

Client Alert

Commercial Items Rulemaking Tackles Hot Issues

March 17, 2005

On March 11, 2005, and corrected on March 17, 2005, GSA issued an advance notice of proposed rulemaking, inviting comments on two hot-button issues: (1) whether consequential damages should be waived in commercial item acquisitions and (2) whether GSA's post-award audit authority should be limited in Multiple Award Schedule Contracts (MAS) and Government-wide acquisition contracts (GWACS). GSA, which is considering these issues in the context of establishing policies that more closely resemble those of the commercial marketplace, has scheduled an April 14, 2005 public meeting on this "important topic," with presentations due by April 7, 2005, and requires that comments be made on the proposed rule on or before May 10, 2005.

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

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