



Reggie Jones

Partner

Washington, DC

Tel: 202.461.3111

Fax: 202.461.3102

Tysons, VA

Tel: 703.454.7650

Fax: 703.454.7651

rjones@foxrothschild.com

Reggie is a member of the firm's Executive Committee, the Office Managing Partner of the Washington, D.C., and Tysons, Va. offices and the Chair of the firm's Federal Government Contracts & Procurement Practice Group.

He has a well-established commercial and federal litigation practice with a focus on large, complex claims prosecution and defense, litigation and alternative dispute resolution. Reggie's clients include national and international corporations, including defense contractors and suppliers, design and engineering firms, construction managers and large specialty trade contractors. He has also represented the National Nuclear Security Administration (NNSA), a semi-autonomous agency within the U.S. Department of Energy, to provide litigation support for the agency's defense of numerous cases in the U.S. Court of Federal Claims.

Reggie litigates bid protests, claims and disputes before the Government Accountability Office (GAO), the various Boards of Contract Appeals, and the U.S. Court of Federal Claims. He represents clients in connection with claims and performance disputes, including terminations, past performance evaluation challenges, DCAA/DCMA audits and investigations, Organizational Conflicts of Interest (OCI), Rights in Data challenges, and suspension and debarment proceedings. Reggie regularly works to resolve complex and sensitive matters with the counsel with the Department of Justice (DoJ), the Department of Defense (DoD), the U.S. Army Corps of Engineers (USACE), the Naval Facilities Engineering Command (NAVFAC), the General Services Administration (GSA), the Small Business Administration (SBA), and the Environmental Protection Agency (EPA).

Reggie advises clients on transactional, project administration issues including contract and subcontract negotiations, teaming arrangements and strategic alliances, and contract novations due to changes in corporate structure. Reggie assists clients in developing, implementing, maintaining and improving their federal business ethics and compliance programs. He also works with clients to help them comply with and manage:

- DFARS cybersecurity requirements, including the Cybersecurity Maturation Model Certification (CMMC)
- Affirmative Action Plans (AAP)
- Equal Employment Opportunity (EEO) rules and regulations
- Federal Small Business Subcontracting Plans
- The SBA's All Small mentor-protégé program
- The Buy American Act (BAA)
- International Traffic in Arms Regulations (ITAR) and export control issues
- Contract Cost Principles and Procedures under FAR Part 31



- The Truth in Negotiations Act (TINA)

Reggie has conducted numerous internal investigations, assisted with voluntary disclosures, and defended numerous civil False Claims Act cases, including those brought by private relators (*Qui Tam*) and the various Offices of Inspector General (OIG).

In the area of commercial and federal construction, Reggie assists clients with claims prosecution and defense before federal and state courts, boards of contract appeals, and in commercial arbitration and mediation. Representative claims include constructive changes, delay, acceleration, and lost labor productivity claims, differing site conditions, defective specification claims, as well as defense of design and construction management professionals against professional negligence and breach of contract claims. Representative projects include mixed-use retail/residential, hotels, convention centers, hospitals, parking structures, universities, museums, power plants, petrochemical facilities, water filtration and water treatment plants, as well as bridge and highway projects.

Before Fox Rothschild

Prior to joining Fox, Reggie was a partner with the Atlanta-based, federal government contracts and construction litigation firm, Smith, Currie & Hancock LLP. He also served as a Captain in the U.S. Army (3/77 Armor Battalion, 3rd Brigade, 1st Armor Division and the 28th Transportation Battalion) from 1991 to 1996, serving four of those years in Germany, Hungary, Croatia and Bosnia-Herzegovina. While in law school, Reggie was a member of *University of Georgia Law Review*.

Beyond Fox Rothschild

Reggie has served on the Board of Directors for the Virginia Chapter of the Associated Builders and Contractors (ABC Virginia Chapter) and as Co-chair of the Construction Division of the American Bar Association's Section of Public Contract Law. He has authored numerous articles on government contract issues that have been published in the Associated Builders and Contractors' *Construction Executive* magazine, *The Procurement Lawyer*, the American Bar Association's *Public Contract Law Journal* and the ABA Forum on the Construction Industry's *The Construction Lawyer*. Reggie currently serves on the Board of Governors of the Washington Building Congress (WBC) and is the Chair of the Regional Development Committee.

