McCarter & English

# Government Contracts & Global Trade

## Recognized by Chambers with a Band 1 – Highly Regarded – USA – Nationwide ranking, our agile government contracts team is lauded for its extreme responsiveness and superb commercial awareness.

We guide companies through the complexities of contracting with the Government. From commercial manufacturers and service providers to international aerospace and defense contractors, any company doing business with the US Government, state agencies, or foreign buyers is presented with tremendous opportunities . . . and a maze of regulations, statutes, and policies. As prime contractors or subcontractors, selling to any government supply chain is rife with regulatory pitfalls in this highly complex arena.

Our diverse team of experienced Government Contracts lawyers help clients avoid trouble, resolve problems, secure opportunities, and benefit throughout the business lifecycle. By listening to our clients' wants, understanding their needs, and applying our vast years of regulatory proficiency and business savvy, our team can adeptly and efficiently analyze, assess, fight, or, if need be, avoid, complex government contracts issues for companies of all sizes in all sectors of industry who sell to government agencies.

Not pigeon-holed in just one area, our adaptive and multifaceted practice covers a swath of industries, including construction, defense and aerospace, education, federal research, healthcare, information technology, software, and transportation.

Clients are navigated by our lawyers through the unique challenges involved with federal, state, and municipal government contract acquisition and trade regulations, including FAR, DFARS, ITAR, EAR, and OFAC sanctions programs. Clients are provided with practical, shrewd, and dogged litigation experience in the areas of bid protests, contract claims, and False Claims Act (FCA) defense. Similarly, to avoid the risks and liabilities that can arise when working with government purchasers, clients benefit from our team's proactive development and implementation of innovative, tailored, and comprehensive corporate compliance programs to satisfy demanding statutes and regulations.

Tapping into the strengths of our national firm with international reach, clients can take advantage of interdisciplinary teams that represent individuals and corporations in administrative, civil, and criminal proceedings. Our lawyers have substantial experience guiding government contractors and grant recipients through investigations conducted by governmental auditors, investigative agencies and the US Department of Justice on matters involving procurement fraud, defective pricing, FCA, overbillings, ethics violations, and export control violations. Practiced in internal investigations and crisis management we remain at the forefront of the dynamic legislative, regulatory, judicial, and administrative environment and keep our clients and industry contacts informed on all of the unique issues in this arena.

### Global Trade

Our Global Trade team takes the complexity out of international trade relations for importers, producers, and exporters doing business across borders. We help our clients exchange goods and services efficiently while achieving full compliance with associated laws and regulations. We offer experienced counsel for all aspects of the criminal process from grand jury investigations to post-indictment proceedings, including arraignment, trial, sentencing, appeal, and post-conviction remedies.

More About Global Trade Services

## Bid Protests

Our lawyers represent clients throughout the country in pre- and post-award protests of solicitations and award improprieties and errors. We also help defend contract awards subject to protest including alleged violations of the Competition in Contracting Act (CICA), Federal Acquisition Regulation (FAR) and other related federal statutes and agency regulations. We handle protests in all forum, including the US Government Accountability Office (GAO), at federal agencies, in the US Court of Federal Claims, and at state administrative agencies throughout the United States.

## Buy American and Country of Origin Requirements

Often the subject of enforcement, federal government contracts are rife with multiple domestic preference provisions for the sourcing of products and materials. Our lawyers are dedicated to regularly advising and counseling both US and non-US clients on the application of complex country of origin requirements. We help clients structure their manufacturing and supply-chain sourcing plans to comply with the numerous restrictions found under the Trade Agreements Act, Buy American Act, Berry Amendment, and other legislation.

## Claims Preparation & Litigation

When problems arise during performance of a government contract, contractors need to be prepared. Our attorneys have significant experience with the identification, development, negotiation, and, when necessary, litigating claims against the government. We have analyzed, prepared, and presented a vast array of government contract claims on behalf of our clients, including actions based on breach of contract, changes, defective specifications, defective government property and equipment, delays, accelerations, suspensions, value engineering, superior knowledge, commercial impracticability, impossibility, as well as related cost, pricing, and scheduling issues. Well versed in damages calculations and FAR/CAS cost allowability/allocability issues, our team can formulate an effective discovery and trial preparation plan so that disputed facts and issues are continuously assessed as the case moves toward trial. We regularly appear before state and federal courts, the US Court of Federal Claims, the various Boards of Contract Appeals, the American Arbitration Association, and other administrative tribunals.

## Commodity Jurisdiction

We counsel clients on commodity jurisdiction (CJ) procedures for existing, new, or redesignated articles or service. CJ procedures can help clients streamline inventory and product catalogues and reduce confusion among different parts of, or personnel within, the company. The CJ procedure is an essential first step in any meaningful compliance process. In the defense trade, properly used CJs are key to building customer confidence as to what is being bought and incorporated into their end-item. For clients whose portfolios run the spectrum from defense to commercial, a CJ is used to eliminate concerns regarding the flow of military technology to commercial applications and increase confidence in high-stakes transactions. CJ requests can help eliminate unfair practices and incorrect claims by competitors. Most importantly, the CJ determination will allow for confidence and planning concerning any particular issue.

## Contract Cost Accounting and Pricing

We have significant experience in leading clients through the arcane web of federal cost accounting and its frequently-litigated principles of allowability, allocability, and reasonableness. Burdened by 52 separate, specific, and exacting “Cost Principles” and the application of numerous Cost Accounting Standards (CAS), clients facing the challenges inherent in cost-type contracts can rest assured that our experienced team is able to interact and negotiate with administrators, auditors, investigators, and lawyers on such matters and to assist in the counseling and development of compliant cost accounting systems, the preparation of Cost Accounting Standards Disclosure Statements and related documents,

promptly responding to audit findings, and negotiating the resolution of all forms of cost/CAS-related issues. Our team is also prepared to help clients prepare cost or pricing data disclosures and counsel clients in connection with defective pricing and disclosure issues.

