



## COMPLIANCE PROGRAMS & TRAINING PROTECTION FOR THE PUBLIC WORKS CONTRACTOR

Heightened enforcement of regulations, including D/M/WBE goals, has recently led to: (1) monetary penalties; (2) contractors being suspended or debarred; (3) the imposition of outside corporate monitors; and (4) criminal prosecution and conviction of company officers for fraud, including in the reporting and usage of D/M/WBE subcontractors on public projects.

Peckar & Abramson offers a proactive way for contractors performing public works to dramatically reduce their risk. P&A will:

- Create a sound and tailored Compliance Program for your company, or help improve your existing program.
- Act as your outside “in-house” Compliance Officer, or assist your in-house compliance staff.
- Train your purchasing and management personnel on best practices and make certain that company policies, practices and procedures are properly implemented.
- Conduct workshops, seminars and training programs and assist you in complying with applicable D/M/WBE regulations, including documenting your good faith efforts and drafting applicable subcontract provisions.
- Draft and monitor vendor questionnaires and create a system of internal reviews to detect and report infractions.
- Represent the company before investigators and other regulators.

Regulators believe fraud is rampant and have told project officers to report any potential irregularities. “How good a compliance program is will speak to how we pursue a case,” said Denis McInerney, the chief of the Justice Dept.’s fraud unit. “Don’t have just a paper program,” said Asst. US Attorney Ryan McConnell. “The biggest problem we see is lack of execution.” If an investigation occurs, the quality of your compliance program will affect whether prosecutors ask for a corporate monitor to be included as part of any settlement.

Don’t let them find a reason to investigate or prosecute you. Contact us if you are interested in learning more about our services.

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