

PUBLIC PROCUREMENT

The sale of goods and services to government and quasi-government bodies presents tremendous opportunities, but also significant challenges and risks, both to bidders and contracting authorities. Crowell&Moring has set the standard for effective legal guidance in this highly complex arena. It has one of the largest and most reputable government contracts practices in the United States. In Brussels, our lawyers combine extensive technical and legal experience in the application of the European and Belgian legislation with innovative thinking and commercial focus to craft effective solutions in the challenging fields of public procurement law and Public Private Partnerships.

EXPERIENCE

Crowell & Moring offers a full range of services to bidders and contracting authorities covering the procedures and requirements relating to the award of public contracts as well as EU and NATO procurement rules. We assist our clients at every stage of the tendering process, including the drafting of the documentation, the evaluation of bids, the award and contracting stage, and final execution. Although our team always tries to achieve the most efficient and pragmatic solution for our clients, when necessary we are experienced and efficient litigators before both civil and administrative courts (Conseil d'Etat/Raad van State).

STRENGTHS

Crowell & Moring's Brussels office has a strong domestic and European expertise which enables us to offer a multidisciplinary approach in which corporate and procurement law issues are analyzed alongside one another. An approach that has proved successful in drafting tender documents and negotiating and executing agreements.

REPRESENTATIVE MATTERS

- Safeguarded the interests of a Canadian company in public procurement procedures and subsequent litigation regarding the award of a contract for the

supply of virtual lottery terminals to the National Lottery of Belgium;

- Litigated on behalf of one of Belgium's largest telecommunications companies against the decision by the Flemish public broadcaster to award a contract for the supply of a media platform to a competitor;
- Advising pharmaceutical companies on joint public procurement questions;
- Assisted a US defense company with a submission in a Private Public Partnership project for Pilotage Vessels ordered by the Flemish government. The project was for the design, build, finance and maintenance of a mother vessel and three fast tender vessels;
- Provided legal support to a US based electronics corporation in their negotiations with several Belgian publicly owned operators of low and medium voltage electricity networks, relating to the license agreements for e-meters in Belgium;
- Represented one of the largest dredging companies in the world in public procurement litigation against the Antwerp port authorities on the use of their patent protected technology for the construction of quay walls;
- Advised several pharmaceutical companies on the application of the new Belgian public procurement rules in the hospital sector; and,
- Advised a defense contractor on offset requirements and Directive 2009/81/EC on defense and sensitive security procurement.

TEAM

The multi-disciplinary public procurement team comprises corporate and regulatory lawyers, but also includes litigators. In public procurement matters the Brussels office often teams up with a local Belgian law firm that excels in Belgian and European procurement law. This partner firm has been appointed to act as legal consultants to, among others, the Belgian Federal Department of Justice, the Belgian Federal Department of Interior Affairs, the Flemish government, the Government of Brussels and the National Public Company of nuclear waste.

CONTACTS



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