COURSE SYLLABUS

Government Contract Law Course

Learn the legal foundations of government contracting through analysis of key laws, regulations, and case examples related to procurement, performance, and disputes.

Group classes (Live Online) and onsite training are available for this course. For more information, email onsite@graduateschool.edu or visit: https://sdfm.graduateschool.edu/courses/government-contract-law



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Course Outline

Module 1: The Uniqueness of the Government as a Contractor

- Explains how government contracting differs from private-sector contracting
- Outlines sovereign powers, public policy requirements, and statutory mandates
- Describes the role of public interest in shaping contract law

Module 2: Contract Formation Principles

- Defines the legal elements of contract formation
- Explains offer, acceptance, and consideration in the federal context
- Identifies essential elements required for enforceable agreements

Module 3: Authority of Government Agents

- Clarifies who can legally bind the government in contract matters
- Defines actual vs. apparent authority in acquisition
- Discusses consequences of unauthorized commitments

Module 4: The Statutory and Regulatory Framework

- Introduces foundational acquisition statutes and regulations
- Explains the roles of FAR, DFARS, and agency supplements
- Outlines statutory limitations on contracting authority

Module 5: Miscellaneous Acquisition Procedures

- Describes simplified acquisition and commercial item procedures
- Explains purchase cards and micropurchase thresholds
- Introduces interagency agreements and special acquisitions

Module 6: Sealed Bidding and Common Acquisition Issues

- Explains the sealed bidding process under the FAR
- Details bid submission, evaluation, and award
- Covers bid mistakes, protests, and rejection rules

Module 7: Responsibility, Suspension, Debarment

- Defines contractor responsibility and pre-award clearance
- Outlines grounds for suspension and debarment
- Discusses impact of exclusions on procurement eligibility

Module 8: Competitive Proposals and Negotiation

- Explores negotiated procurement and source selection
- Explains evaluation factors and best-value tradeoffs
- Describes discussions, revisions, and final award decisions

Module 9: Types of Contracts

- Introduces fixed-price, cost-reimbursement, and other contract types
- Outlines risk allocation and appropriate use of each type
- Explains contract selection considerations under the FAR

Module 10: Socioeconomic Considerations

- Discusses statutory programs supporting small and disadvantaged businesses
- Explains set-aside policies and socioeconomic evaluation factors
- Highlights legal obligations for inclusion and compliance

Module 11: Subcontracting

- Outlines rules for prime-subcontractor relationships
- Explains flow-down clauses and responsibility tracking
- Describes subcontracting plans and reporting requirements

Module 12: Contract Administration

- Details post-award roles and responsibilities
- Explains contract performance oversight and modifications
- Describes invoice review, acceptance, and payment issues

Module 13: Disputes and Remedies

- Explores the Contract Disputes Act and claims process
- Details remedies for breach, nonperformance, and default
- Covers appeal rights, boards of contract appeals, and litigation