Job & Family Services
- Urban League of Greater Cleveland
- HR employee/ Officer on the Cargill VSM Network for veterans and military family
- Continued use of military sourcers and recruitment resources

Assessment of Outreach and Recruitment for Individuals with a Disability

(41 C.F.R. § 60-741.44(f))

Outreach/Recruitment	Date of Activity	Description	Evaluation
Commission on Economic Inclusion	August 16, 2016	Session on Implicit Bias and the impact on employment. Session on EY best practices for addressing Bias in the Workplace. Afternoon break-out sessions on Supplier Diversity, Hiring and Promotion, and Culture.	We had 16 employees attend the meeting. The session was informative and we made new connections in the Cleveland community for outreach efforts. Our next step is to schedule tours for the Cuyahoga County Board of Development Disabilities and UCP of Greater Cleveland to potentially form new partnerships. The activity increased our capacity to include individuals with disabilities in our workforce.
Diversity Center of Northeast Ohio	Ongoing	Throughout the year we worked with the Diversity Center whose mission is to eliminate bias, bigotry and racism. We had an employee participate in their LeadDiversity program. We contributed to several programs that offer funding for their in house programs. We continue to find ways to partner with them to help them move forward with their mission and in turn they help us move forward with ours.	This is an ongoing partnership and we will continue to monitor the success of our partnership. The past two LeadDiversity programs have included disability awareness on a very personal level. This activity has increased our capacity to include individuals with disabilities in our workforce.
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Outreach/ Recruitment	Date of Activity	Description	Evaluation Activity
<p>Criteria for Evaluation:</p> <ol style="list-style-type: none"> 1. Did the activity attract qualified applicants with disabilities? 2. Did the activity result in the hiring of qualified individuals with disabilities? 3. Did the activity expand Cargill's outreach to individuals with disabilities in the community? 4. Did the activity increase Cargill's capacity/capability to include individuals with disabilities in its workforce? 			

Future Outreach and Positive Recruitment Activities

Cargill will continue to develop our current partnerships and seek out additional activities and this will increase our visibility and, over time, increase the representation of qualified individuals with disabilities in our employee population. Cargill will also continue ongoing outreach and positive recruitment activities, as well as internal activities, including:

- Tours and partnership exploration with UCP of Greater Cleveland and the Cuyahoga County Board of Development Disabilities
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- ~~Click here to enter text.~~
- ~~Click here to enter text.~~

Internal Audit & Reporting System
(41 CFR §§ 60-300.44(h) & 60-741.44(h))

Cargill implemented procedures to gather data to enable us to evaluate the success of our AAP and to comply with the OFCCP regulations. This included a survey to employees to invite them to self-identify as an individual with disabilities, invitations to self-identify for applicants for employment and record gathering of the results of our outreach efforts.

Review of Personnel Practices
(41 CFR §§ 60-300.44(b) & 60-741.44(b))

Cargill periodically reviews the company's personnel practices and procedures to ensure that its personnel processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees who are known individuals with disabilities and protected veterans for job vacancies filled either by hiring or promotion, and for training opportunities offered or available. Our next review of personnel practices is anticipated to be conducted on or before 5/31/2017

Managers and supervisors involved in the recruitment, consideration and selection of applicants and candidates for open positions are expected to ensure that consideration is given to known individuals with a disability and protected veterans on the basis of their qualifications for the position in question, not their disability or veteran's status. In addition, in considering employees with regard to any other aspect of employment, managers and supervisors are expected to consider individuals with a disability or protected veterans on the same basis as they consider other individuals. This requirement extends to human resources personnel involved in the process.

In this respect, Cargill will consider only that portion of the military record, including discharge papers, relevant to the specific job qualifications for which the veteran is being considered. Furthermore, Cargill will not reduce the rate of pay of any individual with a disability or protected veteran because the individual receives disability income, pension, or other benefit from any source.

