

UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC

ORDER

**FAA Order
Number:** **ODRA-19-855**

Matter: **Protest of Selex ES, Inc.
Under Solicitation Number 693KA7-18-R-00009**

Docket: **19-ODRA-00855**

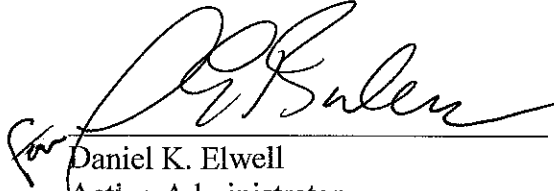
Date Served: **August 12, 2019**

ORDER

Selex ES, Inc. ("Selex") filed this protest challenging the FAA Product Team's decision to eliminate it from a competition under Solicitation Number 693KA7-18-R-00009 for a contract to design, develop, test, implement, and support the Mode S Beacon Replacement System. The Contracting Officer eliminated Selex for failing to provide required information in its proposal submission. Selex argued that its elimination was unreasonable and premature. The Office of Dispute Resolution for Acquisition adjudicated the protest and found that Selex failed to comply with the solicitation requirements. It found further that the Contracting Officer's determination to eliminate Selex from the competition was proper under the terms of the solicitation and Acquisition Management System policy.

I adopt and incorporate by reference the attached Findings and Recommendations of the Office of Dispute Resolution for Acquisition. For the reasons set forth therein, I 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 (2019), within sixty (60) days of issuance of this Order.


Daniel K. Elwell
Acting Administrator

Issued this 8 day of August, 2019.