



Government Contracting

Our clients who provide products and services to governments must contend with ever-changing procurement rules and regulations. Many opportunities are open to them but they are accompanied by legal consequences for everyone involved.

The global financial crisis has placed intense pressure on governments to tackle major budget deficits and debt burdens. As a result, competition for contracts is fierce, bid costs are high and the financial terms imposed on contractors are demanding. International procurement regimes bring their own challenges for non-compliance for both contractors and government customers.

To help our clients meet these challenges, our government contracting practice has grown to become one of the largest of its kind in the world. Unlike many others, we act for both governments and global contractors on their contracting and procurement requirements.

We provide tailored advice and legal services on virtually every aspect of government contracting and public procurement, from bid strategy through to potential challenge. These services include: preparation of strategic alliance agreements and teaming arrangements; bid protests and challenges; and contract administration and claims. Our lawyers also litigate contract disputes and claims involving contractors.

- IT procurement: The UK government turned to us for advice on the world's largest civil information technology procurement
- IP: When two federal contractors went to court in a dispute between them, we were called by the defense to testify as an expert witness on its intellectual property. The US jury found in favor of the defense on all nine counts, including all government contract IP issues.
- Data protection: We advised a global aviation company on the data security and protection survey of data protection requirements in public contracts covering 40 countries
- PPP: We advised a global defense company on a public-private partnership with the UK's Ministry of Defense to modernize their search and rescue helicopter program
- Procurement: A Canadian pharmaceuticals company needed help dealing with various aspects of European Union procurement law. We helped it prepare and submit a vaccines tender to the UK Purchasing and Supply Authority.
- Defense: We advised the Australian Defense Force on the US\$3 billion Amphibious Ships

KEY CONTACTS

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RELATED SECTORS

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Project

- FCPA: Our lawyers represented a global defense contractor facing an FCPA subpoena concerning allegations of improper payments in Africa over six years. The US government dropped all charges.

INSIGHTS

Publications

Boardroom Brexit: What the deal means for funding and procurement

31 December 2020

BOARDROOM BREXIT

The TCA provides last-minute clarity for UK companies and organisations that participate in EU funded projects, or receive funding and investment through EU programmes, such as Horizon Europe.

Contracting for the climate: The Climate Contract Playbook is a trove of climate clauses

11 November 2020

Contracts have become an essential vehicle for companies seek to mitigate their environmental risks and limit their carbon footprints.

Cost-cutting considerations in the time of COVID-19 (Part 3 – employment issues outside the US)

7 April 2020

A deeper dive into various cost-saving measures and their viability for employers outside the US.

A balance between the government, the private sector and the needs of the people: Invocation of rarely used provisions to ensure public safety during the COVID-19 pandemic

6 April 2020

The Defense Production Act, compulsory licensing and march-in rights are means for authorizing the government to step in and assert rights against private companies.

COVID-19 and the "essential business" designation: Practical guidance for businesses that fall in the gray area between "essential" and "non-essential"

6 April 2020

Certain frequently asked questions as well as practical guidance.

Beyond social distancing: What employers need to know to keep their workplaces safe and manage privacy obligations in the face of COVID-19

2 April 2020

Guidance from OSHA, EEO and CDC to help employers seeking to protect the health, safety and privacy of their on-site employees.

Coronavirus: Cybersecurity considerations for your newly remote workforce (United States)

31 March 2020

Cyber risk management involves balancing the productivity of a workforce with ensuring confidentiality, integrity and availability of the company's own systems and data, as well as that of their supply chain.

Coronavirus: DHS Response to COVID-19 - What US Employers Need to Know

29 March 2020

Key questions and answers related to the new DHS guidance.

Coronavirus: Cyber hygiene practices

25 March 2020

While the world is responding to the coronavirus disease 2019 (COVID-19), and individuals are increasingly focused on personal hygiene and social distancing, augmenting cyber hygiene efforts at home and at work are increasing in importance too.

Coronavirus: Employee furloughs, reductions-in-force and similar temporary cost-saving measures (Part 2 – Employment issues outside the US)

25 March 2020

A general overview of key employment issues to consider outside of the US in light of COVID-19.

