



Robert K Tompkins

Partner

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Related Practices: Government Contracts | Litigation and Dispute Resolution | Compliance Services
| False Claims Act Defense | White Collar Defense and Investigations | Mergers and Acquisitions | Native American Law
| Congressional Investigations | Regulatory and Federal Litigation | Risk and Crisis Management

Bob Tompkins is a partner in Holland & Knight's Washington, D.C., office and co-chair of the National Government Contracts Practice. Mr. Tompkins provides strategic advice and counsel to government contractors, their management and investors. He is experienced in government contract protests and disputes, government investigations and related proceedings, mergers and acquisitions, matters related to the U.S. Small Business Administration (SBA) government contracting programs and providing general counseling to clients. He also serves as a member of the firm's Risk and Crisis Management Team and represents contractors and grant recipients in complex, high-stakes matters, including congressional investigations, inspector general inquiries, suspension and debarment proceedings.

Government Contract Bid Protests and Disputes

Mr. Tompkins has represented clients in numerous bid protests at the Government Accountability Office (GAO), the Federal Aviation Administration (FAA) Office of Dispute Resolution for Acquisition (ODRA), and the U.S. Court of Federal Claims, as well as in agency-level protests. He also represents a wide range of companies in small-business protests and appeals to the SBA Office of Hearings and Appeals (OHA). Mr. Tompkins advises clients on responding to federal procurement solicitations, as well as how to interpret and comply with federal procurement law, including the Federal Acquisition Regulation (FAR).

Government Investigations, Audits, Suspension and Debarment

Mr. Tompkins assists clients with practical strategies to develop and carry out internal investigations and to respond to external government audits and investigations. As a member of the firm's Risk and Crisis Management team, Mr. Tompkins has experience representing clients in high-stakes, multifaceted matters often involving all three branches of government as well as media and public relations strategies. Mr. Tompkins has represented clients in connection with investigations by the GAO, various Offices of Inspector General (OIGs), the Department of Defense, the SBA, the Department of Energy and the Department of Justice, among others. Mr. Tompkins has also represented clients in congressional investigations. Clients call on Mr. Tompkins to help them navigate suspension and debarment proceedings, avoid suspension and debarment or negotiate an appropriate administrative agreement to have a suspension or debarment lifted. He is well-versed in

advising contractors on making voluntary disclosures to the government regarding potential violations and complying with the mandatory disclosure requirements set forth in Federal Acquisition Regulation (FAR) Part 3.

Government Contracts Compliance Services

Mr. Tompkins has developed a wide range of ethics and compliance programs for companies of all sizes. He assists contractors with compliance program assessments and evaluations, and advises management on best practices for developing, maintaining, and improving ethics and compliance programs. He also counsels clients on establishing internal processes and controls to handle reports of potential ethics and compliance violations.

Small Business and SBA Matters

Mr. Tompkins guides clients through all aspects of the government contracting programs offered by the SBA such as the 8(a), HUBZone and Service-Disabled Veteran-Owned (SDVO) and Women-Owned Small Business Programs. He counsels government contractors on participation in SBA's 8(a) mentor-protégé program and in forming joint venture and teaming arrangements with other entities to effectively pursue complex government procurements. He has also helped several small businesses obtain 8(a) certification and establish themselves as 8(a) contractors.

In particular, Mr. Tompkins focuses on assisting Alaska Native Corporations (ANCs) and Indian tribes participating in the SBA's 8(a) Program. His in-depth knowledge of the program requirements and benefits available to tribal- and ANC-owned businesses helps these clients through all stages of development. In addition to advising on core government contracts issues, Mr. Tompkins' counsel to tribes and ANCs includes advising on: preparing and applying for admission to the 8(a) Program; establishing effective internal controls and risk management policies to ensure program compliance; structuring business arrangements with other entities, including teaming agreements, subcontracts, joint ventures and administrative services agreements in compliance with SBA requirements; and government proceedings, including size determinations, appeals to SBA's Office of Hearings and Appeals, and investigations by the SBA's Office of Inspector General.

Government Contract Transactions and Due Diligence

Numerous government contractors, private equity firms and venture capital firms seek Mr. Tompkins guidance in conducting due diligence of potential acquisition or investment targets in the government contracts industry. For many of these entities, he focuses on transactions involving target companies with small business or 8(a) contract backlogs and also assists with post-acquisition integration and compliance issues.

