



## Lawyer stresses ethics in bidding

*By Pat Milhizer*  
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When the year started, Scott P. Seder was working for the state government office that issues more than \$10 billion every year in contracts to companies that bid on the chance to supply everything from the light bulbs in the Statehouse to the uniforms worn by prison inmates.

Now he's on the other side of the bidding process.

After 14 years as a public-sector lawyer, Seder joined Connelly, Roberts & McGivney LLC to help companies win government contracts by ensuring ethics and compliance.

Seder, 38, said there's a market for his legal services, especially because many governmental bodies have tightened regulations on the bidding process after years of scandals that have found links between the winners of contracts and their relationships with politicians.

For example, the state bans businesses that have a government contract worth more than \$50,000 from contributing to the politician whose office awarded the contract. The state also prohibits companies from bidding on contracts if company officials have provided state officials with the idea to buy their product.

"In this environment, people need to be very careful. And they need to be very above-board and transparent about how they do business," Seder said. "It's in everyone's best interest. I don't believe that people are intentionally somehow making some of these mistakes, but I think sometimes people need to be advised about how to properly communicate."

After graduating from Chicago-Kent College of Law in 1996, Seder worked on a state representative's campaign for office.

He joined Illinois House Speaker Michael J. Madigan's Springfield legal staff later that year as an assistant counsel to analyze bills that were proposed in the General Assembly.

In 1997, he moved to Chicago to join the Cook County state's attorney's office as a prosecutor handling cases against parents who failed to pay child support. He eventually moved on to prosecute misdemeanors, and his Springfield experience made him a strong candidate to also serve as one of the state's attorney's lobbyists.

So for five years, Seder spent six months a year working in the Statehouse as a lobbyist and the other six months as a prosecutor at the Criminal Courts Building at 26th Street and California Avenue.

In 2005, he joined the division of the state's attorney's office that defends the county against lawsuits filed by its employees. After a year of that, he was hired by the Illinois Department of Financial and Professional Regulation as a general counsel.

His last job with the government was working for the Illinois Department of Central Management Services, which buys everything that the state wants from private vendors.

In March, he started with Connelly, Roberts & McGivney as a one-lawyer practice group.

"I was looking for an opportunity to be entrepreneurial, and, in the same way, sort of help clients navigate through these [bidding] processes and succeed," Seder said.

The firm has a corporate transactional practice that includes counseling clients on mergers, acquisitions, private equity deals and real estate development.

Seder is a good fit at the firm, said firm principal Michael S. Roberts.

"You could just tell that the entrepreneurial spirit ... he had it," Roberts said.

In addition, Seder's practice area "is a great supplement to the corporate transactional practice, in that our clients are in transactions at times that involve areas in which Scott has an expertise," Roberts said.

Seder didn't join the firm with a client list. But he already has several clients, who have mainly come through referrals from people that he's known professionally and socially over the past 14 years.

He said he's willing to work with any company, regardless of their size.

"The services that I offer would be to any and all people that are interested in doing it the right way and making sure that they don't find themselves in the headlines and don't inadvertently disqualify themselves," Seder said.

When he's working with clients, one of the first things Seder says to them is that they need to be aware that their communications with the government may be saved in written or electronic form. A good rule for his clients is not to say anything that they wouldn't want to see in the newspaper, he said.

"When I talk about navigating the new era of reform, I tell everyone upfront, everything is on the record. You should act like everything is on the record. There's nothing to be afraid of, but you should know that all your conversations, your contacts, your e-mails — they're going to be made public," Seder said.

"Because, at least in a competitive bidding situation, for every winner there are losers. And a lot of times, the losers, they file Freedom of Information Act requests, and they request all the correspondences and anything that they can; not always in some vindictive way, but I think maybe to assist them in the next bid," Seder said.

He also tells clients to make sure that their proposals are pitched in a way that shows they're in the best interest of the taxpayer.

"That's what this is about. That's what government contracting is about — doing business in a way that's in the best interest of the taxpayer. That's why they have competitive bids," Seder said. "The more bids there are, the lower the price. Hopefully, the best product at the lowest price."

Measuring success in his new practice, Seder plans to factor in more than just whether a client's bid is the winning one.

"For clients, it's all about the long play. It's about your professional reputation, the integrity and the process. One of the reasons that I'm in this, and that I feel strongly about it, is there ain't no shortcuts. If somebody tells you there's a shortcut, take a pass," Seder said.

"There's no shortcuts to any of this in the procurement process. It's extremely regulated, extremely transparent — as it should be."

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