### Contractor Compliance

Government contractors and their vendors, suppliers, and subcontractors are held to different standards than those in the commercial marketplace. Understanding and complying with shifting government-specific standards is vital to avoiding risk and liability and is a daunting task, even for experienced government contractors. Our lawyers have assisted with the gamut of compliance-related efforts, including conflicts of interest, lobbying disclosures, and employment and labor concerns as dictated by the Service Contract Act. We also assist with wage issues, socioeconomic requirements (Equal Employment Opportunity reporting, small and disadvantaged business subcontracting plans), and the application and creation of Contractor Codes of Business Ethics and Conduct (FAR 52.203-13), as is required in most federal contracts. Our team is also prepared to create corporate compliance programs, respond to government audits, investigate pricing compliance, counsel on cost accounting standards and cost principles, and facilitate industrial security requirements, including personnel and facility security clearances.

### Cybersecurity

US government contractors have been contractually tasked with meeting austere cybersecurity requirements to retain the information they are provided by federal agencies. Found in both civilian and defense contracts, these demanding requirements, controls, and obligations dictate keen awareness and understating by contractors and their counsel. Our team of industry leaders provides outstanding and practical advice, counseling, and solutions to ensure clients understand their obligations to protect Controlled Unclassified Information (CUI), Covered Defense Information (CDI), and Federal Contract Information, as well as implementing the necessary mechanisms if they fall victim to an attack or other form of cyber incident. Steeped in knowledge and experience with the FAR, DFARS, NIST SP 800-53, NIST SP 800-171, FedRAMP, and the host of other regulations, standards, certifications, and guidance employed by the US government, our clients benefit from our experience addressing the complex challenges surrounding the management of data privacy and cybersecurity risk.

### Debarment & Suspension

When contractors are perceived to have acted in bad faith or in failing to meet their contractual obligations, actions such as suspension and debarment loom as potential death knells to the ongoing provision of federal business. Our lawyers have extensive knowledge of the regulations, guidelines, and policies that govern suspension and debarment of federal government contractors and grant recipients by officials within the military and civilian agencies. At all stages of the process, we counsel clients on ethics and compliance programs and appropriate disclosures that may be seen as mitigating factors in suspension and debarment decisions. We march our clients through such processes, defend the rights and actions of the accused, and have appeared before suspension and debarment officials on behalf of clients.

### False Claims Act

*False Claims Act/Qui Tam Litigation & Civil Investigations*

False Claims Act (“FCA”) and *qui tam* “whistleblower” lawsuits have increased dramatically over the past several years, posing serious challenges to government contractors and companies across a broad spectrum of regulated industries. When faced with these potentially crippling lawsuits, it is important to rely on experienced counsel who can help navigate the entire life cycle of these cases, from preliminary fact-gathering through trial or appeal.

More False Claims Act

## FOCI & CFIUS

We assist clients with analyzing and preparing filings with the Committee on Foreign Investment in the United States (CFIUS), a multi-agency committee that conducts national security reviews of in-bound foreign investments. As CFIUS may block investments and force divestments of a transaction, appropriate review and submission is crucial. Our lawyers prepare risk mitigation agreements to allow transactions to proceed where national security risks may be found. If investments or transactions include government contracts, ITAR-controlled commodities or technical data, or classified information, the DoD's Defense Security Service (DSS) conducts a separate process to mitigate Foreign Ownership Control or Influence (FOCI). We assist clients in reviewing potential issues and making determinations.

## Grants & Federal Assistance

We represent public grantees and contractors under federal assistance programs. Our lawyers are well versed in the applicable cost principles and standards and Office of Management and Budget (OMB) circulars governing the administration of such grants, as well as providing counsel regarding technology transfers to or from the government, research regulatory compliance, agreements with third-party suppliers and subgrantees, and effort reporting.

## GSA & MAS Contracts

We have extensive experience in counseling companies in the government's commercial sales practices, including GSA Schedule contracts and the Department of Veterans Affairs Federal Supply Schedule contracts. We help clients prepare proposals, negotiate contract terms, prepare for and respond to Contractor Assistance Visits and Office of Inspector General audits, and comply with General Services Administration (GSA) Schedule contract obligations, including the rigors of the Price Reductions Clause and the Trade Agreements Act. Our lawyers also advise clients on the statutory pricing requirements under the Veterans Health Care Act and calculate Non-Federal Average Manufacturer Prices (non-FAMPS) and Federal Ceiling Prices (FCPs) applicable to covered drugs.

## Intellectual Property

An important concern for government contractors is the extent to which the government may demand rights in inventions, proprietary drawings, schematics, practices, data, and computer software that are used, created, or modified by the client during the course of its performance under a government contract or grant. Under complex and ever-changing regulations, the government is entitled to rights to technology in part or in whole developed with government funds. Determining and negotiating the rights of prime contractors, subcontractors, and vendors who are contributing technology demand keen planning and supervision. Our unparalleled guidance includes recommending measures to protect pre-existing technology developed at private expense and appropriate nondisclosure agreements and reservations of rights.

## Mergers & Acquisitions

We provide varied support services and serve as key members of the M&A team when a company with public sector contracts, grants, or subcontracts is the subject of a sale or acquisition. Our services include due diligence review of existing contracts, auditing intellectual property government license rights, and drafting pertinent purchase agreement clauses and disclosure schedules. Our clients receive practical advice covering a range of areas, including compliance representations and warranties, indemnification protections, novation and change of name agreements, assignment of subcontracts, facility and personnel security clearance transfers for classified contracts, export control issues, and, as needed, FOCI, CFIUS, and international sanction analyses.

