DEFENSE LOGISTICS AGENCY
HEADQUARTERS
8725 JOHN J. KINGMAN ROAD
FORT BELVOIR, VIRGINIA 22060-6221

November 28, 2022

Courtney Wells
4095 Executive Dr.
Beavercreek, OH 45430

Courtney Wells,

This letter responds to your November 18, 2022, Freedom of Information Act (FOIA) request, assigned DLA FOIA case number DLA-2023-000248 for a copy of the abstract of offers and offerors listed resulting from SPE4A5-23-P-0636.

Enclosed are the records we have in response to your request which are released in part pursuant to 5 U.S.C. § 552(b)(4) and 5 U.S.C. § 552(b)(5).

Due to changes in the DoD FOIA Regulation (32 CFR Part 286, Jan. 5, 2017) and following consultation with DLA Office of General Counsel, DLA has determined that releasing both the CAGE code and the unit price bid of losing bidders would likely constitute release of commercial proprietary information.

As economic theory more strongly supports the value to the market of release of unit price bid vice CAGE code, DLA has determined that the CAGE code of losing bidders must be withheld in accordance with Exemption 4 of the FOIA, 5 U.S.C. § 552(b)(4). Pursuant to Exemption 4, certain non-government financial information is exempt from disclosure. Exemption 4 protects: trade secrets; or information that is commercial or financial, obtained from a person or entity outside of the U.S. Government, and privileged or confidential.

Internal control numbers associated with funding citations as well as pricing logic elements are withheld under Exemption 5 of the FOIA, 5 U.S.C. § 552(b)(5), which protects internal deliberative records and records the release of which would likely place the government at a competitive disadvantage in the procurement process.

You have the right to appeal this partial denial. An appeal must be made in writing to the General Counsel and reach the General Counsel's Office within 90 calendar days from the date of this letter, and no later than 5:00 pm Eastern Standard Time. The appeal should include your reasons for reconsideration and enclose a copy of this letter. Due to the COVID-19 pandemic, appeals may only be submitted online via https://foiaonline.regulations.gov/foia/action/public/request/publicPreCreate.

This agency decision concludes the processing of your request(s) referred to above. Both OGIS and the DLA Public Liaison will assist in resolving disputes between FOIA requesters and DLA as a non-exclusive alternative to appeal. Using OGIS or the DLA FOIA Public Liaison does not affect your right to pursue appeal, nor does it stay the appeal clock. You may contact OGIS or the DLA Public Liaison in any of the following ways:

DLA FOIA Public Liaison Lewis Oleinick, CIPP/US/G Suite 1326 ATTN: J67CC (IGC) 8725 John J. Kingman Rd. Fort Belvoir, VA 22060-6221 571-767-6194 (w) Lewis.Oleinick@dla.mil	Office of Government Information Services National Archives and Records Administration Room 2510 8601 Adelphi Road College Park, MD 20740-6001 E-mail: ogis@nara.gov Telephone: 202-741-5770 Facsimile: 202-741-5769 Toll-free: 1-877-684-6448

The balance for your FOIA request for $15.00 on the enclosed invoice is now due. **For greater payment efficiency, our agency no longer accepts mailed checks and money orders. Please go to pay.gov for payment options**. Please go to the website, place "dla" in the search, scroll down and choose DFAS Columbus Form 6335. **Attached for your convenience is a step-by-step instruction guide for using pay.gov.** Please email your payment confirmation (receipt) to Foia_payment@dla.mil, so we can properly credit your FOIA account.

If you have any questions, please contact Ms. Judith Mansfield at judith.mansfield@dla.mil, 269-961-4513. Please reference DLA-2023-000248 in any subsequent communication.

Sincerely,

Christopher K Webb

Christopher K Webb
Management Analyst