

IN THE UNITED STATES COURT OF FEDERAL CLAIMS
(BID PROTEST)

NIGHTWING INTELLIGENCE)	
SOLUTIONS, LLC,)	
)	
Plaintiff,)	
)	
v.)	No. 25-112C
)	(Judge Somers)
THE UNITED STATES,)	
)	
Defendant,)	
)	
and)	
)	
LEIDOS, INC.,)	
)	
Defendant-Intervenor.)	

DEFENDANT’S STATUS REPORT

Pursuant to the Court’s Order dated April 9, 2025 (ECF No. 40), defendant, the United States, hereby provides a status report regarding the status of the procurement at issue in this bid protest.

The Department of Homeland Security (DHS) has undertaken a review of the Agile Cybersecurity Technical Security (ACTS) contract at issue in this protest and determined that the agency’s requirements with respect to its IT and cybersecurity service needs have significantly changed in light of organizational changes and changes in priorities, unrelated to the protest, that have occurred since the ACTS solicitation was issued.

As a result of this review and determination, DHS has terminated for convenience the ACTS IDIQ contract and associated transition planning task order awarded to defendant-intervenor, Leidos, Inc., effective May 8, 2025. The agency does not intend to make another contract award under the ACTS solicitation but is conducting acquisition planning to determine

the best means of fulfilling its future requirements. Leidos was notified of the termination on May 8, 2025. Plaintiff, Nightwing Intelligence Solutions, LLC, was informed of the termination on May 9, 2025.

In light of the agency's termination of the ACTS contract and its intent to engage in new acquisition planning, it is the Government's position that this protest is now moot and we intend to file a motion to dismiss to that effect if the protest is not voluntarily dismissed.

Respectfully submitted,

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s/ Douglas K. Mickle
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