

CLIENT ALERT

CFC Has Jurisdiction Over "Nonprocurement" Protests

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In *Resource Conservation Group, LLC v. United States* (Mar. 1, 2010), the Federal Circuit found that the Court of Federal Claims had jurisdiction to adjudicate a protest involving a Navy solicitation to lease its own real property to another party. GAO and CFC had each dismissed the protest, but the Federal Circuit held that, although there was no jurisdiction under the bid protest provision inserted by the Administrative Dispute Resolution Act because the Navy's attempt to lease its own property was not a government procurement, the Tucker Act's pre-ADRA, implied-in-fact contract jurisdiction for nonprocurement protests survived because ADRA did not otherwise provide a remedy for such disputes.

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

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