

CLIENT ALERT

DoD's Guerilla War on IR&D

February 10, 2016

In a notice published in the *Federal Register* on February 8 that will almost certainly be unpopular with contractors and their customers, DoD asked for comments on its consideration of adding a requirement to the DFARS that would "require offerors to describe in detail the nature and value of prospective IR&D projects on which the offeror would rely to perform the resultant contract." As described in the notice, that information would be used by DoD to "evaluate proposals in a manner that would take into account that reliance by adjusting the total evaluated price to the Government, for evaluation purposes only, to include the value of related future IR&D projects," presumably by increasing the evaluated price of that offeror's proposal to include the full value of the IR&D project.

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

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