

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 99-1173**

**September Term, 1999**

**Information Systems and Networks Corporation,**

v.

**Federal Aviation Administration,  
Respondent**

**Universal Systems & Technology, Inc.,  
Intervenor**

**On Petition for Review of an Order  
of the Federal Aviation Administration**

Before: SILVERMAN, ROGERS, AND GRARLAND, *Circuit Judges*

**J U D G M E N T**

This cause was considered on the record from the Federal Aviation Administration, and on the briefs filed by the parties. While the issues presented occasion no need for a published opinion, they have been accorded full consideration by the Court. *See* D.C. Cir. R. 36(b). On consideration thereof, it is

**ORDERED** and **ADJUDGED**, by this Court, that the petition for review is hereby denied for substantially the reasons stated by the FAA Office of Dispute Resolution for Acquisitions, and adopted by the Administrator. ISN has failed to demonstrate that the FAA's procurement Product Team acted irrationally in disqualifying it from participation in the FAA's procurement of an engineering support services contract. The Team's decision to disregard ISN's belated correction of its timesheet policy was reasonable, as was its finding that ISN's failure to record uncompensated overtime hours posed risks to contract performance by threatening personnel retention. ISN's remaining contentions—that the Product Team did not conduct proper discussions with ISN, that the Team improperly assessed risk, and that the Team was biased against it—are without merit and were properly rejected by the Office of Dispute Resolution. It is

**FURTHER ORDERED**, by this Court, *sua sponte*, that the Clerk shall withhold issuance of the mandate herein until seven days after disposition of any timely petition for rehearing. *See* D.C. Cir. R. 41(a)(1). This instruction to the Clerk is without prejudice to the right of any party at any time to move for expedited issuance of the mandate for good cause shown.

*Per Curiam*  
For the Court:

/s/  
Mark J. Langer, Clerk

Filed: December 1, 1999