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From Infogalactic: Planetary Knowledge Core Gerber LHR Combat Knife designed by Matt Larsen, Bill Harsey and Chris Reeve These are two of the most popular Gerber knives. Smaller is Gerber LMF II and larger is the Gerber LHR shell knife Gerber Legendary Blades is the maker of consumer knives and multitools headquartered in Tigard, Oregon, United States, in the Portland metropolitan area. Gerber is currently a subdivision of Fiskars Brands Inc. owned by The Finnish Fiscar. Gerber was formed in 1939 by Pete Gerber. Gerber was the first Production knife company to collaborate with a custom knife maker when it collaborated with David Murphy. In 1910, the Gerber family started an advertising company in Portland, Oregon. [2] While working in the family business, Joseph Gerber sent 24 sets of kitchen knives to clients on holidays. [2] These hand-held knives were very popular, and then catalogue retailer Abercrombie & Fitch demanded more of these knives from Gerber to be sold in its catalogue in 1939. [2] In 1966, the company moved to a new headquarters next to Interstate 5, now Tigard. [2] The Finnish company Fiskars acquired a private company in 1987. [2] Chad Vincent was recruited as Chief Executive Officer in July 2001. [2] Until 2003, the company employed 300 people and held revenues close to \$100 million and was the second leading multitool seller in the United States. [2] Models Designers who have since designed knives for Gerber include: Bob Loveless, Paul Poehlmann, Blackie Collins, William Harsey Jr., Fred Carter, Rick Hinderer, Brad Parrish, Ernest Emerson and Matt Larsen. [1] The former gerbera employees who started their successful knife companies are Al Mar and Pete Kershaw. [1] Gerber built a folding knife line based on rex applegate design. [1] Bear Grylls has helped develop a survival knife and instrument line. Models There are many different models of Gerber knives, including: Gallery Gerber Gerber logo machete / saw combo Gerber LMF II ASEK used, to cut through a 220 volt electric line during the Battle of Iraq Gerber Compact Sport 400 multitool, closed Mp 400 sport.jpg Gerber Compact Sport 400 multitool, open Gerber Mark II combat knife, with black anodized blade Gerber River Shorty.jpg Snape tip Gerber River Shorty dive knife Gerber Paraframe I framelock knife, with fine edge and dark grey titanium nitride coating. Gerber Suspension pocket tool, blades open Gerber Suspension pocket tool, pliers open Gerber Vise keychain, 60mm long when closed Gerber Collins, fully open Gerber Blackie One-piece, Fixed Blade CLip-Lock Diving Knife Gerber Vise, only side tools open Gerber Remix, modified with Paraframe opening/closing system Three Gerber tools.jpg A Gerber Para frame frame Backup knife with sheath, and Gerber Multi-pliers 600 with sheath. Bear Grylls compact survival knife Bear Grylls series Gerber Firestarter. See also oregon knife list containing Buck Knives References 1 1.0 1.1 1.2 1.3 1.4 1.5 Pacella, Gerard (2002). 100 Legendary knives. Krause publications. p. 126. isbn 0-87349-417-2. <templatestyles src=Module:Citation/CS1/styles.css></templatestyles>12.0 2.1 2.2 3 2.4 2.5 2.6 2.7 Williams, Christina Dyrness. Inside Oregon Business: Gerber sharpens the edge on growth in marketing. The Oregonian, October 9, 2003, Business, p. D1. ^ Karwan, Chuck (2003). Automatic Success, Tactical Knives, 9 (6): 50-54 <templatestyles src=Module:Citation/CS1/styles.css></templatestyles>Birds and bees: How the companies were really born (section on Gerber) 精第第据第第第第析只第第第付费会第第可见 联第第信第第1420 Southwest 72nd Avenue Portland Is 97224 Us 加会可以第第第第第第第据 the leading provider of several brands, multi-category portfolio of problem solving, life-saving tools developed by an enthusiast and professional end-users are sold through marketing and institutional (government) channels domestically and internationally. A PUBLIC RELEASE DOCUMENT The decision taken on the following date was subject to the GAO protection order. This edited version has been approved for public release. Decision Question: Fiskars Brands, Inc. dba Gerber Legendary Blades File: B-412730; B-412730.2 Date: May 20, 2016: Frank Murray, Esq., David T. Ralston, Jr., Esq., and Anna S. Ross, Esq., Foley & Lardner LLP, protester. Dustin F. Hecker, Esq., Posternak Blankstein & Lund, LLP, for intervenator. Colleen T. Loughran, Esq. and Gwendolyn M. Hoover, Esq., Defense Logistics Agency, Agency. Laura Eyester, Esq. Digest 1. The procurement agency has the right to perform a service with veteran-owned small business (SDVOSB) sole source code, even if the requirement could be met using the Federal Service Administration schedule. 