

## CLIENT ALERT

### Failure to Comply with Section L Instructions Invalidates Award

Apr. 13. 2012

In *The Emergence Group* (Feb. 29, 2012), the protestor, represented by Crowell & Moring, achieved an exception to the general rule that an agency is not required to evaluate offerors for compliance with RFP submission (Section L) requirements. In this case, the evaluation criteria (Section M) stated that compliance with Section L was mandatory, and the protest was sustained because the agency allowed offerors failing to submit the minimum number of past performance references per Section L to receive top evaluation marks.

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

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