

OUR PRACTICE

Government Contracts

Baker Donelson's government contracts team represents clients in all aspects of government contracting at the federal, state and local levels.

Our team of more than 35 lawyers advises clients throughout the southeastern United States as well as clients with national markets.

Types of clients. Among our clients are companies providing a wide range of goods and services to the government including in the areas of aerospace and defense, information technologies, nuclear and alternative energy, construction, environmental protection and remediation, and disaster recovery.

Procurement. We represent government contractors in virtually every phase of the procurement process, including submission of bids, negotiation of proposals and subcontracts, bid protests, joint ventures and teaming agreements, financing, cost and pricing data questions, and contract performance and claims resolution. We advocate in litigation matters on behalf of government contractors in state and federal courts, and assist with avoidance of suspension and debarment for ethical and contract integrity concerns.

Small business contracting. Lawyers on our team provide counsel on set-asides and preferences for small and disadvantaged businesses, as well as veteran-owned and HUBZone contractors.

Employment and prevailing wage requirements. We advise on employment matters unique to government contractors including affirmative action plans and compliance with minimum and prevailing wage requirements. We also represent and defend clients facing audits by the U.S. Department of Labor and compliance reviews brought by the Office of Federal Contract Compliance Programs (OFCCP) related to the Service Contract Act and Davis-Bacon Act issues.

Sourcing compliance. Our team provides counsel on laws and regulations governing the sourcing of materials used in government contracts including the U.S. General Services Administration Federal Supply Schedule, the Buy American Act and Trade Agreements Act.

Mergers and acquisitions. We advise on the full range of legal issues which arise when government contractors engage in mergers and acquisitions.

Investigations and dispute resolution. The attorneys on our team counsel clients regarding civil and criminal investigations and internal investigations associated with government contracts, performance and termination disputes arising from prime contracts and subcontracts, and claims brought by the federal government under the False Claims Act. We have litigated claims in state and federal courts, including the U.S. Court of Federal Claims and various Boards of Contract Appeals.

Public policy and government relations. When the law or regulations governing government contracts are unclear or need to be changed, our public policy advisors have solid and longstanding relationships with government decision makers.



Representative Matters

- Representation of aerospace contractors in support of major NASA projects including the International Space Station, the Space Shuttle Program, and SOFIA, the world's largest airborne observatory.
- Lead Counsel for largest (\$1 billion) Hurricane Katrina government contractor.
- Represented clients in Department of Defense battlefield contracting in Iraq and Afghanistan.
- Represented clients in multiple bid protests before the Government Accountability Office (GAO), multiple state procurement departments, municipal governments, and in court.
- Represented a client before the Armed Services Board of Contract Appeals (ASBCA) relating to an affirmative government claim, which resulted in the client achieving a six-figure reduction in costs under a contract.
- Assisted various clients with developing ethics and compliance programs tailored to government contractors, including the preparation of codes of business conduct and conducting ethics and compliance training to teach employees about various FAR and agency acquisition regulation requirements.
- Provided advice regarding Service Contract Act wage issues involving food-service contracts on military bases.
- Advised clients with respect to Davis-Bacon Act record keeping and wage requirements for VA hospital construction.
- Advised clients with respect to conformance process for service contracts.