



## Government Contracting

Our government contracting clients, whether they be in the public or private sector, must contend with ever-changing laws and rules and regulations, including procurement, data protection and, of course, Brexit.

This, coupled with the intense pressure on governments to tackle major budget deficits and debt burdens, means that both running and participating in major projects, whether they be related to organisational change, competitions for contracts or otherwise, can be incredibly complex.

The procurement gauntlet can often be complicated and the timescales imposed are often a challenge (particularly when internal pressures require a project to be completed in very short timelines). From a supplier perspective, competition is often fierce, bid costs are high and the financial terms imposed on contractors are demanding.

To help our clients, from both sides of the fence, meet these varied 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 major projects, including on contracting and procurement requirements.

We have been a longstanding and leading advisor on major change projects in government and are proud to have worked alongside government at the forefront of a number of major innovative projects and deals over recent years.

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.

In the UK, DLA Piper is appointed to Crown Commercial Service's (CCS) Legal Services Panel on two Lots - Lot 1 - General Legal Advice and Services (GLAS) and Lot 2 - Finance and Complex Legal Services. DLA Piper is one of only two firms to be named as a supplier on both Lots.

In the UK, we have a broad team of over 100 lawyers who bring best of breed experience in a number of areas and sectors. A small example of our experience includes:

- **Contracts** - we lead the market in advising Government on major contracts, such as outsourcing, shared service and joint ventures. We have advised Cabinet Office and other Departments on three complex outsourcing shared services projects by way of joint venture (i) Shared Services Connected Limited - a pan-HMG back office joint venture service delivery vehicle to transform existing services to a shared platform for over 12 Government Departments; (ii) Integrated Debt Services Limited - provision of a one-stop-shop for Government providing debt analysis and collection; and (iii) Crown Hosting - establishment of a portfolio of "on demand" hosting services at different levels of accreditation. We have also advised on many day-to-day contracts such as advice to on management services agreements by which Government companies provide services to third parties. We have also advised a Government Department for many years on the establishment of multiple and varied frameworks, including travel services, non-permanent staff, energy metering, consultancy services, fleet and office supplies. This included advice on precedent contracts

and variations, transfers and interpretation of contract provisions.

- **Competition law** - Our Competition team has been on hand to advise a variety of public sector clients over recent years on a range of competition law issues which arise during the course of Government projects. We act on a full range of non-contentious and contentious Competition/Antitrust matters, including commercial agreements, abuse of dominance, behavioural and strategic advice, multi-jurisdictional and national merger control, competition investigations and enforcement, including cartel related work, compliance audits and programs, including dawn raid training, competition litigation, competition regulatory matters and State Aid.
- **Corporate** - Our intimate knowledge of corporate law is applied with significant Government sector knowledge. We are trusted advisors to Government, having acted on some of the most complex and innovative transactions undertaken in the public sector in recent years, including we on a multi-million pound acquisition of a designer and supplier of specialist vehicles and protection system integrations to various Government Departments.
- **Dispute Resolution** - We have worked with Government over many years and therefore we bring, for both public and private sector clients, a deep understanding of how Government litigates and how it decides when not to litigate. Our team has very close links to our commercial and contracting colleagues to provide seamless advice if on-going contracts become contentious. Above all, we have access to the resource and expertise of one of the largest dispute resolution practices in the world.
- **Employment** - Our team advises both public and private sector employers on a daily basis on the application of TUPE (and COSOP where appropriate) in the context of first and subsequent generation outsourcings, as well as on sales and acquisitions and a multitude of other projects in between. We have a wealth of experience in dealing with complex redundancy and restructuring programmes for many of our clients. We are used to dealing with a high level of media and employee/trade union scrutiny on the way in which these exercises are handled. We frequently advise on strategy for managing changes to terms and conditions of employment, in both unionised and non-unionised environments, and have particular expertise in the options for dealing with changes in the shadow of a TUPE transfer. We are experienced in handling industrial relations issues and are proud to work on ground-breaking projects.
- **Real Estate** - We have a wide range of experience in advising on core Real Estate, Real Estate Finance and Real Estate Litigation matters. We have previously advised various Government Departments on the acquisition and fit out of properties, projects to make buildings available for use by SMEs, sales and advising on shared space/collaborative agreements.

## INSIGHTS

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### Publications

#### The DLA Piper Project Simulator – one year on

2 July 2021

Over the past year, we have delivered The DLA Piper Project Simulator to many of our construction, engineering and infrastructure clients, over a virtual platform, and client feedback has been overwhelmingly positive.

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## NEWS

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#### Four partners recognised in wind industry Legal Power List 2022

27 July 2022

The Legal Power List 2022, which showcases the 100 most influential lawyers working in the global wind industry, and is published annually by A Word About Wind, has recognised four DLA Piper partners for their work over the previous year.

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#### Global investment in data centres more than doubled in 2021 with similar trajectory this year

13 June 2022

A survey by global law firm DLA Piper has found that the value of investment in global data centres more than doubled in 2021 to USD53.8 billion, while the number of transactions reached 113 in 2021, a 64% annual increase.

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### **DLA Piper advises John Menzies on its recommended cash offer**

30 March 2022

DLA Piper has advised aviation services business John Menzies plc (Menzies) in respect of the recommended cash offer by Gil International Holdings V Limited a wholly owned subsidiary of Agility Public Warehousing Company K.S.C.P. (Agility), a provider of supply chain services, innovation and investment for Menzies.

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### **DLA Piper advises Azrieli Group on acquisition of Norwegian data centre developer**

21 July 2021

DLA Piper has advised Israeli real estate investor Azrieli on its acquisition of Green Mountain, a Norwegian data centre developer, for NOK7.6 billion.

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