

GOVERNMENT CONTRACTS

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Our government contracts attorneys provide the full range of government contracting counseling and litigation services to help clients achieve their business goals and remain in compliance with the complex laws and regulations that define working with the government.

We represent government contractors of all sizes, from enterprising start-ups to large, prime contractors and span virtually all industries – defense and aerospace, intelligence, information technology, professional services, health care and construction services. Our clients rely on our depth of legal knowledge, decades of experience and sound business judgment to counsel them throughout the life cycle of government procurement. We help clients with evaluation and response to solicitations, bid protests, requests for equitable adjustments, government claims and terminations, suspensions and debarments, and other forms of disputes and litigation. Our attorneys also help clients with teaming arrangements, strategic alliances and joint ventures and subcontracting, mergers & acquisitions, navigating the complex regulatory environment, including small business regulations, ethics advice and compliance audits and plans.

In addition to their legal expertise, our attorneys – many of whom have experience as lawyers with our Armed Forces, as procurement officers or in other positions within the public sector—offer deep knowledge of how to work with government agencies, thereby helping them navigate with ease and confidence. Such expertise assists clients to prepare winning proposals and resolve disputes during performance of contracts without litigation. When necessary, this means protecting our clients' interests through prosecuting or defending bid protests before the Government Accountability Office, the U.S. Court of Federal Claims, the Small Business Administration Office of Hearings and Appeals. We also represent clients in prosecuting or defending disputes before the U.S. Court of Federal Claims, the Armed Services Board of Contract Appeals, the Civilian Board of Contract Appeals and the FAA Office of Hearing Appeals.

AREAS OF CONCENTRATION

- Responding to Federal Solicitations
- Bid Protests
- Claims and Appeals
- Corporate Issues, Mergers & Acquisitions and Due Diligence
- Cost Accounting and Cost Allowability

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- **Data Rights and Protection of IP and Trade Secrets**
- **Employment Issues in Government Contracting**
- **Ethics and Compliance Programs**
 - Service Contract Act (SCA)
 - Davis-Bacon Act and Related Acts (DBRA)
 - Affirmative Action Plans
 - Ethics Plans
 - Organizational Conflict of Interest (OCI) Plans
 - Personal Conflict of Interest (PCI) Plans
- **Government Claims and Terminations**
- **Internal Investigations and False Claims Act**
- **Regulatory and Procurement Counseling**
- **Requests for Equitable Adjustment, Claims and Disputes Litigation**
- **Small Business Programs**
 - SBA 8(a) Business Development Program
 - SBA HUBZone Program
 - SBA Service-Disabled Veteran-Owned Small Businesses (SDVOSB)
 - SBA Women-Owned and Economically-Disadvantaged Women-Owned Small Businesses (WOSB)
 - U.S. Department of Transportation Disadvantaged Business Enterprise (DBE) program
 - U.S. Department of Veterans Affairs Veteran-Owned and Service-Disabled Veteran-Owned (VOSB) Businesses
 - District of Columbia's Small and Local Business Development's certification program
 - Maryland's Minority/Disadvantaged Business Enterprise program
 - Virginia's Small, Women-owned, and Minority-owned Business (SWaM) certification program
- **Suspension and Debarment**
- **Teaming Arrangements and Subcontracting**
 - Teaming Arrangements
 - Subcontracts
 - Strategic Alliances
 - Joint Venture Agreements
 - Mentor-Protégé Agreements
- **Whistleblower Defense**

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Representative Matters.

A small business client lost a \$75M contract for IT services and hardware to a company that was using a small business contractor as a front. We protested the size status of the awardee and the SBA determined it was not small due to affiliation with a large business to the award was cancelled and the contract awarded to our legitimate small business client. A large business client who discharged a mid-level manager was faced with false allegations of committing fraud under Government contracts and threatened with a qui tam false claims law suit. We thoroughly investigated the allegations and established extensive facts refuting the false claims allegations and provided a complete report to the U.S. attorney. The threatened false claims suit was never filed.

A small business client lost a multi-million dollar service contract it had been performing for five years due to bias on the part of Government personnel. A GAO protest was sustained and the agency told to reevaluate the proposals and make a new award. When the agency tried to cancel the solicitation rather than comply we filed a protest at the U.S. Court of Federal Claims, were allowed to take discovery and prove the agency had no legitimate basis to cancel the solicitation. The Court even issued an injunction prohibiting three Government officials from further involvement in the reevaluation. We also sought and recovered 100% of the legal fees incurred by our client prosecuting the protest.

A small business client providing intelligence training services to military special forces at a specially built facility had its contract terminated for convenience when the military activity moved from the Washington, DC area. Then the Government used our client's proprietary information to duplicate a new training facility. We prosecuted a claim for the misappropriation of this proprietary information and negotiated a favorable settlement.

A large business providing services to the Federal agencies was excluded from a follow-on contract. After two GAO and two U.S. Court of Federal Claims protests the client was awarded a new contract to provide services to Federal civilian agencies under task orders for the next 15 years.