

**W. Samuel Niece**  
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Sam Niece is a former federal government contracting officer who practiced law for over 20 years at major national firms (Thelen LLP and Howrey LLP). His current practice focuses on construction and government contracts counseling and litigation on public and private projects. He counsels state and local entities on contract formation issues, including privatization initiatives. He represents both governmental and private entities in bid protest, claim resolution, and litigation matters. He is a registered professional engineer and a private pilot.

### **Education**

- University of San Francisco School of Law (JD), *magna cum laude*
- Loyola Marymount University (MBA)
- Massachusetts Institute of Technology (MS)
- Case Western Reserve University (BS)

### **Representative Engagements**

- *T-6A Texan II*. Represented prime contractor as defendant-intervenor in patent infringement litigation at United States Court of Federal Claims involving oxygen generating systems for new military training aircraft.
- *Combined-Cycle Power Plant*. Represented City of Santa Clara, California's municipal utility in contract drafting and negotiation and resolution of bid protests and contractor claims on new combined-cycle electric power plant.
- *Detroit Courthouse*. Represented contractor in litigation at United States Court of Federal Claims following adverse decision by General Services Administration contracting officer.
- *Los Angeles Federal Office Building*. Represented contractor in bid protest to General Accountability Office.
- *John O'Connell High School*. Represented contractor in bid protest to San Francisco School Board to obtain contract, and in subsequent claims litigation.
- *San Francisco International Airport*. Represented contractor in negotiating final indirect overhead rates under Federal Acquisition Regulation cost principles.
- *Public Transit Project*. Advised local transit district on privatization project.
- *University of California Lick Observatory*. Represented contractor in bid protest and petition for writ of mandate.
- *Regional Medical Center*. Represented public owner in multi-prime, agency construction manager project delivery system for major hospital expansion.
- *Government Rights in Data and Computer Software*. Advises clients on procedures for retaining proprietary rights in data and software provided under government contracts.
- *Koror-Babeldaob Bridge*. Represented the Republic of Palau in litigation arising from the collapse of the Koror-Babeldaob Bridge.
- *MCI WorldCom Bankruptcy*. Represented general contractor in perfecting a mechanic's lien in the MCI WorldCom bankruptcy.
- *Multi-Unit Housing*. Represented general contractor in litigation and work-out of troubled senior housing project.

### **Courts and Adjudicative Bodies**

United States Court of Federal Claims  
United States Court of Appeals for the Federal Circuit  
United States Court of Appeals for the Ninth Circuit  
United States District Court for the Central District of California  
United States District Court for the Eastern District of California

United States District Court for the Northern District of California  
United States District Court for the Southern District of California  
Superior Court of the State of California (multiple counties) United  
States Court of Federal Claims  
Armed Services Board of Contract Appeals  
American Arbitration Association  
United States Patent and Trademark Office

**Professional Affiliations**

American Bar Association, Forum on the Construction Industry  
National Transportation Safety Board Bar Association