



CONTRACT LAW DIVISION

Office of Assistant General Counsel for Finance and Litigation



Biweekly Report—Period Ending May 19, 2001

Psychometric Systems, Inc. v. DOC, **GSBCA No. 15587-COM**

Psychometric Systems, Inc. appealed the Contracting Officer's final decision seeking repayment of \$78,873 in procurement costs arising from the contractor's failure to honor its two-year warranty under a contract to refurbish NIST's reactor cooling tower. After completion of the contractor's work and acceptance by NIST, defects in the work were discovered. NIST was required to solicit a new contract to replace the work when Psychometrics refused to correct its work. (Fred Kopatich)

Commerce Acquisition Regulation (CAR) Rewrite Team

Fred Kopatich and Susan Truax have been working on the team.

Professional Landscape Management Services, Inc. v. DOC—GCSBA No. 15547-COM

Appellant-PLMS whose \$57K contract claim under the Board's accelerated procedures, has been settled for \$43K (includes amount previously paid). Spoke with Accounting in Gaithersburg to facilitate payment to Appellant. Reviewed Appellant's filing of Request for Dismissal and participated in conf call to Judge DeGraff re Order of Dismissal. (Edward Weber)

Data Collection System (DCS) Automated Processing System II (DAPS II) Procurement

Teleconference with the Contracting Officer concerning recent issues, including a negotiation at Wallops Island concerning a major modification to the contract and Privacy Act issues regarding collecting of information from users accessing NOAA websites. (Fred Kopatich)

NDBC Technical Services Contract

Reviewed IG and NDBC materials concerning personal services and performance-based Statement of Work issues. (Fred Kopatich)

Charrier, Gibson & Associates, B-287653-1

As part of a settlement agreement, protestor withdrew the protest on May 7—GAO dismissed the action on the same date.

Pursuant to the settlement agreement, DoC presented protestor with guidelines as to what would be acceptable in an agency agreement between the protestor and its

clients (fishing vessel owners) for purposes of the Covenant Against Contingent Fees. This submission should end the matter. However, counsel anticipates future problems with the protestor—to be joined at a later time. (Terry H. Lee)

CLD "Time to Complete"—1.9 Days

Actions by Contract Law Division during Period from 05/06/2001 05/19/2001

Bureau	Received	Completed
CENSUS	2	2
NIST	3	3
NOAA	12	10
Totals	17	15

