

CLIENT ALERT

The Sun Has Not Set On Protests Of Civilian Agency Task Orders

Jun.14.2011

In *Technatomy Corp.* (June 14, 2011), GAO ruled that the sunset provision contained in the 2008 amendments to the Federal Acquisition Streamlining Act ("FASA") for GAO's civilian task order protest jurisdiction applied not only to the provisions granting GAO exclusive jurisdiction over protests of task order awards in excess of \$10 million, but to the entirety of subsection 41 U.S.C. § 253j(e), and, therefore, GAO's jurisdiction over protests of task or delivery orders essentially reverted to the jurisdiction that previously existed under CICA (pre-FASA), under which there is no jurisdictional distinction between protests of awards of contracts and of task orders. The net effect is that any task order award of any value pursuant to a civilian agency contract is subject to the protest jurisdiction of GAO and possibly of the Court of Federal Claims, to the extent that court agrees with GAO's ruling. For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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