

MEMORANDUM FOR RECORD

SUBJECT

Telephone conversation on IBV LTD's request for letter of authorization to transit Jordan with fuel for U.S. military in Iraq

DATE OF TELEPHONE CONVERSATION

June 8, 2004

DESC PARTICIPANTS

Joy Mullori, Contracting Officer
Heather Lopresti, Legal Counsel
Sonja Varricchione, Contract Specialist

EMBASSY OF JORDAN, ECONOMIC AND COMMERCE BUREAU, PARTICIPANT

Yanal Beasha

SUMMARY

Mr. Yanal Beasha left a telephone message with Sonja Varricchione on June 8 requesting a return call to discuss IBV Ltd and Century 21. The DESC participants returned Mr. Beasha's call. Mr. Beasha informed DESC that Joel Davis of IBV Ltd had contacted him requesting that the Embassy of Jordan here in Washington DC provide IBV Ltd with a letter of authorization to transit Jordan with jet fuel for the U.S. military in Iraq. Mr. Beasha advised Mr. Davis that the Jordanian Embassy does not have the authority to issue such a letter and that Mr. Davis would have to request this letter through the proper channels within the Jordanian government in Jordan.

Mr. Beasha asked for clarification on DESC's solicitation requirement and asked why the letter authorizing Century 21, IBV Ltd's intended transporter indicated in its offer under SP0600-04-R-0054-0002, was not acceptable to DESC. DESC advised that DESC does not have privity of contract with subcontractors under a DESC contract. Thus, should any issues arise between the DESC contractor and its subcontractors, DESC would have no control over the subcontractor and would not be able to ensure performance or seek remedies for a subcontractor's failure to perform.

Mr. Beasha offered his assistance if DESC needed it in obtaining the letter on behalf of IBV Ltd. DESC advised that his assistance would not be necessary at this time because DESC did have competition and other viable offers. Mr. Beasha concluded that the Embassy of Jordan is not the proper authority to issue the letter requested by Mr. Davis and required under solicitation SP0600-04-R-0054-0002 and that the Embassy of Jordan would leave the matter in the hands of the proper Jordanian authorities in Jordan.

RECORDER:


Sonja Varricchione


DATE RECORDED