

CLIENT ALERT

Agencies May Not Rely On Flawed DCAA Audits

February 4, 2010

In *McKissak+Delcan JV II* (Jan. 13, 2010), GAO for what may be the first time rejected a DCAA determination that the offeror's accounting system was inadequate and sustained the protest because the agency had improperly relied on DCAA's determination in rejecting the offeror's proposal. Adequacy of business systems is an element of an agency's responsibility determination when evaluating proposals, and bid protests are likely the only viable forum for contractors to contest findings of system inadequacies.

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

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