



CAPABILITIES / GOVERNMENT CONTRACTING

REAs, Claims & Contract Dispute Resolution

We reach an equitable settlement of claims against the government in the fastest, most cost-efficient, and least disruptive manner possible.

OVERVIEW

“We resolve our clients’ disputes with the government in a way that saves them time and money while preserving their relationships going forward.”

— Maria L. Panichelli

The fundamental question underlying all government contracting disputes is who will bear financial responsibility for the unexpected. Whether there are changes to the contract, defects in the specifications, differing site conditions, delays, or disruptions, most disputes arise out of assigning liability for an unanticipated issue. The Obermayer team utilizes its extensive experience drafting, negotiating, and litigating REAs and claims to minimize a client’s liability for these issues, and achieve positive results.

Obermayer’s Government Contracting attorneys are experienced in guiding clients through the claims process, from REA and claim submission, to the contracting officer’s final decision, to appeals before the Boards of Contract Appeals or the Court of Federal Claims, to resolution through alternative dispute resolution proceedings. We know the process, the procedures, and the potential pitfalls. We also know how to get the government to come to the settlement table. We actively engage with government counsel and contracting personnel in a cooperative manner to reach a quick and equitable resolution of any dispute.

OUR VALUE

At Obermayer, we believe it is important to not only address a client’s immediate dispute, but to help the client plan for the future. We understand that a contractor’s relationship with a federal agency is important to that future, and we know how to move a claim forward without undermining agency-contractor relations. To that end, we bring a uniquely results- and settlement-focused approach to dispute resolution. Although we are aggressive, resourceful litigators, who are happy to try cases when we need to, we recognize that settlement often offers the quickest, most effective resolution to a client’s problem. We leverage our knowledge of the government to engage agency personnel in the resolution process. This preserves and strengthens our client’s relationship with the government going forward.

Our Clients

We represent clients who are dealing with unexpected, significant disruptions to the planned performance and completion of their contracts with various federal government agencies.

Our clients include government contractors across a wide variety of industries, including construction, information technology and information systems, medical staffing, advisory and assistant services, security, dredging, and environmental remediation, as well as suppliers. Our clients are located, and work, both across the United States and abroad.

Our Focus

When resolving disputes against the federal government, our focus is always on the business interests of our client. Trying claims cases against the government may be prestigious for the attorneys, but typically exposes the client to enormous risks and is very expensive. Our settlement-focused strategy puts the client's needs first.

EXPERIENCE

- Settled an 8(a) contractor's multi-million-dollar claims, including a subcontractor pass-through claim, related to contract changes and differing site conditions against the GSA.
- Settled a claim related to differing site conditions against NAVFAC.
- Settled multi-million-dollar claims related to delay and contract changes against USACE.
- Settled multi-million-dollar claims, including subcontractor claims, related to delay, contract changes, and differing site conditions against USACE.
- Settled a SDVOSB contractor's multi-million-dollar claims related to changes, delay and defective specifications against the VA.
- Settled multi-million-dollar claims related to contract changes and delay against USACE.
- Settled a claim related to contract changes and defective specifications against AFCEC.
- Settled a claim related to variations in estimated quantities against USACE.
- Settled a claim related to contract changes against USACE.
- Settled a claim related to contract changes and delay against USACE.
- Resolved dispute and forced issuance of long-delayed contract modifications allowing completion of project, in ongoing disagreement relating to defective specifications on VA construction project.

ATTORNEYS

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