

MEDIA MENTION

Brian Walsh is Quoted in Two Articles, Sharing Tips for Arguing GAO Bid Protests

Law360

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Brian Walsh, an attorney in Wiley Rein’s Government Contracts Practice, was quoted by *Law360* in two articles about strategies for arguing bid protests before the U.S. Government Accountability Office (GAO).

The GAO will pay close attention to an argument that a contracting agency’s discussions were inadequate or were not held on equal footing, according to a March 11 article. Mr. Walsh said the GAO looks at such arguments to ensure fair and meaningful discussions, and they may also bring an advantage after the protest, when the contracting agency addresses the GAO’s recommendations.

“If you’re successful on a discussions protest ground, one of the things that GAO will usually recommend is the reopening of discussions, which gives you a chance to revise your proposal”—and that can make the offeror more competitive, Mr. Walsh said.

In a March 14 *Law360* article, Mr. Walsh said allegations of bias are among arguments that should be avoided in bid protests. He said he counsels clients against alleging that a contracting agency is out to get them, especially if that’s the only argument against an unfavorable contracting decision. “There’s not much room in GAO’s case law for a protest to be sustained on the basis of finding that the agency was somehow biased,” Mr. Walsh said.

The *Law360* articles can be found [here](#) and [here](#).

Related Professionals

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Practice Areas

Bid Protests
Government Contracts