

14 May 2025

Special Notice relating to SPE4AX-25-R-0015,
Air Force IPV GEN IV, Request for Proposal

DLA would like to ensure potential offerors, looking to support the Air Force Industrial Product-Support Vendor (IPV) GEN IV contract, are aware that government storage and distribution services are available at each of the 3 Air Logistics Complexes (ALCs): Hill AFB, Ogden, UT; Tinker AFB, Oklahoma City, OK; Warner Robins AFB, Warner Robins, GA.

Interested parties may reach out to Joe Saffron (DLA Distribution) for additional information as it relates to DLA Distribution Public Private Partnership agreements. His contact info is:

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Supporting Legislation

PUBLIC LAW 114–328—DEC. 23, 2016 NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017 <https://www.govinfo.gov/app/details/PLAW-114publ328>
(AS AMENDED BY Sec. 862. Program for distribution support and services for contractors taken from H.R. 5009 SERVICEMEMBER QUALITY OF LIFE IMPROVEMENT AND NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2025—DEC. 23, 2024
<https://www.govtrack.us/congress/bills/118/hr5009/text>

The below is taken from the FY17 NDAA and updated with line-in / strikeouts as called for in Sec. 862 of the FY25 NDAA:

SEC. 883. ~~PILOT PROGRAM FOR DISTRIBUTION SUPPORT AND SERVICES FOR WEAPON SYSTEMS CONTRACTORS~~ PROGRAM FOR DISTRIBUTION SUPPORT AND SERVICES FOR CONTRACTORS.

(a) AUTHORITY.—The Secretary of Defense may carry out a eight-year pilot program under which the Secretary may make available storage and distribution services support to a contractor in support of the performance by the contractor of a contract for the production, modification, maintenance, or repair of a weapon system that is entered into by the Department of Defense.

(b) SUPPORT CONTRACTS.—

~~(1) IN GENERAL.— Any storage and distribution services to be provided under the pilot program under this section to a contractor in support of the performance of a contract described in subsection (a) shall be provided under a separate contract that is entered into by the Director of the Defense Logistics Agency with that contractor. The requirements of section 2208(h) of title 10, United States Code, and the regulations prescribed pursuant to such section shall apply to any such separate support contract between the Director of the Defense Logistics Agency and the contractor.~~

~~(2) LIMITATION.— Not more than five support contracts between the Director and the contractor may be awarded under the pilot program.~~

Any storage and distribution services to be provided under the program under this section to a contractor in support of the performance of a contract described in subsection (a) shall be provided under a separate contract that is entered into by the Director of the Defense Logistics Agency with that contractor. The requirements of section 2208(h) of title 10, United States Code, and the regulations prescribed pursuant to such section shall apply to any such separate support contract between the Director of the Defense Logistics Agency and the contractor.

(c) SCOPE OF SUPPORT AND SERVICES.—The storage and distribution support services that may be provided under this section in support of the performance of a ~~contract described in subsection (a) are storage and distribution~~ contract entered into by the Department include storage and distribution of materiel and repair parts necessary for the performance of that contract.

(d) REGULATIONS.—Before exercising the authority under the pilot program under this section, the Secretary of Defense shall prescribe in regulations such requirements, conditions, and restrictions as the Secretary determines appropriate to ensure that storage and distribution services are provided under the pilot program only when it is in the best interests of the United States to do so. The regulations shall include, at a minimum, the following:

~~(1) A requirement for the solicitation of offers for a contract described in subsection (a), for which storage and distribution services are to be made available under the pilot program, including—~~ A requirement to notify a contractor or potential contractor for which storage and distribution services are to be made available

(A) a statement that the storage and distribution services are to be made available under the authority of the pilot program under this section ~~to any contractor awarded the contract, but only~~ on a basis that does not require

acceptance of the support and services; and

(B) a description of the range of the storage and distribution services ~~that are to be made available~~ that are available to the contractor.

(2) A requirement for the rates charged a contractor for storage and distribution services provided to a contractor under the pilot program to reflect the full cost to the United States of the resources used in providing the support and services, including the costs of resources used, but not paid for, by the Department of Defense.

(3) With respect to a contract described in subsection (a) that is being performed for a department or agency outside the Department of Defense, a prohibition, in accordance with applicable contracting procedures, on the imposition of any charge on that department or agency for any effort of Department of Defense personnel or the contractor to correct deficiencies in the performance of such contract.