With respect to the company's review of personnel practices and procedures, the Cargill Salaried Employee Handbook was revised and re-released in June 2016. Prior to its redistribution, several updates were made to policies included in the Salaried Employee Handbook, including updates to Cargill's Equal Employment Opportunity, Affirmative Action and Anti-Harassment Policy. Cargill regularly reviews the Salaried Employee Handbook to assess any changes that are needed.

Physical & Mental Qualifications
(41 CFR §§ 60-300.44(c) & 741.44(c))

Cargill periodically reviews the physical and mental qualification requirements for its jobs to ensure that the requirements used in making employment-related decisions are job related and consistent with business necessity and the safe performance of the job. Requirements for existing positions are modified, if appropriate, when there is a change in job content.

Invitation to Self-Identify
(41 CFR §§ 60-300.42 & 60-741.42)

Cargill will invite applicants for employment to self-identify on a voluntary basis with regard to their status as a protected veteran and as an individual with a disability both pre and post-employment offer.

Cargill will invite all employees to self-identify on a voluntary basis with regard to their status as an individual with a disability at five year intervals and remind employees that they may update their disability at any time.

Reasonable Accommodation
(41 CFR §§ 60-300.44(d) & 60-741.44(d))

Cargill will reasonably accommodate the physical and mental limitations of its employees and applicants for employment where such accommodation would not impose undue hardship on the conduct of Cargill's business.

Cargill complies with the Americans with Disabilities Act. Employees seeking workplace accommodations due to a medical condition or disability are requested to notify their manager or Human Resources. Cargill is committed to working with its Employees to determine if a reasonable accommodation exists that will allow its Employees to perform the essential functions of their positions.

Listing of Employment Openings
(41 CFR § 60-300.5)

Cargill will list "all suitable employment openings" which exist at the time of contract execution or those occurring during contract performance with our local state employment service office or with the delivery system of the state job service in the state where the job is to be performed. "All suitable employment openings" include full-time, part-time and temporary jobs of more than 3 days duration, except executive and top management positions, which occur and are filled within the 50 states, the District of Columbia, Puerto Rico, Guam and the Virgin Islands. If the opening is to be filled internally, i.e., if no consideration will be given to persons outside of Cargill and its subsidiaries and affiliates or if the position is an executive or top management position, no listing is required. Any required listing shall be done concurrently with the use of any other recruitment source or effort.

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Policy Statement

Cargill is committed to creating and sustaining an inclusive and diverse work environment where all employees are treated with dignity and respect. It is further committed to the principles of equal employment opportunity, complying with affirmative action obligations, and providing employees with a professional work environment free from discrimination and harassment. In support of these commitments, Cargill has adopted this Equal Employment Opportunity, Affirmative Action, and Anti-Harassment Policy.

This policy applies whenever and wherever a company employee is performing a function of his or her job, including all Cargill locations, client worksites, and company-sponsored or client-sponsored business and social functions.

The company's Equal Opportunity, Affirmative Action, and Anti-Harassment Policy requires that employment decisions be based only on valid job requirements, and extends to all terms, conditions, and privileges of employment including, but not limited to, recruitment, selection, compensation, benefits, training and development, promotion, demotion, transfer, termination or layoff, and disciplinary actions. It is designed to maintain a work environment free of unlawful discrimination.

Cargill's Chief Executive Officer, David MacLennan, is committed to the principles of equal employment opportunity and to fulfilling Cargill's affirmative action obligations. He has designated LeighAnne Baker, Corporate Vice President of Human Resources, as having ultimate responsibility for ensuring that equal employment and affirmative action are implemented at Cargill. Managers, supervisors and human resources representatives within the business and functions make individual employment decisions and are expected to uphold Cargill's Equal Employment Opportunity, Affirmative Action, and Anti-Harassment Policy as well as to develop, support, and achieve Cargill's affirmative action plan objectives. In addition, equal opportunity can be provided only when all employees cooperate; therefore, every employee has the responsibility to contribute to a work environment that reflects the spirit of equal employment opportunity.

This policy can be found on bulletin boards and on the U.S. Human Resources Home Page under Employee Relations.

