

# CLIENT ALERT

## GAO Finds Eight Days Insufficient for FPR Response

December 3, 2019

In a recently published decision, *MCR Federal, LLC*, GAO sustained a protest challenging the required response date for final proposal revisions in a task order procurement. Specifically, as part of its voluntary corrective action in response to an earlier post award protest by MCR, the agency issued MCR two “interchange notices” stating concerns related to experience levels and the contingent-hire nature of the majority of MCR’s proposed staffing, and permitting MCR two days to “either revise or confirm” its proposal. MCR again protested that the allotted two days were insufficient. In response, the agency extended the deadline to a total of eight days and then moved to dismiss. GAO declined to dismiss. Instead, it sustained MCR’s protest, finding eight days insufficient to provide MCR a fair opportunity to improve its proposal. Subsequently, GAO dismissed the agency’s reconsideration request and declined to recommend a specific time period for final proposal revisions.

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

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