

(CONTRACTING OFFICE LETTERHEAD)

Office Symbol

Date

MEMORANDUM FOR HQ, U.S. Forces Korea (USFK), Assistant Chief of Staff, Acquisition Management, (FKAQ), Unit #15289, APO AP 96271-5289

SUBJECT: Request for Contractor Designation under U.S.-Republic of Korea (ROK) Status of Forces Agreement (SOFA), (Contract Number)

1. Reference USFKI 4901.01 - Invited Contractor and Technical Representative Program.
2. Request the subject contract be approved for SOFA designation.
3. The following information is provided:
 - a. Contracting office name, mailing address, and e-mail address.
 - b. Contracting officer name, e-mail address, DSN, commercial.
 - c. Contract number and/or Task Order number.
 - d. Justification for use of non-Korean firm (cite specific reference from Paragraph 4.b of USFKI 4901.01 and provide supporting justification).
 - i. If citing exception, (1) Security considerations, submit the associated DD254. The contract's PWS or SOW should specifically cite the security requirements.
 - ii. If citing exception, (2) Technical Qualifications or (3) Unavailability of Materials or Services, the contracting officer must insert in paragraph 3.d. of the SOFA request memo a statement that explains the process that was used to determine the lack of availability in the Korean marketplace. This may be "Market Research" but, in that case, a precise explanation of what market research was done and, specifically, what Technical Qualifications, Materials, or Service were found to be unavailable. Any supporting documentary evidence should be cited and included in the request package.
 - iii. If citing exception, (4) Limitations of U.S. Law, cite the specific statute that applies.
 - e. Name of the firm awarded, or to be awarded, the contract and the country in which they are incorporated. Also include US Subcontractor(s) information if applicable.
 - f. Contract period of performance dates, to include all option years. List the start and end date for the base period and each option period. State which period is current at the time of application.

- g. Briefly describe the services to be performed or materials to be provided under the contract. Note: Do not simply state "Refer to the PWS."
 - h. Provide a "best guess" estimate for the number of contractor employees that will be deployed to Korea.
 - i. Number of U.S. citizen employees.
 - ii. Number of third-country national employees. Identify the country of citizenship and provide a justification for the use of a non-US or Korean citizen.
 - iii. Number of ROK employees.
 - i. Location(s) of performance in the ROK. Include the USFK Area designation and the specific military installation(s) where Invited Contractor personnel will be living and working.
 - j. Indicate whether the SOFA Instruction found in USFKI 4901Table D-1 has been included in the contract. If that instruction has not been included in the contract, the contracting officer must modify the contract and insert the SOFA Instruction. Contracts that do not include that instruction will not be granted SOFA designation.
 - k. Indicate whether there is a requirement for contractor performance to continue in a contingency or wartime. If that requirement exists, then the following actions need to be addressed before SOFA designation will be approved:
 - i. The Contract contains DFARS 252.225-7040, "Contingency Clause" (Yes/No)
 - ii. Wartime/contingency logistics support has been coordinated with the local Sponsoring Agency (Yes/No)
 - iii. The number of emergency essential contractors performing in Korea is _____. These contractors will receive NBC training and chemical protective equipment from the sponsoring agency or another source. (Yes/No)
 - iv. The Contractors' Major Command during contingency/wartime is: _____
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- I. Provide the name of the USFK Sponsoring Agency (SA) in the ROK, the name of the designated Responsible Officer (RO) or other POC in the SA, with the Tel Number and E-mail address for the RO/POC. (Please do not omit any of these requirements. FKAQ is NOT the Sponsoring Agency.)

CONTRACTING OFFICER'S
SIGNATURE BLOCK

CF: Sponsoring Agency in USFK