



# CONTRACT LAW DIVISION

Office of Assistant General Counsel for Finance and Litigation



**Biweekly Report—Period Ending August 28, 1999**

## Colonna Shipyard, Inc. v. DoC, B-283472-1

This protest was filed on closing date for receipt of proposals against 78-day performance period contained in RFP for ship repairs, alleging restriction on competition and inappropriate potential for poor performance evaluation. Fast-track schedule developed on August 20 as follows: Agency report due on September 3; Comments on Agency Report due on September 10; Hearing, if necessary, scheduled for September 14; Record closes on September 17; GAO decision by September 30 or October 1. Telephone conference held on August 25 regarding document production. Agency will try to produce all relevant documents by Friday, August 27. (Terry H. Lee).

## DRC v. DOC (GSBCA No. 14919-COM)

The Board issued an Order on the Hearing establishing October 14<sup>th</sup> in South Bend, Indiana as the time and place for the one-day hearing. Appellant served its First Set of Interrogatories and Request for Production of Documents on the Department. (Amy Freeman and Fred Kopatich)

## GFDL Supercomputer

We are reviewing the Project Agreement and the Request for Information in this new supercomputer buy for NOAA's Princeton Geophysical Fluid Dynamics Laboratory. (Mark Langstein)

## Computer & Hi-Tech Management, Inc.

Filed on August 16, this agency level protest asserts that while the protestor did not include, as required, it quality recognition and certification information under Tab E of the RFP, it did include such information in its Executive Summary. Consequently, because the information was in its proposal, it should not have been excluded from consideration. Protestor further asserts that it should have been provided an opportunity to make an oral presentation. (Terry H. Lee).

## Marine Environmental Health Research Laboratory

The contract for this facility in Charleston, SC, was terminated for default, and NOAA is looking to the surety, Travelers, to complete the project. Fred Kopatich traveled to CASC to meet with the surety, completion contractor and CASC to agree on how the project is to be completed and to complete the necessary documents so that the new contractor can begin work as soon as

possible. (Fred Kopatich and Amy Crotts)

## DEBCON v. DOC (GSBCA)

The parties are trying to settle on a date for the deposition of Debcon's designated expert on the Eichleay formula. It currently appears that Tuesday, September 14<sup>th</sup>, will be the date the deposition will be conducted by telephone. (Amy Freeman and Mark Langstein)

## Technical Systems Associates, Inc. v. DoC, GSBCA Nos. 13277-COM and 14538-COM

Respondent's Opening Brief filed on August 20. Appellant's post-hearing brief filed on August 23. Appellant's brief poses an interesting issue in that appellant represented that it intended to file its case on the record. Its post-hearing brief is not such a filing. Reply briefs are due on October 7. (Terry H. Lee).

## CLD "Time to Complete"—1.8 Days

### Actions by Contract Law Division during Period from 8/15/1999 8/28/1999

Bureau	Received	Completed
CENSUS	1	1
ITA	1	1
NIST	8	8
NOAA	7	5
PTO	1	1
<b>Totals</b>	<b>18</b>	<b>16</b>

