

# Agency-level protest vs gao protest

Law



Few agencies make their agency-level statistics available, so the data is lacking to track trends and draw conclusions concerning agency protest handling. (Nacke & Ralston 2011) The United States Government Accountability Office (GAO) is another protest agency that provides a venue for companies to protest a government agency's actions during the procurement process. GAO protest must contend a violation of procurement statute or regulation.

This protest often involves claims that the agency inappropriately applied evaluation factors, inappropriately conducted a cost/technical trade off, the awardee's proposal is non-responsive, and the agency conducted improper discussions with the offerors. Grounds protested to the GAO are often found during debriefs. The offeror's right to debriefs for negotiated procurements is addressed at FAR 15. 505 and 15. 506.

Generally an offeror has 3 days to submit a written request for debrief. Timing in submitting your protest to the GAO is crucial whether you protest on the terms of solicitation or not receiving award on a contract. If you wait too long, you will lose your right to protest. The deadline for filing a GAO protest depends upon when the impropriety became readily understood. Protest grounds related to the terms of solicitation must be filed prior to the due date for bid opening.

If protest is based upon the agency's evaluation, it must be filed within 10 days if when the protester knew (or should have known) about the grounds for protest. If there is a right to debriefing and the protester requests such, the protest must be filed within 10 days if debriefing. Intended awardees of a contract that is the subject of a GAO protest have rights to intervene in the <https://assignbuster.com/agency-level-protest-vs-gao-protest/>

protest, this is important because it allows you the ability to monitor the protest and respond to the arguments made by the protestor.  
(agencyprotest.com)