



CONTRACT LAW DIVISION

Office of Assistant General Counsel for Finance and Litigation



Biweekly Report—Period Ending December 04, 1999

ViON Corp. v. DoC, (GAO No. B-283804)

Lisa J. Obayashi prepared and filed additional statements in this protest against a PTO buy for data storage devices utilizing the GSA schedule. Protestor claims PTO failed to conduct the competition properly and did not treat ViON Corporation in a fair and equitable manner.

Nu-Way v. DOC—B-284181-1

GAO dismissed as moot this protest of an acquisition to provide training services for ITA's SABIT program. The Contracting Office has agreed to answer protestor's questions and to extend the solicitation closing date. (Mark Langstein)

Passage of the Patent and Trademark Office Efficiency Act

PTO has informed us that legislation which establishes PTO as a performance based organization has been enacted. Our office is reviewing the implications of this legislation from both a procurement as well as from a legal oversight viewpoint as PTO will be exempt from many Federal procurement laws and regulations. We will be making recommendations regarding the continued relationship between PTO procurement offices and our division. (Lisa J. Obayashi)

SARSAT and GOES DCS

We reviewed the CRAI for this \$15.5 million follow-on acquisition for NESDIS IT support services. The acquisition is being accomplished as a small business set-aside. (Mark Langstein)

Kathpal Technologies, Inc. v. DOC, B-283137-3

Legal argument occurred on November 19. Parties are to submit final arguments by COB November 30. Counsel for Protestor, at GAO's behest, will review selected awardees' proposals sometime during the week of November 21. (Terry H. Lee).

DRC Corporation v. DOC, GSBICA No. 15172-C

The Appellant has filed an Application for Attorney's Fees under the Equal Access to Justice Act. The Department's response is due December 22nd. (Fred Kopatich)

Team Land Development, Inc.

Our office participated in several conference calls to discuss strategy and legal issues regarding a reduction in contract price for the restoration of a coral reef in the Miami Keys. (Amy Freeman Pierce)

Datacom/NWS

The Termination for Default Notice has gone out to the Contractor and work continues on assisting with drafting the Government's claim for reimbursement for the unreturned government-furnished property (GFP) and procurement costs. The contractor has not demonstrated a willingness to further cooperate or turn over any more GFP. The outstanding balance is now \$38,702. (Amy Kiger Crotts)

Emergency Steel Loan Guarantee Program

Diane Canzano has provided advice on many legal issues arising out of several procurement actions pertaining to the Steel Loan Program including the procurement of financial advisory services, legal services, and consultant services.

CLD "Time to Complete"—6.8 Days

Actions by Contract Law Division during Period from 7/4/1999 7/17/1999

Bureau	Received	Completed
ITA	1	0
NIST	2	3
NOAA	5	5
PTO	0	1
Totals	8	9

Contract Law Division—Client Workload Period Ending 12/04/99

