



HUSCH BLACKWELL

HCR Contractors— You Do Have Rights!

SEMINAR

**January 14, 2014 | 9 a.m. – 11 a.m.
Golden Nugget Hotel, Las Vegas, NV**

PRESENTED BY

David P. Hendel, Husch Blackwell LLP
in conjunction with the Western/Central regional meeting
of the National Star Route Mail Contractors Association

A Message from the Course Director

David P. Hendel

For the past 20 years, I have presented seminars on Postal Service contracting, which have been attended by hundreds of postal contractors. Many HCR contractors have also attended those seminars, and I have been pleasantly surprised that they found them informative and useful to their business. But those seminars, by necessity, included some topics that were not important to HCR contractors and lacked other topics that would have been.

Now, for the second time, I will be presenting an in-depth seminar tailored specifically to the needs and concerns of Highway Contract Route (HCR) contractors. I am also excited that this seminar will be conducted during the Star Route's Western/Central regional meeting, allowing contractors attending that event to attend this seminar without making a special trip.

As association attorney for the Star Route since September 2004, I have learned much about the special world of HCR contracting. When I first accepted that position, I thought I had a good grasp of the subject. That showed how little I really did know about this unique segment of Postal Service contracting. In the nine years since – and in representing dozens of HCR contractors in my legal practice – I have seen up-close many of the issues and problems you face. The goal of this seminar is to impart that knowledge to you and give you the tools for succeeding under the special terms and conditions that govern these contracts.

I hope you are able to attend this special presentation and look forward to seeing you there!

Contact Information

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www.regonline.com/PostalSeminarJan2014



Who Should Attend

- Experienced HCR contractors will refresh their understanding and learn about current developments that threaten the successful performance of their contracts.
- New HCR contractors will better understand their contractual rights and obligations and how to succeed within this special environment.
- CDS contractors will learn about their fundamental contractual rights and how to respond to service changes and deductive changes.
- Discounts for Star Route members. All current members of the National Star Route Mail Contractors Association will receive a \$100 discount from the regular seminar fee.
- Once the first person from your company has been registered, all other employees may register at an additional \$100 discount.
- Anyone who interacts with Postal Service officials in the bidding, negotiation, renewal or administration of HCR contracts will benefit from attending this specially designed seminar.

Your course director and instructor, David P. Hendel, has 30 years of experience counseling clients and agency officials on the Postal Service contracting process. David brings perspective and real world examples from both sides of the table to a wide variety of postal contracting matters.

Chair of the firm's Postal Service Contracting group and a partner in the Government Contracts group, David has focused his practice on Postal Service contracting matters for the past 30 years and has represented hundreds of postal contractors on a variety of issues. He has extensive experience in solicitation review, bid protests, contract administration, changes, claims preparation and litigation, terminations,



HCR Contractors—You Do Have Rights!

You may think the deck is stacked against you because the Postal Service writes the contract. But you do have rights and remedies, some of which are not written in the contract.

Granted, the HCR Terms and Conditions explicitly state the Postal Service's rights and all of your obligations. But there are at least a dozen rights that you have, including several that are not in writing but are implied by law.

Our Promise:

If you don't learn something from this seminar that is at least twice as valuable as what you paid to attend, we will refund your registration fee.

Register online at

www.regonline.com/PostalSeminarJan2014

Here are some of your contract rights that we will discuss at this seminar:

- Payment clause
- Fuel Management Program clause
- Prompt Payment Act
- Termination for the Postal Service's convenience
- Termination with notice
- Changes
- Claims and disputes
- Duty of cooperation and fair dealing
- Duty of non-interference or hindrance of work
- Waiver of performance
- Excusable delay
- Disagreement process

and procurement fraud investigations. He writes a monthly column on postal contracting for the National Star Route Mail Contractors Association. David also litigates matters before the U.S. Court of Federal Claims, the Postal Service Board of Contract Appeals, and various U.S. district courts.