Grants and Cooperative Agreements

Mr. Tompkins' background also extends to federal grants and cooperative agreements. He counsels on compliance with Office of Management and Budget circulars, other regulations governing federal assistance agreements and developing compliance programs to meet the administrative and regulatory requirements that accompany the receipt of federal funds. Mr. Tompkins has successfully litigated bid protests involving application of the Federal Grant and Cooperative Agreement Act (FGCAA).

Honors & Awards

- » *Chambers USA – America's Leading Business Lawyers* guide, Government: Government Contracts, 2018

- » Top Author, Defense & Space Industry, JD Supra Readers' Choice Awards, 2017
- » *Law360* Government Contracts MVP, 2014

Publications

- » How GSA is Dealing with Breach of Gov't Contract Database, Co-Author, *Law360*, May 9, 2018
- » GSA Identifies Fraudulent Activity in SAM.gov and Imposes New Requirements, *Holland & Knight Alert*, April 30, 2018
- » 2018 NDAA Analysis: DoD "Amazon" Bill Poised to Become Law, *Holland & Knight Government Contracts Blog*, November 15, 2017
- » Administration Issues EO Providing Framework for Domestic Buying and Hiring Preferences for Federal Procurement and Federally-Funded Projects, *Holland & Knight Government Contracts Blog*, April 18, 2017
- » Congress to Take Action to Undo the Contractor Blacklisting Rule, *Holland & Knight Government Contracts Blog*, February 1, 2017
- » SBA's New Mentor-Protégé Program for All Small Businesses Presents New Opportunities and Challenges, *Nat8a Magazine*, February 2017
- » DOJ Toughens Stance on Certain Employment-Related Agreements Between Competitors, *Holland & Knight Alert*, October 28, 2016
- » Nationwide Injunction Issued Against Fair Pay and Safe Workplaces Reporting Requirements and Arbitration Agreement Restrictions, *Holland & Knight Government Contracts Blog*, October 25, 2016
- » Federal Contractors Be Aware: Rule on Tax Delinquencies and Felony Convictions Finalized, *Holland & Knight Alert; Westlaw Journal*, October 17, 2016
- » The FAR Councils Drop 10 FAR Amendments in End-of-Fiscal-Year Blitz, *Holland & Knight Government Contracts Blog*, October 3, 2016
- » SBA Final Rule Adopts Changes to Subcontracting Limitations and Other Regulations, *Pratt's Government Contracting Law Report*, August 2016
- » SBA Final Rule Adopts Changes to Subcontracting Limitations and Other Regulations, *Holland & Knight Alert*, June 1, 2016
- » DSS Issues NISPOM Revisions Requiring Cleared Contractors to Create Inside Threat Programs, *Holland & Knight Government Contracts Blog*, May 27, 2016
- » Long Anticipated Changes to DOL Overtime Rules to be Announced Tomorrow, *Holland & Knight Government Contracts Blog*, May 17, 2016
- » Lobbying Restrictions for Federal Contractors - The Byrd Amendment, *Holland & Knight Political Law Blog*, March 18, 2016
- » Report from the National 8(a) Association 2016 Winter Conference in Orlando, *Holland & Knight Alert*, February 19, 2016
- » Lobbying Restrictions for 501(c)(4)s Receiving Federal Grants, Loans or Other Awards - The Simpson Amendment, *Holland & Knight Political Law Blog*, January 27, 2016
- » Growing Whistleblower and Investigation Risks for Government Contractors, *Compliance and Ethics Professional*, September 2015
- » SEC Enforcement Action Puts Publicly-Traded Contractors' Internal Investigation Policies in the Crosshairs, *Pratt's Government Contracting Law Report*, September 2015
- » Proposed FAR Amendments Create New Disclosure Obligations and Compliance Regime, *Holland & Knight Alert*, June 4, 2015
- » Boeing Kickback Case Underscores Critical Importance of Compliance Programs, *Holland &*

