

Bid Protests & Administrative Proceedings

In the highly competitive environment of government contracting, which is characterized by numerous and sometimes daunting technical requirements and forms, the smallest of missteps can make the difference between a successful bid and a rejected bid. With more contractors participating in public bidding, there is a greater potential for error. Having a legal team that is well versed in bid protest law is critical to the strategy of contractors and public agencies, whether they are protecting an intended award or challenging one.

Gibbs Giden attorneys have extensive experience representing both public entities and contractors in bid protests before local, state, and federal agencies, as well as in court when protests are elevated pursuant to writs of mandate. Our experience includes protests related to traditional low bid competitive bidding issues such as licensing, timing, pricing, sole sourcing, subcontractor listing, self-performance, mistake, and other responsiveness issues, as well as responsibility issues such as past performance and integrity. We also have expertise in protests arising from best value bidding and procurement.

We handle protests from all sides, including representing unsuccessful bidders that are challenging an award, representing bidders defending an award made to them, and representing agencies in all forms of protests. Our experience provides us with the knowledge necessary to navigate the often complex procedures of various agencies. Our expertise in the protest arena is built on a firm understanding of the law and procedures in this highly specialized area of practice.

Our successes include defending the award of a \$126 million construction contract at a community college campus, successfully challenging the award of a \$23 million design-build construction contract and securing award of the contract for our client at an international airport, and successfully defending the award of a \$35 million contract for construction of a prison, among numerous others. We also understand that protests need not involve particularly high dollar contracts in order to be significant to the particular bidder or public entity. We therefore devote the same strength and enthusiasm to every protest.

Gibbs Giden is also experienced in other types of administrative proceedings, ranging from subcontractor substitutions to licensing issues to responsibility hearings to agency dispute resolution proceedings to hearings regarding prevailing wage issues and civil wage and penalty assessments, representing both contractors and public agencies. We have the knowledge and expertise necessary to navigate these types of

proceedings requires successfully.

To learn more, please call our Los Angeles office at 310-552-3400, our Westlake office at 805-261-1777, our Irvine office at 949-287-8044 or our Las Vegas office at 702-836-9800, or contact us online.