



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

SECURITY AND CONTINUITY OF OPERATIONS

December 9, 2013

In reply refer to: NN-1

Randy Sutton
DM Petroleum Operations Company
850 South Clearview Parkway
New Orleans, LA 70123

FOIA #BPA-2014-00004-C

Dear Mr. Sutton:

This is a final response to your request for information that you made to the Bonneville Power Administration through the Department of Energy under the Freedom of Information Act (FOIA), 5 U.S.C. 552.

You requested:

“All award fee letters to Management and Operations Contractors at Department of Energy facilities in which an award fee was reduced or eliminated as a result of a fatality, or accident, or safety infraction or concern since 2003.”

Response:

The BPA contracting office interpreted this question of an “award fee” in contract award types as defined/ described by the Bonneville Purchasing Instructions (BPI), Part 7. According to the BPI, an award fee would apply under Fixed Price Award Fee, Cost Reimbursement contracts, Cost Plus Fixed Fee, and Cost Plus Award Fee contracts.

All contracts awarded by BPA since 2003, have been Firm Fixed Price (BPI 7.1.1), or Time-and-Material (BPI 7.1.4), contracts for Operations and Maintenance construction and/or services projects. Because of the contract types utilized, no award fee is involved in either of these two contract types. Therefore, BPA has no records responsive to this request.

Pursuant to 10 CFR 1004.8, if you are dissatisfied with this determination, or the adequacy of the search, you may appeal this FOIA response in writing within 30 calendar days of receipt of a final response letter. The appeal should be made to the Director, Office of Hearings and Appeals, HG-1, Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-1615. The written appeal, including the envelope, must clearly indicate that a FOIA Appeal is being made.

There are no fees associated with your request.

I appreciate the opportunity to assist you. Please contact Kim Winn, FOIA/Privacy Act Specialist at 503-230-5273 with any questions about this letter.

Sincerely,

/s/Christina J. Munro

Christina J. Munro

Freedom of Information/Privacy Act Officer