

National Aeronautics and  
Space Administration

John H. Glenn Research Center  
Lewis Field  
Cleveland, OH 44135-3191



MAR 27 2006

Reply to Attn of: X

Centurion Research Company  
Attn: Brian T. Zickel  
3901 Centerview Dr., Suite S  
Chantilly, VA 20151

Subject: Freedom of Information Act Request No. GRC-06-001

This letter is to advise you that a releasability determination regarding NASA Odin Delivery order NNC04QA20D, the award notice, and the selection statement has been made. In making the initial determination, the relevant statutes, case law, and guidance, as well as the comments provided by the submitter of the information contained in the records and the comments provided by the contracting officer were considered. Accordingly, it is my decision to partially deny your request for information contained in the delivery order. The basis for this partial denial is set forth below. No records exist for your request for the "award notice" and the "selection statements".

The following records have been identified as exempt from disclosure under the FOIA, 5 U.S.C § 552(b)(4):

**Odin Delivery Order NNC04QA20D:**

- Section I, Paragraph 9, Pages 16, 17, and 18 – Advance Agreement on IUP Fixed Price Rates which includes the labor categories, labor rates and indirect rates.
- Section I, Paragraph 24, Pages 32, 33, and 34 – Asset Transition Value (ATV) Methodology.
- Section XII, Page 114 – Attachment 1 – Price Model.

The information identified above reveals the unique methods, procedures, and/or techniques employed by the contractor to accomplish the contract, and, therefore, is considered to be confidential. The initial determination has been made that these items are exempt from release under the Freedom of Information Act, 5 U.S.C § 552(b)(4), as "commercial and financial information, and obtained from a person, and privileged or confidential."

In order to properly and effectively conduct procurements, it is necessary for the Government to obtain detailed technical, financial, and commercial data. Only through evaluation of complete

and accurate data of this type can the Government hope to negotiate an agreement that best meets its requirements, both cost and technical. It is mandatory that the federal procurement process be handled in a manner that fosters and promotes uninhibited transmission of confidential material. In short, public disclosure of this information would undermine the integrity of the federal procurement process.

The integrity of the procurement process would clearly be compromised if the Government were to disclose information such as that contained in the exempted items outlined above. The disclosure of such information with sufficient levels of detail, or indeed, from participating in future procurements at all. Because of the importance to the procurement process of maximizing competition, the Government's needs would be frustrated.

In addition to protecting the Government's ability to obtain necessary information, exemption (b)(4) protects the competitive position of submitters. Disclosure of the redacted information could cause substantial competitive injury to submitters because it would reveal insights into their business practices. In short, public disclosure of this information would undermine the integrity of the federal procurement process.

Except as noted above, the following documents are enclosed.

- Copy of NASA Odin Delivery order NNC04QA20D.

The itemized charges for furnishing you this material are as follows:

Duplication:	\$ 15.50	(155 pages @ \$.10/ pg.)
Search/Review:	<u>30.00</u>	(1 hr. @ \$7.50/1/4 hr. Professional)
<b>Total</b>	<b>\$ 45.50</b>	

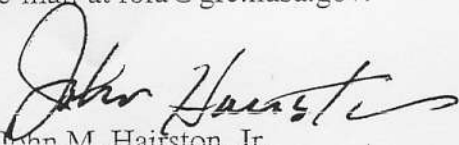
A check made payable to the National Aeronautics and Space Administration should be forwarded to:

NASA Glenn Research Center  
 Attn: Lucy Cardona  
 21000 Brookpark Rd., M.S. 500-303  
 Cleveland, OH 44135

Please be advised that the amount due must be paid in full within 30 days. The 30-day period will begin three days after the date of this letter. In remitting payment, please reference FOIA request 06-001.

You may appeal this initial determination or the "no records" decision to the NASA Administrator. Your appeal must (1) be addressed to the **Administrator, National Aeronautics and Space (NASA), Mail Stop: P, 300 E Street SW, Washington, DC 20546;** (2) be clearly identified on the envelope and in the letter as an "Appeal under the Freedom of Information Act (FOIA)"; (3) include a copy of the request for the Agency record and a copy of this initial determination; (4) to the extent possible, state the reasons why you believe this decision should be reversed; and (5) be sent to the Administrator within 30 calendar days of the date of the receipt of this initial determination.

If you need further assistance, please call Angela Pierce, FOIA Officer, at (216) 433-2813 or e-mail at foia@grc.nasa.gov.



John M. Hairston, Jr.  
Director of External Programs

Enclosure

Cc:  
BFA0/R.Grossman