



# CONTRACT LAW DIVISION

Office of the Assistant General Counsel for Finance and Litigation



## Biweekly Report—Period Ending April 25, 1998

### **Techno-Sciences, Inc. v. DOC— GAO No. B-277260.3**

TSI filed its comments to the Agency Report on April 13th. The agency is preparing an additional statement to respond to the misleading characterization of the work performed by SSAI under the task orders to the contract. Settlement discussions are effectively over. TSI refused to absorb any of the protest costs under protests one and two, and demanded that the agency also pay attorney fees for protest three. In response, NOAA canceled the meeting scheduled for today. In addition, TSI sent a letter to the CO demanding payment for its protest costs and threatened to file an action at the Court of Federal Claims for its costs plus interest if the agency does not pay by May 15th. Mark Langstein & Amy Freeman.

### **N. Florida Shipyards v. DOC GSBGA 14030-COM**

Ken Lechter will be traveling to Norfolk next week to take the deposition of the contractor's project manager and defend the deposition of the Government's contracting officer. This appeal arises out of the denial of a claim of approximately \$500,000 in a ship repair contract at EASC. The majority of the claim alleges defective specifications and defective government furnished property.

### **FCS Procurement Training**

We have been advised the FCS that bankcard procurement training has been scheduled for Seoul, Korea, and Bangkok, Thailand, during July and August. This region last received training during the summer of 1996. Division Chief Jerry Walz will be participating in the bankcard training for the FCS European region, to be held in Vienna, Austria, in June. Training demands have increased because of the decision made by senior management at ITA and FCS to permit FCS employees, who are foreign service nationals, to have bankcard authority. Under present policy guidelines, bankcard authority can be permitted up to \$25,000 per transaction. With this authority, substantial savings have already been realized by reducing the administrative fees charged by the State Department for handling purchase orders, which are not required with the bankcard. Prior training also has produced a marked reduction in unauthorized commitments overseas.

### **Adrain Supply Company, v. DOC—B-279760**

Protest against DoC's (WASC's) issuance of a "sole-source" Request for Quotations (RFQ) for switches. Protestor orally complained to WASC's Contracting Officer (4/7/98), before quotations were due, that the "sole-source" request was improper. Adrain then protested in writing on 4/13/98 (but after the 4/9/98 RFQ closing date). GAO summarily dismissed the protest (4/15/98) as untimely filed. Edward Weber and Mark Langstein.

### **Contract Law Web Discussion Rooms**

We've added "Discussion Room" capability to our web site. Procurement staff may use these rooms if they wish to have a real-time discussion of a procurement issue and a conference call is not feasible. The URL for this capability is <<http://www.ogc.doc.gov/discuss/>> [Your web browser must have JAVA capabilities.] Here's how to access the rooms. Type in a nickname and click on "Connect". You will then be in a "lobby" and will see the names of the available rooms. The "Contract Law" Room is a public room that does not require a password. To join, select the room and click on "Join". To join the "DOCProcurement" room, type the password, docproc, select the room and click "Join".