### Small Business Counseling and Protests: 8(a), Native-Owned, Women-Owned, Disabled Veteran-Owned

Federal and state governments have adopted incentives in contracting and grant programs for small, minority-owned, women-owned, and veteran-owned businesses. Examples include the Small Business Innovative Research (SBIR) Program and the Historically Underutilized Business Zone (HUBZone) program. Our lawyers advise clients on the availability of such programs and the conditions under which they operate and assist them in strategically utilizing program benefits.

### State & Local Contracting

Selling to state and local governments can be an important component of your business; however, the challenges are numerous and varied. We regularly guide clients through the many facets of state and local procurement laws, regulations, and policies. We also advise public sector state and local clients on procurement-related issues, including requests for proposals and invitations for bids, defense of bid protests filed by disappointed bidders, public records requests, litigation and dispute resolution, and procurement policy issues.

### Subcontracting, Teaming & Joint Ventures

Government contractors rarely operate alone and independently. Subcontractors and suppliers, even competitors, play a vital role in the government supply chain. Whether you are a subcontractor or a prime contractor needing to subcontract, our team has deep knowledge and experience in properly crafting and executing such agreements. Our lawyers can ensure that decisions to team up, either as a partner or via a joint venture, not only pass government vetting, but are capable of ensuring that our clients' wants, needs, and expectations are met.

## Representative Matters

### Spear Research—Sale

Advised Spear Research, a New Hampshire technology company focused on electronic warfare, signals intelligence, and autonomous networked sensor systems, on its sale to Pacific Defense, a California military-use electromagnetic spectrum technology provider to the Department of Defense and intelligence community. The McCarter practices advising Spear on the sale included Corporate, Government Contracts, Export Controls & Global Trade, Labor & Employment, Tax, and Insurance Coverage.

### Clear Channel Airports—Airline advertising contract negotiation

Represented Clear Channel Airports, the Americas-based airports business of Clear Channel Outdoor Holdings, Inc. (NYSE: CCO), and one of the nation's leading airport media providers, in the negotiation of the largest airport advertising and sponsorship contract in the U.S. with the Port Authority of New York and New Jersey.

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FAR Council Issues Final Rule to Implement Trump Executive Order on Significant Buy American Changes, Government Contracts Law Blog, 1.22.2021

2020 False Claims Act Recoveries Were Down by One-Third in 2020. . . and That's Bad News for Federal Contractors, Government Contracts Law Blog, 1.19.2021

Office Closures and Limited Access: Federal Contractor Considerations When Weathering Potential Political Unrest, Governments Contracts Law Blog, 1.13.2021

Clarity, Sweet Clarity—Proposed Rule Will Revise the FAR Definition of "Commercial Item", Government Contracts Law Blog, 10.30.2020

Honest Abe Would Demand "Objective Falsity" for FCA Liability. Will the Supreme Court?, Government Contracts Law Blog, 10.30.2020

An Update: New Executive Order and Accompanying OFCCP FAQs Demand Federal Contractors and Grantees Scrutinize All Diversity Workforce Training, Westlaw / Government Contracts Law Blog, 10.13.2020

New Executive Order Demands Federal Contractors and Grantees Scrutinize All Diversity Workforce Training, Westlaw/Government Contracts Law Blog, 9.28.2020

The FAR Council Issues Proposed Rule to Implement Executive Order on Significant Buy American Changes, Government Contracts Law Blog, 9.22.2020

The FAR Council's Second Interim Rule Implementing NDAA Section 889(a)(1)(B): And the Hits Keep Coming!, Government Contracts Law Blog, August 31.2020

DoD and GSA Release Guidance on Implementation of Section 889 Part B, Government Contracts Law Blog, August 12.2020

Risks, Reefs, and Wrecks: Charting a Course Through the Perils of Covered Telecommunications Equipment and Services, Government Contracts Law Blog, 7.23.2020

Alphabet Soup You Can Use: GSA Extends TAA & BAA PPE Waiver for COVID-19, Government Contracts Law Blog, 7.1.2020

Gambling on Compliance? DOJ Updates the House Rules on Corporate Compliance Program Expectations, Government Contracts Law Blog, 5.25.2020

Proposed Rule Introduces Critical Changes for SBA Contractors, Government Contracts Law Blog, 5.16.2020

The Evolution of Contract Financing: Resurrecting Performance-Based Payments Under Fixed-Price Contracts, Government Contracts Law Blog, 5.12.2020

No, No, THANK YOU. … GSA's Class Deviation Provides Contractors With Welcome Guidance on the Implementation of CARES Act Section 3610, Government Contracts Law Blog, 5.8.2020

DFARS Final Rule Establishes Goal of 15-Day Accelerated Payments for Small Business Contractors, Government Contracts Law Blog, 4.14.2020

DoD Extends a Hand to Federal Contractors Navigating the Impacts of COVID-19, Government Contracts Law Blog, 4.2.2020

COVID-19 Response — Locked In Paradise — Hawai`i Issues Robust Stay-at-Home and Mandatory Quarantine Orders for Visitors and Residents, Government Contracts Law Blog, 3.24.2020

COVID-19 Update: Department of Defense Issues Class Deviation, Increasing Certain Progress Payment Ceilings, Government Contracts Law Blog, 3.24.2020

Update on the COVID-19 Federal Contractor's Guide – The Office of Management and Budget Issues Critical Guidance Regarding Federal Contract Performance, Government Contracts Law Blog, 3.23.2020

COVID-19 Federal Contractor's Guide – Some Quick Points for Surviving and Thriving in This Unprecedented Environment, Government Contracts Law Blog, 3.19.2020

iEdison's 2020 New Year's Resolution – Improvement! Time to Submit Your Comments, Government Contracts Law Blog, 1.27.2020

Export Controls and Global Trade: A Forecast and the Year in Review, Government Contracts Law Blog, 1.6.2020

