Government Contracts

The complexities of government procurement and contracting can be daunting. Yormick Law can assist companies navigate the range of complex and sensitive government contract matters including regulatory compliance burdens required under the Federal Acquisition Regulation (FAR), Defense Federal Acquisition Regulation Supplement (DFARS), GSA/Federal Supply Schedule, domestic preference programs such as the Buy American Act (BAA), the Trade Agreements Act (TAA), and the Berry Amendment, as well as those relating to cybersecurity, CMMC, and related issues. In addition to our counselling, the Firm represents and advocates for clients in investigations, ruling requests, and disputes involving government agencies, contractors, subcontractors, and suppliers.

Our Experience

GOVERNMENT CONTRACTS

Advising an Illinois manufacturer on and responded to questions from the Defense Logistics Agency (DLA) regarding the company's violation of cFolders terms of use and downloading export-controlled technical data, successfully resulting in reinstatement of the client's cFolder access after access was suspended

Advising a Massachusetts coatings manufacturer regarding Defense Priorities & Allocations System (DPAS) Rated Order compliance, including on implementing compliance measures, flow-down procedures to suppliers, and providing staff training

Advised a New York City healthcare software company regarding its certification under Executive Order No. 16, Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia, relating to its Russian distributor relationship, in

connection with sales to SUNY research university

Advising multiple Canadian companies on Build America, Buy America (BABA), BAA, and TAA compliance requirements pursuant to the Office of Management and Budget (OMB) Final Guidance

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Represented the New York State subsidiary of an Australian communications equipment manufacturer before CBP and successfully obtained a favorable country of origin ruling for US Government procurement purposes regarding a high frequency software-defined radio produced in New York State from foreign components

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Represented New York State communications equipment company in clarification of California Office of Emergency Services (Cal OES) solicitation and obtained reformation and extension of same to redress unfair competitive harm and in Civil Air Patrol (CAP) protest

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Advised the New York State subsidiary and its German parent company on requirements under Section 889 of the NDAA and compliance with the prohibition on the federal government from contracting with parties using “covered telecommunications equipment or services”

Advised a New York State medical devices manufacturer on BAA and TAA compliance regarding medical devices produced at the company’s Mexico facility for potential sales to Veterans Administration (VA)

Advised a New York State supplier to the Optics, Photonics, and Imaging (OPI) sector on compliance with FAR/DFARS requirements governing Controlled Unclassified Information (CUI) and the COTS exception to the same

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Advised an Ohio manufacturer and distributor of disaster and mass casualty products on Berry Amendment compliance regarding tactical, emergency temporary structures, including preparing the client’s certification confirming COTS, BAA, and TAA compliance

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Analyzed products with foreign materials and assemblies produced in a foreign country and advised an Ohio subcontractor on BAA – Construction Materials Under Trade Agreements (FAR) compliance regarding a US Department of Interior, Bureau of Reclamation contract award for the replacement of equipment at the Hungry Horse Dam

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Represented an Ohio steel company in responding to audit findings by the Defense Contract Audit Agency (DCAA) of non-US content of steel plate purchased by an Israeli defense contractor under the Foreign Military Financing (FMF) program, including requesting a waiver and future approvals of the client’s calculation methodology for non-US scrap content

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Advised an Ohio medical training device manufacturer on GSA Schedule compliance, including analyzing the product's eligibility under the TAA, and successfully negotiated the termination of a supply contract after a subsequent dispute arising from contractor's claims for commission on the client's direct sales to federal and state agencies outside of the supply contract

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Advised the Ohio medical training device manufacturer on State of Connecticut EEO, genetic information, and related statutory and contractual compliance obligations, and negotiated a partial exemption to the same with the Commission on Human Rights and Opportunities regarding sales to a state university

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IF WE CAN ASSIST YOUR COMPANY WITH GOVERNMENT CONTRACTS, PLEASE CONTACT US ATINFO@YORMICKLAW.COM

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