

## Judge Rules in Favor of Alliant Protesters – Federal Times 3-6-08

### Federal judge says GSA erred in Alliant contract awards

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The General Services Administration improperly evaluated eight bids from vendors for its \$50 billion Alliant information technology contract last year, denying some better-priced contractors a piece of the business, the U.S. Court of Federal Claims has ruled.

The court barred GSA from doing business under the Alliant contract until it makes amends with the eight protesters improperly excluded from the GSA contract. The court is leaving it up to GSA and the protesters to determine that solution.

The protesters — THE CENTECH GROUP, Serco, CGI Federal, Advanced Technology Systems, STG, Artel, Apptis and Nortel Government Solutions — argued they were improperly denied contracts even though they had better prices than some of the winners. The court agreed.

“GSA, in attaching talismanic significance to technical calculations that suffer from false precision, made distinctions that, in their own right, likely were arbitrary, capricious and contrary to law,” Judge Francis Allegra wrote in an opinion unsealed on March 5. “The agency failed adequately to account for price and to make appropriate trade-off decisions.”

Three of the winners — CSC, SAIC and ManTech — were priced 59, 60 and 61 out of 62 bidders and had prices that were twice as high as the lowest winning offer and 30 percent higher than the government’s cost estimate, according to court documents. THE CENTECH GROUP ranked as the most expensive of the protesters at 56.

GSA awarded Alliant to 29 major IT firms in August. It has been held up by protests ever since. GSA will abide by the court decision in order to move forward with the program, said Dirk Fillpot, a GSA spokesman. GSA did not provide details about how it plans to resolve the matter.

Max Kidalov, vice president and general counsel of THE CENTECH GROUP, said one way to resolve the matter is for GSA to award Alliant contracts to all parties involved in the case. It is in the interest of all involved to settle the case soon, he said.

“GSA needs the Alliant program for its operations to be financially sustainable, and industry also needs the Alliant program,” Kidalov said.