Reggie has served on the board of directors of two abused women's shelters—the International Women's House in the Atlanta metropolitan community, where he served as the Chair of the Board of Directors in 2008 and 2009, and the Loudoun Abused Women's Shelter (LAWS) in Virginia where Reggie served as the Treasurer of the Board of Directors from 2010 through 2016. Reggie is also active in U.S. Masters Swimming and his local chapter of the Izaak Walton League of America, a national conservation organization dedicated to conserving, restoring and promoting the sustainable use and enjoyment of America's natural resources.

Honors & Awards

- Recognized by *Chambers USA* for Construction in Washington, DC (2020)
- Named a "Recognized Practitioner" for Construction in Washington, DC by *Chambers USA* (2018-2019)
- Construction Lawyers Society of America, Fellow (2019-Present)
- Named to "The Best Lawyers in America" list for Construction Law in DC by *Best Lawyers* (2019-2021)
- AV Rated in Martindale-Hubbell
- Included in a list of "Super Lawyers" for Construction Litigation in Washington, DC (2012-2021)
- Included in a list of "Super Lawyers" by *Georgia Super Lawyers* (2010, 2011)
- Included in a list of "Rising Stars" by *Georgia Super Lawyers* (2005, 2009)



- Named as an “Up-and-Coming Individual” in construction law in Georgia by Chambers USA (2006, 2007)
- Recipient, Special Recognition Award for Outstanding Legal Services, International Women’s House (a women’s shelter) (2005)
- Recipient, Meritorious Service Medal, United States Army (1996)
- Omicron Delta Kappa (1990 to present)



[*Awards Methodology](#)

Practice Areas

- Federal Government Contracts & Procurement
- Litigation
- Construction

Bar Admissions

- Georgia
- Virginia
- District of Columbia

Court Admissions

- U.S. District Court, Eastern District of Virginia
- U.S. District Court, Western District of Virginia
- U.S. Court of Federal Claims
- U.S. District Court, District of Columbia
- U.S. District Court, Northern District of Georgia
- U.S. District Court, Middle District of Georgia
- U.S. Court of Appeals, Sixth Circuit

Education

- University of Georgia School of Law (J.D., 1999)
- The College of William and Mary (B.A., 1991)

Memberships

- Associated Builders and Contractors Metro Washington Chapter
- Greater Washington Board of Trade
- Associated General Contractors of America, Mississippi Valley Chapter
- American Bar Association (Construction Division Co-Chair, 2009-2010; Operations Division Co-Chair, 2002-2004)



- American Bar Association, Forum on the Construction Industry
- Washington, DC Bar Association
- Virginia Bar Association, Construction Law Section
- Georgia Bar Association
- Atlanta Bar Association, Construction Law Section (1999 to present)

Board of Directors

- Washington Building Congress, Board of Governors, 2010-2020
- Washington Building Congress, Board of Directors, 2020-Present
- Associated Builders and Contractors Virginia Chapter, Board of Directors, 2013-2017

Languages

- German

Representative Matters

- *National Nuclear Security Administration (NNSA)*. Received exceptional Contractor Performance Assessment Reporting System (CPARS) performance evaluations for the provision of litigation support services to this semi-autonomous agency within the U.S. Department of Energy in its defense of numerous cases in the U.S. Court of Federal Claims. Services included conducting legal research, drafting legal memoranda, managing e-discovery, reviewing documents produced by the plaintiff and substantive litigation support.
- *Appeal of Piedmont Independence Square, LLC vs. General Services Administration*, CBCA No. 5605. Successful trial on behalf of a Real Estate Investment Trust (REIT) against the General Services Administration on the renovation of the NASA Headquarters at Two Independence Square in Washington, DC and recovery of millions of dollars in cost overruns caused by GSA and NASA directed changes.
- *Protest of Coffman Engineers, Inc.*, GAO Case No. B-416724; B-416724.2. Successful intervention in and defeat of a Government Accountability Office (GAO) bid protest challenging the presumptive awardee, Burns & McDonnell Engineering Co. Inc.'s award of a \$20 million Indefinite Duration/Indefinite Quantity (IDIQ) Multiple Award Task Order Contract (MATOC) for Architect/Engineering services for the U.S. Naval Facilities Engineer Command Pacific (NAVFAC Pacific).
- *Appeal of 1201 Eye Street, N.W. Associates, LLC vs. General Services Administration*, CBCA No. 5150. Successful award of more than \$2 million in operating cost escalations for a Real Estate Investment Trust (REIT) against the General Services Administration on the National Park Service Headquarters in Washington, DC where GSA unsuccessfully argued that ten years of accumulated operating costs did not carry over to a five-year lease extension.
- *Appeal of Columbia Construction Company vs. General Services Administration*, CBCA No. 3258. Successful award for a lost productivity claim against the General Services Administration on the IRS Service Center renovation project in Andover, Massachusetts.
- *Appeal of Kostmayer Construction, LLC vs. United States Army Corps of Engineers*, ASBCA No. 55053, 08-2



