

CLIENT ALERT

GSBCA Rejects GSA's Defective Pricing Allegations

September 27, 2005

On September 21, 2005, in a far-reaching decision in *Viacom, Inc. v. GSA* (www.gsbca.gsa.gov/appeals/w1587121.txt), the General Services Board of Contract Appeals (GSBCA) sustained a contractor's appeal of a final decision that it had defectively priced a multiple-award-schedule contract for systems furniture. In this 55-page decision, the GSBCA concluded, inter alia, that GSA had failed to establish defective pricing because the undisclosed commercial discounts upon which it based its case were not for relevant products and that, even if GSA had demonstrated defective pricing, its method of calculating damages was unreasonable.

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

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