

CLIENT ALERT

CFC Dismisses Protest of SBA Decision Not to Reopen Size Determination

August 2, 2011

In *Outdoor Venture Corp. v. U.S.*, the Court of Federal Claims dismissed the protest of an awardee of a small business set-aside contract that had failed to file a timely appeal of an adverse size determination to SBA's Office of Hearings and Appeals. The CFC held that the decision to reopen a size determination is within the SBA's "sole discretion, and because there are no guidelines for SBA to follow, the [CFC] lacks jurisdiction to review SBA's decision." For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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