

UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC

ORDER

**FAA Order
Number:** Odra-13-688

Matter: Protest of IBEX Weather Services
Pursuant to Solicitation DTFAWA-12-R-08591

Docket: 13-ODRA-00641

Date Served: October 1, 2013

ORDER

IBEX Weather Services (“IBEX”) filed this Bid Protest with the Federal Aviation Administration (“FAA”) Office of Dispute Resolution for Acquisition (“ODRA”). The Protest challenges the decision by the FAA Contract Weather Observation (“CWO”) Product Team to award two contracts to CJ Rogers Aviation, Inc. (“CJ Rogers”). IBEX alleged that CJ Rogers is not eligible for award of a contract under the Solicitation by reason of its relationship with a subcontractor. IBEX also alleged flaws in the responsibility determination, and in the past performance evaluation.

For the reasons discussed therein, I hereby adopt and incorporate the attached ODRA Findings and Recommendations and sustain the Protest to the extent stated therein. I further direct in accordance with the ODRA Findings and Recommendations that: (1) the contracts awarded to CJ Rogers under the Solicitation be terminated; (2) CJ Rogers be deemed ineligible for award under the Solicitation; and (3) that the CWO Product Team make a new source selection decision in accordance with the continuing needs of the Agency. Further, I direct that AGC-500 appoint a debarment/suspension officer to

investigate whether cause for debarment or suspension exists, and to take such further action as is warranted based on the results of that investigation. The Product Team is to report through the ODRA every 45 business days on the status of corrective action being taken under this Order.

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.

-S-

Michael P. Huerta
Administrator

Issued this 1st day of October, 2013.