

CLIENT ALERT

Inexact IDIQ Exercise = Constructive Change

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In *General Dynamics C4 Sys., Inc.* (May 8, 2009), the Armed Services Board of Contract Appeals converted timely delivery order exercises by the Navy into constructive changes because they were sent by e-mail, when the contract specified that electronic delivery was only authorized if specified in the schedule and it was not. Analogizing to option exercises, the board instructed that an IDIQ order must be issued fully in accord with the contract or it is ineffective.

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

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