

# CLIENT ALERT

## A GSA Schedule Buy Must Be All Schedule

February 7, 2005

In *KEI Pearson, Inc.* (Jan. 10, 2005), the GAO reaffirmed the rule "Non-FSS products may not be purchased using FSS procedures." There, GAO sustained the protest of a GSA schedule procurement because the awardee proposed to acquire certain commercial off-the-shelf software through a lower cost, non-schedule "alliance agreement" between the awardee and the software vendor, rather than proposing to use a more expensive GSA schedule vendor, of which there were many.

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

**Thomas P. Humphrey**

Retired Partner – Washington, D.C.

Email: [thumphrey@crowellretiredpartners.com](mailto:thumphrey@crowellretiredpartners.com)

**John E. McCarthy Jr.**

Partner – Washington, D.C.

Phone: +1.202.624.2579

Email: [jmccarthy@crowell.com](mailto:jmccarthy@crowell.com)