

GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONTRACT APPEALS BOARD

PROTEST OF:)	
)	
Urban Services Systems Corporation)	CAB Nos. P-0735 and
2041 Martin Luther King Jr. Avenue, SE)	P-0739 Consolidated
Washington, DC 20020)	
)	
Under Solicitation No. DCAM-2005-B-0027)	

DISTRICT OF COLUMBIA’S OPPOSITION TO PROTESTER’S RESPONSE TO THE
DISTRICT’S MOTION TO CORRECT OPINION AND REQUEST FOR
RECONSIDERATION OF ORDER DENYING PROTESTS

Pursuant to 27 DCMR 110, 49 DCR 2089 (March 8, 2002), the District of Columbia respectfully moves for leave to respond to “Protester’s Response to the District’s Motion to Correct Opinion and Request for Consideration of Order Denying Protest” (“Response”). On October 23, 2006, the District filed its “Motion of the District of Columbia Requesting the Contract Appeals Board to Correct an Omission of Fact in the Board’s October 16, 2006, Opinion Denying Protests” (“District’s Motion”), since it appears that the October 16, 2006, “Opinion Denying Protests” (“Opinion”) contains an omission of fact which prompted the recommendation of the Contract Appeals Board (“Board”) that the contracting officer should have sought new bids given the nine-month delay on award and the denial of TAC’s certification. In its Response, protester totally misconstrues the District’s Motion and requests the Board to reconsider and correct its Opinion because the Board “omits facts critical to the resolution of these consolidated cases.” (Opposition, page 1). However, the District is not requesting the Board to make a finding of fact or to overturn its decision. The District is merely requesting the Board to include the undisputed missing fact in its Opinion and clarify its statement regarding the need for the contracting officer to cancel a solicitation and reprocure

services in the event of a nine month delay and a denial of LSDBE certification prior to award. Since the District's contracting officers take seriously any recommendation of the Board that may affect the conduct of future procurements, the District is merely seeking clarification of the Board's statement regarding the need to cancel a solicitation and reprocure under facts that were omitted from the Board's decision.

Accordingly, we request that the Board deny the protester's Response. In addition, we request the Board to correct its Opinion by including the undisputed omitted fact that on February 16, 2006, the SBLOC recertified TAC until February 16, 2008, as a small, disadvantaged local DZE business entitled to 9 preference points.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing District of Columbia Opposition to Protester's Response to the District's Motion to Correct Opinion and Request for Reconsideration of Order Denying Protests, was court linked on October 26, 2006, postage prepaid, to the following:

s/_____
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