



CONTRACT LAW DIVISION

Office of the Assistant General Counsel for Finance & Litigation



Biweekly Report - Period Ending October 26, 1996

International Data Products, Corp. v. DOC—GAO No. B-274654, Dunn Computer Corporation v. DOC—GAO No. B-274654.2, I-Net, Inc. v. DOC—GAO No. B-274654.3

We filed all three agency reports in this protest against award of the PTO DeskTop contract to Hughes Data Systems. Lisa J. Obayashi is the lead, assisted by Mark Langstein and Catherine Shea.

Federal Builders, LLC v. DOC—GSBCA No. 13864-COM

Cecilia Jones filed the Government's Rule (4) file in this case in which appellant claims an equitable adjustment under a NOAA lease for (1) constructing a state-required turn lane; (2) extending sewer and water lines to the building. Presently researching issues and drafting the Government's Answer.

CHI Fabrication Services v. DOC—GAO No. B-275079

We received this protest in which protester claims that PTO erred when it determined that their offered product failed to meet the specification and excluded it from the competitive range. The awardee, General Scientific, has intervened. We with technical evaluators and pro-

curement officials to hammer out the issues. Currently Cecilia Jones is preparing the agency report and researching issues for legal brief.

Debcon, Inc. v. DOC—GSBCA No. 13923-COM

Debcon has appealed a CO decision partially denying a request for an equitable adjustment and contract extension under a NOAA WFO contract. Cecilia Jones has this case too.

ACI v. DOC—GAO-B-270570

We have just been served with this protest by American Combustion Industries, Inc. (ACI) arising out of a procurement from NIST for two large boilers and a structure to house the boilers. Protestor claims that the Government did not conduct meaningful discussions by not affording the Protestor an opportunity, during discussions to rebut allegedly negative information received by the Government, from sources provided by the Protestor, when the Government evaluated past performance. Protestor also alleges violations of the Procurement Integrity Act regarding proprietary pricing information. Ken Lechter has the case.

NOAA Hydrographic Charting

Along with AGC/F&L General Law and NOAA GC, we participated in a meeting to determine NOS' options with respect to liability for damages should a vessel go aground or be involved in an accident as a result of inaccurate contractor-produced NOAA nautical charts. As a result of the meeting, NOS will inquire as to whether liability insurance would be available and what the probable cost impact would be. Mark Langstein is advising.

BPR Acquisition Process/CONOPS-- Census Pilot Projects

(1) No protests were received over the award in the Laptops procurement prior to the due date for protests. This was surprising, as the offeror with the lowest cost stated both in the press and at his debriefing that he would protest. The debriefings, however, were very well presented, and this likely deterred any protests. (2) We have provided legal opinions to Economic Affairs concerning possible conflicts of interest which may arise because of two CRADAs the Census Bureau has entered into with vendors who may also participate in the DADS program. Fred Kopatich is advising.

Actions Completed/Received during Period

	From 10/13/96	To 10/26/96
	Received	Completed
NOAA	9	8
O/S	0	2
PTO	4	1
Total	13	11

Contract Law Division—Client Workload Period Ending 10/26/96

