

# CLIENT ALERT

## Past Performance Formula For Disaster

**March 21, 2006**

In *United Paradyne Corp.* (Mar. 10, 2006, <http://www.gao.gov/decisions/bidpro/297758.pdf>), GAO sustained a protest of the Air Force's past performance evaluation based on its mechanical application of an irrational, mathematical formula. The Air Force's method, which independently rated the relevancy and quality of each offeror's past performance reference, improperly (1) penalized offerors for identifying less relevant past performance even when additional, relevant references had been submitted; and (2) assigned equal weight to both highly relevant and non-relevant past performance.

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

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