

CLIENT ALERT

B&P Costs Plus Injunctive Relief Permitted

Feb.24.2009

The CFC in *Alabama Aircraft Indus., Inc. v. U.S.* (Feb. 3, 2009) rejected the government's argument that, once the court has granted injunctive relief, any request for bid preparation costs must be denied. The court ruled that the statute has no "choose one only" provision, and, when the contractor can show that B&P efforts were wasted due to agency error, it should receive reimbursement for them even though it also is awarded injunctive relief.

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

Adelicia R. Cliffe

Partner – Washington, D.C.

Phone: +1 202.624.2816

Email: acliffe@crowell.com