

CLIENT ALERT

Don't Assume That A Debriefing Is Continuing After The Initial Session

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In *New SI, LLC* (Nov. 22, 2004, <http://www.gao.gov/decisions/bidpro/295209.htm>), GAO concluded that a protest was untimely filed when the contractor waited until after it had received agency responses to the contractor's additional questions submitted at the invitation of the Contracting Officer in the course of the initial debriefing session. In response to the contractor's argument that the debriefing was continuing and not concluded until after the agency's response to questions, GAO explained that, "absent affirmative indication from the agency that the debriefing would remain open after the scheduled session, we consider [the debriefing] to have concluded at the end of that [initial] session."

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

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