KT Client Success | Government Contracts Team Wins Another GAO Bid Protest

FEBRUARY 21, 2019

KILPATRICK TOWNSEND

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Kilpatrick Townsend's Government Contracts Team continued its winning streak in the bid protest realm on both domestic and international matters. Most recently, our team — led by **Larry Prosen** with support from **Gunjan Talati**, **Nick Nieto**, and **Jarett Dillard** — successfully defended an award for Facilities Development Corporation (FDC), against a bid protest filed by GloTech at the U.S. Government Accountability Office (GAO). This contract in question involved a multiple-million dollar, high-visibility, and high security contract by the U.S. Department of State for the rehabilitation, upgrading, and modernization of its telecom and IT infrastructure at the U.S. Embassy in Cairo, Egypt. After the State Department awarded the contract to FDC, GloTech filed a protest alleging a number of items, including that FDC was not properly prequalified under the Omnibus Diplomatic Security and Antiterrorism Act of 1986, which mandates that the State Department contract with U.S. persons and entities to perform construction and related work on embassy projects. In response, the team assisted the State Department in establishing that State did, in fact, properly prequalify FDC, while also demonstrating that FDC brought the requisite prior experience at the dollar amount assigned (at least $18 million on prior projects). **Click here to read the GAO decision.**

The FDC victory culminates a very robust bid protest "season" (there is typically an uptick in bid protests soon before the federal fiscal year ends on September 30), where our team won a number of important protests — both as the protestor and as the intervenor. As a protestor, we have obtained many affirmative or corrective actions by the GAO despite a less than an 18 percent chance of a protest being sustained per GAO statistics. Likewise as the intervenor, we have successfully intervened to support GAO's award decisions for many of our awardee clients as demonstrated in GloTech protest.

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