

CLIENT ALERT

31-Month Suspension of Affiliates Violates FAR

July 6, 2012

In *Agility Def. and Gov't Servs.* (June 26), an Alabama District Court rejected the government's assertion that an agency's suspension of a government contractor is beyond judicial review and overturned the suspensions because they had exceeded 18 months, in violation of FAR 9.407-4(b). The two plaintiffs were suspended in November 2009 based on their affiliation with an indicted contractor, Public Warehousing Company, and, although the initial suspension of the affiliates was proper, the agency could not extend the suspensions of the affiliates beyond 18 months because legal proceedings had not been initiated against the affiliates themselves.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.