

National Oceanic and Atmospheric Administration,
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U.S. DEPARTMENT OF COMMERCE
Western Administrative Support Center
7600 Sand Point Way N.E.
BIN C15700
Seattle, Washington 98115-0070

December 7, 2000

Kimberly S. Dietrich
Executive Director
Association for Professional Observers
P.O. Box 30167
Seattle, WA 98103

Dear Ms. Dietrich:

Subject: Contract #50ABNF-1-00005 - Hawaii Longline Observer
Program

This is written in response to your November 20, 2000, letter to Mr. Don Wadhams regarding your concerns that "selection protocol" was not followed adequately in award of the observer contract to Saltwater, Inc. for the Hawaii Longline Observer Program. While we appreciate the gravity of your concerns, we must reiterate our position that the Association for Professional Observers (APO) is not an "interested party" in the procurement and consequently, lacks any legal standing to express complaints regarding the award process.

The information you requested in your letter is prohibited from disclosure by Federal Acquisition Regulation (FAR), § 24.202 (a) and is exempt from disclosure under the Freedom of Information Act 5 U.S.C. § 552(b)(3); and therefore will not be released. However, we can assure you that all proposals received were evaluated in accordance with the criteria stated in Section M of the solicitation, and consequently, the performance history of all offerors was taken into consideration.

We are confident that the contract awardee, Saltwater, Inc., will perform in accordance with the contract's terms and conditions, including those covering the safety, health and welfare of the observers. Nonetheless, in administering the contract, we will remain cognizant of APO's concerns.

Your expression of interest in this procurement is appreciated.

Sincerely,


Judi M. Jzyk
Contracting Officer