2. The procuring agency shall have discretion to grant the single source code of the SDVOSB where the contracting entity has no reasonable expectation that two or more SDVOSB will submit quotes on the work. 3. The procuring agency shall not be in need of a sdvosb status protest if the citation does not have anything to call into question the status of the grantor's SDVOSB. Fiskars Brands, Inc., dba Gerber Legendary Blades, of Portland, Oregon, is protesting the award of a only source code contract to fight knives to ARG Tactical LLC, a veteran of the Phoenix, Arizona, service disabled owned by a small business (SDVOSB), according to the request for quotations (RFQ) number SPE7MX-15-X-0020, issued by the Defense Logistics Agency (DLA). claims that SDVOSB's only allocation to ARG Tactical is in breach of the law because the requirement could be met through the General Services Administration (GSA) Federal Supply Schedule (FSS) program, the agency's market research does not support the allocation of SDVOSB's only source, and the agency had to fight the Small Business Administration (SBA) award. We deny the protest. BACKGROUND On May 8, 2015, DLA published a notice on the Federal Business Opportunity (FedBizOpps) website[1], stating that it was considering issuing a contract and granting a long-term, indefinite supply purchase order (IDPO) for various types of battle knives, including one with state stock numbers (NSN) 1095-01-466-8569. Agency Report (AR), Tab 5, Market Research, pp. 1, 4, 8. In its notification, DLA asked potential suppliers to respond to the survey by 14 May and, inter alia, to indicate the company's small business and socioeconomic status and whether it is a producer or reseller of the product. Id. DLA did not receive any responses by 14 May; however, at one point it received responses from Gerber, ARG Tactical, and Benchmade Knife Company expressing interest in the long-term contract. AR, Tab 4, Justification 2, except full and open competition, 2-3; Tab 5, Market Research, 10, 20; Table 6: On September 9, DLA issued a noblination no. SPE7MX-15-X-0016 through a full and open tender in search of bids for a five-year, IDPO contract for battle knives with NSN 1095-01-466-8569. The protest at 4-5[2] on 10 September arg tactical, a reseller of knife SDVOSB, emailed DLA and challenged the agency's decision to issue the contract through a full and open tender because it had won previous contracts on this issue based on its SDVOSB status. AR, Tab 5, Market Research, 39. On 14 September, DLA cancelled the contract. Protest 5 [3] On 26 October, the DLA confirmed the grounds for another, instead of a full and open competition for the purchase of battle knives with NSN 1095-01-466-8569, which states that DLA has issued sources requesting the notification, reviewed the previous purchase history and has received interest only from the following three vendors: Benchmade Knife (small business manufacturer), Gerber (a large business manufacturer) and ARG Tactical (SDVOSB reseller benchmade Knife). AR, Tab 4, grounds other than a full and open contest, 1-4. The agency concluded that this was authorized by the Veterans Benefits Act of 2003, 15 in the U.S.C. § 657f to issue the SDVOSB only source prize for the following reason: only one known source of delivery of SDVOSB goods is ARG Tactical (64NYO). ARG Tactical is a dealer that offers products for small business Benchmade Knife (041N2). Id. after 1. On November 3, DLA issued the RFQ SPE7MX-15-X-0020 with ARG Tactical. PP at 1. In its co-er, ARG Tactical represented that it is SDVOSB. AR, Tab 7, ARG Tactical Ting, at 19. In addition, a contracting official of DLA confirmed that ARG Tactical had represented itself as SDVOSB in its Allocation Management System (SAM) profile, which was in force until 23 November 2016, and noted in the price negotiation memorandum that SAM had been revised. There is no negative data associated with ARG Tactical. AR, Tab 9, Price Consultation Memorandum, 4; Tab 8, ARG Tactical's SAM Profile, 1, 6. On February 2, 2016, DLA issued the only-source award to ARG Tactical with a capped price of \$1,278,686.33. AR, Table 2, Purchase order; Table 13, Award Notice, p. 1. On February 9, Gerber wrote to DLA and outlined the reasons it believed arg tactical s or not qualify as SDVOSB. AR, Tab 10, Gerber letter to DLA. [4] On 12 February, Gerber lodged a protest with the office. DISCUSSION Gerber challenges the agency's SDVOSB sole source of the prize for battle knives. In particular, the protester claims that the agency is prohibited from awarding the SDVOSB's sole source code prize if it can meet the requirement through the FSS. Protest 