Equal Employment Opportunity

Cargill is an Equal Opportunity Employer. As such, Cargill's long-standing equal employment opportunity policy prohibits discrimination and harassment against any employee or applicant based on race, ethnicity, color, religion, national origin, ancestry, sex, gender, gender identity, gender expression, sexual orientation, age, disability, pregnancy, genetic information, marital status, family status, citizenship status, veteran status, military status, union affiliation, or any other status protected by law.

Affirmative Action

Cargill is also a federal contractor subject to Executive Order 11246, Section 4212 of the Vietnam Era Veterans Readjustment Act of 1974, as amended ("Section 4212") and Section 503 of the Rehabilitation Act of 1973, as amended ("Section 503"). As such, Cargill is committed to taking positive steps to implement the employment-related aspects of the company's equal opportunity policy. Accordingly, it is Cargill's policy to take affirmative action to employ, advance in employment, and otherwise treat qualified minorities, women, protected veterans, and individuals with disabilities without regard to their race/ethnicity, sex/sexual orientation/gender identity, veteran status or physical or mental disability. Under this policy, Cargill also will provide reasonable accommodation to the known physical or mental limitations of an otherwise qualified employee or applicant for employment, unless such accommodation would impose undue hardship on the operation of the company's business.

The Affirmative Action section of this policy also prohibits employees and applicants from being subjected to harassment, intimidation, threats, coercion, or discrimination because they have engaged in or may engage in (1) filing a complaint; (2) assisting or participating in an investigation, compliance review, hearing, or any other activity related to the administration of Section 503, Section 4212 or any other Federal, state or local law requiring equal opportunity for disabled persons or covered veterans; (3) opposing any act or practice made unlawful by Section 503 or Section 4212 and their implementing regulations, or any other Federal, state or local law requiring equal opportunity for disabled persons or protected veterans; or (4) exercising any other right protected by Section 503 or Section 4212 or their implementing regulations.

The non-confidential portions of the affirmative action program for individuals with disabilities and protected veterans shall be available for inspection, during normal business hours, upon request by any employee or applicant for employment by contacting the location Human Resources Representative.

Cargill will train personnel involved in the recruitment, selection, promotion, demotion, transfer, termination or layoff, disciplinary, and related processes to ensure the effective implementation of Cargill's Affirmative Action Program. Cargill has instituted appropriate audit and reporting systems to affect these goals. Business leaders, with the assistance of Business Human Resources Representatives, are responsible for the implementation of Cargill's Affirmative Action Program.

Pay Transparency

The contractor will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or actions, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information.

Anti-Harassment

Cargill prohibits harassment based upon race, ethnicity, color, religion, national origin, sex, gender identity or expression, sexual orientation, age, disability, pregnancy, genetic information, marital status, family status, citizenship status, veteran status, active military status, union affiliation, or any other status protected by law. Harassment is verbal, visual or physical conduct that denigrates or shows hostility toward an individual based upon any of these protected characteristics. Harassment

can occur between or among co-workers or between or among supervisors and subordinates. Actions by non-Cargill employees may also constitute harassment. Cargill does not tolerate harassment by employees or any other individuals interacting with its employees.

Some examples of conduct that might constitute harassment include, but are not limited to:

- Racial epithets, slurs or derogatory comments;
- Threatening, intimidating or hostile acts;
- Jokes, insults and/or other inappropriate comments;
- Making, posting, e-mailing, or circulating demeaning or offensive pictures, cartoons or other materials.

Sexual harassment in particular is a form of workplace harassment. It is not possible to identify each and every act that constitutes or may constitute sexual harassment. However, examples of sexual harassment may include, but are not limited, to:

- Unwelcome sexually oriented jokes or comments;
- Unwelcome sexual advances or physical contact, including but not limited to touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, or sexual assault;
- Making, posting, e-mailing, or circulating sexually suggestive or demeaning pictures, cartoons or other materials.

Cargill will investigate all claims of discrimination, harassment and retaliation promptly and, to the extent reasonably possible, on a confidential basis, consistent with the needs of the investigation.