The Year In Protests: GAO Releases Its FY 2019 Bid Protest Statistics, Government Contracts Law Blog, 11.27.2019

New DOJ Strike Force Targets Collusion in Federal Contract Awards, Government Contracts Law Blog, 11.22.2019

Cybersecurity Maturity Model Certification (CMMC) Version .6: Another Step on the Department of Defense's Long and Winding Cybersecurity Road, Government Contracts Law Blog, 11.22.2019

Hikvision, Dahua Technology Among 28 Added to Entity List, Resulting in Broad Impact on Chinese Surveillance, Artificial Intelligence and Facial Recognition Firms, Government Contracts Law Blog, 10.11.2019

Integrating Cybersecurity Into M&A Compliance Reviews: Avoiding Hidden Cyber Risks in the Acquisition of Government Contractors, Government Contracts Law Blog, 9.23.2019

The Sword of Damocles Hangs Over Miller Act Sureties and Brokers: Scollick Case Stayed Sixty Days for Mediation, but Outcome Remains Uncertain, Government Contracts Law Blog, 9.22.2019

Buy (More) American: The Trump Administration Finally Ups the Ante on Domestic Origin Requirements (With the Final Impact Still TBD), Government Contracts Law Blog, August 22.2019

The FAR Council and the Hare—The Race to Credit for Lower-Tier Small Business Subcontracting, Government Contracts Law Blog, 7.26.2019

Cybersecurity—The Times (and Standards) They Are a Changin'—FAST!, Government Contracts Law Blog , 7.22.2019

Good News for Federal Contractors—FOIA "Exemption 4" Protecting Confidential Information Gets Expansive Definition by US Supreme Court in Food Marketing Institute v. Argus Leader Media, Government Contracts Law Blog, 5.24.2019

Let Me Clear My Throat: DCAA Course Corrects on "Expressly Unallowable" Costs, Government Contracts Law Blog, 5.21.2019

Never Stop Never Stopping: Defense Department Quietly Unveils Proposed Cybersecurity Capability Model Certification Standards and Confirms the Allowability of Certain Cybersecurity Costs, Government Contracts Law Blog, 5.21.2019

The Supreme Court Limits Government Agencies' Ability to Deflect Infringement Claims Through the PTO: A Preamble for Government Contractors, Government Contracts Law Blog, 5.20.2019

The DL on the USA's OTAs: What Federal Contractors Should Understand When Approaching Other Transactional Agreements, Government Contracts Law Blog, 5.11.2019

Alutiiq False Claims Act Settlement Highlights Significant Government Contract Compliance Risks for Tribal, NHO, and ANC 8(a) Subsidiaries, Government Contracts Law Blog, 5.16.2019

International Trade Update: US Heightens Tariffs on Chinese Goods; China Reciprocates, Government Contracts Law Blog, 5.15.2019

New Proposed FAR Rule Makes Way for Broadening Commercial Item Status to Products Developed Exclusively for and Sold to Friendly Foreign Governments, Government Contracts Law Blog, 5.14.2019

## Books

Alex Major Contributes Chapter to "Plugged In: Guidebook to Software and the Law", Thomson Reuters, 11.20.2020

## Speaking Engagements

False Claims in Government Contracting: Ethical and Compliance Considerations, NJSBA, 5.15.2024

C Suite Cyber Considerations and 2024 Projections, The Cyber Guild, 3.20.2024

Bid Protest Panel, NCMA Boston, 3.13.2024

Breach: Before, During and After – Best Practices & Prevention Strategies, Federal Publications Seminars, 3.13.2024

A Guide to the Buy American Act and Trade Agreements Act, Federal Publications Seminars, 3.12.2024

Critical Considerations in Negotiating Federal Subcontracts, Virginia PTAC, 1.23.2024

Update on Cybersecurity Initiatives – Legal and Compliance Issues, Federal Publications Seminars, 11.14.2023

Oh, My-OCI! Identifying and Avoiding OCIs, SAME Federal Small Business Conference, 11.2.2023

Elements of a Bid Protest October 2023, Federal Publications Seminars, 10.25.2023

Success in Subcontracting: Drafting and Negotiating Federal Subcontracts, Women Impacting Public Policy ChallengeHER, 10.24.2023

Breach: Before, During and After – Best Practices & Prevention Strategies, Federal Publication Seminars, 9.22.2023

Success in Subcontracting: Drafting and Negotiating Federal Subcontracts, ChallengeHER, 9.14.2023

Navigating Government Contracts & Foreign Investments Workshop, MIT The Engine & Activate, 5.11.2023

CUI: To Protect It, You Have to Know What It Is, NDIA New England, 5.10.2023

The Basics of IT Acquisition and Contracting, Federal Publications Seminars, 5.9.2023

Changes and Equitable Adjustments in Government Contracting, Federal Publications Seminars, 5.9.2023

Balancing Reward & Risk in GovCon Collaborations: Mentor-Protégé, JVs, Subcontracts, and Teaming Arrangements, Native Hawaiian Organizations Association, 4.19.2023

CUI vs Cyber vs CMMC: Understanding the “C” Change in 2023, Native Hawaiian Organizations Association, 4.18.2023

The Nuts and Bolts of the Pre-Filing Process: Your Complete Start-to-Finish Due Diligence Guide from Pre-Acquisition Planning to the Decision to File, American Conference Institute, 4.12.2023

Breach: Before, During and After – Best Practices & Prevention Strategies, Federal Publications Seminars, 3.31.2023

The Basics of IT Acquisition and Contracting, Federal Publications Seminars, 3.30.2023

Unique Perspectives from Women in Defense, NCMA Boston, 3.15.2023

The False Claims Act: Understanding Liability and the Importance of a Proper Initial Response, NCMA Boston, 3.15.2023

