

# Introduction

The Office of Dispute Resolution for Acquisition (ODRA) was formed in 1996 as an independent office within the FAA's Office of the Chief Counsel (AGC). In December 1997, a permanent office was established for the ODRA in Washington, D.C. Pursuant to Section 224 of Public Law No. 108-176, the "Vision 100 -- Century of Aviation Reauthorization Act," a series of delegations from the FAA Administrator, and the ODRA's Procedural Regulations, the ODRA is charged with responsibility for resolving and adjudicating all protests and contract disputes arising out of procurements and contracts entered into under the FAA's Acquisition Management System (AMS).

The above-referenced Century of Aviation Reauthorization Act, which Congress passed in December of 2003, expressly mandated that the FAA utilize ADR "to the maximum extent practicable" to resolve acquisition related disputes and protests and that any adjudication of such matters be done by the Administrator through the ODRA. In this regard, the Act amended 49 U.S.C. §40110(d) to provide that:

A bid protest or contract dispute that is not addressed or resolved through alternative dispute resolution shall be adjudicated by the Administrator through Dispute Resolution Officers or Special Masters of the Federal Aviation Administration Office of Dispute Resolution for Acquisition, acting pursuant to sections 46102, 46104, 46105, 46106 and 46107 and shall be subject to judicial review under section 46110 and to section 504 of title 5 [The Equal Access to Justice Act].

The ODRA also has been delegated responsibility for resolving and adjudicating contests involving Agency actions associated with the FAA's adaptation of Office of Management and Budget ("OMB") Circular A-76, which pertains to competitive sourcing of "commercial activities" -- activities deemed not "inherently governmental" under the FAIR Act, 31 U.S.C. §501. The Administrator's Delegation and ODRA Rules for A-76 contests are included on this website. In addition, pursuant to a Delegation from the U.S. Department of Homeland Security, Transportation Security Administration ("TSA"), the ODRA also resolves and adjudicates designated protests and contract disputes for the TSA.

The ODRA dispute resolution process recognizes that it is in the interest of the FAA and the protester or contractor to work together to resolve acquisition

related controversies in a prompt, amicable fashion, utilizing consensual alternative dispute resolution (ADR) techniques. The ODRA is staffed with a Director and two Dispute Resolution Officers, and was the recipient of a 2002 Office of Federal Procurement Policy (OFPP) Award for Outstanding Procurement ADR Programs. See [ODRA Staff](#) for biographical information.

The ODRA Guide provides more information about the ODRA's use of ADR, the Default Adjudicative Process, and other aspects of the ODRA's operations. You may also wish to access our user-friendly [Frequently Asked Questions](#) page.