Knight Alert, April 29, 2015

- » SEC Enforcement Action Puts Publicly-Traded Contractors' Internal Investigation Policies in the Crosshairs, *Holland & Knight Government Contracts Blog*, April 2, 2015
- » DOT Announces Pilot Program Permitting Local Hiring Preferences, *Holland & Knight Alert*, March 23, 2015
- » SBA Proposed Rule Outlines New Mentor-Protégé Program for All Small Businesses, *Holland & Knight Alert*, February 9, 2015
- » New Government Contractor Regulations Define and Prohibit Workplace Sexual Bias, *Holland & Knight Alert*, February 3, 2015
- » Executive Orders Require Vendors' Attention, *National Defense*, November 2014
- » Executive Order Creates New Disclosure Obligations for Government Contractors, *Holland & Knight Alert*, August 6, 2014
- » D.C. Circuit Upholds Attorney-Client Privilege in Internal Investigations, *Holland & Knight Alert*, June 30, 2014
- » Federal District Court: Documents Created During an In-House Corporate Compliance Investigation Are Not Privileged, *Holland & Knight Alert*, March 27, 2014

Speaking Engagements

- » Milestones...What are the 8(a) milestones?, National 8(a) Webinar, September 11, 2018
- » Bid and Size Protests: What ANCs Need to Know, Holland & Knight Program, June 19, 2018
- » National Reservation Economic Summit, Mentor-Protégé Relationships - Value Propositions to Mentors and Protégés, March 5-8, 2018
- » GAO and OIG Audits and Investigations: Making the Government Turn Square Corners, Society of Corporate Compliance and Ethics Webinar, August 29, 2017
- » The Civil False Claims Act: What Federal Contractors and Their In-House Counsel Need to Know, Holland & Knight Webinar, July 20, 2017
- » Government Contracts Seminar: Understanding the False Claims Act – Considerations for ANCs, Holland & Knight Program, June 27, 2017
- » Domestic Preferences in Federal Contracts, Holland & Knight Webinar, May 18, 2017
- » Understanding the SBA's New Mentor-Protégé Program, Holland & Knight Webinar, April 20, 2017
- » Government Contracting: Strategies and Trends for Winning Today, April 6, 2017
- » National Reservation Economic Summit, Mentor-Protégé Relationships – Value Propositions to Mentors and Protégés, Speaker, March 13-16, 2017
- » Antitrust Issues in Government Contracting, Holland & Knight Webinar, February 15, 2017
- » Introducing, Interpreting and Applying the New SBA Regulations: Mentor-Protégé, National 8(a) Association Small Business Conference, February 7, 2017
- » Expanding into the Global Market: Small Business Opportunities Outside the Continental U.S., National 8(a) Association Small Business Conference, February 7, 2017
- » New FAR Requirements for Government Contractors: Fair Pay and Safe Workplaces, Holland & Knight Webinar, October 5, 2016
- » National 8(a) Association 2016 Summer Conference, Secret, Top Secret, or Confidential – An Overview of Security Clearances; Advanced Compliance Programs and Disclosure Requirements, June 14-15, 2016
- » Disclosure Requirements and Issues that Drive Investigations, Holland & Knight Program, April 5, 2016

- » Government Contractor Lobbying and Political Restrictions, Holland & Knight Webinar, December 1, 2015
- » GSA Leasing and Federal Real Estate Breakfast Briefing, Holland & Knight Program, June 25, 2015
- » National 8(a) Association 2015 Summer Conference, Recent Developments in Government Contracts Labor and Employment Law; Inspector General and Oversight Trends, June 16-17, 2015
- » Before You Get Sued: Better Investigation Tactics to Mitigate Legal Risk, RIMS 2015 Annual Conference, April 26-29, 2015
- » Cyber Security - What 8(a) Contractors Need To Know, National 8(a) Association 2015 Winter Conference, February 2-4, 2015
- » Government Contracting Legal Update, VSCPA Professional Development Conference, October 22-24, 2014
- » My Proposal Was Rejected! My Award Was Protested! What Do I Do?, NCMA Washington, D.C., July 16, 2014
- » 2014 Government Contracting Symposium, Holland & Knight Program, May 22, 2014
- » How to Walk a Tightrope without Handcuffs: Avoiding Compliance Traps When Administering Federal Contracts With Minority and Other SBA Regulated Entities, Moderator, American Bar Association's Forum on the Construction Industry, April 10-12, 2014
- » National 8(a) Association 2014 Winter Conference, February 11-12, 2014

Memberships

- » *Law360* Government Contracts Editorial Advisory Board

Education

- » Washington and Lee University, J.D.
- » Washington and Lee University, B.A.

Bar Admissions

- » District of Columbia
- » Maryland
- » Virginia