

PRESS RELEASE

# Wiley Rein Represents M7 Aerospace in Successful Bid Protest of Navy Contract

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## Press Contact

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*Washington, DC*—Wiley Rein, on behalf of client M7 Aerospace LLC, successfully protested the award of a \$181 million U.S. Navy contract for aircraft maintenance services. The U.S. Government Accountability Office (GAO) sustained M7's protest, finding that the Navy had selected the bidder with the lowest price without conducting a meaningful evaluation of the technical differences between the offers. In a decision made public last week, the GAO said the Navy's finding that all offers were technically the same was "completely lacking in documentation." The contract was awarded to another company in a competition to secure work related to maintenance of and logistics support services for the Navy's fleet of F-5 "adversary" aircraft.

According to the GAO, there was a lack of in-depth analysis by the Navy in its conclusion that all six bidders—including the awardee—had equal technical capabilities. The Navy's evaluation documents describing the offerors' proposals were in many cases "word-for-word identical" according to the GAO, and therefore the decision was based in large part on price. The GAO also found that the staffing proposed in the awardee's proposal was significantly lower than M7's proposal, and may have partly accounted for the pricing difference.

The GAO recommended that the Navy reimburse M7's protest costs and re-evaluate the technical proposals of the offerors in order to make a new award decision.

## Related Professionals

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## Practice Areas

Bid Protests

Government Contracts

The GAO decision was covered by *Law360* (subscription required), *Inside Defense*, and *PubKLaw*.

The Wiley Rein Government Contracts Practice team representing M7 Aerospace LLC in the case is led by partner Paul F. Khoury, along with associates Tara L. Ward and Samantha S. Lee.

Wiley Rein has one of the most active and well-respected bid protest practices in the nation, one that is widely regarded as the Government Contracts Group's "forte" according to *Chambers USA*, which consistently ranks it in the No. 1 band nationwide. The team regularly represents companies either challenging or defending procurement procedures or contract awards in bid protests before contracting agencies, the GAO, the U.S. Court of Federal Claims, and the U.S. Court of Appeals for the Federal Circuit.