



CONTRACT LAW DIVISION

Office of Assistant General Counsel for Finance and Litigation



Biweekly Report—Period Ending August 12, 2000

CHM v. United States, COFC No. 00-282C

The re-evaluation of proposals (94 in all) was completed on July 28. The Department is currently conducting past performance checks and will be making financial checks, and preparing the source selection report. The source selection report is scheduled to be given to the SSO on Friday, August 4. Award decisions will be made and announced on August 7, after briefing the Deputy Secretary.

GFDL Supercomputer

We participated in negotiations and Live Test Demonstrations with the supercomputer vendors in this acquisition to replace GFDL's existing Cray system. Revised proposals are due next week and, as a result of the discussions, we anticipate very competitive submissions. (Mark Langstein)

Satellite Weather Instrumentation

NESDIS and EUMETSAT have an MOA under which EUMETSAT agrees that it will fly a GOES instrument package on a Meteosat spacecraft bus. Because the Arianspace launch vehicle produces more vibration than US the Atlas GOES launch vehicle, the instrument package must be modified at a cost of \$50-\$70 million. Under the MOA, EUMETSAT is responsible for that cost. We have advised NESDIS that the instrument modification may best be accomplished by EUMETSAT entering directly into a contract with ITT, the instrument fabricator to accomplish the work thereby avoiding issues of augmentation of appropriations. (Mark Langstein)

NEXRAD TPMS

Mark Langstein met with the contracting officer and the program office regarding Powerware's response to our 2nd cure notice and its claim that the specifications are impossible to perform. The program states that the specification is indeed capable of performance and we advised that Powerware does appear to be in default and that we should use that leverage to obtain the contractual replacement system concessions that we desire.

PTO Signs Interagency Agreement with the National Science Foundation

PTO has entered into an Interagency Agreement with

the National Science Foundation whereby its contractor, the National Academy of Sciences, will conduct an Internet domain study. This program was initiated at the request of NTIA. (Lisa J. Obayashi)

BIC Marine Contracting, Inc., B-285814:

Amy Pierce filed an Agency Report at GAO on August 9, 2000 in response to the above-referenced protest filed on July 10. The contract at issue in the protest involved midcourse correction work on a Puerto Rican coral reef restoration project. The statements of the Contracting Officer and the COTR, and other relevant documents were included in the agency file. The Department requested that the protest be dismissed, or in the alternative, denied.

GS Tech v. DoC

The hearing scheduled for Tuesday, August 8, 2000 in Charleston, SC has been suspended pending finalization of the settlement agreement between the parties. A settlement amount of \$11,500.00 was found acceptable by both parties as the reasonable value of vacuuming services provided by GS Tech. (Amy Kiger Crotts)

CLD "Time to Complete"—1.3 Days

Actions by Contract Law Division during Period from 07/30/2000 08/12/2000

Bureau	Received	Completed
CENSUS	4	3
NIST	16	16
NOAA	7	8
PTO	3	4
Totals	31	31

Contract Law Division—Client Workload Period Ending 08/12/2000

