



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

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RELATED SERVICES

- Corporate
- Employment
- Finance
- Intellectual Property and Technology
- International Trade, Regulatory and Government Affairs
- Litigation, Arbitration and Investigations
- Pensions and Reward
- Projects, Energy and Infrastructure
- Real Estate
- Restructuring
- Tax

RELATED SECTORS

- Technology
- Energy and Natural

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.

Resources

INSIGHTS

Publications

Procurement Pulse

31 MAY 2019

PROCUREMENT PULSE SERIES

Further evolution of the efficacy of judicial review as a remedy in below threshold procurements is seen in the Kenson case this month. The case sought to make a distinction between obligations of contracting authorities as they are mandated by law, and those parts of the procurement procedure which are no more than their exercise of commercial judgment.

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.

Procurement Pulse - Our view on developments this month

3 MAY 2019

PROCUREMENT PULSE SERIES

In case law this month the courts have looked at long established issues - that re-negotiating essential contract terms risks being a substantial modification which requires a new procurement, that the utilities rules apply to passenger transport suppliers operating on a fixed network, and that exempting ambulance services from the procurement rule.

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

Procurement Pulse - Our view on developments this month

6 MAR 2019

PROCUREMENT PULSE SERIES

Procurement Pulse - Our view on developments this month

Procurement Pulse - Our view on developments this month

4 FEB 2019

[PROCUREMENT PULSE SERIES](#)

This month we look at the draft regulations which will effect changes to the UK procurement rules on Exit Day - attempting to maintain business as usual, and to take responsibility for those administrative issues currently within the remit of the EU. Evaluation methodologies continue to be brought before the courts.

EU Policy & Regulatory Update: First Designations under EU's Chemical Weapons Sanctions Regime

24 JAN 2019

On 21 January 2019, the Council of the European Union (EU) adopted Decision (CFSP) 2019/86 amending Decision (CFSP) 2018/1544 concerning restrictive measures against the proliferation and use of chemical weapons, listing nine individuals and one entity under the EU's Chemical Weapons Sanctions regime.

EU Policy & Regulatory Update - EU Adds Three Iranian Persons to EU Terrorist List

14 JAN 2019

On 8 January 2019, the Council of the European Union (EU) adopted Decision (CFSP) 2019/25 amending and updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP.

Procurement Pulse - December 2018

10 DEC 2018

[PROCUREMENT PULSE SERIES](#)

Monthly update of procurement case law and other relevant intelligence for procurement practitioners

EU Impact: Monthly update on the latest EU policy and regulatory developments, issue 11

5 DEC 2018

Edition 11 of our monthly update on the latest EU policy and regulatory developments

EU Policy & Regulatory Alert: New Regulation on Foreign Direct Investment Screening in the EU

22 NOV 2018

The European Union is moving fast towards establishing a joint regulatory and policy framework for Europeans to seize the opportunities provided by Artificial Intelligence (AI) and to reinforce Europe's competitiveness in this field.

EU Impact - Issue 10

31 OCT 2018

Edition 10 of our monthly update on latest EU Policy and regulatory developments.

UK Budget 2018

29 OCT 2018

On 29 October 2018, the UK Chancellor Philip Hammond delivered the final UK Budget before the Brexit deadline.

Procurement Pulse - September/October 2018

11 OCT 2018

PROCUREMENT PULSE SERIES

Monthly update of procurement case law and other relevant intelligence for procurement practitioners

EU Impact: Monthly update on the latest EU policy and regulatory developments, Issue 9

2 OCT 2018

Edition 9 of our monthly update on the latest EU policy and regulatory developments.

State of the Union - Takeaways for International Business

14 SEP 2018

In his final State of the Union address on 12 September 2018, European Commission President Jean-Claude Juncker took stock of the work delivered during his Presidency, and provided an outlook on the challenges and initiatives ahead.

EU Impact - Issue 8

31 AUG 2018

Edition 8 of our monthly update on latest EU Policy and regulatory developments.

