

Overview

Dentons successfully counsels and litigates all aspects of state and local government contract law throughout state and local agencies across the US. Be supported by a collaborative team enhanced by the government affairs knowledge of Dentons' public policy advisors—our team members have held senior elected and appointed positions, including state and federal legislators, diplomats, advisors to US presidents, governors, senators, members of Congress, mayors and government lawyers at the state and local levels. Benefit from this unique experience, which enables us to identify potential projects for you and then develop and secure relationships with key officials in federal or state government.

Rely on our in-depth knowledge of the procurement laws and regulations applicable to these jurisdictions to maximize the likelihood that state and local agencies will select your proposals for performance. Should agencies make erroneous bid selections, we have the legal capabilities and political clout to successfully protest such selections. In the public-private partnerships (P3) arena, we can counsel you in the major areas of government contracts law, including state and local procurement, teaming agreements and subcontracts, and we can assist you on a range of public and private and P3 construction projects, including federal public works and military projects, state and local public facilities projects and commercial projects, including successfully preparing and litigating claims seeking to recover cost overruns often caused by state and local agencies.

More specifically, our counseling and litigation experience includes:

- Proven success in pursuing protests or defending awardees in numerous states, including under the California Alternate Pilot Protest Program
- Counseling on the state and local laws applicable to procurements, including minority subcontracting, labor, recycled content, balanced bid and technical specification issues
- Negotiating final terms and conditions with state and local government agencies
- Protesting procurement awards made by state and local agencies on behalf of the information technology, transportation, service contractor, professional consulting and construction industries
- Preparing and submitting claims for payment to state and local agencies under the theories of constructive change, defective specifications, bid mistake and mandatory economic price adjustment
- Litigating denied claims and bid protests in the applicable state courts
- Counseling on a variety of issues unique to state and local regulations, including proposal preparation, analogs to the federal Truth In Negotiation Act (TINA), suspension and debarment and cost accounting
- Developing corporate compliance systems which meet both state and federal regulatory requirements