Protecting IP Under DOD Contracts – A Practical Guide, NCMA Boston, 3.15.2023

The Service Contract Act: Issues & Solutions for Government Contractors and Their Subcontractors, National 8(a) Association, 2.13.2023

The Entity List and Unverified List: The Most Vexing Export and Re-Export Compliance Questions – and How to Handle Them, American Conference Institute & Canadian Institute, 1.31.2023

10 Biggest Bid Protest Mistakes and How to Avoid Them, Women Impacting Public Policy, 12.7.2022

The 10 Biggest Bid Protest Mistakes and How to Avoid Them, Women Impacting Public Policy, 10.5.2022

Managing Products and Their Components in China and Other Countries of Origin, Federal Publications Seminars, 9.15.2022

Understanding the Department of Transportation's Buy America Statutes and Regulations, Federal Publication Seminars, 9.14.2022

Cloud Security Fundamentals and FedRAMP Compliance, Federal Publications Seminars, 9.13.2022

A Guide to the Department of Defense Domestic Preference Requirements, Federal Publications Seminars, 9.13.2022

A Guide to the Buy American Act and Trade Agreements Act, Federal Publications Seminars, 9.12.2022

The 10 Biggest Bid Protest Mistakes and How to Avoid Them, Women Impacting Public Policy, August 25.2022

Avoiding Contractor's Most Common Bid Protest Mistakes, Govology, 7.28.2022

Changes and Equitable Adjustments in Government Contracts, Federal Publication Seminars, 7.26.2022

Cloud Security Fundamentals and FedRAMP Compliance, Federal Publications Seminar, 5.4.2022

The Basics of IT Acquisition and Contracting, Federal Publications Seminars, 5.3.2022

CMMC and Cyber Fraud: Costs of Non-Compliance, NDIA New England, 4.7.2022

Empowering Women in STEM, WIDGBC, NDIA, and UMass Lowell Empowering Women in Science and Engineering, 4.6.2022

Keep What You Make: Aligning Business and Compliance Goals, Native Hawaiian Organizations Association, 4.5.2022

Balancing and Navigating the Service Contract Act, National 8(a) Association, 1.31.2022

CMMC, 2021 National 8(a) Association Alaska Regional Conference, August 23.2021

2019 Roundup of Key Agency Actions in CFIUS, Export Controls and Global Trade & What to Expect in 2020, NCMA 59th Annual March Workshop, 5.12.2020

Basics of Government Contracting, Federal Publications Seminars, 4.14.2020

Basics of Government Contracting, Federal Publications Seminars, 3.18.2020

The Exchange Data Privacy and Cybersecurity Forum, Today's General Counsel, 12.12.2019

The Basics of IT Acquisition and Contracting, Federal Publication Seminar's Cybersecurity in Government Contracts Institute, 11.18.2019

"The Exchange" Data Privacy and Cybersecurity Forum, Today's General Counsel Forum, 11.13.2019

Training on the US Market, Aéro Montréal, 11.4.2019

Trending Developments in Government Contract Compliance and Cybersecurity, Public Contracting Institute, 10.30.2019

Basics of Multiple Award Schedule Contracting, Federal Publications Seminars, 10.22.2019

Using Research and Technology to Address Compounding Disparities, Government University Industry Research Roundtable , 10.15.2019

Back to the Future – Continuing Cybersecurity Challenges and Changes, 10.10.2019

The Buy American and Domestic Preference Workshop, Federal Publications Las Vegas Government Contracts Week, 9.19.2019

DoD's Supply Chain in the Crosshairs: Is the Regulatory Process Being Evaded to Satisfy DoD Concerns About Cybersecurity Breaches by its Contractors?, The Federalist Society, 9.9.2019

Federal Government Contracting for Veteran-Owned Businesses, Abie Abraham VA Health Care Center, August 7.2019

HOW: The Mechanics of Bid Protests—A Hands-On Workshop to Help You Decide How, When, and Where to Prosecute (or Defend Against) Protests Successfully, The Public Contracting Institute, 7.25.2019

The Buy American and Domestic Preference Workshop, Federal Publications Las Vegas Government Contracts Week, 5.13.2019

U.S. Government Funded Inventions: Strategies to Understand Risks & Maximize Rights, Consero Global IP Management Forum, 5.2.2019

Unlocking Value for the Small, Growing Government Contractor, NDIA New England, 5.22.2019

Legal Q&A with McCarter & English, Native Hawaiian Organizations Association Business Summit, 5.22.2019

Trending Developments in Government Contract Compliance and Cybersecurity, Public Contracting Institute, 3.20.2019

NCMA 58th Annual March Workshop, National Contract Management Association (NCMA) Boston Chapter, 3.13.2019

Effectively Prosecuting Claims Against the Government, National Contract Management Association (NCMA) Boston Chapter's Annual March Workshop, 3.13.2019

Trending Developments in Government Contract Compliance and Cybersecurity, Public Contracting Institute, 11.15.2018

DFARS 7012 Cyber Incident Response Liabilities and Strategies, Cyber Collaboration Center, 11.14.2018

Bid Protests in the Shifting Regulatory Landscape, NACA 2018 Federal Contracting Policy & Advocacy Conference, 11.14.2018

The U.S. Defense and National Security Market– Pathways and Barriers to Entry, 2018 Symposium on the Canadian Defence and Security Market, 10.22.2018

Cloud Security and Virtualization, 3rd Annual Cybersecurity Summit for Government Contractors, 10.9.2018

Understanding Bid Protests, Public Contracting Institute, 9.13.2018

DC Cyber Defense GovCon Summit, NeoSystems & Business Matchmaking, August 23.2018

Trending Developments in Government Contracts Compliance and Cybersecurity, Public Contracting Institute, 5.6.2018

