



DEFENSE LOGISTICS AGENCY
HEADQUARTERS
8725 JOHN J. KINGMAN ROAD, SUITE 2533
FORT BELVOIR, VIRGINIA 22060-6221

IN REPLY J-33
REFER TO PROCLTR 03-14

JUL 15 2003

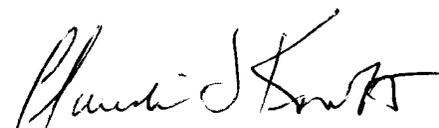
MEMORANDUM FOR PROCLTR DISTRIBUTION LIST

SUBJECT: Foreign Acquisition, Defense Logistics Acquisition Directive (DLAD) 4105.1,
Part 52

The purpose of this PROCLTR is to formally update DLAD 52.213-9004, *Offer Representations, Certifications, and Fill-In Information – Electronic Commerce* (commonly referred to as the “big clause”), to align with the recent Defense Federal Acquisition Regulation Supplement (DFARS) Part 25 rewrite. The DFARS Part 25 rewrite final rule (DFARS 2002-D009) was published March 31, 2003, with an effective date of April 30, 2003.

The change reflects the DFARS deletion of the fill-in provision at 252.225-7003, *Information for Duty Free Evaluation*, and the resultant deletion of the requirement from DLAD 52.213-9004.

This PROCLTR is effective immediately and expires upon incorporation of the attached coverage into the DLAD. Please contact Mr. Frank Pane if you have any questions regarding this matter. He may be reached at either (703)767-1461 (DSN 427) or Francis.Pane@dla.mil.


CLAUDIA S. KNOTT
Senior Procurement Executive

Attachment



SUBPART 52.2 - TEXT OF PROVISIONS AND CLAUSES

52.213-9004 *Offeror representations, certifications, and fill-in information*
- *electronic commerce*

~~11. DEARS 252.225-7003, Information for Duty Free Entry Evaluation. [Coverage Deleted]~~

11. DLAD 52.217-9002, Conditions for Evaluation and Acceptance of Offers for Part Numbered Items. (In addition to providing the information required in **11A**, **11B**, **11C**, **12A**, **12B**, **12C**, **12D**, and **12E**, below, the offeror shall provide the manufacturer's name and part number in the appropriate segment of this transaction. "Exact product," "alternate product," "superceding part number" and "previously-approved product" are defined in 52.217-9002.)

11A Enter the individual line item number for which the offeror intends to provide the exact product (including manufacturer's name, cage code and part number) referred to in the acquisition identification description (AID) of this solicitation. Enter "ALL" if the exact product(s) as specified in the solicitation will be provided for all line items in your offer. Enter "NONE" if only alternate products to the products referred to in the AID of this solicitation will be provided for all line items. Enter "NA" if the solicitation does not pertain to part-numbered items. (NOTE: If information is being provided for individual line item numbers, segments **11A**, **11B** and **11C** should be repeated as many times as necessary.) _____.

11B If **11A** contains an entry other than "None" or "NA", enter the CAGE Code which pertains to the exact AID part number being offered. Enter "NA" if the solicitation does not pertain to part-numbered items. Enter "None" if an alternate product to the product referred to in the AID of this solicitation is being offered. _____.

11C If **11A** contains an entry other than "None" or "NA", enter the exact AID part number which pertains to the item being offered. Enter "NA" if the solicitation does not pertain to part-numbered items. Enter "None" if an alternate product to the product referred to in the AID of this solicitation is being offered. _____.

12. DLAD 52.217-9002, Conditions for Evaluation and Acceptance of Offers for Part Numbered Items. (See instructions in parentheses at **11**. above.)

12A Enter the individual line item number for which the offeror intends to provide an alternate product to the product referred to in the AID of this solicitation. Enter "ALL" if alternate products to the product referred to in the AID will be provided for all line items in your offer. Enter "NONE" if only the exact product(s) will be provided for all line items. Enter "NA" if the solicitation does not pertain to part-numbered items. (NOTE: If information is being provided for individual line item numbers, segments **12A** through **12E** should be repeated as many times as necessary.) _____.

12B If **12A** contains an entry other than "NONE" or "NA", and if the alternate product specified has been previously furnished to the Government or otherwise evaluated and approved, enter the contract or solicitation number under which it was furnished or approved. If the alternate product has been previously approved outside of a solicitation/contract process, enter the name of the approving authority. Enter "NF" if the alternate product has not previously been furnished and approved. Enter "NONE" if the exact product is being offered.

Enter "NA" if the solicitation does not pertain to part-numbered items.
_____.

12C If **12A** contains an entry other than "NONE" or "NA," enter the CAGE code which pertains to the part number being offered. Enter "NONE" if the exact product is being offered. Enter "NA" if the solicitation does not pertain to part-numbered items. _____.

12D If **12A** contains an entry other than "NONE" or "NA", enter the part number which pertains to the item being offered. Enter "NONE" if the exact product is being offered. Enter "NA" if the solicitation does not pertain to part-numbered items. _____.

12E If **12A** contains an entry other than "NONE" or "NA", enter "AB" if you are offering an alternate product that has not been previously approved (this includes a previously reverse-engineered product that is not currently cited in the AID), "PA" if this is a previously approved alternate product, or "SN" if this is a part number that supersedes the part number cited in the AID of the solicitation. Enter "NONE" if the exact product is being offered. Enter "NA" if the solicitation does not pertain to part-numbered items _____.

NOTE: For each alternate product to the product referred to in the AID of this solicitation, the offeror must furnish the drawings, specifications, and other data required by 52.217-9002. In addition, for items that have previously been reverse-engineered but are not currently cited in the AID, the offeror must provide with this offer the data package and other requirements established in paragraph (c) (2) of 52.217-9002.

13. DLAD 52.233-9001, Disputes: Agreement to Use Alternative Disputes Resolution (ADR).

13A. Select one of the following codes to indicate the offeror's position regarding the acceptability of this ADR clause: _____ (enter code here).

A = The offeror accepts the clause

B = The offeror opts out of this clause and does not desire to negotiate alternate wording

14. FAR 52.222-18 Certification Regarding Knowledge of Child Labor for Listed End Products.

14A. Select one of the following codes to indicate the offeror's furnishing of any end product listed at <http://www.dol.gov/ilab/regs/eol3126/main.htm> : _____.

"Y15" The offeror will not supply any end product from the list provided above, that was mined, produced, or manufactured in a corresponding country as listed for that end product.

"M15" The offeror may supply an end product from the list provided above. The offeror certifies that it has made a good faith effort to determine whether forced or indentured child labor was used to mine, produce, or manufacture such end product. On the basis of those efforts, the offeror certifies that it is not aware of any such use of child labor.

(End of provision)