The Ukrainian defense industry — challenges and proposals for reform

16 AUG 2018

Considering serious national security challenges, the reform of Ukrainian defense industry is a top priority.

First Round of US Sanctions Reintroduced and EU Blocking Statute Updated

7 AUG 2018

US President Donald Trump announced on 8 May 2018 his decision to withdraw from the Joint Comprehensive Plan of Action

(JCPOA), commonly known as the "Iran Nuclear Deal", reached in Vienna on 14 July 2015. The US provided 90- and 180-day wind-down periods before the US nuclear-related secondary sanctions would be reintroduced.

EU Impact - Issue 7

31 JUL 2018

Edition 7 of our monthly update on the latest EU Policy and Regulatory developments.

EU Policy and Regulatory update: EU extends sectoral sanctions against Russia

20 JUL 2018

On 5 July 2018, the Council of the European Union (EU) adopted Council Decision (CFSP) 2018/964 extending the economic sanctions that target the financial, energy and defence sectors, as well as the area of dual-use goods of the Russian economy (the so-called "sectoral sanctions"). The sectoral sanctions, which were due to end on 31 July 2018, will therefore remain in place until at least 31 January 2019.

EU Impact - Issue 6

4 JUL 2018

Edition 6 of our monthly update on the latest EU Policy and Regulatory developments.

EU Impact - Issue 5

5 JUN 2018

Edition 5 of our monthly update on the latest EU policy and regulatory developments.

Procurement Pulse

25 JUN 2018

[PROCUREMENT PULSE SERIES](#)

Monthly update of procurement case law and other relevant intelligence for procurement practitioners.

EU Policy and Regulatory update: EU Legislation to Block US Extraterritorial Sanctions against Iran

21 MAY 2018

On 18 May 2018, the European Commission has launched the process to "activate" EU Council Regulation No 2271/96 (EU Blocking Statute) and to expand the scope of the EU Blocking Statute to include the US sanctions against Iran.

Is collaborative working improving in operational PPPs?

16 MAR 2018

An in-depth look at some of the key questions facing the PPP market, with direct input from those at the coalface of the industry.

The Dutch move to terminate intra-EU BITs following the Achmea decision

10 MAY 2018

The Netherlands has announced that it will seek to terminate its bilateral investment treaties (BITs) with Slovakia and other EU member states. The Dutch government's decision is an important step following the much anticipated ruling issued in March 2018 by the Court of Justice of the European Union (CJEU) in *Achmea v Slovakia*.

EU Impact - Issue 4

30 APR 2018

Edition 4 of our monthly update on the latest EU policy and regulatory developments.

The prospect for deep and comprehensive trade agreements with the Commonwealth post Brexit

27 APR 2018

The UK Government is eager to promote the merits of increased trade with the Commonwealth after Brexit. The Commonwealth Heads of Government Meeting ("CHOGM") held in London from 16 - 20 April 2018 was a much needed opportunity to showcase credible post-Brexit trade and investment opportunities with some of the world's most diverse and fast growing economies.

EU Impact - Issue 3

5 APR 2018

Edition 3 of our monthly update on the latest EU policy and regulatory developments.

FIDIC 2017: Risk Allocation under the updated forms of contract

26 MAR 2018

[CONSTRUCTION GUIDES SERIES](#)

In the second of our series of articles reviewing the FIDIC 2017 forms of contract, we take a closer look at the main distinguishing features of the FIDIC 2017 approach to risk allocation and the philosophy underlying it, and highlight some key changes to the design liability provisions from the 1999 editions of the Rainbow Suite.

Procurement Pulse - March 2018

20 MAR 2018

[PROCUREMENT PULSE SERIES](#)

Monthly update of procurement case law and other relevant intelligence for procurement practitioners.

EU Impact - Issue 2

6 MAR 2018

Edition 2 of our monthly update on the latest EU policy and regulatory developments.

