

Suspension and Debarment

Wiley's suspension and debarment attorneys have earned a reputation for forthrightness, steady guidance, transparency, and integrity in representing individuals, business units, and corporate entities who are facing an inquiry from a suspending and debarring official (SDO), suspension, proposed debarment, or debarment from government contracting. Because exclusions can have catastrophic business impacts for a contractor, precluding them from receiving or competing for new government contracts or operating as a subcontractor, knowledgeable legal counsel is a must.

Wiley's attorneys have worked extensively with SDOs across the Government and with contractors of all sizes and individuals facing potential exclusion. We conduct internal investigations in connection with matters that may lead to suspension or debarment; assist clients in responding to show-cause notices, requests for information, notices of suspension, and notices of proposed debarment, including working with contractors to shore up compliance programs and practices in response to threatened suspension or debarment; prepare contractors facing potential exclusion for SDO meetings, negotiations, and presentations to SDOs; negotiate administrative agreements to avoid suspension and debarment; and, when a company is facing a civil or criminal investigation or charges, we coordinate our response with colleagues or counsel handling those matters to ensure the client's interests are fully protected. Wiley's attorneys are also proactive – helping clients approach key government customers in advance of any SDO involvement to provide information, demonstrate transparency and responsibility, and avert potential exclusion.

Representative experience includes:

- Successfully responded to SDO concerns and negotiated an administrative agreement for a major government contractor division accused of violating the Procurement Integrity Act.
- Made numerous proactive disclosures to SDOs on behalf of contractors, averting potential suspension or debarment.
- Earned an early lifting of an administrative agreement for a major government contractor location proposed for debarment.
- Assisted with enhancements to compliance program, avoiding administrative agreement or further action by agency for a major government contractor accused of mischarging.
- Represented multiple construction contractors facing suspension and debarment after criminal antitrust pleas, leading to administrative agreements that resolved the matters and lifted any exclusion.