



CONTRACT LAW DIVISION

Office of the Assistant General Counsel for Finance and Litigation



Biweekly Report—Period Ending October 11, 1997

Radio-Holland B.V.- Agency Level Protest

The Protestor challenges a \$99,185.00 contract award to Seacoast Electronics, Inc. of Jacksonville, Florida (under EASC's Invitation-for-Bids No. 51-EANA-7-00077) for the acquisition of ten Shipboard Global Maritime Distress & Safety Systems to be used by the National Oceanic and Atmospheric Administration ("NOAA"), Office of NOAA Corps Operations. Seacoast was awarded the contract on September 30, 1997 and filed its protest on October 7, 1997. We are evaluating Radio Holland's sole contention that the IFB did not require bidders to submit an aggregate bid for all of the items listed in the Pricing Schedule. Edward Weber has the matter.

Iowa-Illinois Cleaning Corp., v. DOC—B-278244.1

This is a protest of a contract award made as a result of an RFQ (emanating from CASC), wherein the bidder complains that the RFQ did not contain certain formal contract sections and FAR clauses. It appears as though the protest can be dismissed on the ground of untimeliness as well as on the basis of lack of an interested party, because the protestor did not submit a quote. We are awaiting bid materials from CASC to confirm our suspicions and for preparation of a report to GAO. Terry Lee is handling the case.

CVD Equip. Corporation v. DOC—GAO B-278311-1

CVD Equipment Corporation has filed a GAO bid protest against the award of a NIST purchase order for dual cylinder gas cabinets. The protestor has not alleged any violation of procurement law or regulation and has, therefore, failed to state a valid basis of protest as required by GAO bid protest regulations. A request for summary dismissal has been filed. Lisa J. Obayashi has the matter.

QuanTech, Inc. v. DOC—GAO B-278380

We have just been served with this protest arising out of the award of a contract for fisheries observers out of the NMFS in Woods Hole, Mass. Protestor alleges that the Government did not conduct meaningful discussions, did not properly disclose the Government's evaluation criteria, and did not evaluate its proposal according to the stated evaluation criteria in the RFP. We will be meeting with the EASC contracting officer and the

head of the program office in Norfolk next week to begin preparations of the Government's protest file and to evaluate whether the award should be stayed or continue in the face of the protest. The Government's agency report is due to the GAO on or before November 13, 1997. Ken Lechter and Terry Lee have the case.

NOAA Supercomputer Procurement

Fred Kopatich has reviewed and provided comments to NOAA on a draft Statement of Need, which will be released to offerors for comment during the market survey phase of the procurement.

NOAA Weather Wire Recompetition

Mark Langstein and Amy Freeman attended a meeting of the SEB which discussed NEXRAD and other policy issues relating to this procurement to replace the current system of weather data distribution to private-sector users. The RFP is scheduled to be released by January of 1998.

Enterprise License Agreement

Fred Kopatich assisted the Census Bureau in negotiating and drafting a Blanket Purchase Agreement with Oracle Corporation.