Responsibility

It is the responsibility of all employees, supervisors and managers to conduct themselves in a manner consistent with this policy by treating each other with dignity, respect and professionalism. In addition, it is a requirement for supervisors and managers to maintain a work environment free of discrimination and harassment. Any member of management who receives a complaint or becomes aware of discrimination or harassment must immediately report the complaint to a Human Resources manager or the Employee Relations department, even if the complaining employee asks that no action be taken.

Complaint Procedures

Any employee who witnesses or believes he or she has been subjected to harassment, discrimination, retaliation, or other inappropriate conduct is strongly encouraged to promptly address the situation by following these steps:

1. If the employee feels comfortable, he or she may clearly inform the offender that his/her behavior is offensive and unwelcome and to stop such behavior. However, the employee is not required to do so.
2. If this does not resolve the issue or if the employee is not comfortable talking to the offender, he or she is strongly encouraged to inform a Human Resources manager, a Business Human Resources manager or the Employee Relations department.

- **To contact a Business Human Resources manager:**
<http://internal.cargill.com/sites/hr/UnitedStates-en/Pages/contacts-hr-manager.aspx>

- **To contact Employee Relations:**
Phone: (888)-533-3040.
Writing: Cargill Incorporated, P.O. Box 9300, MS #84-3-9320, Minneapolis, MN 55440
Email: Employee_relations_NAHR@cargill.com

Retaliation is Prohibited

Every employee is encouraged to come forward without fear of retaliation, as this policy prohibits any and all forms of retaliation against anyone who in good faith complains that this policy is not being followed, or who otherwise participates in a company or agency investigation into such complaints, even if sufficient evidence is not found to substantiate the complaint. If an employee believes that he or she has been or may be subjected to retaliation, the employee may report a complaint to a Human Resources manager or Employee Relations. For more information on retaliation, please refer to Cargill's [Anti-Retaliation Policy](#) or request a copy from your Human Resources Representative.

Discipline

Cargill takes all complaints of discrimination, harassment and/or retaliation seriously. Any Cargill employee, who is found to have engaged in inappropriate conduct, including violation of this policy or applicable law, will be subject to appropriate disciplinary action, up to and including termination of employment.

Questions

Any questions regarding Cargill's Equal Employment Opportunity, Affirmative Action, and Anti-Harassment Policy, or general questions regarding affirmative action, should be directed to your Business Human Resources manager or the Employee Relations department in Minneapolis at (888) 533-3040. You may also write to Cargill Incorporated, P.O. Box 9300, MS #84-3-9320, Minneapolis, MN 55440 or email to: Employee_Relations_NAHR@cargill.com.

This policy can be found on:

<http://internal.cargill.com/sites/Manager/UnitedStates-en/Pages/employee-relations-posters.aspx>.



Technical Information

Bulk Ice Control Salt

DESCRIPTION:

Bulk Ice Control Salt is a coarse screened, translucent to white crystalline solid obtained from a domal salt deposit in Louisiana by physical mining. The salt is exploited by drilling and blasting with explosives in a manner similar to that used in other types of mineral mining. The mined salt is then crushed, screened and hoisted to the surface where it is loaded directly into barges.

COMPLIANCE:

Bulk Ice Control Salt is not approved for human or animal consumption. It is intended for use only as a chemical deicer on roadways and thoroughfares. This salt complies fully with ASTM Specification D 632-99 Type 1, Grade 1.

ADDITIVES:

Bulk Ice Control Salt contains Yellow Prussiate of Soda, which is added to improve caking resistance.

APPLICATIONS:

Bulk Ice Control Salt is intended for use as an ice and snow removal agent on highways and other roadways.

PACKAGING AND SHIPPING:

Bulk Ice Control Salt is available only in bulk form. Bulk quantities are shipped by barge.

METHODS OF ANALYSIS:

Methods of analysis and product performance evaluation are taken from the ASTM designations D 632 and E 534.

