

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

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**ORDER**

**FAA Order**

**Number: ODRA-98-67**

**Matter: Protest by MIDWEST WEATHER, INC.**

**of Solicitation No. DTFA14-98-R-33946**

**Docket: 98-ODRA-00070**

**Date Served: May 1, 1998**

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**ORDER**

Midwest Weather, Inc. ("Protester") protested awards of four sites under Solicitation No. DTFA14-98-R-33946 ("Solicitation") issued by the Great Lakes Region for weather observation services. The Protester alleges that the two awardees, Weather One, Inc. ("Weather One") and Precision Weather, Inc. ("Precision") had violated and were intending to violate the Service Contract Act, 41 U.S.C. §§ 351-358 (1994) and that they, therefore, ought not have received the awards.

For the reasons set forth therein, I adopt the attached Findings and Recommendation of the Office of Dispute Resolution for Acquisition ("ODRA"), and hold that: (1) the Agency had a rational basis for the awards to Weather One and Precision; and (2) the protest is without any basis whatsoever in fact and law. Accordingly, in accordance with the recommendation of the ODRA made pursuant to Section 3.9.3.2.3.3 of the FAA Acquisition Management System, I hereby dismiss the instant protest summarily and with prejudice.

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. 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 petitioner 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. A copy of any such petition must also be filed with the FAA Office of Dispute Resolution for Acquisition on the date it is filed with the appropriate circuit court of appeals.

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JANE F. GARVEY

ADMINISTRATOR

Issued this 1st day of May, 1998