DFARS Cybersecurity 2.0: The Year of Continuous Monitoring, NDIA New England, 5.24.2018

"The Exchange" Data Privacy and Cybersecurity Forum, Today's General Counsel, 4.24.2018

Recent Developments in Cost Allowability, The National Contract Management Association (NCMA) Boston Chapter, 3.7.2018

Navigating Bid Protests In The Age Of Trump, The National Contract Management Association (NCMA) Boston Chapter, 3.7.2018

DFARS Cybersecurity Final Check + What You Have Missed With NIST, National Contract Management Association (NCMA) Boston Chapter and National Defense Industrial Association (NDIA) New England, 12.7.2017

"The Exchange" Data Privacy and Cybersecurity Forum, Today's General Counsel Forum, 11.15.2017

Cloud Contracting: Privacy, Ethics and Reporting, 11/07/17

Canadian Companies Doing Business with U.S. DoD – The Risks and Rewards, Best Defence Conference, 11.1.2017

DFARS 7012 Cybersecurity Compliance Boot Camps, 10.20.2017

Compliance with DFARS Cybersecurity Requirements, Cyber Collaboration Center, 7.13.2017

United States Cybersecurity Requirements: How Companies Can Protect Their U.S. Aerospace Data, International Paris Air Show, 5.20.2017

McCarter Leads NDIA Conference on Compliance with DoD Cybersecurity Contractor Requirements, NDIA New England, 5.23.2017

Complying with the New FAR and DFARS Cybersecurity and Reporting Requirements, Massachusetts Procurement Technical Assistance Center (PTAC) Webinar, 5.18.2017

McCarter and NDIA Present Cybersecurity Conference, NDIA, 5.16.2017

Threats at the Border of Policies and Procedures, NDIA New England Chapter, 5.16.2017

Reading the Tea Leaves, NIST, FIPS, DFARS, and FAR, NDIA New England Chapter, 5.16.2017

Exporting Data, Importing Trouble, NDIA New England Chapter, 5.16.2017

"The Exchange" Data Privacy and Cybersecurity Forum, Today's General Counsel, 4.26.2017

NCMA Pentagon Chapter: Trending Developments in Government Contract Compliance and Cybersecurity, Public Contracting Institute, 4.20.2017

Understanding Cyber Threats: Help Prepare Your Business, Delaware Business Times, 4.12.2017

NCMA 56th Annual March Workshop, National Contract Management Association (NCMA) Boston Chapter, 3.8.2017

The False Claims Act: A Primer on Potential Liability and the Importance of a Proper Response, The National Contract Management Association, 3.8.2017

Trending Developments in Government Contract Compliance and Cybersecurity, The Public Contracting Institute, 2.15.2017

Trending Developments in Government Contract Compliance and Cybersecurity, Public Contracting Institute, 12.14.2016

Export Enforcement Trends & Best Practices for Managing Violations, Massachusetts Export Center Export Expo, 12.9.2016

The Exchange" Data Privacy and Cybersecurity Forum, Today's General Counsel Magazine, 11.16.2016

Lessons From The Front Page: Managing Cybersecurity Risks And Staying Out Of The News, Thomson Reuters, 10.27.2016

Basics of Multiple Award Schedule Contracting, Federal Publications Seminars, 10.24.2016

Cyber Risk Mitigation and Cloud Computing, American Bar Association 2016 Fall Conference, 10.21.2016

Middle Ground of Achieving Regulatory Compliance at Scale, Nuix User Exchange 2016, 9.20.2016

Project Management For Lawyers, Georgetown University Law Center , 5.25.2016

Cybersecurity and Cloud Computing Policy, Regulations, and Practices in the United States, 10th Annual Information Governance and e-Discovery Summit, 5.21.2016

Subcontract Management, Public Contracting Institute , 5.9.2016

Cybersecurity and IT Acquisition: Threats, Laws and Best Practices, Federal Publications Seminar , 5.18.2016

Commercial Item Suppliers to Prime Contractors—Knowledge is Power, National Contract Management Association (NCMA), 3.16.2016

Hot Legal Issues for Tech Companies in 2015-2016: Export Controls, Cyber-Incident Reporting & Protecting Federally Funded IP, Smaller Business Association of New England (SBANE), 11.10.2015

The 101 to Exporting: An Introduction to Exporting, U.S. Department of Commerce, International Trade Administration, 4.14.2015

## Webinars

Unleash the Power of Teaming for Government Contracts! (Without Violating Small Business Rules), Deltek, 4.4.2024

Key Strategies for Contractor Relief under the FAR and CDA: REAs, Claims and Contractor Recovery, McCarter & English Webinar, 3.28.2024

Unlocking the Secrets to the GSA Multiple Award Schedule, Federal Publications Seminars, 3.27.2024

CMMC Update: Understanding Controlled Unclassified Information (CUI), NDIA, 3.22.2024

Q&A Office Hours, Public Contracting Institute, 3.21.2024

Key Concepts in Federal Subcontracting, Fedmine, 3.12.2024

The Dark Side of Government Contracting, George Mason University, 3.12.2024

Suspensions, Debarment and Related Compliance and Ethical Concerns, Deltek, 3.7.2024

Buy America(n)- A Deep Dive Into Domestic Preference Regulations by Agency, Federal Publications Seminars, 3.5.2024

Elements of a Bid Protest, Federal Publications Seminars, 3.4.2024

Get the Contracts You Deserve! The Effective Use of Debriefings and Bid Protests, McCarter & English Webinar, 2.29.2024

Critical Changes For Small Businesses, Fedmine, 2.27.2024

Essential Subcontracting Considerations on Federal Projects, Deltek, 2.22.2024

Artificial Intelligence Means Real Money: What Government Contractors Need to Know About the AI Revolution, Public Contracting Institute, 2.22.2024

