

CLIENT ALERT

Tech Bundling Justified For Emergency Situations

January 2, 2009

In *CHE Consulting, Inc. v. U.S.* (Dec. 30, 2008), the Federal Circuit upheld the Navy's bundling of hardware and software maintenance for a complex computer system under an FSS buy. While many agencies buy these separately and GSA initially declined to bundle in this instance, the court upheld the Navy's rationale that it could not afford the time to analyze the source of equipment problems or the risk that two different maintenance contractors would be pointing at each other about who was responsible for fixing the problem, given the time-critical information it provided to the fleet in emergency situations.

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

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