CHEMICAL ANALYSIS:

Component	Units	Typical	Specification
Sodium Chloride (dry basis) ¹	%	98.9	95.0 min.
Calcium & Magnesium (as Ca) ¹	%	0.30	-
Sulfate (as SO ₄) ¹	%	0.74	-
Water Insolubles ¹	%	0.07	2.0 max.
Surface Moisture ²	%	0.02	0.1 max.
Yellow Prussiate of Soda ³	ppm	50	100 max.

¹By difference of impurities before conditioning.

²110°C for 2 hours before conditioning.

³Optional anticaking agent (sodium ferrocyanide decahydrate).

SIEVE ANALYSIS:

U.S.S. Mesh	Opening Inches	Opening Microns	Typical	Specification
1/2"	0.500	12500	100	100 min.
3/8"	0.375	9500	98	95 - 100
4	0.187	4750	79	20 - 90
8	0.0937	2360	42	10 - 60
30	0.0232	600	11	15 max.

Note: Sieve analysis is reported as percent passing.

BULK DENSITY:

Parameter	Typical	Specification
Pounds per Cubic Foot	74	70 - 78
Grams per Liter	1185	1120 - 1250

Note: Bulk density is reported as loose (uncompacted).

PRODUCING LOCATION: AVERY ISLAND, LA

Material Number 100011135

No. 5701 Revised December 2013

CARGILL SALT
P.O. Box 5621
Minneapolis, MN
55440
1-888 385-7258

NOTICE: All of the above statements, recommendations, suggestions and data are based on our laboratory results, and we believe same to be reliable. Nevertheless, with the exception of data showing an express guaranty (such as in the case of products specifically designed for use as nutrient supplements), all such statements, recommendations, suggestions and data hereinabove presented are made without guaranty, warranty or responsibility of any kind on our part.



SAFETY DATA SHEET

1. Identification

Product identifier Bulk Ice Control Salt with YPS

Other means of Identification

SDS number NB2

Synonyms Sodium Chloride (Salt). * Ice Control Salt.

Recommended use Salt may be intended for food or animal feed (agricultural) as well as several industrial applications including deicing and water conditioning.

Recommended restrictions None known.

Manufacturer/Importer/Supplier/Distributor information

Manufacturer

Company name Cargill Incorporated

Address Minneapolis, MN 55440

Telephone 1-888-385-7258

Website www.cargillsalt.com

Emergency telephone number CHEMTREC (800) 424-9300

2. Hazard(s) identification

Physical hazards Not classified.

Health hazards Not classified.

OSHA defined hazards Not classified.

Label elements

Hazard symbol None.

Signal word None.

Hazard statement The mixture does not meet the criteria for classification.

Precautionary statement

Prevention Observe good industrial hygiene practices.

Response Wash hands after handling.

Storage Store away from incompatible materials.

Disposal Dispose of waste and residues in accordance with local authority requirements.

Hazard(s) not otherwise classified (HNOC) None known.

3. Composition/information on ingredients

Mixtures

Chemical name	CAS number	%
Sodium Chloride	7647-14-5	95.8-99.8
Sodium Ferrocyanide Decahydrate	13601-19-9	0.0050-0.0100

GRAS Substance (Generally Recognized As Safe).

4. First-aid measures

Inhalation If dust from the material is inhaled, remove the affected person immediately to fresh air. Call a physician if symptoms develop or persist.

Skin contact Wash off with soap and water. Get medical attention if irritation develops and persists.

Eye contact Rinse with water. Get medical attention if irritation develops and persists.

Ingestion	Give one or two glasses of water if patient is alert and able to swallow. Get medical attention if symptoms occur.
Most important symptoms/effects, acute and delayed	Direct contact with eyes may cause temporary irritation.
Indication of immediate medical attention and special treatment needed	Treat symptomatically.
General information	Ensure that medical personnel are aware of the material(s) involved, and take precautions to protect themselves.

