

## CLIENT ALERT

### Unduly Restrictive Specification Requires Redo

Mar.24.2015

In *Smith and Nephew Inc.* (Jan. 2, 2015), publicly released this week, GAO sustained a pre-award solicitation protest alleging that the VA had unduly restricted competition with an unnecessary specification requirement. GAO concluded that the "minimum fluid absorption rate" for medical bandages demanded by the VA was not based on any demonstrable agency need, was predicated on one repudiated test study by a single contractor, and could not be met by any commercially available product in the marketplace.

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

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