Government Contract Compliance and Cybersecurity, George Mason University, 2.21.2024

Size and Status Protests: A Primer on Bases, Process and Procedure, Public Contracting Institute, 2.15.2024

Intervention: Working with the Government to Keep Your Award, Virginia PTAC, 2.12.2024

A Guide to the Buy American and Trade Agreements Act, Federal Publications Seminars, 2.8.2024

Keeping Your Award: Bid Protest Intervention, Public Contracting Institute, 2.8.2024

Effective Use of Debriefings and Bid Protests, Public Contracting Institute, 2.1.2024

Dive into Travel Costs – FAR Part 31.205-46, Public Contracting Institute, 2.1.2024

CMMC 2.0: Now What – an Office Hours Q&A, Public Contracting Institute, 1.31.2024

IIJA, BABA, Other Recent Developments in Buy American Compliance, Federal Publications Seminars, 1.31.2024

An Introduction to Protecting Intellectual Property as a Government Contractor, Deltek, 1.25.2024

REAs, Claims, and CDA Claims Litigation: A Primer, Fedmine, 1.24.2024

The BAA/TAA and DOD, Federal Publications Seminars, 1.24.2024

Successful Federal Subcontracting: Flow Downs, Pass Through Claims & Compliance, from Both Primes' & Subs' Points of View, McCarter & English Webinar, 1.18.2024

The Fundamentals of the Trade Agreements Act, Federal Publications Seminars, 1.17.2024

The Fundamentals of the Buy American Act, Federal Publications Seminars, 1.10.2024

A How-To Guide to Successful Federal Contracting: Advice to Primes and Subs, TargetGov, 1.9.2024

Supply Chain Management and Cybersecurity Updates, Federal Publications Seminars, 12.14.2023

Suspensions, Debarments, and Ethical Issues for Government Contractors, McCarter & English Webinar, 12.13.2023

Understanding DoD Assessment Requirements, Federal Publications Seminars, 12.7.2023

Cloud Security and FedRAMP, Federal Publications Seminars, 11.16.2023

A Federal Bid Protest Primer, Kentucky APEX Accelerator, 11.16.2023

Common Claims in Federal Construction: Changes, Defective Specs, Differing Site Conditions, Delays, and More, McCarter & English Webinar, 11.15.2023

Introduction to Cybersecurity Fundamentals of Cybersecurity and Regulatory Updates 2023, Federal Publications Seminars, 11.9.2023

Claims Appeal Litigation and the Contract Disputes Act, Deltek, 11.8.2023

New Build America, Buy America Domestic Sourcing Requirements for Federally Funded Projects, Strafford, 11.7.2023

Cybersecurity Compliance for Government Contractors, Federal Publications Seminars, 10.27.2023

The Most Underutilized Tool in Government Contracting: Bid Protest Intervention, McCarter & English Webinar, 10.26.2023

Federal Infrastructure Series: Buy America(n) in Infrastructure Contracting, Public Contracting Institute, 10.19.2023

Unlocking the Secrets to the GSA Multiple Award Schedule Virtual, Federal Publications Seminars, 10.18.2023

Suspensions, Debarment and Related Ethical Issues for Federal Contractors, Govology, 10.17.2023

Federal Infrastructure Series: A Primer on Federal Miller Act Claims, Public Contracting Institute, 10.12.2023

Common Contractor Mistakes In Asserting and Defending Bid Protests, SAME DC, 10.6.2023

Federal Infrastructure Series: Common Claim Issues in Construction Contracting Part 2, Public Contracting Institute, 10.5.2023

Selected Cost Principles – Advanced Strategies for Compliance, Deltek, 9.28.2023

Protecting Intellectual Property in Government Contracts – A Practical Guide, Women Impacting Public Policy, ChallengeHER , 9.28.2023

Federal Infrastructure Contracting Series: Common Claim Issues in Construction Contracting Part 1, Public Contracting Institute, 9.28.2023

Government Contract Compliance and Cybersecurity, George Mason Continuing and Professional Education, 9.26.2023

Federal Infrastructure Contracting Series: Effective Utilization of Debriefings and Bid Protests, Public Contracting Institute, 9.21.2023

Federal Infrastructure Contracting Series: Formation, Public Contracting Institute, 9.14.2023

Everything You Need To Know About Asserting Bid Protests, McCarter & English Webinar, 9.13.2023

Utilizing Bid Protests to Get the Contracts You Deserve, Deltek, 9.12.2023

A Guide to Federal Small Business Set-Aside Contracts and Eligibility, Deltek, 9.7.2023

How to Successfully Navigate Bid, Size, and Status Protests, Fedmine, August 22.2023

2024: The Year of Testing Cyber Defenses, Federal Publications Seminars, August 10.2023

Building Past the Basics: Advanced Topics in Bid Protest Litigation, Deltek, August 8.2023

A Primer on Build America, Buy America- Strategies for Success in Compliance, Iowa State University CIRAS, August 8.2023

Resolving Issues, Avoiding Conflict, and Preserving Claims on Construction Contracts, SAME DC, August 4.2023

A Guide to the Buy American Act and Trade Agreements Act, Federal Publications Seminars, 7.27.2023

GovCon 101 – Simplified Acquisitions, Public Contracting Institute, 7.24.2023

Office Hours 2023 Series, Public Contracting Institute, 7.20.2023

The FAR Changes Clause: One of The Most Important Clauses in Government Contracting, Deltek, 7.20.2023

REAs, Claims and Disputes, Federal Publications Seminars, 7.19.2023

Negotiating Subcontractor Terms and Conditions, Public Contracting Institute, 7.13.2023

Performance of Government Contracts, Federal Publications Seminars, 7.12.2023

Buy America(n) – A Deep Dive Into Domestic Preference Regulations by Agency, Federal Publications Seminars, 7.10.2023

