

PRINT ORDER SPECS CAN TAKE PRECEDENCE OVER PROGRAM SPECS

By Frederic G. Antoun, Jr., Esq.

For a number of years, the rule in GPO's Regulations and in its BoilerPlate Program language, was that in the case of a conflict between print order specs and the specs from the program on which the print order was issued, the program specs controlled. Therefore, if the printer followed the specific instructions in the print order, and they were at odds with the specs in the program, the printer could be held liable for reprinting the job if the print order specs were not really what the agency or the GPO wanted.

Both vendors and agencies felt it was overly restricted. It prevented the agency from making a minor change in the work on a print order without issuing a complex and costly change order—even where the change did not cost any more money.

The GPO Board of Contract Appeals recently abandoned this interpretation, and ruled that where a print order contained specific instructions regarding a job, the print order created a change, in effect, in the contract specifications for that particular job. The Board found that the specifications of the program did not take precedence over a clearly written print order directing the printer to produce the work in a different fashion than that called for by the specifications. *Custom Printing Company*, GPO BCA 28-94. In the case before the Board, the issue was the placement of drill holes. The specs called for the drill holes to be placed at particular intervals, while the print order called for different intervals. This new ruling is very important for GPO contract personnel and agencies that fill out print orders. It would appear that the Board of Contract Appeals is no longer going to protect the government from its own mistakes on print orders. So be careful when you are drafting print orders.

Published in edited form in PIA GPIC News, March 1998, Important Board of Contract Appeals Decisions

For GPIC membership information, e-mail request to jvinyard@printing.org