EU Impact - Issue 1

14 FEB 2018

Welcome to the first edition of the "EU Impact" - our new monthly EU Policy and Regulatory newsletter.

Procurement Pulse - February 2018

13 FEB 2018

[PROCUREMENT PULSE SERIES](#)

Monthly update of procurement case law and other relevant intelligence for procurement practitioners.

Life after Brexit - how the UK and China can both benefit from the new global regime on jurisdiction agreements and judgments

16 NOV 2017

On 12 September 2017 China signed the Hague Convention on Choice of Court Agreements 2005 ('Hague'). This ensures not only that a country's exclusive jurisdiction agreements are respected in all other contracting states, but that judgments arising from those agreements are recognised and enforceable there too - so Hague does rather more than it says on the tin.

Procurement Pulse - November 2017

7 NOV 2017

[PROCUREMENT PULSE SERIES](#)

Monthly update of procurement case law and other relevant intelligence for procurement practitioners.

Boardroom Brexit: The latest information business needs to know

7 AUG 2017

There has been a lot going on in recent months; the UK general election, the start of formal Brexit negotiations, and the unofficial launch of Britain's independent trade policy at the World Trade Organisation in Geneva. With so much activity it's often hard for businesses to cut through to the real issues. DLA Piper's Boardroom Brexit is a key client briefing which breaks down recent developments into what businesses need to know, and recommended actions that senior management teams can take now to prepare their business to make the most of Brexit.

Speech: The tortuous path to the UK's exit from the EU

26 JUL 2017

This speech was given by Paul Hardy, DLA Piper's Brexit Director, to the Legal Research Foundation in Auckland on 10 July 2017

New guidance for lawyers advising clients on human rights risks

19 JUL 2017

On 17 July 2017, the International Bar Association Legal Policy and Research Unit (LPRU) released a *Handbook for Lawyers on Business and Human Rights* to provide guidance for business lawyers and their corporate clients on how to address human rights risks in corporate and commercial transactions.

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

What Next for the ICT Sector in 2019?

12 JUN 2019

Manchester

Media, Sport and Entertainment: Media Summit

7 MAR 2019

SECTOR EVENTS

London

Life Sciences - The Future of Medicinal Cannabis

6 MAR 2019

SECTOR EVENTS

London

Jetro - Africa Investment Forum

4 MAR 2019

SECTOR EVENTS

London

Boardroom Advisory Service seminar and Portrait Exhibition

28 FEB 2019

[SECTOR EVENTS](#)

London

Life Sciences - Equity Fundraising in Difficult Times

26 FEB 2019

[SECTOR EVENTS](#)

London

What next for Government Outsourcing?

2 OCT 2018

Birmingham

Brexit guidelines webinar: The view from Brussels and London

23 MAR 2018

Webinar

Privatisation of public goods and services in the EU and Greece in particular

16 JAN 2018

Brussels

Global virtual teams - Making it work

23 NOV 2017

[WIN FUTURE LEGAL LEADERS 2017](#)

London

The cultural perspective - afternoon session

3 NOV 2017

[WIN FUTURE LEGAL LEADERS 2017](#)

London

The cultural perspective - morning session

3 NOV 2017

[WIN FUTURE LEGAL LEADERS 2017](#)

London

The Science of Stress

25 OCT 2017

[WIN FUTURE LEGAL LEADERS 2017](#)

London

Personality and persuasion - afternoon session

13 OCT 2017

[WIN FUTURE LEGAL LEADERS 2017](#)

London

Personality and persuasion - morning session

13 OCT 2017

[WIN FUTURE LEGAL LEADERS 2017](#)

London

Fuelling your success

14 SEP 2017

[WIN FUTURE LEGAL LEADERS 2017](#)

Webinar

[NEWS](#)

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.

DLA Piper announces partnership promotions for 2018

3 APR 2018

DLA Piper is proud to announce that 62 lawyers have been promoted to its partnership. The promotions are effective as of 1 April 2018 in the United States and 1 May 2018 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 42 different offices throughout 20 countries.