1. The protester also claims that the agency's market investigation shows that the knife dealer SDVOSB is suitable and therefore SDVOSB's only source code award was inappropriate. Additional protest at 3. In addition, the protester disputes arg tactical SDVOSB status and claims that the agency had to submit to SDVOSB a protest to the SBA before the award. Protest at 10-11. In response, the Agency notes that the Veterans Benefit Act 2003 and the implementing rules allow SDVOSB to be granted the sole source code of the SDVOSB, its market study concluded that only one SDVOSB was interested in a long-term contract and had no reason to protest against ARG Tactical's SDVOSB status. Based on our review of the record, we will not find a basis to sustain the protest. SDVOSB Sole-Source Award Protester claims that the only source of award to ARG Tactical, SDVOSB, is illegal... [because] the claim could be met by an order under the [FSS]. Protest 1. The Agency notes that the Veterans Benefit Act 2003 and the implementing rules of the contractor have the right to issue the SDVOSB's only right of assignment. WITH 2-4. Section 36 of the Small Business Act, 15 U.S.C. § 657f, sets out the provisions of the Veterans Benefits Act 2003, Pub L. No 108-183, 117 Stat. 2651, 2662 (2003), and provides a contracting entity with discretion to issue an SDVOSB a single source if certain conditions are met. 15 U.S.C 657f(a) (the contracting entity may award the only sdvosb). However, the agency cannot issue the SDVOSB's sole source (or set-aside land) prize if the procurement would otherwise have been made through Federal Prison Industries (18 USA), CS 4124 and 4125) or the Javits-Wagner-O'Day (JWOD) Act [5] (41 USA, C § 46 et seq). Id. § 657f (c). Both the SBA and the Federal Acquisition Regulatory Board have ensued these laws in a provision that states that the agency cannot issue the SDVOSB's sole source of the award if the claim can be met through the Federal Prison Industries, JWOD Act, or is currently being conducted under the authority's 8(a) Business Development Program. § 125.20a; FAR §19.1404 also 69 Fed C. [6] There is therefore nothing in the Small Business Act or implementing Rules that would prevent the granting of a single source to SDVOSB if the requirement can be met through the GSA FSS. In addition, FAR focuses on the priorities for using identified mandatory sources and other sources, such as the GSA FSS. See FAR § 8002 priority use of the mandatory source; FAR § 8003, Use of other mandatory sources; FAR § 8004, Use of other sources. In particular, THE FAR states that, where agencies are unable to meet their requirements using mandatory sources, the genus [Algenus is encouraged to consider meeting the requirements from or through the mandatory sources listed in point (a) of this Section (which are not listed in any order of priority) before the mandatory sources listed in point (b) of this section are taken into account. If the requirements from non-in-law sources are met, see point 7.105(b) and section 19 on considerations concerning the concerns of small enterprises owned by veterans, small enterprises with disabilities, small disadvantaged enterprises (including members of paragraph 8(a) and women-owned small enterprises. (a) by this Regulation ((1) Deliveries. Federal supply schedules, governmentwide acquisition agreements, multi-agent contracts and all other procurement instruments intended for use by several agencies, including purchase contract (BPA) costs under federal supply schedule contracts (e.g. Federal Strategic Sourcing Initiative (FSSI) contracts available in ♦ (see also 5601)), * * * (b) Commercial sources (including educational and non-profit institutions) in the open market. FAR § 8.004. In the preamble to the Federal Register's notification of this final FAR Regulation, various comments on the proposed provision were answered and it was discussed whether this provision was against the FSS and other similar contracts Sources. 78 Fed. In response, the FAR Council stated that the use of the FSS is not necessary and that the use of the FSS is optional; however, agencies are encouraged to consider using some existing, non-imperialist sources before considering sources in the open market. Thus, there is nothing in the regulation or regulation to make it illegal for an agency to award the SDVOSB a single source prize if the claim could be enforced by an order under the FSS, provided that all the conditions for the allocation of a single source are met. [7] This allegation of protest has been rejected. Market Research The Small Business Act states that an agency can only issue a source code SDVOSB prize if the contractor has no reasonable hope that 2 or more small business concerns owned and controlled by service disabled veterans will submit bids for the contract option. 