Procurement Process, Federal Publications Seminars, 5.28.2023

Partnering for Success on Federal Set Aside Contracts, AFCEA, 5.27.2023

A Deep Dive into GSA's New Joint Venture Guidance, Winvale, 5.22.2023

Introduction to Government Contracts and Associated Regulations, Federal Publications Seminars, 5.21.2023

Key Considerations in Federal Subcontracting, McCarter & English Webinar, 5.21.2023

A Protest Primer: What You Need to Know about Bid, Size, and Status Protests, AFCEA, 5.20.2023

GovCon101: Terms and Conditions, Public Contracting Institute, 5.12.2023

IP in Government Contracting, Public Contracting Institute, 5.8.2023

Teaming, JVs, and the Mentor Protégé Program: A Primer on Advanced Partnering Strategies for Federal Contractors, McCarter & English Webinar, 5.24.2023

Journey into FAR 9.5 & 16, Public Contracting Institute, 5.18.2023

JVs for Large and Small Contractors, Public Contracting Institute, 5.11.2023

Keeping Your Contract Award Through Bid Protest Intervention, Govology, 5.9.2023

Software Bill of Materials, Public Contracting Institute, 5.4.2023

Eligibility Challenges on Set Aside Contracts: Size and Status Protests, Deltek, 5.4.2023

Pathways to Government Contracting: Other Transaction Agreements, Public Contracting Institute, 4.13.2023

Buy America(n)- A Deep Dive Into Domestic Preference Regulations by Agency, Federal Publications Seminars, 4.13.2023

Contractor Claim Litigation Before the COFC and Boards of Contract Appeal, McCarter & English Webinar, 4.5.2023

Infrastructure Investment & Jobs Act & Other Recent Developments in BA Compliance, Federal Publications Seminars, 4.4.2023

Teaming 2.0: Vital Partnering Strategies for Federal Set-Aside Contracts, Deltek, 4.4.2023

The BAA/TAA and DOD, Federal Publications Seminars, 3.28.2023

Becoming A Prime Contractor, Public Contracting Institute, 3.23.2023

REAs and Claims 101: Two Key Tools in Contractor Compensation, McCarter & English Webinar, 3.22.2023

Elements of a Bid Protest Virtual March 2023, Federal Publications Seminars, 3.21.2023

The Fundamentals of the Trade Agreements Act, Federal Publications Seminars, 3.21.2023

CMMC: What's In Scope for Assessment?, NDIA, 3.16.2023

The Fundamentals of the Buy American Act, Federal Publications Seminars, 3.14.2023

SBIR Contracting, Public Contracting Institute, 3.9.2023

Federal Subcontracting: Flow Downs, Risk Shifting and Dispute Resolution, Deltek, 3.9.2023

Effective Utilization of Debriefings and Asserting Bid Protests, Govology, 3.1.2023

How to Avoid Fatal Bid Protest Mistakes, McCarter & English Webinar, 2.22.2023

Introduction to Cost Allowability, Deltek, 2.21.2023

CMMC: Implementation Update and Ask the Experts, National Defense Industrial Association, 2.16.2023

Common Bases, Practices, and Procedures of Size/Status Protests, Virginia PTAC, 2.15.2023

Small Business Eligibility, Public Contracting Institute, 2.9.2023

A Guide to the Buy American and Trade Agreements Act, Federal Publications Seminars, 2.1.2023

Intervention: Working with the Government to Keep Your Award, Virginia PTAC, 1.25.2023

Changes: The Most Important Clause in Government Contracting, McCarter & English Webinar, 1.19.2023

Cost Principles – Travel Regulations, Public Contracting Institute, 1.18.2023

Simplified Acquisition Procedures and Commercial Items, Public Contracting Institute, 1.12.2023

Cybersecurity: Supply Chain Management, Federal Publications Seminars, 12.16.2022

Preserving Your Rights and Avoiding Conflict on Construction Contracts, Virginia PTAC, 12.14.2022

CDA Claim Litigation and Appeals, McCarter & English Webinar, 12.13.2022

Breaking Bad-The False Claims Act, NCMA Boston, 12.7.2022

Breach: Before, During and After – Best Practices & Prevention Strategies, Federal Publications Seminars, 12.9.2022

The Basics of IT Acquisition and Contracting, Federal Publications Seminars, 12.6.2022

Intervention in Federal Bid Protests: Defending Your Contract Award, Govology, 12.5.2022

Understanding DoD Assessment Requirements: -7019, – 7020, CMMC, and Beyond, Federal Publications Seminars, 12.2.2022

Updates from the Office for Civil Rights: HIPAA Happenings in 2022 and What to Expect in 2023, McCarter & English CLE Virtual Series, 12.1.2022

Cloud Security and FedRAMP, Federal Publications Seminars, 11.18.2022

REAs and CDA Claims: Key Strategies for Seeking Compensation on Federal Projects, McCarter & English Webinar, 11.15.2022

Practical Matters: Cybersecurity Laws and Regulations, George Mason University, 11.15.2022

CMMC Update Briefing, NDIA, 11.15.2022

Suspensions, Debarments and Ethical Issues for Federal Contractors, Deltek, 11.8.2022

Fundamentals of Cybersecurity, Federal Publications Seminars, 11.4.2022

Achieving ITAR Compliance with End-to-End Encryption, PreVeil, 10.26.2022

Suspensions, Debarments and Ethical Issues for Government Contractors, McCarter & English Webinar, 10.26.2022

The XYZs of Cybersecurity and CMMC, Rhode Island PTAC, 10.18.2022

Tying It All Together: Managing Risk and Compliance with Internal or External Resources, Federal Publications Seminars, 10.11.2022

Teaming, Joint Ventures, and Mentor-Protégé Relationships on Federal Set-Aside Contracts, SAME DC, 10.7.2022

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