

CLIENT ALERT

Federal Circuit Adopts Broad Standing in Set-Aside Challenge

September 4, 2015

In *Tinton Falls Lodging Realty, LLC v. U.S.* (Sept. 2, 2015), the Federal Circuit on review of a set-aside contract upheld a small-business determination concerning the awardee when challenged by a large business hoping to compete for the work. Of more general interest was Judge Chen's ruling upholding the large business's standing to pursue the protest, as, if it had been successful on the merits, no small businesses would have submitted qualifying offers and the agency might have reprocured on an unrestricted basis.

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

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