

CLIENT ALERT

Request For Clarification Amounts To Discussions

Aug.04.2006

In *University of Dayton Research Institute* (June 15, 2006, <http://www.gao.gov/decisions/bidpro/2969466.pdf>), the GAO found that an agency's request for vendors to clarify certain discrepancies in their proposed rate tables constituted discussions because the proposal discrepancies were so material that the agency could not conduct a price evaluation without the clarifications and the corrections resulted in significant changes to the proposed prices. As a consequence, GAO held that the agency was required to conduct meaningful discussions with all offerors in the competitive range, which it had not done with the protester.

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

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