

CLIENT ALERT

Post-Award Challenge to Solicitation Defect Upheld

June 15, 2015

In *Per Aarsleff A/S v. United States* (June 5, 2015), the Court of Federal Claims sustained protests against the Air Force's award of a contract to operate, maintain, and support an air base in Greenland and enjoined performance by a Danish subsidiary of an American company when the court interpreted an eligibility requirement to prohibit award to non-Danish primes. The court rejected the Air Force's argument that the rule of *Blue & Gold Fleet* barred offerors from raising the solicitation defect post-award, because the ambiguity was latent and the Air Force had discovered it three months prior to award but had failed to correct it.

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

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