

UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC

ORDER

FAA Order Number: OIRA-06-398

Matter: Protest of Engineering and Information Technology, Inc. Pursuant to Solicitation DTFAC-06-R-00005

Docket No.: 06-OIRA-00386

Date Served: November 8, 2006

ORDER

Engineering and Information Technology, Inc. ("EIT") filed this Protest with the Federal Aviation Administration's ("FAA") Office of Dispute Resolution for Acquisition ("ODRA"). The Protest challenges the cancellation of a contract that had been awarded to EIT in a competition conducted by the FAA Technical Center ("Center"). The Center had taken corrective action to cancel the contract after two other bidders on the contract filed protests with the ODRA complaining that EIT did not meet the small business size standards because it was affiliated with a larger company. EIT's protest alleges that it is not an affiliate of the larger company and that the Center erred in applying Small Business Administration ("SBA") principles and caselaw in deciding to cancel the contract.

For the reasons set forth therein, I adopt the attached ODRA Findings and Recommendations, and hereby deny the Protest in its entirety.

This is the final Agency order in this matter. To the extent that this decision is subject to review, such review shall be sought in accordance with 49 U.S.C. § 46110 and the ODRA Procedural Rule, 14 C.F.R. § 17.33, within sixty (60) days of issuance of this Order.

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MARION C. BLAKEY
ADMINISTRATOR

Issued this 9th day of November 2006