

PATTON BOGGS LLP
ATTORNEYS AT LAW

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Robert H. Koehler
Partner



Government Contracts
Homeland Security, Defense, and Technology Transfer
Litigation and Dispute Resolution
Federal Construction and Green Building
Government Contracts Due Diligence and Transactions
Native Contractors

With his very extensive background and experience in all aspects of the Government procurement and acquisition process, Robert Koehler assists both U.S. and foreign clients in a broad range of federal marketing activities, including:

Development and formation of business alliances and teaming partners to meet performance requirements;
Identification of competitive and set-aside Government contracting opportunities in the U.S. and the Middle East;
Development of proposal strategies to enhance proposal submissions and maximize evaluation/award criteria scoring;
Structuring of post-award debriefings objectives and strategies; and
Formation of contract performance plans to meet contractual requirements.

Mr. Koehler also counsels clients on how best to comply with Government-unique contracting and performance requirements, including establishing Most Favored Customer pricing mandates and dealing with multiple award schedule pricing and performance issues. Having handled a diverse range of matters, Mr. Koehler is highly skilled in dealing with:

- Internal investigations;
- Third-party audits;

- Assertions of procurement fraud, conflicts-of-interest matters, and ethics and gratuities violations;
- Suspension and debarment matters;
- Contractor compliance issues;
- Foreign military sales and financing issues;
- Protection of intellectual property;
- Government contractor-related mergers, acquisitions, and assignment of contract issues;
- Facility and personnel security clearance issues and “foreign ownership, control, and influence” issues;
- Service-disabled veteran-owned contracting and 8(a) contracting; and
- Legislative advocacy.

He also has been lead counsel in a broad range of government contract claims and bid protests.

Mr. Koehler is the primary author of a three-volume acquisition procedures manual, originally written for a major defense company contractor, and he is the originating author of a Most Favored Customer clause, adopted by a DoD agency as its standard agency clause.

Mr. Koehler also was a member of the United States Army (1967-1973). His military awards and decorations include the Bronze Star, the Meritorious Service Award, the Army Commendation Medal (with Oak Leaf cluster), the National Defense Service Medal and the Vietnam Service Medal.

Representative Matters:

Represented twenty major manufacturers in their challenge of Government claims asserted under a “most favored customer” pricing clause.

Resolved jurisdictional and taxation issues related to a military housing privatization project.

Formulates corporate strategies for securing facility security clearances for domestic and foreign owned, controlled and influenced (“FOCI”) entities.

Develops corporate plans and strategies for securing GSA Multiple Award Schedule contracts.

Resolves “place of performance” and “substantial transformation” issues related to the application of the Buy American Act and the Trade Agreements Act to foreign-manufactured supplies.

Advises M&A counsel on issues associated with the acquisition of Government contractors (e.g., status of contracts, novation of contracts, security clearances, small business status, CAS-compliance, etc.).

Professional Affiliations:

USO of Metropolitan Washington: Board of Directors, Executive Committee, and former Chairman (two terms)

Former member, Patton Boggs LLP Executive Committee

Former Managing Partner, Patton Boggs LLP Northern Virginia Office

Articles

Regular Contributor, Patton Boggs Middle East Contracting newsletter (2005-present)

Presenter, "Contracting with the United States Government in the Middle East: Fundamentals of Understanding and Making the United States Procurement Process Work for You," Doha, Qatar (May 2005)

Presenter, "Contracting with the Federal Government: Standards of Conduct and Business Ethics Applicable to Doing Business with the Government," presented to Corporate Clients Government Contract Group (July 2004)

Presenter, "Hiring for Competitive Advantage – A Potential Death Sentence." Society of Human Resource Management (SHRM), Northern Virginia Chapter (June 2004)

Presenter, "The Most Favored Customer Clause And Third-Party Audits," The American Logistics Association Annual Convention (2000, 2001 and 2003)

Presenter, "Looking Up The Consequential Damages Flag Pole – Prime/Subcontractor Liability Confrontation," Honeywell's Annual In-house Counsel Meeting (January 2003)