(4) A prohibition on the imposition of any charge on a contractor for any effort of the contractor to correct a deficiency in the performance of storage and distribution services provided to the contractor under this section.

(5) A requirement that storage and distribution services provided under the pilot program may not interfere with the mission of the Defense Logistics Agency or of any military department involved with the pilot program.

(6) A requirement that any support contract for storage and distribution services entered into under the pilot program shall ~~include a clause to indemnify the Government against any failure by the contractor to perform the support contract, and to remain responsible~~ include a requirement that any failure by the contractor to perform the primary contract is not excusable based on use of the support contract, and the contractor is to remain responsible for performance of the primary contract.

(e) RELATIONSHIP TO TREATY OBLIGATIONS.—The Secretary shall ensure that the exercise of authority under the pilot program under this section does not conflict with any obligation of the United States under any treaty or other international agreement.

(f) ~~REPORTS.—~~

~~(1) SECRETARY OF DEFENSE.—Not later than the end of the fourth year of operation of the pilot program, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report describing— (A) the cost effectiveness for both the Government and industry of the pilot program; and (B) how support contracts under the pilot program affected meeting the requirements of primary contracts.~~

~~(2) COMPTROLLER GENERAL.—Not later than the end of the fifth year of operation of the pilot program, the Comptroller General of the United States shall review the report of the Secretary under paragraph (1) for sufficiency and provide such recommendations in a report to the Committees on Armed Services of the Senate and House of Representatives as the Comptroller General considers appropriate.~~

~~(g) SUNSET.—The authority to enter into contracts under the pilot program shall expire eight years after the date of the enactment of this Act. Any contracts entered into before such date shall continue in effect according to their terms.~~

(f) BRIEFINGS- Not later than April 1, 2025, and annually thereafter for five years, the Director of the Defense Logistics Agency, in consultation with the Comptroller General, shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing and report describing—

(1) the cost effectiveness for both the Government and industry of the program;

(2) how support contracts under the program affected meeting the requirements of primary contracts; and

(3) the number of and location of existing contracts.

H.R. 5009 SERVICEMEMBER QUALITY OF LIFE IMPROVEMENT AND NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2025—DEC. 23, 2024
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Sec. 862. Program for distribution support and services for contractors

Section 883 of the National Defense Authorization Act for Fiscal Year 2017 ([Public Law 114–328](#); [10 U.S.C. 4292](#) note prec.) is amended—

- (1) in the section heading, by striking Pilot program for distribution support and services for weapon systems contractors and inserting Program for distribution support and services for contractors;
- (2) in subsection (a)—
 - (A) by striking eight-year pilot; and
 - (B) by striking for the production, modification, maintenance, or repair of a weapon system that is;
- (3) by amending subsection (b) to read as follows:

(b) Support contracts-

Any storage and distribution services to be provided under the program under this section to a contractor in support of the performance of a contract described in subsection (a) shall be provided under a separate contract that is entered into by the Director of the Defense Logistics Agency with that contractor. The requirements of section 2208(h) of title 10, United States Code, and the regulations prescribed pursuant to such section shall apply to any such separate support contract between the Director of the Defense Logistics Agency and the contractor.

(4) in subsection (c), by striking contract described in subsection (a) are storage and distribution and inserting contract entered into by the Department include storage and distribution;

(5) in subsection (d)—

- (A) by striking the term pilot each place it appears;
- (B) in paragraph (1)—

- (i) by striking A requirement for the solicitation of offers for a contract described in subsection (a), for which storage and distribution services are to be made available and inserting A requirement to notify a contractor or potential contractor for which storage and distribution services are to be made available;
- (ii) in subparagraph (A), by striking to any contractor awarded the contract, but only; and
- (iii) in subparagraph (B), by striking that are to be made available and inserting that are available; and
- (C) in paragraph (6), by striking include a clause to indemnify the Government against any failure by the contractor to perform the support contract, and

to remain responsible and inserting include a requirement that any failure by the contractor to perform the primary contract is not excusable based on use of the support contract, and the contractor is to remain responsible;

(6) in subsection (e), by striking pilot; and

(7) by striking subsections (f) and (g) and inserting the following:

(f) Briefings-

Not later than April 1, 2025, and annually thereafter for five years, the Director of the Defense Logistics Agency, in consultation with the Comptroller General, shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing and report describing—

- (1) the cost effectiveness for both the Government and industry of the program;
- (2) how support contracts under the program affected meeting the requirements of primary contracts; and
- (3) the number of and location of existing contracts.