



Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

March 13, 2019

CERTIFIED MAIL

Mr. Christopher Lanphear
Deltek, Inc.
509 Olive Way, Suite 400
Seattle, Washington 98101

Dear Mr. Lanphear:

FREEDOM OF INFORMATION ACT REQUEST (FOI 2019-00479)

This letter is in response to the electronic Freedom of Information Act (FOIA) request you submitted to the U.S. Department of Energy, Headquarters FOIA Office on January 10, 2019. Your request has been forwarded to this office for a response and was received on February 14, 2019. In your request you asked for a copy of the awarded contract and bid tabulation for the Mission Support Alliance, LLC., (MSA) Central Training Staff, bid number 311843. In a telephone conversation with me on February 14, 2019, you clarified your request and stated you were seeking a copy of the subcontract awarded by MSA and the document that provides the name of each vendor that submitted a bid to MSA and the amount bid.

According to the U.S. Department of Energy's (DOE) contract with MSA, records relating to any procurement action by the Contractor are the property of the Contractor, with the exception of records that under 48 CFR 970.5232-3, Accounts, Records, and Inspections, are described as the property of the Government. The documents you have requested relate to a subcontract awarded by MSA. Accordingly, the documents do not fall under 48 CFR 970.5232-3 and are not subject to the provisions of the FOIA.

Your request was also assigned to the Procurement Division within the DOE Richland Operations Office (RL) to conduct a search of records in the possession of the government. A thorough search has been completed and the requested documents were not located.

The undersigned individual is responsible for this determination. You have the right to appeal to the Office of Hearings and Appeals, as provided in 10 CFR 1004.8, for this determination. Should you choose to exercise this right, your appeal must be filed within 90 days after receipt of this letter. You may submit your appeal by email to OHA.filings@hq.doe.gov, including the phrase "Freedom of Information Appeal" in the subject line (this is the method preferred by the Office of Hearings and Appeals). Alternatively, any such appeal may be made in writing to the following address: Director, Office of Hearings and Appeals (HG-1), U.S. Department of Energy, L'Enfant Plaza Building, 1000 Independence Avenue SW, Washington, D.C. 20585-1615. The appeal must contain all the elements required by 10 C.F.R. § 1004.8, including a copy of the determination letter.

Should you choose to appeal, please provide my office with a copy of your appeal. Thereafter, judicial review will be available to you in the Federal District Court either (1) in the district where you reside, (2) where you have your principal place of business, (3) where DOE's records are situated, or (4) in the District of Columbia.

You may contact DOE RL's FOIA Public Liaison, Richard Buel, at (509) 376-3375, or by mail at P.O. Box 550, Richland, Washington, 99352 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you have any questions regarding your request, please contact me at our address or at (509) 376-6288.

Sincerely,

-Original signed by-

Dorothy Riehle
Freedom of Information Act Officer
Office of Communications
and External Affairs

OCE:DCR