

CLIENT ALERT

GAO Sustains For Failure To Set Aside For Small Business

Oct.20.2004

In *Information Ventures, Inc.* (Oct. 8, 2004), GAO sustained a pre-award protest of an unrestricted procurement because the agency failed to take reasonable efforts to ascertain whether at least two small businesses were capable of performing the work, and, in fact, that the agency ignored known information that there were at least two small businesses that could have done so. Lesson learned from this case is that small businesses should carefully monitor the issuance of unrestricted procurements and object prior to the submission of proposals (due to strict GAO timeliness rules) if they believe that multiple small business are capable of performing the work. For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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