

Marc P. Schwartz

Senior Manager

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Marc Schwartz is a Senior Manager with Chess Consulting LLC with over 15 years of experience. He has worked primarily with government contractors providing complex accounting, regulatory compliance, litigation support/damage analysis and consulting services to companies in a range of industries. Prior to Chess Consulting, Marc worked for over five years for two different international consulting firms.

Professional Experience

Government Contracts Advisory Services:

Marc has assisted numerous government contractors on a variety of government contract-related matters. His experience has included consulting with contractors on complex allocability and allowability matters, interpreting and applying Cost Accounting Standards (CAS) and the Federal Acquisition Regulation (FAR) cost principles, and developing compliant cost structures. He has also assisted contractors in preparing requests for equitable adjustment, including the identification, analysis, and pricing of changed work and associated delay and disruption claims. Additionally, he has assisted contractors in preparing termination settlement proposals and managing the settlement process. Some of his representative projects include the following:

- Marc assisted a large government healthcare provider and its legal counsel in preparing a settlement proposal and requisite standard forms in a terminated government contract. His responsibilities included drafting the settlement proposal and ensuring compliance with Federal Acquisition Regulations (FAR). He also helped in assessing reasonableness and supportability of bases of estimates and adequacy of documentation supporting the claim. Additionally, he acted as a liaison between the Defense Contract Audit Agency (DCAA) and the company during the audit of the settlement proposal.
- Marc assisted an avionics government contractor and its legal counsel in preparing a settlement proposal and requisite standard forms in a terminated government contract. He drafted the settlement proposal and assessed compliance with FAR. He also helped in assessing supportability of bases of estimates and adequacy of documentation supporting the settlement proposal.
- Marc assisted a large international defense contractor in identifying costs associated with a multi-million dollar request for equitable adjustment under a US Government contract. He analyzed prime and subcontractor incurred costs, performed detailed facility cost assessments, and prepared financial analyses to assist the contractor in identifying claimed costs. He also prepared documentation used for negotiations with the Government regarding amending the contract on a go forward basis.
- Marc assisted a professional, technology and management services government contractor in the preparation of complex incurred cost submissions for multiple segments and years. This included preparing detailed schedules supporting the submissions and calculation of appropriate indirect rates. He also reviewed existing submissions for accuracy and compliance.
- Marc assisted outside counsel for a large government contractor in connection with a multi-million dollar contract delay claim. His responsibilities included analyzing the delay costs and calculating claimable amounts. He also assisted in preparing supporting cost/price schedules.

- Marc has performed research and analyses for clients related to assessing compliance with various FAR Cost Principles and CAS.

Disputes and Litigation:

Marc has substantial experience with respect to disputes and litigation. He has assisted clients in matters involving bid protests, contract breaches, contract claims, cost accounting disputes, GSA schedule contracting, the False Claims Act, and fraud and other misconduct. He has prepared and/or analyzed damage claims and advised companies and their legal counsel in preparing for trials and arbitration proceedings. He has also prepared declarations in legal proceedings. Some of his representative projects include the following:

