

UNITED STATES DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

WASHINGTON, DC

ORDER

FAA Order

Number: ODRA-98-98

Matter: Protest by DANKA OFFICE IMAGING COMPANY

of Solicitation No. DTFA06-98-C-30051

Docket: 98-ODRA-00099

Date Served: November 20, 1998

ORDER

This protest by Danka Office Imaging Company, ("Danka") concerns the award to Xerox Corporation ("Xerox") of a contract for the lease and maintenance of photocopiers by the FAA's Southern Regional Office ("Region"). The protest alleges that an unfair competition resulted in an award that did not provide the Agency with the best value. Danka seeks a directed award to it of the contract in question.

For the reasons set forth therein, I adopt the attached Findings and Recommendations of the Office of Dispute Resolution for Acquisition ("ODRA"); and sustain the protest on the ground that in making the award the Region waived a critical networking requirement, thereby benefiting the awardee. I further adopt the remedy recommended by the ODRA and direct that the Region assess its requirements for networking of the photocopiers in question. If after that assessment the Region is satisfied with the existing equipment, Danka is to be reimbursed for its bid and proposal costs. If, however, the Region determines that it does require the networking capability, the existing contract with Xerox is directed to be terminated for convenience of the FAA. Thereafter, the Region's requirements are to be more precisely set forth and the matter recompleted.

