False Claims Act: Four Simple, Inexpensive Ways to Avoid Compliance Nightmares

Sterling Heights, MI
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Related Services

Aerospace and Defense

November 19, 2015 (Thursday)

11:30 - 12:00 Registration, Networking & Lunch

12:00 - 1:00 Presentation

Macomb-OU INCubator at Velocity Center

6633 Eighteen Mile Road, Sterling Heights

This presentation is free to attend. Lunch will be provided courtesy of Butzel Long.

In business, the conventional wisdom generally has been embodied in the variously attributed quotation, "If you build a better mouse trap, the world will beat a path to your door." Certain particularly militant animal-rights groups may beat such a path, but in federal acquisition the focus is not completely on the "better mouse trap."

In addition to the widgets solicited, the USG imposes and expects rigid compliance with a host of mandates covering a variety of things tangentially or completely unrelated to widgets. We are all familiar with the requirements of ORCA, but few are aware of the high degree of emphasis that the government currently is placing on a contractor's "implied certification" of compliance with these mandates, and the serious consequences attendant to noncompliance.

For example, this past month *The New York Times* ran this article: Obama Orders Federal Contractors to Provide Workers Paid Sick Leave. Scant attention was paid to this executive mandate by smaller contractors, especially start-ups. Contractors of size already do this, but start-ups often barely are able to pay salary,

much less provide paid sick leave. Yet, in the government's view, the simple act of routinely invoicing for work done or goods delivered and accepted under a federal contract may constitute an implied certification resulting in a False Claims action, even without any intent. Who needs that?

In this presentation, Bill Eshelman of Butzel Long will provide a number of immediate steps that a contractor can and should take to avoid being tripped-up by these sorts of mandates.