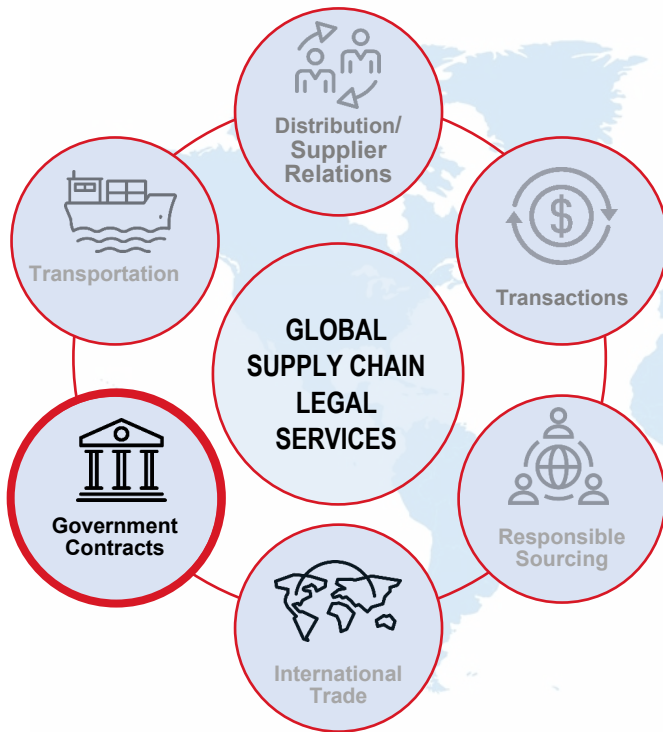




Francis "Chip" E. Purcell, Jr., Partner
Practice Group Leader, Government
Contracts
202.263.4118 | 571.213.7565
Chip.Purcell@ThompsonHine.com

GOVERNMENT CONTRACTS

Thompson Hine's Government Contracts practice group routinely counsels clients that provide products and services as part of the supply chain supporting federal, state and local government customers. Our team works with clients in a variety of industries to ensure that they meet their business objectives and comply with applicable contractual and regulatory requirements imposed upon contractors and suppliers supporting government agencies. As part of our services, we assist companies that primarily support commercial customers and lack significant experience with government customers to understand the obligations that arise when providing products or services as part of the supply chain to meet government requirements.

Services

- Assist clients with negotiation of subcontracts, purchase orders and supplier agreements for products and services, including negotiation of proposed government contract flowdown terms and conditions from upstream and downstream contracting parties.
- Counsel clients on compliance with applicable domestic preference requirements governing products and services provided for government customer use, including Buy American Act, Trade Agreements Act and Buy America Act. Support includes analysis of composition and manufacture of products under applicable domestic preference law.
- Conduct commercial item determination for products or services offered for government customer use in order to streamline applicable government contract flowdown terms and conditions applicable to supplier.

- Counsel clients with receipt and performance of rated orders under Defense Priorities & Allocations System (DPAS) administered under Defense Production Act governing supply chain requirements for military, energy, homeland security, emergency preparedness and critical infrastructure requirements.
- Assist clients with applicable certification requirements imposed by government customers on products and services included in supply chain to meet government requirements.

Representative Matters

- Assist forklift manufacturer in negotiation of flowdown terms and conditions in agreement with upstream contractor supporting federal government requirements.
- Counsel chemical manufacturer regarding compliance obligations flowing from DPAS-rated order placed by customers performing federal government contracts.
- Assist composite manufacturer in developing supplier standard purchase order terms and conditions, including federal procurement regulations governing purchase of commercial items, and negotiating supplier agreements.
- Represent electronic component manufacturer in negotiation of supplier agreement with prime contractor performing major aircraft development prime contract. Representation included negotiating flowdown terms and conditions from prime contract, counseling on contract compliance issues and conducting training on compliance obligations.