

GOVERNMENT CONTRACTS & INTERNATIONAL TRADE

OUR TEAM



Todd Overman

Member

toverman@bassberry.com
202-827-2975



Richard Arnholt

Member

rarnholt@bassberry.com
202-827-2971



Thad McBride

Member

tmcbride@bassberry.com
202-827-2959



Adam Briscoe

Associate

adam.briscoe@bassberry.com
202-827-2961



Faith Dibble

Attorney

faith.dibble@bassberry.com
202-827-2965



Roe Talmor

Associate

roee.talmor@bassberry.com
202-827-2974

OVERVIEW

Government Contracts

The Bass, Berry & Sims Government Contracts Practice Group provides counseling, litigation and transactional support for companies that contract with federal, state and local governments. Our clients include public and private businesses ranging from Fortune 500 companies with complex government contracting issues to small and emerging businesses just entering government markets. Our experience extends to a wide variety of industries including aerospace, aviation, biotechnology, construction, cyber security, defense, electronics, healthcare, information technology, logistics support, management consulting, maritime, and professional services.

Because compliance begins with a clear and accurate contract, our GovCon attorneys help businesses understand, negotiate, review, and navigate government contracts. We advise clients on the full spectrum of government contracting regulations including FAR, DFARS, GSA & VA FSS, EEO and FOCI among others. In addition, we have the requisite security clearances to assist on most classified matters.

In order to meet the diverse needs of our clients, our GovCon team often collaborates with other practice areas within the firm. This enables us to present integrated, cost-effective solutions for our clients' business needs.

International Trade

The Bass, Berry & Sims International Trade Practice Group helps clients navigate the complex and dynamic regulations associated with a global marketplace. Our Chambers-ranked team is experienced in guiding clients through challenging issues related to economic sanctions (OFAC), exports (DDTC and the ITAR; BIS and the EAR), antibribery (the FCPA; DOJ and SEC), anti-boycott regulations (OAC and Treasury), imports (CBP) and the Committee on Foreign Investment in the United States (CFIUS).

Our team works closely with public and private businesses, ranging from companies with minor operations outside the United States to large corporations with a vast international presence. Our team provides clients with the essential, practical guidance they need to operate across borders.

ABOUT BASS, BERRY & SIMS

With more than 350 attorneys across more than 40 practice areas, Bass, Berry & Sims provides transactional, litigation and counseling services regionally, nationally and globally. Our clients include start-ups and emerging companies, Fortune 500 and international public companies, government entities and defense contractors, and other leading organizations, as well as individuals. Recognizing the economic pressures that clients face, we provide predictability, efficiency measures and cost effectiveness through alternative fee arrangements, leverage and an integrated, cross-disciplinary approach. We are committed to improving diversity within the legal profession and bettering our communities through pro bono work. For more information, visit www.bassberry.com.

AREAS OF FOCUS

Government Contracts

- ✦ Bid Protests, Litigation & Dispute Resolution
- ✦ Commercial Items & the Federal Supply Schedule
- ✦ Contract Formation & Administration
- ✦ Ethics, Compliance & Corporate Training
- ✦ Facility Security Clearances & FOCI
- ✦ Intellectual Property & Data Rights
- ✦ Internal Investigations & Mandatory Disclosure
- ✦ Mergers & Acquisitions
- ✦ Small Business Programs & Size Standards
- ✦ Suspension & Debarment

International Trade

- ✦ Anti-Boycott Regulations
- ✦ Committee on Foreign Investment in the United States (CFIUS)
- ✦ Customs & Imports
- ✦ Economic Sanctions
- ✦ Export Controls
- ✦ FCPA & Anti-Corruption

STAY CONNECTED



The Bass, Berry & Sims Government Contracts & International Trade blog features news, commentary and insight on the demanding and ever-changing regulatory environment of contracting with federal, state and local governments, and international trade issues when conducting a global business.

Subscribe to our Government Contracts & International Trade blog at www.bassberrygovcontrade.com

REPRESENTATIVE EXPERIENCE

Government Contracts

- ✦ We represented a Service-Disabled Veteran-Owned small business in a successful bid protest that required multiple filings at both the GAO and the CFC. Ultimately, the protests before GAO and the CFC led to the company receiving an award of a Blanket Purchase Agreement from the agency.
- ✦ We successfully represented a leading medical device manufacturer in resolution of a VA Federal Supply Schedule pre-award audit and negotiation of a new and updated contract award. We assisted the company in assessing and disclosing its commercial sales practices as well as during contract negotiations surrounding the basis of award/tracking customer and application of the price reduction clause.
- ✦ We successfully defended an 8(a) joint venture in the award of a contract by the Federal Law Enforcement Training Center for dorm maintenance and other services against an SBA size protest, multiple GAO bid protests, both pre- and post-award, two lawsuits at the CFC, and the appeal of both CFC decisions to the Federal Circuit. The CFC twice denied the protester's request for a preliminary injunction, the second time in a 48-page published decision, and both of the protestor's appeals to the Federal Circuit were denied.
- ✦ We represented Enlighten IT Consulting (EITC) in its acquisition by MacAulay-Brown, Inc. (MacB), an advanced engineering, cyber security and product solutions company that serves the Defense, Intelligence, and Homeland Security markets. EITC created an innovative platform to combat cyber-attacks against the Department of Defense and other U.S. government organizations. The combined companies will now be better equipped to fight the battle in cyberspace.
- ✦ We were engaged by a small, minority-owned IT services company and its president/owner to respond to notices of proposed debarment issued by Air Force. The basis of the proposed debarments were allegedly false statements made in a prior suspension proceeding relating to conflicts of interest and product substitution by a former subcontractor. We submitted a response to the Air Force Suspending and Debarring Official (SDO) addressing the agency's concerns and shortly thereafter met with the SDO in person. Within three days of that meeting the proposed debarment was terminated without an administrative agreement, allowing the company and its president to continue offering valuable IT services to the government.

International Trade

- ✦ We developed a comprehensive sanctions and export compliance policy and procedures for a multinational manufacturing firm.
- ✦ We supported a global defense contractor in multiple internal investigations and subsequent voluntary disclosures of U.S. export (EAR and ITAR) violations.
- ✦ We advised a professional services firm in conducting an internal review of the company's compliance with the FCPA, economic sanctions, and anti-money laundering laws.
- ✦ We represented a multinational manufacturer in an investigation and prior disclosure to Customs.
- ✦ We counseled a publicly traded European company on the CFIUS implications of purchasing a U.S. defense contractor.
- ✦ We advised the U.S. affiliate of a non-U.S. company on a boycott disclosure.