

UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC

ORDER

**FAA Order
Number:** Odra-14-702

Matter: Protest of WX Solutions, Inc.
Pursuant to Solicitation DTFawa-12-R-08591

Docket: 13-ODRA-00647

Date Served: January 8, 2014

ORDER

WX Solutions, Inc. (“WX”) filed this bid protest (“Protest”) against a Contracting Officer’s Size Determination. The Contracting Officer had found WX to be affiliated with its subcontractor and thus ineligible for award as a small business under Solicitation No. DTFawa-12-R-08591 (“Solicitation”). Under the Solicitation and resulting contract, the Federal Aviation Administration (“FAA”) is acquiring the services of weather observation contractors who will provide augmentation and/or back up to the Automated Weather Observing Systems, and take manual observations as necessary.

The WX Protest alleges that the Contracting Officer’s finding of affiliation lacks a rational basis and is not supported by the underlying record. For the reasons set forth therein, I adopt and incorporate by reference the attached Findings and Recommendation of the Office of Dispute Resolution for Acquisition, 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. § 17.43 (2012), within sixty (60) days of issuance of this Order.

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Michael P. Huerta
Administrator

Issued this 8th day of January, 2014.