



CONTRACT LAW DIVISION

Office of Assistant General Counsel for Finance and Litigation



Biweekly Report—Period Ending August 14, 1999

***Ellis Professional Security Services v. United States*—COFC No. 99-312C**

The appeal was dismissed by the Court without prejudice, as the plaintiff failed to obtain counsel within the time ordered. (Fred Kopatich)

***Columbia Services Group, Inc. v. DOC*, B-283137-1**

Case (GAO bid protest against awards in COMMITS procurement.) closed on August 2, 1999, based on telephonic notification of withdrawal by protestor's counsel to GAO attorney and thereafter to OGC. (Terry H. Lee).

Charleston Marine Environmental Health Research Laboratory

The Government issued a cure notice to Adams Construction for work under a recently-begun construction contract for the Marine Environmental Health Research Laboratory. The Government anticipated that Adams Construction would respond to the cure notice, and that they would all meet to discuss the response. Adams, however, did not respond to the notice. As a result, the Government cancelled the meeting. (Diane Canzano)

COMMITS Procurement

We participated in a debriefing of Kathpal Technologies, Inc., which we believe may file a protest claiming that its proposal was not properly evaluated. Additional debriefings will soon be scheduled. (Terry H. Lee).

NWS Radiosondes

Revised Final Proposals have been received and a Source Selection presentation is scheduled for next week. NOAA hopes to make a multiple award for the telemetry receiver system production. (Edward Weber & Mark Langstein)

HCHB Cafeteria

As a result of changes to the requirements, offerors have been provided additional time to submit initial capability statements/proposals. (Mark Langstein)

Protest of National Mailing Systems

We are assisting the Contracting Officer with resolution of this agency-level protest and the no cost termination. NMS protested award, to Pitney Bowes of a NOAA contract to acquire mailing system equipment and Complicating the no-cost termination and resolution of

the Protest, it was discovered that Pitney Bowes had removed (and allegedly discarded) the old mailing equipment at three NOAA sites prior to the CO's Suspension of Work Order. (Edward Weber)

***DRC v. DOC*—GSBCA No. 14919-COM**

The parties discussed drafts of proposed rules for a round-table hearing format but could not agree. Consequently, Appellant changed its election with respect to the round-table hearing. The parties jointly notified the Board that we will proceed under the Board's standard hearing procedures. (Amy Freeman & Fred Kopatich)

***DRC Corp. v. Dept. of Commerce*, GSBCA No. 14919-COM**

After the parties exchanged drafts of proposed roundtable hearing procedures and discussion between the parties, the Appellant agreed to withdraw its request for a roundtable hearing, and the Board ordered that usual hearing procedures would apply. Appellant has served its interrogatories on the Government.

CLD "Time to Complete"—3.4 Days

Actions by Contract Law Division during Period from 8/1/1999 8/14/1999

Bureau	Received	Completed
BXA	1	1
CENSUS	0	1
ITA	2	2
NIST	4	4
NOAA	10	11
PTO	2	2
Totals	19	21