- Marc has assisted outside counsel for government contractors in connection with numerous bid protests. He has performed extensive analyses in connection with price/cost and other issues, including labor rates, indirect rates, and various direct costs, raised during the protests. He has also prepared declarations, exhibits, and researched regulatory guidance.
- Marc assisted outside counsel with analyses in response to an insurance claim by a large government contractor for business interruption losses. This included researching underlying documentation and applicable regulations in order to make adjustments to the claim calculations, as well as developing workpapers provided to opposing counsel to present the analysis. As part of the analysis, Marc performed an in-depth review of proposals, contracts, and other relevant documents. Additionally, he performed detailed calculations to determine indirect cost and rate impacts to the claim. Marc's responsibilities also included assisting counsel with the preparation for numerous depositions.
- Marc assisted outside counsel for a large international engineering, construction, and services government contractor in connection with a multi-million dollar contract claim. His responsibilities included assessing price reasonableness; analyzing multiple DCAA audit reports; reviewing documentation provided by the client and the Government, assisting in the creation of expert reports, assisting expert and counsel in preparing for expert testimony, and analysis of the opposing experts' report.
- Marc provided complex financial analyses in connection with a contract claim submitted by a security screening company in litigation with the government. He evaluated the reasonableness of the claim pricing and assessed potential additional damage elements. His responsibilities also included evaluating documentation provided by the client (including accounting records, depositions and contracts), creating exhibits and schedules for an expert report, as well as analyzing and responding to DCAA and Defense Contract Management Agency (DCMA) reports.
- Marc assisted outside counsel for a multi-national software company in response to an alleged False Claims Act violation in connection with a GSA schedule contract. Marc helped prepare a potential damages calculation based on analyzing years of sales data.
- Marc assisted a government contractor with a special investigation conducted by outside counsel regarding compliance with the FAR Cost Principles and Cost Accounting Standards (CAS), as well as the calculation of the potential cost impact.
- Marc assisted in the performance of the compliance review for a large government contractor to ensure that the company adhered to a deferred prosecution agreement with the government. He participated in on-site visits to test different aspects of the company's operations including its financial reconciliation, cost estimating, procurement, and labor charging processes. He also assisted in the creation of a report detailing the agreed-upon procedures and work performed for the review.
- Marc assisted outside counsel for a large government contractor in connection with a multi-million dollar contract claim. His responsibilities included reviewing documentation, analyzing damage model calculations, and providing support in preparation for a mediation proceeding before the Office of Dispute Resolution for Acquisition (ODRA).
- Marc provided complex financial analyses to a large defense contractor involved in litigation related to the award of a multi-million dollar government contract. Specifically, his responsibilities included reviewing documentation provided by the client, creating exhibits and schedules utilized in expert testimony, and analysis of the opposing experts' report and relevant damages calculations. In addition, he worked directly with the client to obtain additional information necessary for expert testimony.

Complex Accounting, Reporting, and Controls:

Marc has worked with companies in connection with assessing the adequacy of their internal processes, controls and self-governance programs on assignments including evaluating contractors' project cost accounting, labor charging, indirect cost accounting, purchasing, and cost estimating systems. He has also assisted companies in assessing compliance with revenue recognition standards. Some of his representative projects include the following:

- Marc assisted a public government contractor with the evaluation of its existing revenue recognition methodologies and processes compared to the requirements under Accounting Standards Codification 606 – *Revenue from Contracts with Customers* (ASC 606). He analyzed existing company internal controls, policies, and financial disclosures, and helped develop changes and updates in preparation for ASC 606 adoption.
- Marc assisted a large privately owned government contractor in accounting for the disposition and sale of its commercial business operations in accordance with SFAS 144 and other accounting regulations. He worked directly with the company's finance and accounting function to allocate the balance sheet and profit and loss accounts between continuing and discontinued operations. In addition, Marc worked with the company to provide necessary documentation and support to the external auditors to facilitate their review.
- Marc assisted a large aerospace government contractor in preparing for a DCAA audit of its estimating system. Preparation included reviewing policies and procedures and assisting in drafting an estimating system manual. He also reviewed contractor-prepared price/cost analyses to ensure compliance with both internal policies and regulatory guidance.
- Marc performed an independent review of the financial reporting and procurement processes for an international manufacturing company as part of a fraud investigation. His work included conducting interviews with key personnel and performing walkthroughs of the client's critical business processes.
- Marc assisted a global professional services firm to ensure that contract revenue was reflected in an accurate and timely manner in accordance with SAB 104 and SOP 81-1. He also reviewed contractual documents, contract status reports, and other contractual information to assess the appropriateness of the revenue recognition. Additionally, he frequently interacted with engagement teams to better understand the contract backgrounds.
- Marc assisted multiple companies with the performance of internal control reviews. He participated in on-site visits to test different aspects of internal controls, including payroll, procurement, revenue and treasury.
- Marc helped a company with the development of work programs to test compliance in connection with its construction, asset management, developer services and property management agreements. He also coordinated and participated in on-site visits to test these work programs including the contract cost accounting and financial reporting of the programs.

Education

The Pennsylvania State University, B.S., Accounting and International Business (2004)