BCA ¶ 33869. Successful challenge to the U.S. Army Corps of Engineers' decision to default terminate a construction contract on a levee project in New Orleans, Louisiana and subsequent award of more than \$4 million and attorneys' fees.

- *Protest of Engineering Design Technologies, Inc.*, GAO Case No. B-410363. Successful prosecution of a Government Accountability Office (GAO) bid protest involving the agency's source selection committee's failure to follow the solicitation's best value criteria on an Indefinite Duration/Indefinite Quantity (IDIQ) Multiple Award Task Order Contract (MATOC) for environmental remediation services, including military munitions responses. As a result of the protest, the client gained the opportunity to compete for contracts in excess of \$500 million.

- *Protest of Zapata Incorporated*, GAO Case No. B-407933. Successful prosecution of a GAO bid protest involving a client's wrongful exclusion from the competitive range of an IDIQ MATOC for environmental remediation services based on the agency's failure to correctly apply solicitation criteria and consider all elements of the proposal. As a result of the protest, the client was awarded a place in the \$250 million MATOC pool and recovered its protest costs from the agency.

- Successfully defended an international defense contractor from a proposed suspension and debarment involving federal projects in Kyrgyzstan, Kazakhstan and Colombia under the U.S. Department of Defense Counter-Narcoterrorism Technology Program Office (CNTPO). As a result of our representation, the government dropped its investigation and dismissed the proposed suspension and debarment.

- Conducted internal investigation on behalf of federal contractor concerning potential size certification fraud by multiple subcontractors. Responsible for determining scope of review, negotiating with U.S. Attorney General, interviewing witnesses, analyzing risks implicit in recently revised regulations, and presenting findings. Obtained successful result of government declining to pursue civil or criminal charges against client under the Civil or Criminal False Claims Act.

- Assisted federal contractor in bringing FAR 52.203-13 disclosure of potential violations by a subcontractor concerning improper Davis-Bacon wage rates.

- Successfully defended a large national construction program management firm against an owner's claims of professional negligence and breach of contract on a private healthcare facility in Baltimore, Maryland.

- Successfully defended a large, national professional engineering firm against multiple, multimillion-dollar professional negligence and breach of contract claims in South Carolina, Georgia and Florida.

- Asserted, negotiated and settled a \$30 million cumulative impact claim on behalf of one of the nation's largest engineer-procure-construct contractors against a private owner on a petrochemical facility in Kansas.

- Successfully represented a joint venture against the operations and maintenance contractor and the U.S.



Department of Energy in a multimillion-dollar lost labor productivity claim on the Oak Ridge National Laboratory in Oak Ridge, Tennessee.

•

Successfully represented a mechanical subcontractor and electrical subcontractor in obtaining a multimillion-dollar recovery for lost labor productivity from a construction manager at risk on a large convention center project in Georgia.

•

Successfully defended a national federal construction contractor against civil False Claims Act allegations asserted by the U.S. Department of Justice (DOJ) and a proposed suspension and debarment brought by the Environmental Protection Agency (EPA). As a result of our representation, the client was able to enter a favorable administrative settlement agreement with DOJ involving an independent monitor and the EPA's Suspension and Debarment Official dismissed the proposed suspension and debarment upon the conclusion of the hearing.