David commenced his legal practice in 1982 as an Honors Attorney for the U.S. Postal Service General Counsel in the Office of Contracts and Property Law. He advised senior officials on procurement matters, litigated contract claims, and handled agency protests, receiving a special commendation for meritorious service from the Postal Service's top procurement official.

After entering private practice, David realized how vastly the Postal Service's procurement environment differed from those of other agencies. To help contractors understand and succeed within this environment, he created other popular seminars on postal contracting: *Advanced Topics in U.S. Postal Service Contracting*; *Doing Business with the U.S. Postal Service*; *Changes, Modifications and Claims under U.S. Postal Service Contracts*; and *Making Sense of Your Postal Service Contract*. Since 2001, he has annually compiled and published the list of the Postal Service's top suppliers. David received his B.A., *magna cum laude*, with high honors from Brandeis University and his J.D. from New York University.

DATE

Tuesday, January 14, 2014, 9:00 a.m. – 11:00 a.m.

COST

Standard fee is \$350, or \$250 for Star Route member. Each additional person from the same company will receive a \$100 discount, which would be \$250 for nonmembers and \$150 for Star Route member companies.

REGISTRATION

Register online at:
www.regonline.com/PostalSeminarJan2014
Or contact Stephanie Dorssom at
stephanie.dorssom@huschblackwell.com
or 314.345.6646

LOCATION

Golden Nugget Hotel
129 E. Fremont St.
Las Vegas, NV 89101
702-385-7111

QUESTIONS

If you have questions about the seminar or postal contracting, do not hesitate to contact the course director, David Hendel, at david.hendel@huschblackwell.com or 202.378.2356.

Or for further information about registration and course details, contact our Seminar Coordinator, Stephanie Dorssom, at stephanie.dorssom@huschblackwell.com or 314.345.6646.

For more information on the firm's Postal Service Contracting group, visit:
huschblackwell.com/postal-service-contracting.

To receive regular updates involving current Postal Service contracting issues, visit our blog,
The Contractor's Perspective at
contractorsperspective.com/postal-service-contracting.

What attendees said about our January 2013 HCR seminar...

"I found the seminar very informative. As usual, David did a fantastic job covering several topics that are vital to our industry."

Dante Berkheimer, Robert M. Neff Inc.

"This seminar was full of good information – opened my eyes on many things I had no idea about."

Greg Roth, Roth Trucking.

"David always presents the subject material with enthusiasm. Great information."

Don Dorris, Postal Fleet Services Inc.

"David gives good insight on specific issues with clear direction and speaks at our level – doesn't use a lot of attorney jargon or political talk. Very focused on our industry, using real life examples."

Greg Causley, Causley Trucking.

"Well prepared. A good refresher course – even for those in this business for many years."

Dick Salanger, Salanger Trucking.

"David keeps it very interesting with the sidebar stories and actual occurrences. He explains all contract wording in a simple and understandable manner."

Jack Khudikyan, AJR Trucking Inc.

"Good information and would like to repeat – liked the comedic relief."

Jill Farris, Foreman Bros. Inc.

About Husch Blackwell

Husch Blackwell is an industry focused full-service litigation and business law firm with locations in 16 U.S. cities and in London. National and global leaders are represented in major industries that include energy and natural resources; financial services; healthcare, life sciences and pharmaceuticals; real estate, development and construction; and technology, manufacturing and transportation.

Our Government Contracts practice, based in our Washington, D.C. office, represents domestic and international clients involved in all phases of government contracting, including bid protests, contract administration, change orders, audits, claims and disputes, and compliance programs. A special focus of this practice is providing advice to Postal Service contractors.

Contracting with the U.S. Postal Service is different than contracting with other federal agencies. Attorneys in the firm's Postal Service Contracting group understand these nuances and advise the full range of contractors, from *Fortune* 500 companies to sole proprietorships, on a wide variety of issues that arise under these unique contracts, including: solicitations, proposals and protests; contract performance; requests for equitable adjustments and claims; terminations; and false claims investigations