

# CLIENT ALERT

## GAO Implements Changes to Bid Protest Process

April 6, 2018

On April 2, 2018, GAO published a [final rule](#), effective May 1, 2018, implementing the long-awaited Electronic Protest Docketing System (EPDS) allowing for the electronic filing and documentation dissemination for protests. In addition to implementing EPDS, the final rule includes other changes to “streamline the bid protest process.”

Notable changes to GAO’s protest process as a result of the rule include the following:

- Implementation of the [EPDS](#) as the **sole** method for filing unclassified GAO protests.
- Instituting a \$350 filing fee for all new protests.
- Clarifying that protests challenging solicitation improprieties that become known after the solicitation closes and without an amended closing date must be filed within 10 days of when the protester knew or should have known of the basis of protest.
- Clarifying the scope of GAO’s jurisdiction over the award of task/delivery orders and the propriety of an agency’s use of a non-procurement instrument to procure goods or services (*e.g.*, other transaction authority (OTA)).
- Requiring redacted versions of protected documents only when requested by another party.
- Requiring an agency that overrides CICA’s automatic stay to notify GAO of the basis of the decision or provide a copy of the decision itself.

To read more, [visit our blog post on the topic](#).

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

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