15 in the United States. CS §657f (a). The implementing regulations state the same. See § 125.20 a of C.F.R., 133); FAR § 19.1406 (a)(1) (SDVOSB's only source is allowed if the contractor has no reasonable expectation that offers will be received from two or more service disabled veterans belonging to small business concerns). The protester claims that the agency's own market studies show that there are at least two resellers of the Benchmade Knife to fight knives on GSA's FSS and therefore the only source of assignment to ARG Tactical violates laws and regulations because 2 or more SDVOSB companies are able to deliver the knife. [8] Additional protest 3-5, referring to AR, Tab 5, Market Research, 28-29. The Agency replies that only one SDVOSB expressed an interest in a long-term contract for battle knives. In addition, the DECISION of IT 4-5 [9] whether the Agency expects two or more SDVOSB to submit a tender is a business matter which is in the contractor's view that we do not interfere in the absence, proving that it is unreasonable. See DNO Inc., B-406256, B-406256.2, 22.012, 2012, CPD 136 o 136 at 4. Although agencies do not need to use a specific methodology when conducting market research, measures such as prior procurement history, market research and recommendations from the agency's small business specialist may provide sufficient basis for a contracting decision. See id. 4-5. In addition, the Agency has stated that the Agency may award the SDVOSB the only source prize even if there is another SDVOSB that could possibly fulfil the contract but has not expressed an interest in the work. MCS Portable Toilet Serv., B-299291, Mar 28, 2007, 2007 CPD o 55 at 7; see also Chicago Dryer Co., B-401888, Dec 8, 2009, 2009 CPD o 253 at 2 (the agency does not need to communicate with all potential sources when conducting market research on only from public procurement). Here, DLA carried out a market investigation which the information sought on the sources, a review of all the responses received, expressing interest in the acquisition, and a review of the previous procurement history. AR, Tab 4, justification other than a full and open tender, Tab 5, Market Research. Specifically, the record shows that DLA received responses only from Benchmade Knife, Gerber, and ARG Tactical for long-term IDPO, that previous acquisition history since 2010 showed that awards for battle knives had only been taken to the same three companies, and that DLA had contracted with ARG Tactical for the last two acquisition knives. Article 2(3) of the Procedure for The Free And Open Competition, Tab 4; Tab 5, Market Research, 39-40; by 37.2. DLA therefore concluded that ARG Tactical was the only SDVOSB to show interest in the purchase of militant knives. Consequently, DLA was right to exercise its discretion by stating that the acquisition was suitable for SDVOSB's only source code allocation, since its market investigation showed that, in the long term, IDPO had only one interest in SDVOSB. This protest has been rejected. SDVOSB Status Finally, the protester claims that DLA had to protest ARG Tactical SDVOSB status to SBA before only the source was granted. Protest 9-14. The SBA, not our office or procurement agency, is a designated authority to determine whether a company is eligible for SDVOSB under the SBA program and has established procedures for stakeholders to challenge the company's status. See Singleton Incoming -GMT Mech., Joint Venture, B-310552, Jan 10, 2008, 2008 CPD o 16 at 3pm; See also paragraph 13, C.F.R. §, 125.24 to 27; FAR § 19307. Therefore, we usually reject a protest that challenges the company's small business or socio-economic status. Bid Protest Rules, 4 CFR § 21.5 (b)(1). However, a limited exception applies where the protester claims that the grantor's offer on its face shows that he is not entitled to the award of the contract as a small undertaking or, in this case, as SDVOSB; in such cases, we will review the contractor's decision not to prosecute the SBA. See Al-Razaq Computing Services, B-410491, B-410491.2, Jan. 7, 2015, CPD 28 at 4; Hydroid LLC, B-299072, Jan 31, 2007, 2007 CPD o 20 at 3. Here, a protester claims to have publicly available information, but not something about the face of the ARG Tactical Proposal, questioning its SDVOSB status. Protest 9-14. The recording shows that the agency reviewed ARG Tactical's citation and SAM's profile before the award, and both showed that ARG Tactical represented that it was SDVOSB. AR in 4th