

IN THE UNITED STATES COURT OF FEDERAL CLAIMS
BID PROTEST

CONTINENTAL SERVICE GROUP, INC.,)
and PIONEER CREDIT RECOVERY,)
INC.,)

Plaintiffs,)

and)

COLLECTION TECHNOLOGY, INC.,)
PERFORMANT RECOVERY, INC.,)
ALLTRAN EDUCATION, INC., and)
PROGRESSIVE FINANCIAL SERVICES,)
INC.,)

Plaintiff-Intervenors,)

v.)

Nos. 17-449C; 17-499C; 17-493C; 17-517C
17-578C; 17-558C; 17-633C

THE UNITED STATES,)

Consolidated
Chief Judge Susan G. Braden

Defendant,)

and)

CBE GROUP, INC.,)
FINANCIAL MANANGEMENT)
SYSTEMS, INC.,)

GC SERVICES LIMITED)
PARTNERSHIP,)

PREMIERE CREDIT of NORTH)
AMERICA, LLC,)

VALUE RECOVERY HOLDINGS, LLC,)
and)

WINDHAM PROFESSIONALS, INC.,)

Defendant-Intervenors.)

DEFENDANT’S NOTICE OF THE STATUS OF CORRECTIVE ACTION

Pursuant to the Court’s order dated October 11, 2017, defendant, the United States, respectfully provides notice of the status of the Department of Education’s (ED) corrective action in these protests.

On May 19, 2017, we notified the Court that ED intended to take corrective action by revising certain aspects of Solicitation No. ED-FSA-16-R-0009, regarding Factors 1 and 2. On May 25, 2017, we advised the Court that ED had amended its corrective action, and had decided to re-open the competition in all respects, by allowing all offerors to submit revised small business participation plans. Therefore, ED would reevaluate proposals based not only on Factors 1 and 2, but also on Factor 3 as well.

In a status report filed on September 14, 2017, we informed the Court that evaluations had been completed and that evaluation reports were being finalized, with an expected completion date of September 18, 2017. We also informed the Court that once the reports are finalized, ED's Source Selection Authority will perform an integrated assessment to identify the proposal(s) deemed to be most advantageous to the Government, followed by a responsibility determination of each apparently successful offeror. Once a new source selection determination has been made, ED will announce any new award or awards, and/or the termination of previously-awarded contracts, as appropriate.

As of the date of this filing, the evaluation reports have been finalized. The Source Selection Authority has been conducting an assessment of the findings and ratings reported by the evaluating committees in order to identify those proposals that are most advantageous to the Government. Once the apparently successful offeror/s are identified, the contracting officer will complete the responsibility determinations. Award/s will be made shortly thereafter.

As stated in our August 4, 2017, August 24, 2017 and September 14, 2017 status reports, this corrective action is a top priority of Federal Student Aid, and ED is working diligently to complete the corrective action.

Respectfully submitted,

CHAD A. READLER
Acting Assistant Attorney General

ROBERT E. KIRSCHMAN, JR.
Director

s/ Patricia M. McCarthy

PATRICIA M. McCARTHY
Assistant Director

s/ Lauren S. Moore

LAUREN S. MOORE
U.S. Department of Justice
Civil Division
Commercial Litigation Branch
P.O. Box 480
Ben Franklin Station
Washington, D.C. 20044
Tel: (202) 616-0333
Fax: (202) 514-8640
E-mail: lauren.moore@usdoj.gov

Attorneys for Defendant

OF COUNSEL:

JOSE OTERO
General Attorney
Office of the General Counsel
U.S. Department of Education

SARA FALK
General Attorney
Office of the General Counsel
U.S. Department of Education

October 19, 2017