

Hawker Beechcraft Lawsuit Halts Air Force Work

Roxana Hegeman, Associated Press

WICHITA, Kansas (AP) — The U.S. Air Force has halted work on a \$354 million contract for light air-support turboprops after Hawker Beechcraft Corp. filed a lawsuit claiming its own aircraft was wrongly excluded from the selection process.

The contract was awarded Dec. 22 to Nevada-based Sierra Nevada Corp., which was to work with Brazil-based Embraer, which makes the single-engine Super Tucano turboprop. Hawker Beechcraft sued last week after the government dismissed its protest over being blocked from the contract.

"The Air Force is confident in the merits of the contract award decision and we expect the litigation will be quickly resolved," Lt. Col Wesley P. Miller told The Associated Press on Thursday. "We are trying to do everything we can to do this right and make sure that it is done because the thing to keep in mind is that this contract is a wartime support contract for a partner in conflict — and so involves a sense of urgency and mission accomplishment."

The Air Force said Thursday it does not know how long the temporary stop order, issued Wednesday, would stay in effect. It said that is predicated on what happens at the U.S. Court of Federal Claims, where Hawker Beechcraft filed suit.

At stake is what company will build the light air-support (LAS) aircraft, a single-engine turboprop supporting the security effort in Afghanistan. The Air Force said that the competition and evaluation process were "fair, open and transparent." Sierra Nevada plans to do the work in Sparks, Nevada, and Jacksonville, Florida. Wichita-based Hawker Beechcraft contends its AT-6 aircraft was wrongly excluded from the competition.

"If this will lead to a more transparent process, then it's a step in the right direction," Hawker Beechcraft said in a statement Thursday in response to the Air Force decision to halt work on the contract. "We strongly believe we have a more capable and lower-cost aircraft. Importantly, it is also built right here in the United States."

Sierra Nevada said in a statement Wednesday that it was excited to have been awarded the contract as a result of a "fair and open competition" and after a favorable review by the Government Accounting Office.

"We remain confident that the issue will be resolved expeditiously," Sierra Nevada said. "These critical LAS capabilities need to be made available soon in order to support our men and women in uniform and our partners in Afghanistan. The A-29 Super Tucano, built in America, is the right solution for the LAS mission."

Embraer declined to comment on the suspension of work.

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The Government Accountability Office in its decision noted that the Air Force, after reviewing responses to issues raised in discussions with the company, concluded that Hawker Beechcraft did not adequately correct deficiencies in its proposal. The agency concluded that multiple deficiencies and significant weaknesses found in Hawker Beechcraft's proposal "make it technically unacceptable and results in unacceptable mission risk."

Hawker Beechcraft CEO Bill Boisture and U.S. Rep. Mike Pompeo planned a news conference Friday to talk about the developments. U.S. Sen. Pat Roberts said Hawker Beechcraft deserves more answers as to why it was excluded from the competition. "On every turn, the Air Force has denied the company and the congressional delegation the opportunity to understand why it made the decision," Roberts said in a statement.

The company has said it requested a temporary restraining order to keep the Air Force from moving forward on the contract. The court agreed to establish an accelerated schedule for hearings on that request with a ruling expected later this month.

Miller said the Air Force decided put its own stop work order in place before the court ruled on the temporary restraining order.

The Air Force said the LAS program is important in the security effort for the Afghanistan government.

"Their success certainly benefits all of us and the sooner we can get this aircraft to the war fighter, the better," Miller said. "And so we want to make sure we do everything right."

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