place; AR, Tab 7, ARG Tactical Quoting, 19; Tab 8, ARG Tactical SAM Profile, at 1pm, 6pm. Thus The protester has not proven that anything about the face of the ARG Tactical Proposal would have questioned its SDVOSB status. [10] We therefore deny this issue of protest. The protest is denied. Susan A. Poling General Counsel [1] FedBizOpps has governmentwide entrance business opportunities in excess of \$25,000. See Federal Acquisition Regulation (FAR) § 2101 (denoting FedBizOpps as a nationwide entry point). [2] See also (Last visited on 17 May 2016). [3] See (Last visited on 17 May 2016). [4] On 16 February, DLA sent Gerbera a letter of protest to the SBA on 9 February. AR, Tab 11, Email from DLA to SBA, 4. The SBA rejected the protest because Gerber Legendary Blades was not an interested party under its terms, CFR 13 § 125.8 b), because only an SBA or contracting officer can protest SDVOSB's sole source of the prize. AR, Tab 17, SBA rejection of the protest. [5] The JWOD Act is implemented through the AbilityOne program. 41 C.F.R. § 51-1.3. [6] In addition, FAR points out that the sole allocation and set-aside assignment of the SDVOSB does not apply to orders under indefinite supply contracts or orders against the GSA FSS, except as provided for in other parts of the FAR, which allow such orders to be cancelled discretionary. FAR §§ 19.1404 b), (c), referring to FAR §§ 16.505 b) (2) (i) (F), 8405-5. This FAR rule implements Section 1331 of the Small Business Act 2010 and allows for the execution of discretionary tasks and set-aside orders under multiple-award contracts. See Fed 76. [7] As a support for its argument, the protester refers to the 2013 SBA Guide to Veterans-owned Small Business Contracting Programs. See veterans' small business contracting programs, June 10, 2013 (available (last visited on May 17, 2016). However, for our purposes, the investigation in question is whether the Agency complied with the laws and regulations, and the guidance cited is not a statement of rights or regulations. See Reflectone Training Sys., Inc.; Hernandez Eng'g, Inc., B-261224, B-261224.2, August 30, 1995, 95-2 CPD o 95 at 6. [8] Specifically, the protester argues that since there are more than two SDVOSB resellers, the only source that grants SDVOSB is inadequate. Additional protest at 3-5pm. However, since the knife is only one small business manufacturer, FAR does not allow competitive procurement for the SDVOSB. Id. at 7-10, referring to FAR § 19.502-2 (b)(1) (small business set-aside is only allowed if offers will come from at least two small business concerns that offer products of various small business concerns). Therefore , the protester that there can never be an SDVOSB set-aside or a single source, and knives must be coded through a complete and open tender. Additional protest 10. However, we conclude that the agency's market investigation confirms the finding that only one SDVOSB expressed an interest in a long-term contract for battle knives. Consequently, we have no reason to consider the protester's allegations about the land set aside by the SDVOSB at this time. [9] The Agency also claims that the protest is disorderly, as it was lodged more than 10 days after DLA published an edited version with the rationale of its sole source identifying the market studies it carried out and that information on other potential SDVOSB resellers was publicly available before the protester's additional protest on the matter was lodged. Additional AR 2-3. Gerber Legendary Blades claims that its additional protest that DLA's own pre-market research states that there are at least two SDVOSB resellers of the Benchmade Knife combat knife that could reasonably have been expected to submit bids was submitted on time because it first learned of this information when it received the agency's report. Second additional comments at 4. We agree that an additional protest, which claims that the agency knew about another SDVOSB reseller, is filed within 10 days of the protester's first training information and is filed in accordance with the timeliness rules of our Bid Protest Rules, 4 CFR § 21.2(a)(2). [10] To the extent that the protester disputes the status of ARG SDVOSB on the basis of information other than that contained in the face of the ARG proposal, we reject the protest. As mentioned above, the Small Business Act, 15 USA. CS 657f (d) gives the SBA a compelling authority to determine SDVOSB status for federal procurement. See Singleton Enter-GMT Mech., Joint Venture, supra. Therefore, we do not review the protester's challenge to the status of another company, SDVOSB. See Bid Protest Regulations, 4 C.F.R. § 21.5 (b)(1). 21.5(b)(1).