

CLIENT ALERT

Task Order Protest as Breach at The ASBCA

May.28.2008

In *L-3 Communications Corp.*, ASBCA No. 54920 (May 5, 2008), the Armed Services Board of Contract Appeals upheld the challenge to the award of a task order for the development and support of F-15 training devices under a breach of contract theory, finding that the cost evaluation approach used by the Air Force denied L-3 its contractual right to a "fair opportunity to be considered." The Board awarded L-3 its bid and proposal costs, but rejected the claim for lost profits and other damages, finding that L-3 had not proven that, but for the evaluation error, it would have been awarded the contract.

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

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