Coronavirus: Employee furloughs, reductions-in-force and similar temporary cost-saving measures in the US - Part 1

25 March 2020

Key employment-related issues for US-based employers in relation to cost-saving measures due to COVID-19.

Coronavirus: Several state and local governments issue “shelter in place” orders (United States)

23 March 2020

Between March 17 and 22, state and local governments have promulgated at least a dozen “Stay-at-Home” / “Shelter-at-Home”-type Orders. This alert provides details on a number of state and local government orders.

Coronavirus: executive summary - key highlights from Washington (March 19, 2020) (United States)

19 March 2020

Key highlights for March 19, 2020.

Coronavirus: federal and state tax relief (United States)

16 March 2020

Congress and state legislatures and administrative agencies are working hard to provide necessary tax relief for those affected by the coronavirus disease (COVID-19) pandemic.

Coronavirus (COVID-19): ten practical steps for global employers, right now (Global)

13 March 2020

These steps are not based on laws of any one jurisdiction but rather are designed to provide a global employer with themes to consider, understanding that what may be suitable for each employer may vary greatly depending on the employer's unique circumstances.

Coronavirus COVID-19 and corporate governance (Australia)

18 February 2020

The coronavirus COVID-19 outbreak and ensuing government restrictions raise corporate governance concerns and create areas of risk across the ESG spectrum that should be considered by companies and their directors and officers.

An update on the impact of the coronavirus on business in Singapore

12 February 2020

Due to the evolving 2019-nCoV acute respiratory disease (the COVID-19) situation, the Ministry of Health (the MOH) and the Ministry of Manpower (the MOM) have, since January 2020, issued advisories which employers will need to be aware of. In particular, the MOH and MOM have, since our last update on February 12 2020, updated and issued new advisories due to the increased risk of importation of COVID-19 into Singapore.

Coronavirus COVID-19: The legal impact on force majeure events (Australia)

12 February 2020

Key considerations for parties that may wish to declare a force majeure event or dispute the declaration of a force majeure event by a counterparty in relation to coronavirus COVID-19.

Commerce imposes export licensing requirement on geospatial imagery software

8 January 2020

Companies that produce, design, test, manufacture, fabricate, or develop a software described in the new controls may now be operating within the category of "critical technologies" as defined in CFIUS regulations.

EU launches preparatory work for a global sanctions regime for human rights violations

17 December 2019

On 9 December 2019, High Representative/Vice-President of the European Union Josep Borrell announced that the Foreign Affairs Council has agreed with strong consensus to start the preparatory work for a global sanctions regime to address serious human rights violations.

Congressional hearing to focus on facial recognition and national security

12 December 2019

AI OUTLOOK

Technologies controlled by foreign governments and their implications for privacy and national security are expected to be a major topic.

Trump issues Executive Order on securing information and communications technology and services – key points

16 MAY 2019

The order is issued pursuant to the National Emergencies Act and the International Emergency Economic Powers Act, the latter creating potential civil and criminal liability for those violating EOs and regulations issued under its authority - liabilities that can expand to include those who facilitate a violation.

EU Policy & Regulatory Alert - EU Publishes Artificial Intelligence Ethics Guidelines

12 APR 2019

On 8 April 2019, the EU's High-Level Expert Group ("AI HLEG") on Artificial Intelligence ("AI") published the much-anticipated "Ethics Guidelines for Trustworthy AI", setting out a horizontal framework for the development and deployment of ethical and robust AI systems across the EU

The Cybersecurity Framework: Administration, Congress move to incentivize private-sector cooperation, strengthen federal acquisition process

12 SEP 2013

EVENTS

Previous

TopCo liability panel

25 JUN 2019

London

NEWS

DLA Piper lawyers named Acritas Stars

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

DLA Piper advises BrewDog on acquisition of iconic Berlin brewery

6 MAY 2019

DLA Piper has advised BrewDog, a multinational craft brewery and pub chain based in Scotland, on the acquisition of World Bistro & Gardens in Berlin from Stone Brewing, one of the largest craft breweries in the US.
