

**UNITED STATES DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
WASHINGTON, DC**

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**ORDER**

**FAA Order**

**Number: ODR-97-42**

**Matter: Protest by HARRIS CORPORATION of Single Source Justification  
for the Noncompetitive Procurement of VHF and UHF Analog Radios  
Pursuant to Solicitation DTFA01-92-D-00060**

**Docket: 97-ODR-00048**

**Served: December 15, 1997**

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**ORDER**

Harris Corporation, Harris Digital Radio (Harris) filed a protest with the

Federal Aviation Administration's (FAA's) Office of Dispute Resolution for Acquisition (ODR). Harris protested an FAA *Single Source Justification* for the noncompetitive procurement of analog radios. The proposed single source award to Motorola, Incorporated, was to follow the October, 1997 expiration of a competitively awarded contract.

The FAA has moved to dismiss this protest as moot. The agency has presented evidence indicating that the proposed *Single Source Justification*, that was the subject of this protest, has been withdrawn. Counsel for the protester has filed a response stating that Harris has no objection to this dismissal.

The FAA's Motion to Dismiss this protest is granted. Pursuant to section 3.9 of the Federal Aviation Administration Acquisition Management System [1], this protest is dismissed.

This is the final agency order in this matter. To the extent that this decision is subject to review, such review shall be in accordance with 49 U.S.C. §46110. A petition for review must be filed with the United States Court of Appeals for the District of Columbia Circuit, or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business. The petition must be filed not later than 60 days after the date that this order is issued.

\_\_\_\_\_/s/\_\_\_\_\_

JANE F. GARVEY

ADMINISTRATOR

Issued this 15th day of December 1997

[1] The Federal Aviation Administration Acquisition Management System implements section 348 of Public Law 104-50.