

CLIENT ALERT

Restricted Recompetition Given Close Scrutiny

June 13, 2006

The Court of Federal Claims in *Chapman Law Firm Co. v. U.S.* (June 7, 2006) short-circuited HUD's attempt to restrict a recompetition of a small business set-aside competition to a single contractor when its initially successful challenge of the size status of its competitor had been overturned by the SBA on appeal. Judge Wheeler, in one of his first bid protest cases since taking the bench, acknowledged that a literal reading of the regulation would perhaps have allowed HUD to ignore the SBA's decision on appeal, but he rejected that reading because it would have violated CICA's overarching goal of full and open competition to the maximum practical extent when no purpose would be served by excluding the other competitor.

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

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