



CONTRACT LAW DIVISION

Office of Assistant General Counsel for Finance and Litigation



Biweekly Report—Period Ending June 19, 1999

Arthur E. Lees v. DoC—GAO Nos. B-282281.1; B-281954.1, B-281954.2; B-281954.3—Again!

Although GAO recently dismissed all outstanding bid protests and requests for reconsideration of prior dismissals, Arthur E. Lees, an applicant for a Commercial Representative position with the U.S. Foreign Commercial Service in Chengdu, P.R.C., has filed yet another Request for Reconsideration of GAO's latest dismissal. The protestor claims numerous errors of law and fact in the decision to dismiss. (Lisa J. Obayashi)

PTO-DeskTop Acquisition ReMap Team Project

PTO held a widely attended pre-proposal conference for its desktop workstation procurement. Speakers, including the PTO CIO, gave presentations on the procurement which is being conducted utilizing the streamlined CONOPS process (renamed ReMAP at PTO). (Lisa J. Obayashi)

HCHB Cafeteria

We have reviewed a draft statement of work for the food services replacement procurement and hope to release it and the project agreement to prospective offerors next week. (Mark Langstein)

Domain Name Project

CLD continues to support NTIA in its privatization of the DNS effort. NSI made a presentation of its proposal to operate the "A" root database and the .com, .net and .org databases on separate servers. CLD is coordinating with FALD and advising on the cooperative agreement implications of this proposal. CLD is also preparing a draft RFP for a potential contract for future services related to DNS activities. CLD is reviewing plans for NSI to transfer the .edu top level domain to a not for profit, private entity. Finally, CLD is participating in meetings with ICANN representatives to address activities and continued compliance with the JPA.

Ellis Professional Security Services v. US, COFC No. 99-312C

The plaintiff has filed suit *pro se* in the Court of Federal Claims seeking to overturn a termination for default of its contract to provide guard services to the NOAA Coastal Services Center in Charleston. The Court has ordered that Ellis obtain legal counsel and file an amended complaint. (Fred Kopatich)

Samalex, Inc.

This is an untimely agency protest filed on or about June 14, 1999, regarding the failed delivery of the protestor's proposal for the COMMITS solicitation. According to the protest, the offeror transmitted its proposal by Federal Express, which allegedly was unable to deliver it to the appropriate room in HCHB on the date due. The RFP makes clear that all proposals delivered by *uniformed* couriers, e.g., Federal Express, were to be delivered to a designated room in HCHB. Unfortunately, the offeror's proposal package was not addressed properly, so was not delivered to the appropriate room. The CO is currently drafting the response. (Terry H. Lee).

STAT-USA Acquisition

Ed Weber assisted AMD and ESA's counsel with negotiations of an urgent contract for ESA/Stat USA in order to demonstrate StatUSA's Y2K compliance by 6/30/99. Participated in review of the acquisition procedures and negotiations with offerors (5/18-5/21), reviewed proposed contract (6/8/99), and advised CO regarding counter-offer by proposed awardee. Contract awarded 6/14/99.

CLD "Time to Complete"—3.3 Days

Actions by Contract Law Division during Period			
	From 6/6/99		To 6/19/99
Bureau	Received	Completed	
CENSUS	1	0	
NIST	1	1	
NOAA	18	17	
OIG	1	1	
PTO	4	3	
Total	25	Total	22