5. Fire-fighting measures

Suitable extinguishing media	Water fog. Foam. Dry chemical powder. Carbon dioxide (CO ₂).
Unsuitable extinguishing media	Do not use water jet as an extinguisher, as this will spread the fire.
Specific hazards arising from the chemical	During fire, gases hazardous to health may be formed.
Special protective equipment and precautions for firefighters	Self-contained breathing apparatus and full protective clothing must be worn in case of fire.
Fire-fighting equipment/instructions	Use water spray to cool unopened containers.
Specific methods	Use standard firefighting procedures and consider the hazards of other involved materials.
General fire hazards	This product is not flammable or combustible.

6. Accidental release measures

Personal precautions, protective equipment and emergency procedures	Keep unnecessary personnel away. Avoid inhalation of dust from the spilled material. Use a NIOSH/MSHA approved respirator if there is a risk of exposure to dust/fume at levels exceeding the exposure limits. Do not touch damaged containers or spilled material unless wearing appropriate protective clothing. For personal protection, see section 8 of the SDS.
Methods and materials for containment and cleaning up	If sweeping of a contaminated area is necessary use a dust suppressant agent which does not react with the product. Collect dust using a vacuum cleaner equipped with HEPA filter. Minimize dust generation and accumulation. Avoid release to the environment. Following product recovery, flush area with water. For waste disposal, see section 13 of the SDS.
Environmental precautions	Avoid discharge into drains, water courses or onto the ground.

7. Handling and storage

Precautions for safe handling	Provide appropriate exhaust ventilation at places where dust is formed. Minimize dust generation and accumulation. Avoid breathing dust. Avoid contact with eyes. Avoid contact with water and moisture. Keep away from strong acids. Practice good housekeeping.
Conditions for safe storage, including any incompatibilities	Store in original tightly closed container. Store in a well-ventilated place. Store away from incompatible materials (see Section 10 of the SDS). Becomes hygroscopic at 70-75% relative humidity. Avoid humid or wet conditions as product will cake and become hard.

8. Exposure controls/personal protection

Occupational exposure limits	No exposure limits noted for ingredient(s).
Biological limit values	No biological exposure limits noted for the ingredient(s).
Appropriate engineering controls	Ventilation should be sufficient to effectively remove and prevent buildup of any dusts or fumes that may be generated during handling or thermal processing.
Individual protection measures, such as personal protective equipment	
Eye/face protection	Unvented, tight fitting goggles should be worn in dusty areas.
Skin protection	
Hand protection	Wear appropriate chemical resistant gloves.
Other	Wear suitable protective clothing.
Respiratory protection	Use a NIOSH/MSHA approved respirator if there is a risk of exposure to dust/fume at levels exceeding the exposure limits. If engineering controls do not maintain airborne concentrations below recommended exposure limits (where applicable) or to an acceptable level (in countries where exposure limits have not been established), an approved respirator must be worn.
Thermal hazards	Wear appropriate thermal protective clothing, when necessary.

General hygiene considerations

Always observe good personal hygiene measures, such as washing after handling the material and before eating, drinking, and/or smoking. Routinely wash work clothing and protective equipment to remove contaminants.

9. Physical and chemical properties

Appearance	White crystalline solid
Physical state	Solid.
Form	Crystalline solid.
Color	White to opaque
Odor	Halogen odor when heated
Odor threshold	Not available.
pH	Not available.
Melting point/freezing point	1473.8 °F (801 °C)
Initial boiling point and boiling range	2669 °F (1465 °C) (760 mmHg)
Flash point	Not available.
Evaporation rate	Not available.
Flammability (solid, gas)	Not available.
Upper/lower flammability or explosive limits	
Flammability limit - lower (%)	Not available.
Flammability limit - upper (%)	Not available.
Explosive limit - lower (%)	Not available.
Explosive limit - upper (%)	Not available.
Vapor pressure	2.4 mm Hg (1376.6 °F (747 °C))
Vapor density	Not available.
Relative density	2.16 (H ₂ O = 1)
Solubility(ies)	
Solubility (water)	26.4 %
Partition coefficient (n-octanol/water)	Not available.
Auto-ignition temperature	Not available.
Decomposition temperature	Not available.
Viscosity	Not available.
Other information	
Bulk density	35 - 83 lb/ft ³
Molecular formula	NaCl
Molecular weight	58.44
pH in aqueous solution	6 - 9

10. Stability and reactivity

Reactivity	The product is stable and non-reactive under normal conditions of use, storage and transport.
Chemical stability	Material is stable under normal conditions.
Possibility of hazardous reactions	No dangerous reaction known under conditions of normal use.
Conditions to avoid	Contact with incompatible materials. Avoid dispersal of dust in the air (i.e., clearing dust surfaces with compressed air).
Incompatible materials	Avoid contact with strong acids. Becomes corrosive to metals when wet.
Hazardous decomposition products	May evolve chlorine gas when in contact with strong acids.

