



MEET MICHAEL

“There is deep satisfaction to be had in taking on Goliath over and over again, and walking away with good results.”
 — Michael A. Richard

Michael is an attorney in Obermayer’s Government Contracting Department, where he excels at getting clients to the settlement table. Michael’s tenacity is truly a force to be reckoned with. Over the past two years alone, he has settled over \$30 million in claims against the United States government.

While Michael enjoys fighting for his clients and winning cases on the merits, his goal is always to reach a reasonable settlement to avoid the costs and risks of trial. That is why he continues to pursue settlement right up until the eve of trial, and has even resolved cases on the courthouse steps. In the very rare instances where there is no satisfactory settlement to be had, Michael has the experience and know how to resolve the case with maximum efficiency through summary judgment motions, submission on the record, or at trial.

Michael is a self-described “law nerd” who truly enjoys the complexities and depth of the law on government contracts. He enjoys diving into the case law to find the right answer, the answer that helps his clients resolve their disputes in the most efficient manner possible. He also keeps a library with highlighted copies of every case he has read during his entire career. This allows Michael to both quickly access the relevant case law when an issue comes up, but also to maintain a breadth of knowledge on the subject of government contracts that is both wide and deep.

In his free time, Michael enjoys playing strategy games, reading science fiction, swimming, and spending time with his wife, kids, and dog.

EXPERIENCE

Michael is an experienced trial lawyer who has litigated before the [Court of Federal Claims](#), the [Armed Services Board of Contract Appeals](#) (ASBCA), and the [Civilian Boards of Contract Appeals](#) (CBCA). He has litigated claims for delay, disruption, differing site conditions, design defects, overzealous inspection, negligent estimation of quantities, changes to design criteria, withholding of liquidated damages, and contract terminations. Michael has particularly in-depth skills in drafting, negotiating, and litigating claims under the Contract Dispute Act (CDA), especially for construction contractors, design-builders, designers, suppliers, IT contractors, and environmental remediation contractors.

Michael has negotiated tens of millions of dollars in settlements with various federal agencies. He has negotiated directly with agency and Department of Justice (DOJ) counsel, created incentive for government counsel to participate in ADR proceedings, drafted settlement agreements, and led negotiations with government counsel during ADR. Michael has also represented clients in bid protest actions before the [Government Accountability Office](#) (GAO) and Court of Federal Claims (COFC).

Michael has also advised small business clients with Small Business Administration protests and teaming agreements, as well as helped them maintain status as an SDVOSB, WOSB, or other federally recognized small business. Additionally, he has worked with his contractor clients to resolve issues with subcontractors, including pass-through claims, prompt payment requirements, prevailing wage issues, and Miller Act bond claims.

Should his clients require counsel regarding compliance with federal laws and regulations including the FAR, DFARS, VAAR, and False Claims Act, Michael has successfully met these needs. He has also advised clients regarding all aspects of contract award and performance for both domestic and OCONUS projects.

Some of Michael's most recent notable outcomes include:

- March 2019 – Settled multimillion dollar claims, including a subcontractor pass-through claim, against the General Services Administration (GSA).
- January 2018 – Settled claim against the Naval Facilities Engineering Command (NAVFAC).
- October 2018 – Settled multimillion dollar claims against the United States Army Corps of Engineers (USACE).
- April 2018 – Settled multimillion dollar claims, including subcontractor claims, against USACE.
- February 2018 – Settled multimillion dollar claims against USACE.
- December 2017 – Settled claim against the Air Force Civil Engineer Center (AFCEC). Settled claim against USACE.
- November 2017 – Settled claim against USACE.
- September 2017 – Settled claim against USACE.

NEWS & INSIGHTS

From The Legal Intelligencer: Obermayer Adds Federal Contracting Practice, Taking Two From Cohen Seglias

April 08, 2019 by Michael A. Richard, Maria L. Panichelli

ACTIVITIES & HONORS

Michael is involved in various organizations, including the [HUBZone Contractors National Council](#), the [National Defense Industry Association](#) (NDIA), the [National Veterans Small Business Coalition](#) (NVSBC),

and the [Society of American Military Engineers Philadelphia Post](#) (SAME).

Michael is an active speaker and writer. Some of his presentations and publications include:

- Introduction to the FAR – SAME Young Members, December 2018
- Advising Federal Contractors Regarding Contract Changes – Lawline, July 2018
- Critical Considerations When Drafting and Negotiating Federal Government Subcontracts – Lawline, July 2018
- Changes on the Horizon: SBA and VA Overhaul VOSB/SDVOSB Eligibility Requirements – APTAC Connection, June 2018
- Avoiding Conflict Over Contract Changes – SAME JETC, May 2017
- Teaming and Joint Ventures – SAME JETC, May 2017
- Navigating the Protest and Claims Process as a Small Business – PTAC, October 2016

In law school, Michael was on the Moot Court Honor Board and was named Champion and Best Speaker at the Appellate Advocacy Competition.

EDUCATION

University of Washington Law School, JD

ADMISSIONS

Pennsylvania

U.S. Court of Federal Claims

Washington

Western District of Washington

CAPABILITIES

Litigation

Appellate

Commercial Litigation

Construction Litigation

Bid Protests

Compliance & Performance Counseling

Federal Subcontracting

REAs, Claims & Contract Dispute Resolution

Small Business Procurement

Government Contracting