

CLIENT ALERT

NRO Prohibits Exclusive Teaming Agreements

June 9, 2004

The National Reconnaissance Office has adopted a clause prohibiting offerors on NRO procurements from entering into exclusive teaming agreements, based upon a determination that "such arrangements unduly limit competition." N15.209-70(i), prescribing N52.215-020, "Exclusive Teaming Prohibition (May 2004)." By contrast, having received comments that it could have the effect of impairing legitimate, pro-competitive teaming arrangements, DOD in April 2002 withdrew a proposed DFAR that would have required contracting personnel to refer to the Justice Department exclusive teaming agreements that they considered to be "anti-competitive," finding that there was no demonstrated need for such a regulation.

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

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