



→ Adam A. Bartolanzo

Associate

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Adam Bartolanzo is an associate in the Government Contracts, Investigations and International Trade Practice Group in the firm's Washington, D.C. office.

Areas of Practice

Adam's practice focuses on government contracts litigation and counseling. His experience includes complex litigation in connection with the Contract Disputes Act, bid protest actions before the Government Accountability Office and Court of Federal Claims, appeals before the Federal Circuit and the Fourth Circuit and claims litigation before the Armed Services Board of Contract Appeals and the Civilian Board of Contract Appeals.

Adam also advises clients on cost and pricing issues, supply chain management, technical data and computer software rights in government contracts and compliance with the FAR and other regulations. He often represents both plaintiffs and defendants in commercial litigation before U.S. district courts and state courts, and he is experienced in governmental investigations.

Honors

Recommended Lawyer, Government Contracts, *Legal 500*, 2020

Experience

Representative Matters

- Successful representation of Deloitte Consulting, LLP in a bid protest challenging the Centers for Medicare and Medicaid Services' award of a \$330 million IT contract to operate, maintain, and modernize the federally facilitated exchange, the public-facing component of which is known as "Healthcare.gov" (*Deloitte Consulting, LLP*, B-418321.5, B-418321.6, Aug. 19, 2021, 2021 WL 4054169)
- Successful defense of bid protest challenging the Navy's award of a \$129 million contract to TechFlow Mission Support, LLC, d/b/a EMI Services, for base operations support services (*IAP World Services, Inc.*, B-418735.3, B-418735.4, Apr. 30, 2021, 2021 WL 2394641)
- Successful representation of PDS Consultants, Inc. in a Center for Verification and Evaluation protest challenging the service-disabled veteran-owned small business status of the awardee of a \$2.4 million Department of Veterans Affairs set-aside for prescription eyeglasses and related services (*PDS Consultants, Inc.*, SBA No. CVE-189-P, May 6, 2021, 2021 WL 2351644)

- Successful defense of bid protest challenging the Navy's award of a \$937 million contract to Huntington Ingalls for Littoral Combat Ship planning yard support services (*Austal USA, LLC*, B-417593, Aug. 28, 2019, 2019 WL 4254675)
- Successful defense of a bid protest challenging USAID's award of a \$73 million task order to Deloitte Consulting for technical services to implement the West Africa Energy Program (*Nexant Inc.*, B-417421, B-417421.2, Jun. 26, 2019, 2019 CPD 242)
- Successful defense of bid protest challenging the Department of Homeland Security, U.S. Customs and Border Protection's issuance of a \$65 million task order to Deloitte Consulting for professional, technical and operational support services in support of DHS's Office of Facilities and Asset Management (*Wyle Labs., Inc.*, B-416528.2, Jan. 11, 2019, 2019 CPD 19)
- Successful representation of Shearwater Mission Support in a bid protest challenging the Department of the Navy, Naval Facilities Engineering Command's award of a \$79 million contract for base operation support services (*Shearwater Mission Support, LLC*, B-416717, Nov. 20, 2018, 2018 CPD 402)
- Successful defense of the Air Force's award of a billion dollar contract to Deloitte & Touche for Financial Improvement and Audit Readiness Support (*KPMG LLP v. United States*, 139 Fed. Cl. 533 (2018))
- Successful defense of bid protest challenging the Department of Education's award of a \$75 million task order to IBM for information technology support services (*NTT DATA Servs. Fed. Gov't, Inc.*, B-416123 *et al.*, Jun. 20, 2018, 2018 CPD 215)
- Successful defense of bid protest challenging the Department of Health and Human Services, National Institute of Child Health and Human Development's award of a \$19 million contract to Precision Bioservices for the operation of biosample and genetics repositories (*Fisher BioServices, Inc.*, B-413982.4, B-413982.6, Nov. 29, 2017, 2017 CPD 49)
- Successful defense before both the U.S. Court of Federal Claims and Federal Circuit against a protester's motion to stay the Navy's award of a \$43 million contract to Hamilton Sundstrand Corporation for low pressure electrolyzer oxygen-generating systems for use in submarines (*Treadwell Corp. v. United States*, 133 Fed. Cl. 371 (2017), *aff'd* 726 Fed. Appx. 826 (Fed. Cir. Jun. 13, 2018))

Claim Experience

- Currently representing a major government contractor in on-going litigation before the U.S. Court of Federal Claims involving large, complex claims and government counterclaims related to the performance of an \$874 million contract with the U.S. Postal Service
- Litigated appeals before the Armed Services Board of Contract Appeals and Civilian Board of Contract Appeals of claims for internal restructuring costs that resulted in a settlement pursuant to which the client recovered hundreds of millions of dollars

Other Relevant Experience

- Provided counsel on government contracts pricing issues in state court litigation over an insurance claim arising from a False Claims Act settlement
- Responded to Defense Contract Audit Agency reports questioning contractor compliance with various Cost Principles and Cost Accounting Standards
- Advised on negotiations over the renewal of a research and development program pursued under the Navy's "Other Transactions" authority

