

## CLIENT ALERT

### Strict Application Of Micro-Purchase Exception Sinks Award

April 15, 2010

In *Rapiscan Sys., Inc.* (Mar. 15, 2009), a case handled by C&M, GAO sustained a protest of the award of a purchase order under a Federal Supply Schedule ("FSS") solicitation when the awardee's FSS contract did not include one of the solicitation's required line items. Although the awardee priced the non-FSS item at \$0, GAO concluded that the micro-purchase exception did not apply, because the vendor's quotation also stated that the non-FSS item's price (which exceeded the \$3,000 micro-purchase threshold) was included in the price of an FSS item.

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

**Daniel R. Forman**

Partner – Washington, D.C.  
Phone: +1.202.624.2504  
Email: [dforman@crowell.com](mailto:dforman@crowell.com)

**Jonathan M. Baker**

Partner – Washington, D.C.  
Phone: +1.202.624.2641  
Email: [jbaker@crowell.com](mailto:jbaker@crowell.com)