



FEDERAL CONTRACTING, PROCUREMENT AND NATIONAL SECURITY

Making An Impact

Barnes & Thornburg's Government Contracting team's extensive experience in government contract law enables us to help clients identify, create and shape business opportunities throughout the government contracting and national security sectors. We can advise you on the federal, state and local laws pertaining to procurement and publicly funded projects, and we are committed to supporting, preserving and expanding commercial relationships at all levels of government.

Our team can provide you with advice regarding virtually every aspect of government contracting, procurement and the security-related issues and we are often called upon to identify initial requirements and funding, as well as to identify and develop contracting vehicles that allow our clients the opportunity to fulfill the governments' needs. We understand a multitude of contracting vehicles, including General Services Administration schedule contracts, broad agency announcements, indefinite delivery and quantity contracts, and other transaction agreements, as well as fixed-price and cost-type agreements.

We will work closely with your team to review, design, implement and improve compliance programs and procedures to minimize potential problems. We can also assist with solicitation reviews and proposal preparation. Once the contract is awarded, we will partner with you to execute subcontracts, advise on matters of contract administration and, when necessary, resolve contract disputes and litigation claims. We can also conduct internal and external audits, resolve cost issues, advise on bid and proposal analysis and preparation, and pursue (or defend) bid protests.

In addition, we can guide your team through cost accounting standards and cost allowability, internal investigations, cybersecurity challenges,

Why Barnes & Thornburg?

Finding new ways to help clients identify solutions and new business opportunities, across industries, is at our core. We are, at times, more than lawyers, we are advisers bringing new ideas to light. We understand what keeps you up at night and work collaboratively to find practical and creative solutions, at the heart of business.

RELATED PRACTICES

Construction

Corporate

Creditors' Rights, Restructuring and Bankruptcy

Data Security and Privacy

Environmental

Government and Public Finance

Intellectual Property

International Trade

Labor and Employment

Life Sciences

Public Policy and Lobbying

Tax

White Collar and Investigations

domestic preference matters, export control issues and Committee on Foreign Investment in the United States (CFIUS) reviews. We advise on false claims and Foreign Corrupt Practices Act (FCPA) matters, as well as Freedom of Information Act, U.S. Foreign Military Sales (FMS) and Foreign Military Financing (FMF) program issues. Furthermore, we advise on renewable energy and energy savings contracts, white collar issues, suspension and debarment, technical data rights and the protection of critical intellectual property.

Our dedication, experience, responsiveness and the ability to work seamlessly with colleagues in closely related practice areas allow us to identify potentially difficult or thorny issues early on so that we can address and overcome sensitive legal and business concerns before progress is obstructed. Our capabilities include:

Audits

Assist in pre- and post-award audits and guide clients through investigations by the Defense Contract Audit Agency, inspectors general and other auditing authorities at the federal and state levels.

Bid Protests

Represent clients concerning solicitation and award improprieties and those who need to challenge or defend a contract award before the U.S. Government Accountability Office, U.S. Court of Federal Claims, Small Business Administration Office of Hearings and Appeals, and the Federal Aviation Administration's Office of Dispute Resolution for Acquisition (ODRA).

Commercial Products and Services

Assist government suppliers with single- and multiple-award federal supply schedule contract programs and task order agreements involving delivery or task orders, including flow-down clauses for subcontractors and establishing compliance programs, creating terms and conditions, and drafting licensing agreements for government customers.

Contract Claims

Defense, prosecution and early resolution of claims involving acceleration, breach-of-contract, changes, delays and related costs, pricing, and scheduling brought before boards of contract appeals, the U.S. Court of Federal Claims and appellate tribunals.

Domestic Preference Requirements

Advise on domestic preference requirements, including Buy America provisions for federal financial assistance and the Berry Amendment, Buy American and the Trade Agreements acts for procurement.

Mergers and Acquisitions (Transaction Counsel and Due Diligence)

Conduct due diligence for both buyers and sellers involved in doing business with the government. Focus on minimizing the risks inherent in mergers, acquisitions, dispositions and the like, including advice pertaining to pre- and post-transaction notice requirements.

Proposals

Analyze contract risks, ambiguities, technical data rights and computer software issues and help prepare solicitation responses, proposals, bids and quotations. Draft and implement procurement policies and procedure-focused compliance programs.

Suspension and Debarment

Assist clients in managing disclosures to agency suspending and debarring officials and in preventing suspension or debarment, including negotiating agreements in lieu of debarment and working with agency professionals to identify problems and implement safeguards.

Practice Leaders



**Scott E.
Pickens**

Partner

P 202-371-6349

F 202-289-1330