



CONTRACT LAW DIVISION

Office of Assistant General Counsel for Finance and Litigation



Biweekly Report—Period Ending March 10, 2001

Bloomberg Machine for the Secretary

We negotiated terms and conditions with Bloomberg's attorney and believe that we have arrived at a legally acceptable agreement. We are awaiting Bloomberg's response to perform a closer determination as to acceptability. (Mark Langstein)

Novation Agreement

Advised CO that we could accept alternative formulation of documents for purposes of a novation agreement, as long as the Government's interests were protected. Because of time constraints, contractor sought permission to submit unaudited balance sheets. Counsel advised that if we had balance sheets, financial statements and tax returns for the last three years, which material met the government's requirements, the balance sheets need not be audited

SARSAT LUTs

We attended a meeting with program, NESDIS and COMMITS staff to consider whether COMMITS might be used as an acquisition vehicle to acquire the next generation of the Search and Rescue Satellite System's Local User Terminals. Our preliminary opinion is that COMMITS may not lawfully be able to satisfy the requirement as presently constituted and that it does not appear to be the best choice even if lawful. (Mark Langstein & Terry Lee)

United States of America Ex Rel Patrick C. Hoefler v. Fluor Daniel, Inc., United States District Court for the Central District of California No. SAVC-97-1008

Reviewed proposed settlement from the United States Attorney's office, discussed it with the Assistant United States Attorney, and submitted it to NOAA for approval. (Fred Kopatich)

COMMITTS

CLD counsel met with COMMITS program manager and HCO and NESDIS officials regarding the proposed used of COMMITS for the LUTs purchases. COMMITS officials simply wanted to explain where they are in the process (market research) and what may result from such research. It was also clear from the meeting that NESDIS officials were not in real agreement about the requirements for the LUTs. NESDIS hope to have its requirements resolved by mid-March.

On another front, the issue concerning the term of the COMMITS contract task orders, relative to the term of the contract (including options) has again arisen. COMMITS forwarded the master contract to CLD officials on March 2 and suggested another review and meeting to resolve the matter to occur within the next several weeks. (Terry Hart Lee)

CLD "Time to Complete"—4.1 Days

Actions by Contract Law Division during Period from 02/25/2001 03/10/2001

| Bureau | Received | Completed |
|---------------|----------|-----------|
| NIST | 2 | 1 |
| NOAA | 3 | 4 |
| Totals | 5 | 5 |

Contract Law Division—Client Workload Period Ending 03/10/2001

