

Goldberg



**Comptroller General
of the United States**

Washington, D.C. 20548

B-101404.27

August 23, 1989

Lieutenant General Charles McCausland
Director
Defense Logistics Agency

Dear General McCausland:

You request my concurrence with your determination of August 13, 1989 to omit the Examination of Records by Comptroller General clause from proposed service contract DLA600-89-C-5977 with Oliufelagid, H.F. (OHF), a sole-source Icelandic contractor.

The findings associated with your determination note that:

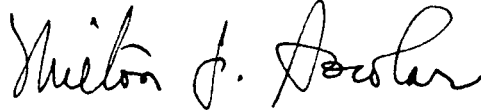
- (1) The proposed service contract is in support of the NATO forces in Iceland, and includes such services as the receipt, storage, protection and shipment of jet fuel in Hvalfjordor, Iceland.
- (2) The contract is for the period September 1, 1989 through August 31, 1993, on a 4-year, multiyear basis. The estimated value of the contract is approximately \$1,191,000 per year.
- (3) OHF has held the contract for these services for more than 15 years and is the only contractor capable of performing all the required services. The Government of Iceland will not allow contracting with other than OHF for these services.
- (4) OHF historically has refused to accept the Examination of Records by Comptroller General clause and has continued its refusal throughout the negotiations under this contract.

In view of the foregoing, and in accordance with 10 U.S.C. § 2313(c) and Federal Acquisition Regulation (FAR) § 25.901(c)(1), I concur with your determination that it is

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in the public interest to omit the Examination of Records
by Comptroller General clause, FAR § 52.215-1, from the
proposed contract.

Sincerely yours,

A handwritten signature in cursive script that reads "Milton J. Fowler".

Acting Comptroller General
of the United States