11. Toxicological information

Information on likely routes of exposure

Ingestion	Expected to be a low ingestion hazard.
Inhalation	Inhalation of dusts may cause respiratory irritation.
Skin contact	Prolonged or repeated skin contact may cause irritation.
Eye contact	Dust in the eyes will cause irritation.

Symptoms related to the physical, chemical and toxicological characteristics

Eye and skin contact: Exposure may cause temporary irritation, redness, or discomfort. For ingestion, consuming less than a few grams would not be harmful. The following effects were observed after ingesting an excessive quantity: nausea and vomiting, diarrhea, cramps, restlessness, irritability, dehydration, water retention, nose bleed, gastrointestinal tract damage, fever, sweating, sunken eyes, high blood pressure, muscle weakness, dry mouth and nose, shock, cerebral edema (fluid on brain), pulmonary edema (fluid in lungs), blood cell shrinkage, and brain damage (due to dehydration of brain cells). Death is generally due to cardiovascular collapse or CNS damage.

Information on toxicological effects

Acute toxicity In some cases of confirmed hypertension, ingestion may result in elevated blood pressure.

Components	Species	Test Results
Sodium Chloride (CAS 7647-14-5)		
Acute		
<i>Oral</i>		
LD50	Mouse	4000 mg/kg
	Rat	3000 mg/kg
<i>Other</i>		
LD50	Mouse	2602 mg/kg

Skin corrosion/irritation Prolonged skin contact may cause temporary irritation.

Serious eye damage/eye irritation Dust in the eyes will cause irritation.

Respiratory or skin sensitization

Respiratory sensitization Not available.

Skin sensitization This product is not expected to cause skin sensitization.

Germ cell mutagenicity No data available to indicate product or any components present at greater than 0.1% are mutagenic or genotoxic.

Carcinogenicity This product is not considered to be a carcinogen by IARC, ACGIH, NTP, or OSHA.

OSHA Specifically Regulated Substances (29 CFR 1910.1001-1050)

Not listed.

Reproductive toxicity This product is not expected to cause reproductive or developmental effects.

Specific target organ toxicity - single exposure Not classified.

Specific target organ toxicity - repeated exposure Not classified.

Aspiration hazard Due to the physical form of the product it is not an aspiration hazard.

12. Ecological information

Ecotoxicity The product is not classified as environmentally hazardous. However, this does not exclude the possibility that large or frequent spills can have a harmful or damaging effect on the environment.

Components	Species	Test Results	
Sodium Chloride (CAS 7647-14-5)			
Aquatic			
Crustacea	EC50	Water flea (<i>Daphnia magna</i>)	340.7 - 469.2 mg/l, 48 hours
Fish	LC50	Rainbow trout, donaldson trout (<i>Oncorhynchus mykiss</i>)	4747 - 7824 mg/l, 96 hours
Persistence and degradability	No data is available on the degradability of this product.		
Bioaccumulative potential	No data available.		

Mobility in soil No data available.
Other adverse effects None known.

13. Disposal considerations

Disposal instructions Collect and reclaim or dispose in sealed containers at licensed waste disposal site.
Local disposal regulations Dispose in accordance with all applicable regulations.
Hazardous waste code The waste code should be assigned in discussion between the user, the producer and the waste disposal company.
Waste from residues / unused products Dispose of in accordance with local regulations. Empty containers or liners may retain some product residues. This material and its container must be disposed of in a safe manner (see: Disposal instructions).
Contaminated packaging Empty containers should be taken to an approved waste handling site for recycling or disposal. Since emptied containers may retain product residue, follow label warnings even after container is emptied.

