

Albert B. Krachman | Partner
Government Contracts

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Albert B. "Al" Krachman, Esq. is a partner in the Public Contracts practice group of Blank Rome LLP.

Al has 32 years of experience providing legal counsel to companies that do business with, or desire to do business with governments, on all aspects of government contracting and government grants.

Al concentrates his practice on assisting clients in these industries:

- Information Technology
- Service Contracting
- Utility Privatization Contracting
- Health Care Contracting
- Energy Related Services and Contracting
- Construction Contracting
- Schedule and Multiple Award Contracting
- Grants and Financial Assistance

He counsels on winning government contracts and grants, solicitation and proposal issues, and strategies to increase contract profitability at the bidding or grant application stages. Al represents successful and unsuccessful bidders on bid protests at the agencies, at the Government Accountability Office and in the courts. He counsels on the broad range of compliance and enforcement issues arising from mergers and acquisitions of government contractors, including organizational conflicts of interests, problems under the Small Business Act, international contracting, and security clearance matters. Mr. Krachman's litigation practice covers internal investigations, defenses of suspensions, debarments or other ethics

investigations, whistleblower, contract fraud and False Claims Act litigation, as well as disputes under information technology contracts, service and supply contracts, construction contracting claims, equitable adjustments, terminations and the like.

AI's government practice spans the civilian and defense agencies and the key vertical sectors within those agencies, such as contracting for energy supplies and services, telecommunications, information technology, IT and guard security services, construction, and health care services and supplies. From a financial assistance perspective, he advises on federal grant compliance, the SBIR program, defense of grant audits and government repayment claims under grants and non-procurement debarments and suspensions. He also advises on GSA Schedule and Homeland Security contracting.

AI has authored various articles on a wide span of subjects, including Small Business Certification Fraud, Information Security and Military Utility Privatization. He is the co-author of the *Homeland Security Law Handbook*, and has served as a contributing editor on several publications, including *Pricing of Claims, Cases and Materials on Federal Labor Standards*, and *Contracting for Services*.

Select Engagements

- Negotiated the first 50-year government contract award for total privatization of military base utilities.
- Successfully modified numerous solicitations enhancing client's competitive position for award or negating competitive advantage of competition.
- Overturned multi-million dollar default termination at the Armed Services Board of Contract Appeals.
- Successfully resolved suspension and debarment proceedings initiated against clients by numerous agencies including the Department of the Navy, Department of Army, Department of Agriculture.
- Led legal and business teams to capture a \$100M Veterans Affairs contract for a business processing outsourcing client.
- Directed and executed the legal strategy permitting the private equity acquisition of a multimillion dollar professional services company embroiled in bet-the-company litigation.
- Persuaded the Department of Energy to maintain award of our client's \$2B nuclear remediation contract.
- Favorably resolved a \$50M international corporate fraud and real estate dispute involving litigation in Finland and in U.S. Federal District Court.
- After trial at the Armed Services Board of Contract Appeals, prevailed against the Defense Logistics Agency ("DLA") on behalf of one of the world's largest gas transmission companies, which DLA incorrectly awarded a natural gas transmission contract to for covering all defense bases in the Midwestern United States.
- Reversed a default termination on a multimillion dollar core IT contract awarded by the U.S. Postal Service.
- Successfully represented Sonoma County, California, in defense of a federal criminal anti-trust probe involving alleged contract steering.

- Directed and executed the legal and business strategy to permit a major mall owner to recover against two insurers for structural damages arising out of a C&O Canal surge on National Park Service property.
- Saved the business of a major federal engineering firm proposed for suspension due to alleged improper political contributions.
- Successfully resolved a proposed EPA debarment of a major energy firm whose executives were indicted for environmental violations.
- Obtained our client an award of a slot on a \$100M Air Force IDIQ contract, and had its chief competitor removed from the contract award group.
- Saved the City of San Juan Bautista, California, from probable annexation by preserving the City's Department of Commerce Grant for rebuilding its water system.
- Instrumental in the congressional enactment of provisions in the Small Business Jobs Act of 2010 relating to enhanced sanctions for small business certification fraud.
- Obtained a precedent-setting U.S. Customs ruling in the area of software manufacturing, determining that the client's product, partially coded in China, was U.S. Domestic End Products.
- On behalf of the City of Houston, Texas, successfully resolved a multimillion dollar claim by the Inspector General of CMS for repayment of federal Medicaid funds used by Houston Independent School Districts for IEP programs.
- On behalf of the City of Austin, Texas, successfully obtained one of the few conditions granted by the U.S. Surface Transportation Board on the merger of the Union Pacific and South Pacific railroads.

Admissions

- District of Columbia

Memberships

- American Bar Association
- Greater Washington Board of Trade
- National Contract Management Association
- National Defense Industrial Association
- Northern Virginia Technology Council

Education

- Boston University, BA, with distinction
- George Washington University Law School, JD

Recognitions

- 2017, 2019–2020, listed in Capital Pro Bono Honor Roll

Professional Activities

AI has served in numerous professional and community organizations, including the Board of Zoning Appeals, the National Defense Industrial Association; the Industrial Development Authority of Falls Church, Virginia; the Economic Development Task Force of Falls Church, Virginia; and the Northern Virginia Technology Council. He is a member of the Greater Washington Board of Trade and the National Contract Management Association.