

CLIENT ALERT

Architect-Engineering Firm Wins GAO Protest Alleging Miscalculation of Qualification Statements under \$2 Billion Brooks Act Procurement

December 11, 2020

Government procurements for architect-engineering services do not follow the typical Federal Acquisition Regulations (FAR) rules applied to the purchase of other goods and services. Instead, these services are procured under the authority of the Brooks Act, according to special procedures designed to identify the most qualified firms; specifically, the Two-Phase Design-Build Selection Procedures set forth in FAR subpart 36.3, and Architect-Engineer Services Contract Procedures set forth in FAR subpart 36.6. But those procedures provide no exceptions from bid protest. In the protest of *Evergreen JV*, B-418475.4, Sept. 23, 2020, the disappointed offeror argued that the Air Force failed to evaluate its qualifications according to the qualitative evaluation criteria identified in the Agency's synopsis. GAO sustained the protest. For more, [click here](#).

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

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