- Responded to a Contractor Purchasing System Review questioning contractor compliance with Department of Defense purchasing system criteria
- Performed due diligence and advised clients regarding government contracts risks and opportunities in corporate transactions involving government contractors
- Responded to Freedom of Information Act requests by successfully objecting to the release of proprietary client information exempt from disclosure

Articles

- Contractors Face Tougher Ethical Standards
National Defense Magazine, 12.2020
- Ruling Makes it Easier to Block a Competitor's FOIA Access to Confidential Information
Daily Journal, 07.05.2019
- Access to a competitor's confidential information?
Daily Journal, 04.17.2019
- Industry Struggles with Ever Changing Acquisition Rules
National Defense Magazine, 09.26.2017
- Contributor, *GSA Schedule Handbook*, Thomson West, 2017-2018 Edition
- "Pleading Requirements for Claims by Contractors Against the Government: Applying *Twombly* and *Iqbal* After the Federal Circuit's Decision in *Todd Construction, L.P.*," *42 Public Contract Law Journal* 203, 2012

Government Contracts, Investigations & International Trade Blog Posts

- "'You Got To Know When To Protest' Part III: The Court Of Federal Claims Declines To Expand Blue & Gold Waiver Rule For Bid Protests 'Any Further Than The Federal Circuit Already Has'"; September 24, 2021
- "'What's In A Name?': Federal Circuit Holds Claims Court Blurred Distinction Between 'Size Protests' And 'Bid Protests' In Dismissal For Failure To Exhaust Administrative Remedies," June 29, 2021
- Blue & Gold Waiver Rule For Bid Protests Inapplicable When Pre-Award Objection Would Have Been "Futile"
[rel="noopener" href="https://www.governmentcontractslawblog.com/2020/08/articles/protest/protest-part-ii-blue-gold-rule/">>"You Got To Know When To Protest' Part II: Federal Circuit Holds *Blue & Gold* Waiver Rule For Bid Protests Inapplicable When Pre-Award Objection Would Have Been 'Futile';](https://www.governmentcontractslawblog.com/2020/08/articles/protest/protest-part-ii-blue-gold-rule/) August 18, 2020
- "'You Got To Know When To Protest': Federal Circuit's *Inerso* Decision Stretches the Blue & Gold Waiver Rule For Bid Protests To New Lengths," July 29, 2020
- "DoD Issues Class Deviation to Address Contractor Reimbursement for Paid Leave Required to Maintain a Mission-Ready Workforce During the COVID-19 Outbreak Pursuant to Section 3610 of the CARES Act," April 10, 2020
- "OH SNAP! Supreme Court Rejects Substantial Competitive Harm Test For Key FOIA Exemption," June 26, 2019
- "CBCA Rules Contractor Under GWAC Task Orders Properly Submitted Claims to the Agency Ordering Contracting Officer Instead of the Procuring Contracting Officer," May 29, 2019
- "OH SNAP! Supreme Court to Take on Meaning of Key FOIA Exemption," March 29, 2019

- "GAO Annual Report On Bid Protests: 2018 Yields More Protests, More Merit Decisions, But Fewer Sustains and Fewer Hearings," December 3, 2018
- "Proposed Rule Would Create a Separate, More Restrictive Standard for "Adequate Price Competition" for the DoD, NASA, and the Coast Guard," June 27, 2018
- "Contractors Beware: The 2018 NDAA Ushers In New Changes Affecting IP Rights," January 30, 2018
- "Clearly Erroneous Audit Assertion – An Expensive Thorn in Contractors' Sides," December 1, 2017
- "Industry Struggles With Ever Changing Acquisition Rules," October 26, 2017
- "Defense Contractors to Face New Cost Accounting Oversight with Creation of Defense Cost Accounting Standards Board," April 26, 2017
- "UPDATE: Congress and Trump Administration Repeal 'Blacklisting' Rule, Relieving Contractors from Strict Labor Reporting and Other Requirements," April 26, 2017

Media Mentions

GAO Calls On HHS To Pull Back Accenture's \$330M IT Deal
Law360, 09.02.2021

High Court Rejects 2 VA Contracting Cases
Law360, 01.13.2020

GAO Backs Navy on \$937M Littoral Combat Ship Support Deal
Law360, 09.09.2019

KPMG Denied Injunction Over Air Force Audit Prep Deal
Law360, 09.07.2018

Navy Contractor Can't Stay \$43M Submarine Oxygen Contract
Law360, 08.16.2017

Practices

Government Contracts, Investigations & International Trade

Industries

Aerospace, Defense & Government Services

Education

J.D., George Washington University Law School, 2013, *with honors*, Senior Articles Editor, *Public Contract Law Journal*

B.A., University of Pennsylvania, 2009, *summa cum laude*, *Phi Beta Kappa*

Admissions

District of Columbia

Maryland

Virginia

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Federal Claims

U.S. District Court for the District of Columbia