United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Washington, D.C. 20036
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In Reply Refer To:
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Memorandum

To: Janine Velasco
Head of the Contracting Activity (HCA)

From: Eric Pagal
Bureau Procurement Chief

Subject: Permanent Exemption to the Interagency Incident Business Management Handbook

The Bureau of Land Management (BLM) – Alaska Fire Service (AFS) is requesting a permanent exemption to the Interagency Incident Business Management Handbook, Chapter 20, paragraph 20.03 – Policy concerning contracts with Government employees or organizations owned or controlled by them.

Background: The AFS is responsible for mitigation of wild land incidents throughout interior Alaska. Most interior incidents occur in remote locations (along rivers, remote lakes, or remote villages) where the only transportation into and out of the area is by small aircraft, helicopter, and boat. Most often the closest urban area is Fairbanks, which may be in excess of 100 miles away by aircraft.

Due to the remoteness of these incidents, the pools for leasing/renting equipment and for hiring personnel are extremely limited. Population in these areas ranges from fewer than a dozen to just approximately 700 people. The only equipment and/or vehicles available are owned by private citizens and are brought in by the residents or private miners by barge which is a limited, slow and expensive mode of transportation. Additionally, the majority of the villages rely on all-terrain vehicles (ATVs) and boats for their normal transportation needs.

If a wild land incident occurs in a remote village, the Alaska Fire Service hires local residents as "Administratively Determined (AD)" employees as described in 43 USC §1469 for such requirements as base camp, logistics, and radio operators. As a result, the Government will be unable to obtain for official use the boats, ATVs and/or heavy equipment owned by the AD hires in accordance with the Federal Acquisition Regulation (FAR) Subpart 3.6. This restriction severely impacts the BLM's mission of controlling and containing the wild land incident. Due to the limitations of unpaved runways and small aircraft, it is not logistically feasible or possible to transport necessary equipment into the remote villages to support these incidents.

In accordance with FAR 3.602, it is requested that a permanent exemption be approved by a level not below the HCA, to grant contracting officers the authority to contract with "Government Employees or Organizations Owned and Controlled By Them". Due to the unknown duration or location of such incidents, a temporary exemption will not facilitate the hiring of local personnel and leasing/renting of necessary equipment in remote areas that do not have commercially-available resources. Additionally, movement of personnel and equipment from an urban area is not economically and/or logistically feasible. Delays in obtaining equipment and operators are detrimental to the efficient and effective management of wild land fire incident.

Upon approval of this request, it will still be required that the contracting officer, prior to award of a contract, conduct his/her due diligence and document the file accordingly per FAR 3.603.

If you have any questions or need more information, please contact Dottie Williams at 202-912-7476.

Approved 7/6/11
Janise Velasco