

# Raymond F. Monroe

**Principal**

[rmonroe@milesstockbridge.com](mailto:rmonroe@milesstockbridge.com)

202 465-8399



## Education

**Duke University School of Law**  
(J.D., with *Distinction*, 1980)

**Hobart College (B.A., 1977)**

- Phi Beta Kappa

## Bar Admissions

**District of Columbia, 1981**

**New Jersey, 1980**

## Court Admissions

**Supreme Court of the United States**

**United States District Court for  
the District of Columbia**

**United States Court of Appeals for  
the Federal Circuit**

**United States Court of Appeals for  
the Fourth Circuit**

**United States Court of  
Federal Claims**

Ray Monroe counsels and represents local, national, and multi-national businesses and quasi-public entities in a broad array of industries from aerospace to utilities in matters across the full spectrum of government contracts and grants law.

His over 40 years of experience includes bid protests; claims; compliance programs; construction; corporate governance; cybersecurity; disaster response and hazard mitigation grants; Energy Savings Performance Contracts (ESPCs); False Claims Act; FCPA; internal and external investigations; mandatory disclosures; public-private partnerships; Public Law 85-804 indemnification; subcontracts; suspension and debarment; terminations; the Truthful Cost and Pricing Data Act (previously known as the Truth in Negotiations Act, or "TINA"); and white collar matters. He has appeared before the federal bid protest forums that have existed over the past 40 years (including the GAO and the GSBCA), the federal Boards of Contract Appeals, and federal and state courts. He has also participated in arbitrations as both an advocate and a party arbitrator.

Ray counsels clients regarding the implementation of policy and procurement initiatives at the cutting edge of procurement law; the creation and refinement of corporate compliance policies and procedures; and the development and financing of renewable energy projects, including hydrogen, offshore wind, and solar.

Ray received his law degree from Duke University School of Law in 1980, with distinction, where he served as Executive Editor of the Duke Law Journal. Ray received his undergraduate degree from Hobart College in 1977, Phi Beta Kappa, where he majored in physics and history. Following law school graduation, Ray clerked for Justice Stewart G. Pollock of the New Jersey Supreme Court. Ray is admitted to practice in the District of Columbia and New Jersey.

# Raymond F. Monroe

## Representative Matters

### Litigation:

#### Contract Claims/Case of First Impression/Board of Contract Appeals

- *Appeal of The Boeing Company on behalf of Lockheed Martin Corporation*, ASBCA No. 54853, 06-1 BCA 33,270 (April 12, 2006). Led a team representing the world's largest defense contractor in a \$230 million sponsored claim before the Armed Services Board of Contract Appeals involving ten contracts and subcontracts to manufacture state of the art rocket motors during the Cold War. The case raised complex issues of first impression concerning government contract indemnification clauses authorized under Public Law 85-804, insurance, and recovery of environmental remediation costs and toxic tort litigation expenses coordinated with CERCLA litigation, remediation activity, and DCAA audits. The case established that the ASBCA has Contract Disputes Act jurisdiction over claims based on 85-804 indemnification clauses.

### Litigation:

#### Protests/Construction/Federal Court

- *Bombardier Transportation (Holdings) USA, Inc. v. Metropolitan Washington Airports Authority*, Civ. Action 03-343-A (E.D. Va. Aug. 6, 2003). Successfully represented MWA in a protest of the award of the \$180 million design-build construction project for the Automated People Mover System at Dulles International Airport.

### Litigation:

#### Protests/Case of First Impression/Federal and State Courts

- *Washington-Dulles Transportation, Ltd., v. Metropolitan Washington Airports Authority*, Civ. Action 02-1656, 87 Fed. Appx. 843 (4th Cir. Jan. 30, 2004), cert. denied, 543 U.S. 813 (Oct. 4, 2004). Successfully represented the Metropolitan Washington Airports Authority (MWA), the interstate compact that runs Reagan National and Dulles International Airports, in a protest of the award of the taxicab concession contract at Dulles Airport establishing in a case of first impression the review and oversight roles of the federal and state courts over MWA.

# Raymond F. Monroe

## Representative Matters (Cont.)

### Litigation: False Claims Act

- Successfully defended a major government contractor in a jury trial in the U.S. District Court for the Eastern District of Virginia against alleged violations of the Civil False Claims Act brought by qui tam relators concerning performance of inspections under a telecommunications contract at an Army Base.

### Counseling: Due Diligence

- Organized and performed a multi-country due diligence in connection with the expansion of the international public procurement business of one of the world's leading providers of Infrastructure as a Service (IaaS) Cloud Computing.

### Counseling: Disaster and Hazard Mitigation Contracts and Grants

- Counseled on all aspects of the design and implementation of procurement, accounting, auditing, and compliance systems relating to expenditure of FEMA Stafford Act grant funds for disaster response and hazard mitigation by a private, for-profit entity acting as agent for a state entity under a unique arrangement created by state statute to enhance operations through the use of the private sector to operate and maintain a state-owned utility.
- Counseled re-insurance companies on the federal procurement opportunities (and associated risks) under the Biggert-Waters Flood Insurance Reform Act of 2012, which provides potential opportunities for privatizing reinsurance of the National Flood Insurance Program.

### Counseling: Energy, Renewable Energy, and Utilities

- Counseled energy services companies and utilities from the inception of laws authorizing ESPCs and Utility Energy Service Contracts (UESCs), including how to continue operations and secure funding in light of the Armed Services Board of Contract Appeals (ASBCA), decision holding that Solar Renewable Energy Credits (SRECs) cannot be included in the calculation of "energy savings" under ESPCs and that the provisions in contracts that include SRECs in energy savings are "invalid."
- Counseled companies on the requirements of The Moving Ahead for Progress in the 21st Century Act (MAP-21), including the impact on utilities of MAP-21's Buy America provisions.

# Raymond F. Monroe

## Representative Matters (Cont.)

### Counseling: Energy, Renewable Energy, and Utilities (Cont.)

- Represented a large non-regulated affiliate of a major utility to identify key risk areas and to mitigate performance issues in anticipation of potential high media and congressional visibility relating to the U.S. Army Energy Initiatives Task Force's \$7 billion multiple award task order procurement for locally generated renewable and alternative energy using Power Purchase Agreements or their equivalents.

### Suspension and Debarment

- Represented contractors of all sizes in internal and external reviews and implementation of continual improvement measures related to mitigating the risk of suspension and debarment including compliance reviews, revised policies and procedures, self-imposed monitors, and presentations before suspension and debarment officials with matters often involving other overlapping criminal and/or civil proceedings.

### Investigations

- Represented numerous contractors in internal and external investigations, including investigations relating to potential mandatory disclosures, criminal and civil fraud investigations, and grand jury investigations.