



Hanson Bridgett Practice Group Government Contracting

When contracting with the government, you need a lawyer that understands how to navigate the government landscape. Our attorneys have more than 50 years of experience representing governmental entities which makes us uniquely situated to represent private clients who wish to secure government contracts.

Proposal and Bid Preparation: To maximize chances of success, our clients often engage us at the outset to review the ground rules of government RFPs in order to ensure that a bid/proposal is not only responsive, compliant and “bullet proofed” against any possible challenges, but also best positioned to take advantage of any preferences that may exist—for example, local hiring, target area preferences, veterans and minority contracting program incentives, and the like. We also understand federal regulations and often help clients navigate the complexities of requirements like Buy America that can exist when a contract is even partially federally funded. Especially in the area of publicly funded technology contracts, there are often special rules that may impact important confidentiality and intellectual property issues.

Bid Protest.

We regularly assist clients both in prosecuting and defending bid protests. Because we know how government thinks, we know what strategies work in the bid protest arena. We know how to frame a document request under the California Public Records Act to solicit relevant information about a disputed procurement. We help make sure you are treated fairly and are able to compete on an even playing field. If an administrative proceeding

doesn't resolve the matter, we may seek a writ from the superior court to compel the public agency to follow its own rules, comply with the law, and fulfill its mandatory duties to the public

Contract Negotiation.

Once you have won a government contract, there are still the rocky shoals of government contract negotiations to navigate. Government contract administrators are often handcuffed in what they can and cannot agree to. Even finding the appropriate decision-maker can be a challenging task. Our government expertise and relationships allows us to provide expert strategic advice in negotiating contracts with both state and local government agencies. We are often able to help present solutions in a way that allows a government agency to get to "yes" in a way favorable to our private entity clients. At the same time, our experience allows us candidly to advise a client when a particular request might be a deal breaker for a government agency.

Political Support.

We understand that there is often a political dimension to government purchases, particularly large and/or controversial procurements. We routinely work with political consultants to help their clients communicate effectively with government and position themselves to maximum effect, consistent with the limits of procurement rules and regulations.

Representative examples:

1. Helped a large global company successfully ward off a protest of a multi-million dollar State contract for a technology system.
2. Helped a small company prepare its proposal in response to a State RFP that subsequently resulted in the award of multiple contracts for the provision of services that allowed it to establish itself as a leader in its field in California.

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3. Advised one of the largest companies in California regarding compliance with Buy America regulation on a series of federally funded agreements with both local and State government.
4. Assisted with consultation and liaison with federal Department of Transportation to secure waivers from Buy America regulation.
5. Assisted a large company in the insurance industry with a successful protest of the unfair award of a contract to a competitor, proving that the award was contrary to established procurement rules.
6. A large technology company won a multi-million dollar contract for establishment of a new communications system but couldn't finalize negotiations with the awarding agency. Hanson Bridgett helped negotiate and broker a successful contract between the public and private entity that were about to break off negotiations.
7. Assisted a nonprofit organization negotiate a technology and service contract with a government agency.