14. Transport information

DOT

Not regulated as dangerous goods.

IATA

Not regulated as dangerous goods.

IMDG

Not regulated as dangerous goods.

Transport in bulk according to Annex II of MARPOL 73/78 and the IBC Code Not applicable.

15. Regulatory information

US federal regulations All components are on the U.S. EPA TSCA Inventory List. This product is not known to be a "Hazardous Chemical" as defined by the OSHA Hazard Communication Standard, 29 CFR 1910.1200.

TSCA Section 12(b) Export Notification (40 CFR 707, Subpt. D)

Not regulated.

OSHA Specifically Regulated Substances (29 CFR 1910.1001-1050)

Not listed.

CERCLA Hazardous Substance List (40 CFR 302.4)

Not listed.

Superfund Amendments and Reauthorization Act of 1986 (SARA)

Hazard categories Immediate Hazard - No
Delayed Hazard - No
Fire Hazard - No
Pressure Hazard - No
Reactivity Hazard - No

SARA 302 Extremely hazardous substance

Not listed.

SARA 311/312 Hazardous chemical No

SARA 313 (TRI reporting)

Not regulated.

Other federal regulations

Clean Air Act (CAA) Section 112 Hazardous Air Pollutants (HAPs) List

Not regulated.

Clean Air Act (CAA) Section 112(r) Accidental Release Prevention (40 CFR 68.130)

Not regulated.

Safe Drinking Water Act (SDWA) Not regulated.

US state regulations**US. Massachusetts RTK - Substance List**

Not regulated.

US. New Jersey Worker and Community Right-to-Know Act

Not listed.

US. Pennsylvania Worker and Community Right-to-Know Law

Not listed.

US. Rhode Island RTK

Not regulated.

US. California Proposition 65

California Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): This material is not known to contain any chemicals currently listed as carcinogens or reproductive toxins.

US - California Proposition 65 - Carcinogens & Reproductive Toxicity (CRT): Listed substance

Not listed.

International Inventories

Country(s) or region	Inventory name	On Inventory (yes/no)*
Australia	Australian Inventory of Chemical Substances (AICS)	Yes
Canada	Domestic Substances List (DSL)	Yes
Canada	Non-Domestic Substances List (NDSL)	No
China	Inventory of Existing Chemical Substances in China (IECSC)	Yes
Europe	European Inventory of Existing Commercial Chemical Substances (EINECS)	Yes
Europe	European List of Notified Chemical Substances (ELINCS)	No
Japan	Inventory of Existing and New Chemical Substances (ENCS)	Yes
Korea	Existing Chemicals List (ECL)	Yes
New Zealand	New Zealand Inventory	Yes
Philippines	Philippine Inventory of Chemicals and Chemical Substances (PICCS)	Yes
United States & Puerto Rico	Toxic Substances Control Act (TSCA) Inventory	Yes

*A "Yes" indicates this product complies with the inventory requirements administered by the governing country(s).

A "No" indicates that one or more components of the product are not listed or exempt from listing on the inventory administered by the governing country(s).

16. Other information, including date of preparation or last revision**Issue date** 12-August-2014**Revision date** -**Version #** 01**HMS® ratings**
Health: 1
Flammability: 0
Physical hazard: 0
Personal protection: A**Disclaimer**
All statements, technical information and recommendations contained herein are, the best of our knowledge, reliable and accurate; however no warranty, either expressed or implied is made with respect thereto, nor will any liability be assumed for damages resultant from the use of the material described.

It is the responsibility of the user to comply with all applicable federal, state and local laws and regulations. It is also the responsibility of the user to maintain a safe workplace. The user should consider the health hazards and safety information provided herein as a guide and should take the necessary steps to instruct employees and to develop work practice procedures to ensure a safe work environment.

This information is not intended as a license to operate under, or a recommendation to practice or infringe upon any patent of this Company or others covering any process, composition of matter or use.