



CONTRACT LAW DIVISION

Office of the Assistant General Counsel for Finance and Litigation



Biweekly Report—Period Ending October 24, 1998

Oracle Corporation v. DoC –GAO B-280992.2

Oracle Corporation has filed a second bid protest against the award of a \$1.7 million Patent and Trademark Office contract for human resources software to PeopleSoft, Inc. In this supplemental protest, Oracle has mainly restated its original protest grounds with additional details based upon facts contained in the Government's agency report which was filed ten days ago. We intend to file a Motion to Dismiss as no new protest grounds have been raised. (Lisa J. Obayashi)

Saudi Arabian Meteorological Training

We reviewed and approved a plan, under an existing MOU with the Kingdom of Saudi Arabia, to make meteorological computer resources available by upgrading an existing NCEP J-90 supercomputer rather than making time available on an existing machine. The upgrade is expected to reduce the costs to the Kingdom as well as providing a benefit to NCEP. (Mark Langstein)

Protest of Arthur Lees GAO B-281181

On September 30, 1998, this protest was filed, directed both to the Department of Commerce and the State Department, alleging that the US & FCS personal service contracting opportunities, presently being advertised for China, including the position in which he had previously worked, were illegal in that they were not being advertised properly as contracts. After consultations with DOC and State Department it was concluded that this protest should be handled by the State Department, (Jerry Walz and Ken Lechter)

NTIA Responds to DNS Initiatives from the Private Sector

CLD supported NTIA in the review of the public comments and submissions received in response to the NTIA Statement of Policy. In the submissions, the ICANN (Internet Corporation for Assigned Names and Numbers) received overwhelming support although many supportive comments included some proposed changes regarding accountability, structure, and representation. NTIA issued a letter to ICANN and four other organizations who made submissions indicating its consideration of the submissions and hope that the

private sector will continue to work together to bring about the Statement of Policy. CLD coordinated legal review of this letter with the Office of the Assistant General Counsel for Administrations and the Office of the Assistant General Counsel for Legislation and Regulation. (Catherine Shea)

Eastern Technical Enterprises, Inc. v. DOC—GAO B-281319.2

On October 16, 1998, this protest was filed challenging the cancellation of an IFB for ship repair by EASC after bid opening, but before award. The requirement now is being procured as an RFP. The protestor was the putative awardee under the IFB and complains that the change in the government's requirements that served as the basis for the cancellation were not of such significance as to justify the cancellation. The protest was filed more than 14 days after notice of the cancellation was placed in the CBD and we will be moving to dismiss. (Ken Lechter)

CLD "Time to Complete"—2.1 Days

Actions by Contract Law Division during Period From 10/11/98 To 10/24/98

Bureau	Received	Completed
CENS	0	0
MBDA	0	0
NIST	1	1
NOAA	10	8
O/S	0	0
OIG	0	0
PTO	0	0
Total	11	9

Contract Law Division—Client Workload Period Ending 10/24/98

